

CITY COUNCIL

AGENDA

Monday, January 09, 2012 – Council Chambers, City Hall

Call to Order:	2:00 PM
Recess:	5:00 PM to 6:00 PM
Public Hearing(s):	6:00 PM

1. MINUTES

- 1.1. Confirmation of the Minutes of the Monday, December 12, 2011 Regular Council Meeting

(Agenda Pages 1 – 21)

2. POINT OF INTEREST

3. UNFINISHED BUSINESS

4. REPORTS

- 4.1. Consideration of Resolutions for Submission to Federation of Canadian Municipalities (FCM)

(Agenda Pages 22 – 27)

- 4.1.a. Federal Funding to Museums Resolution

- 4.1.b. Municipal Infrastructure Funding Initiatives Resolution

- 4.2. Former Michener Site Buildings (East of Gaetz Lake Sanctuary): Joint Planning Between The City and The Province of Alberta Requested

(Agenda Pages 28 – 31)

5. BYLAWS

- 5.1. Land Use Bylaw Amendment 3357/A-2012
Correction / Clarification Amendments
Consideration of First Reading of the Bylaw
(Agenda Pages 32 – 38)
- 5.2. Waskasoo Park Interpretive Master Plan - Borrowing Bylaw 3476/2012
Consideration of First Reading of the Bylaw
(Agenda Pages 39 – 42)
- 5.3. Borrowing Bylaw Amendment 3376/A-2012 - Sanitary Offsite Levy Fund
Consideration of First Reading of the Bylaw
(Agenda Pages 43 – 45)
- 5.4. Emergency Management Bylaw Amendment 3468/A-2012
Changes to Sections 13 and 24 (c)
Consideration of First Reading of the Bylaw
(Agenda Pages 46 – 55)
- 5.5. 39 Street Water Trunk Twinning (from Springbett Drive to Maxwell Avenue)
Amendment to Water Off-Site Borrowing Bylaw 3459/2010
Borrowing Bylaw Amendment 3459/A-2011
Consideration of Second and Third Readings of the Bylaw
(Agenda Pages 56 – 61)
- 5.6. Utility Bylaw Revisions
New Utility Bylaw 3464/2011
Consideration of Second and Third Readings of the Bylaw
(Agenda Pages 62 – 144)

6. PETITIONS AND DELEGATIONS

7. NOTICES OF MOTION

- 7.1. Notice of Motion Submitted by Councillor Tara Veer
Options for the Regulation and Control of Urban Chickens
and Other Livestock in the City of Red Deer
(Agenda Pages 145 – 147)

8. PUBLIC HEARINGS

- 8.1. Council Request for Information September 6, 2011
Information on Place of Worship Site in Lancaster/Vanier East Neighbourhood
Area Structure Plan (NASP)
Land Use Bylaw Amendment 3357/T-2011
Consideration of Second and Third Readings of the Bylaw
(Agenda Pages 148 – 169)

9. REPORTS - CONTINUED

- 9.1. Downtown Business Association 2012 Budget
(Agenda Pages 170 – 188)

10. BYLAWS - CONTINUED

- 10.1. Secondary Suite Licensing Bylaw 3475/2011
Consideration of Second and Third Readings of the Bylaw
(Agenda Pages 189 – 217)

11. CORRESPONDENCE

12. ADMINISTRATIVE INQUIRIES

13. ADJOURNMENT

14. ATTACHMENT(S)

- 14.1. Attachment A - Current Utility Bylaw 3215/98
As At December 12, 2011
(Agenda Pages 218 – 289)
- 14.2. Attachment B - Comments Received from the Public Regarding
Secondary Suite Licensing Bylaw 3475/2011
(Agenda Pages 290 – 414)



U N A P P R O V E D - M I N U T E S

**of the Red Deer City Council Regular Meeting
held on , Monday, December 12, 2011
commenced at 2:01 P.M.**

Present:

Mayor Morris Flewwelling
Councillor Buck Buchanan
Councillor Paul Harris
Councillor Chris Stephan
Councillor Tara Veer
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Craig Curtis
Acting Director of Community Services, Greg Scott
Director of Corporate Services, John Knoch
Director of Development Services, Paul Goranson
Acting Director of Planning Services, Joyce Boon
Human Resources Manager, Marge Wray
Legislative & Governance Services Manager, Elaine Vincent
Deputy City Clerk, Frieda McDougall
Corporate Meeting Coordinator, Bev Greter
Acting Recreation, Parks & Culture Manager, Kristina Oberg
Engineering Services Manager, Frank Colosimo
Environmental Services Manager, Tom Warder
Land & Economic Development Manager, Howard Thompson
Social Planning Manager, Scott Cameron

Absent:

Councillor Cindy Jefferies
Councillor Lynne Mulder

**I. IN CAMERA MEETING**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer agrees to enter into an In-Camera meeting of Council on Monday, December 12, 2011 at 2:01 p.m. and hereby agrees to exclude the following:

All members of the media; and
All members of the public.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Chris Stephan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to revert to an open meeting of Council on December 12, 2011 at 2:26 p.m.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

2. MINUTES**2.1. Confirmation of the Minutes of the Thursday, November 24, 2011
Capital Budget Meeting**

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that the Thursday, November 24, 2011 Capital Budget Meeting Minutes of Red Deer City Council be approved as circulated.



IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan,
Councillor Paul Harris, Councillor Chris Stephan, Councillor
Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Tara Veer

MOTION CARRIED

**2.2. Confirmation of the Minutes of the Monday, November 28, 2011
Regular Council Meeting**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tara Veer

Resolved that the Monday, November 28, 2011 regular Meeting Minutes of Red Deer City Council be approved with a correction to the spelling of Councillor Lynne Mulder's name.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan,
Councillor Paul Harris, Councillor Chris Stephan, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3. Confirmation of the Minutes of the Tuesday, December 6, 2011
Special Council Meeting**

Moved by Councillor Paul Harris, seconded by Councillor Buck Buchanan

Resolved that the Tuesday, December 6, 2011 Special Meeting Minutes of Red Deer City Council be approved as circulated.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan,
Councillor Paul Harris, Councillor Chris Stephan, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



3. POINTS OF INTEREST

On a Point of Interest, Councillor Paul Harris reported that he recently attended FCM, Advocacy Days in Ottawa with councillors from across the country. There were over 100 meetings with MPs to deal with infrastructure and safety.

Councillor Frank Wong noted that as Deputy Mayor on November 30 he attended the grand opening of the Running Room. On December 2 Councillor Wong brought greetings to the Red Deer Arts Council's 25th Annual Celebration and on December 8 he attended the Central Alberta Photographic Society's Exhibition. On December 9, Councillor Wong attended both the Employment Placement Support Services 25th Anniversary and later welcomed two Sport Chek employees on a 300km run from Edmonton to Calgary in support of the World Junior Hockey Tournament.

On a Point of Interest, Councillor Dianne Wyntjes noted that Monday, December 12, 2011 is Human Rights Day and on December 3, 2011 Councillor Wyntjes presented The City's proclamation on International Day of Person's with Disabilities.

Councillor Buck Buchanan heard that on December 1, 2011 he attended the Red Deer Municipal User's Group meeting with Councillor Dianne Wyntjes. On December 6 Councillor Buchanan attended the Council of Aging, on December 7 he attended the sub-committee of AUMA on Energy and Infrastructure and on December 9 he attended the Red Deer Chamber of Commerce Open House.

4. UNFINISHED BUSINESS

4.1. Red Deer Destination Marketing Fund Committee

Mr. John Mytz, General Manager of the Red Deer Lodge and Chair of the Red Deer Destination Marketing Fund Committee was in attendance to speak to this item.

Moved by Councillor Chris Stephan, seconded by Councillor Tara Veer

Resolved that Council of The City of Red Deer having considered the report from the Land & Economic Development Department dated December 1, 2011, Re: Red Deer Destination Marketing Fund Committee hereby agrees to receive the report as



information.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

4.2. Implementation of an Idle Free Public Education Campaign: Update and Progress Report – Request to Table

Moved by Councillor Chris Stephan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from the Environmental Services Department, dated November 30, 2011, Re: Implementation of an Idle Free Public Education Campaign: Update and Progress Report, agrees to table the report to the Monday, April 16, 2012 Council Meeting.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

4.3. Commuter Bike Pilot Program Update - Request to Table

Moved by Councillor Buck Buchanan, seconded by Councillor Tara Veer

Resolved that Council of The City of Red Deer having considered the report from the Engineering Services Department, dated December 1, 2011, Re: Commuter Bike Pilot Program – Update, agrees to table consideration of the update report to the last Council meeting in April, 2012.



IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

4.4. River Bend Golf & Recreation Area - Deferral of Loan Payment for 2008 - 2011 - Request to Table

Moved by Councillor Buck Buchanan, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer having considered the report from the Recreation, Parks & Culture Department, dated December 1, 2011, Re: River Bend Golf and Recreation Area agrees to table consideration of the report to the Tuesday, February 21, 2012 Council meeting.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

4.5. Federal Homelessness Partnering Strategy Grant Allocation - "Re-Profiling" Annual Amounts

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from the Social Planning Department, dated December 1, 2011, Re: Federal Homelessness Partnering Strategy Grant Allocation Re-Profiling Annual Amounts, hereby:

- I. Requests that the Government of Canada re-profile \$171,372 from the 2011 – 2012 Homelessness Partnering Strategy grant to the subsequent fiscal years within the grant agreement as follows:



- a) \$86,186 from the fiscal year of 2011-2012 to 2012-2013, and
 - b) \$85,186 from the fiscal year of 2011-2012 to 2013-2014.
2. Authorizes the preparation of a letter to the Government of Canada, for the Mayor's signature, outlining the above request and copying the local Member of Parliament.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

4.5.a. Federal Homelessness Partnering Strategy Grant Allocation – 2012-2014

Moved by Councillor Buck Buchanan, seconded by Councillor Chris Stephan

Resolved that Council of The City of Red Deer having considered the report from the Social Planning Department, dated December 1, 2011, Re: Federal Homelessness Partnering Strategy Grant Allocation – 2012 – 2014, hereby accepts the recommendation of the Community Housing Advisory Board to provide funding for the following projects through the Homelessness Partnering Strategy Grant effective January 1, 2012 to March 31, 2014:

I. Designated Funding Stream – Priority #1: Housing Prevention and Assistance Program:

Agency and Project Description	
<p>Central Alberta Women's Outreach Society:</p> <p>The Red Deer Housing Team is a project made up of a Prevention Outreach Intake Worker and two Prevention Case Managers. The project will assist individuals who cannot access other services to prevent an eviction or receive assistance to be rapidly re-housed. The service is available to all individuals and families regardless of age or ethnicity. This program will dovetail within the program funded through</p>	<p>\$507,352</p>



the Province of Alberta and will offer a centralized intake.	
Red Deer Youth and Volunteer Centre: Youth Connections will provide shelter and outreach support with the goal to reconnect the youth to their family or to establish them within their own housing unit. Target group: youth ages 14 -17.	\$110,000
Total Recommendation:	\$617,352

2. Aboriginal Funding Stream – Priority #1: Housing Prevention and Assistance Program

Agency and Project Description	
Red Deer Native Friendship Society: Aboriginal Housing Outreach Project is a project made up of a 1 outreach worker and a 0.5 resource worker. The project will assist individuals who are in need of support and services to prevent homelessness. It will re-house individuals and ensure access to meaningful programming for individuals who need external resources to prevent themselves from slipping into a pattern of homelessness.	\$281,118
Total Recommendation:	\$281,118

3. Designated and Aboriginal Funding Stream – Priority #2: Housing and Homelessness Network:

Agency and Project Description	
Red Deer & District Community Foundation: EveryOne's Home Leadership Model. This project will hire a coordinator who will serve as an internal resource to the working groups of the EveryOne's Home Leadership model. The coordinator will serve as a means to raise awareness in the larger community, will inform the larger community on issues of importance related to homelessness, and will provide opportunities for the larger community to participate in ending	\$190,323



homelessness in Red Deer.	
Total Recommendation:	\$190,323

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

5. REPORTS

5.1. New Council Policy 5331-C - "Delegation: Disposal of Unclaimed Items"

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer having considered the report from the Legislative & Governance Services Department, dated November 8, 2011, Re: New Council Policy 5331-C – Delegation: Disposal of Unclaimed Items, hereby approves Council Policy 5331-C-Delegation: Disposal of Unclaimed Items, as presented to Council on December 12, 2011.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

5.2. Comparative Site Analysis Report for Skateboard Park and Spray Park

Moved by Councillor Tara Veer, seconded by Councillor Dianne Wyntjes



Resolved that Council of The City of Red Deer having considered the report from the Recreation, Parks and Culture Department, dated December 9, 2011, Re: Comparative Site Analysis Report for Skateboard Park and Spray Park, hereby approves the Rotary Recreation Park as a site for a future Spray Park.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Chris Stephan, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer having considered the report from the Recreation, Parks and Culture Department, dated December 9, 2011, Re: Comparative Site Analysis Report for Skateboard Park and Spray Park, hereby approves the G.H. Dawe School site as a site for a future Regional Skateboard Park pending further discussion with the Red Deer Public School Division and the Red Deer Catholic Regional Division.

IN FAVOUR: Councillor Paul Harris, Councillor Chris Stephan, Councillor Frank Wong

OPPOSED: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Tara Veer, Councillor Dianne Wyntjes

MOTION DEFEATED

Councillor Dianne Wyntjes left Council Chambers at 4:30 p.m. and returned at 4:32 p.m.

Councillor Paul Harris left Council Chambers at 4:46 p.m. and returned at 4:48 p.m.

Moved by Councillor Tara Veer, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from the Recreation, Parks and Culture Department, dated December 9, 2011, Re: Comparative Site Analysis Report for Skateboard Park and Spray Park, hereby approves the Glendale School as a site for a future Regional Skateboard Park pending further discussion with the Red Deer Public School District and neighbours.



IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Tara Veer, Councillor Dianne Wyntjes

OPPOSED: Councillor Chris Stephan, Councillor Frank Wong

MOTION CARRIED

5.3. Proposed Shoppers Drug Mart & Canadian Brew House at Clearview Market

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from the Inspections and Licensing Department, dated December 1, 2011, Re: Proposed Shoppers Drug Mart and Canadian Brew House at Clearview Market, hereby:

- A.** Approves the development of Shoppers Drug Mart of a 1719.82m² commercial building, to be located at 7 Clearview Market Way, zoned DC(27).

Approval is subject to the following conditions:

1. The owner will be required to extend the 67th Street trail from Carleton Avenue to 30th Avenue, satisfactory to Engineering Services.
2. The owner is required to enter into an Indemnity Agreement for all surface improvements over top of public utility right of ways, satisfactory to Engineering Services.
3. The owner to submit a preliminary easement plan showing the required easements of the minimum 2 metres wide along the cable alignment and 3 metres square at each transformer



location, satisfactory to the Electric, Light and Power Department.

4. The owner to sign a work order for the installation of power services, satisfactory to the Electric, Light and Power Department.

- B.** Approves the development of the Canadian Brew House for the discretionary use of a of a 603.87m² drinking establishment with a 111.5m² patio, on behalf of the Canadian Brew House, at 12 Conway Street, zoned DC(27).

Approval is subject to the following conditions:

1. The owner will be required to extend the 67th Street trail from Carleton Avenue to 30th Avenue, satisfactory to Engineering Services.
2. The owner is required to enter into an Indemnity Agreement for all surface improvements over top of public utility right of ways, satisfactory to Engineering Services.
3. The owner to submit a preliminary easement plan showing the required easements of the minimum 2 metres wide along the cable alignment and 3 metres square at each transformer location, satisfactory to the Electric, Light and Power Department.
4. The owner to sign a work order for the installation of power services, satisfactory to the Electric, Light and Power Department.
5. The owner must meet the requirements for fats, oil and grease (FOG) interception for commercial developments as outlined in the City of Red Deer Utility Bylaw 3215 - 98, satisfactory to Engineering Services.



6. The owner will be required to obtain a Drinking Establishment License, satisfactory to the Inspections & Licensing Department.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

5.4. Extension to Oil and Gas Facility Abandonment Agreement

Moved by Councillor Buck Buchanan, seconded by Councillor Tara Veer

Resolved that Council of The City of Red Deer, having considered the report from the Engineering Services Department, dated December 2, 2011, Re: Extension to Oil and Gas Facility Abandonment Agreement, hereby directs Administration to enter into an amendment to the Oil and Gas Facility Abandonment Agreement dated December 11, 2009 with Conserve that will delay the requirement of the shutdown of 4 wells and associated pipelines until June 30, 2012 and further delegates authority to the City Manager to enter into any future amendments to this agreement.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 5:13 p.m. and reconvened at 5:55 p.m.

5.5. Appointment of Citizen Representatives to Committees

5.5.a Greater Downtown Action Plan Committee

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan



Resolved that Council of The City of Red Deer, having considered the report from the Legislative & Governance Services Manager, dated December 6, 2011, hereby appoints the following citizen representatives to the Greater Downtown Action Plan Committee:

Shane Crawford Youth Representative - for a term to expire at the Organizational Meeting of 2013

Ed Grose - for a term to expire at the Organizational Meeting of 2013

Isaac Martinez - for a term to expire at the Organizational Meeting of 2012

(John) Paul Stewart - for a term to expire at the Organizational Meeting of 2012

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

5.5.b Library Board

Moved by Councillor Frank Wong, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer, having considered the report from the Legislative & Governance Services Department, dated December 6, 2011, hereby appoints the following citizen representative to the Library Board:

Klaus Ruschin - for a term to expire at the Organizational Meeting of 2013.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



5.5.c Red Deer & District Family & Community Support Services Board (FCSS)

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the report from the Legislative & Governance Services Department, dated December 6, 2011, hereby appoints the following citizen representative to the Red Deer & District Family & Community Support Services Board (FCSS):

Kathleen Weary - to fill the unexpired term of Sean Noble to the Organizational Meeting of 2012

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

6. BYLAWS

6.1. Proposed Increase in Parking Penalties and Early Payment Reduction Traffic Bylaw Amendment 3186/D-2011 General Penalty Bylaw Amendment 3036/C-2011

Moved by Councillor Dianne Wyntjes, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department, dated December 1, 2011, Re: Proposed Amendment to the General Penalty Bylaw Amendment 3036/C-2011, hereby agrees to amend General Penalty Bylaw Amendment 3036/C-2011 as follows:

Delete Item 1 and replace it with the revised Item 1 as shown below:

- I Section 5 is deleted in its entirety and replaced with the following revised Section 5:



- 5 (1) The penalties for offences under the following sections of the Traffic Bylaw 3186/97 may be reduced by \$35.00 if paid to The City of Red Deer within 10 days of the date of service of the tag:
- (a) all sections under Part 4;
 - (b) all sections under Part 5;
 - (c) Part 6 sections 37, 37.2 (d), 38, 39(2), 39(3), 39(4);
 - (d) all sections under Part 7; and
 - (e) Part 8 sections 52, 53 91), 53.2, 63, 73.1
- (2) Payment of the reduced amount under section 5(1) shall be accepted by The City in full satisfaction of the tag.
- (3) After the expiry of 10 days from the date of service of the tag, the full penalty amount must be paid, and may be paid to The City of Red Deer at any time before a summons is issued.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Paul Harris, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Buck Buchanan, Councillor Chris Stephan

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

SECOND READING: That Bylaw 3186/D-2011 (Traffic Bylaw Amendment / Proposed Increase in Parking Penalties and Early Payment Reduction) be read a second time.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Paul Harris, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes



OPPOSED: Councillor Buck Buchanan, Councillor Chris Stephan
MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

THIRD READING: That Bylaw 3186/D-2011 be read a third time.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Paul Harris, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Buck Buchanan, Councillor Chris Stephan
MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

SECOND READING: That Bylaw 3036/C-2011 (General Penalty Bylaw
Amendment / Proposed Increase in Parking Penalties and
Early Payment Reduction) be read a second time.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Paul Harris, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Buck Buchanan, Councillor Chris Stephan
MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

THIRD READING: That Bylaw 3036/C-2011 be read a third time.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Paul Harris, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes



OPPOSED: Councillor Buck Buchanan, Councillor Chris Stephan

MOTION CARRIED

6.2. Proposed Amendment to Utility Bylaw - Utility Bylaw Amendment 3215/B-2011

Moved by Councillor Tara Veer, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the report from the Engineering Services Department, dated December 2, 2011, Re: Proposed Amendment to Utility Bylaw Amendment 3215/B-2011, hereby agrees to amend Utility Bylaw Amendment 3215/B-2011 as follows:

1. By Inserting the following as Item 2 as shown below:
2. Section 44 is deleted and replaced with the following revised section 44:
 - 44 The Director of Development Services shall have the discretion to extend the period of time within which the connection to the Water Main and Wastewater Sewer must be made for such period of time as the Director considers is reasonable and subject to review every 5 years or less, provided that such extension of time is consistent with City policies and Council direction, and also provided that the failure to connect:
 - (a) will not jeopardize the health or safety of the occupants of the building or of other City residents;
 - (b) will not adversely affect the integrity or operation of those utilities; and
 - (c) will not present an undue risk of damage to property or the environment.
3. By renumbering the previous Item 2 to Item 3.



IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Chris Stephan

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3215/B-2011 be read a third time.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Chris Stephan

MOTION CARRIED

6.3. Proposed Amendment to Utility Bylaw - Clarification Report Regarding Connection to the Utility Service

This report was accepted as information.

6.4. Utility Bylaw Revisions New Utility Bylaw 3464/2011

Moved by Councillor Paul Harris, seconded by Councillor Tara Veer

FIRST READING: That New Utility Bylaw 3464/2011 (to replace existing Utility Bylaw 3215/98) be read a first time.



IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan,
Councillor Paul Harris, Councillor Chris Stephan, Councillor
Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

7. PUBLIC HEARINGS

There were no Public Hearings for this meeting.

8. CORRESPONDENCE

There was no Correspondence for this meeting.

9. PETITIONS AND DELEGATIONS

There were no Petitions and Delegations for this meeting.

10. NOTICES OF MOTION **Submitted by Councillor Tara Veer**

Whereas a recent Red Deer Advocate article reported that there are citizens in the city who are raising chickens in their backyards; and

Whereas The City's Land Use Bylaw does not indicate the keeping of chickens as either a permitted or a discretionary use thereby indicating it is not permitted within the city; and

Whereas some citizens are supportive of the raising of chickens in an urban environment if properly regulated and controlled; and

Whereas some citizens are concerned about the raising of chickens in an urban environments; and

Whereas Council, through its Governance & Policy Committee, has requested administration to prepare a Land Use Bylaw amendment that would permit urban chickens; and



Whereas, a Land Use Bylaw amendment is not the only means of establishing regulations;

Therefore be it Resolved that The City of Red Deer request administration to explore other options for the regulation and control of urban chickens and other livestock through a licensing system such as those used in other jurisdictions as such a system would also allow for the proper regulation of urban chickens and for the revocation of licenses for non-compliance with regulations.

Further be it Resolved that administration provide a report to Council, by February 21, 2012 in response to this request.

11. ADMINISTRATIVE INQUIRIES

There were no Administrative Inquiries for this meeting.

12. ADJOURNMENT

Moved by Councillor Buck Buchanan, seconded by Councillor Paul Harris

Resolved that the Monday, December 12, 2011, regular meeting of The City of Red Deer Council be adjourned at 6:47 p.m.

IN FAVOUR: Mayor Morris Flewwelling, Councillor Buck Buchanan, Councillor Paul Harris, Councillor Chris Stephan, Councillor Tara Veer, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



December 19, 2011

Federation of Canadian Municipalities Resolutions

Legislative & Governance Services Department

Report Summary & Recommendation:

That Council considers adopting the following resolutions for advancement to the Federation of Canadian Municipalities at its Annual Meeting in June 2012:

- 1) Federal Funding for Museums
- 2) Municipal Infrastructure Funding Initiatives

City Manager Comments:

I support the recommendations of Administration.

Craig Curtis
City Manager

Proposed Resolution

I) Federal Funding To Museums

Whereas the federal government takes a strong role in the fostering, promotion and funding of the arts and cultural sector, as well as providing support for the development of the humanities and science; and

Whereas The City of Red Deer recognizes that successive federal governments have developed an array of policies, programs and other measures to build a national awareness and enjoyment of the rich legacy of Canadian history, artistic impression and scientific achievements; and

Whereas the Canadian Museums Association (CMA) has proposed the creation of a five-year program, the Canadians Supporting Their Museums Fund, which calls upon the federal government to match individual and corporate contributions dollar for dollar to an annual ceiling of \$25 million, to increase private sector investments in Canada's museums and galleries.

Now Therefore be it resolved that The City of Red Deer and FCM lobby the federal government to ensure that Canadian heritage is preserved through continued financial support to local and regional organizations who contribute to



objectives related to culture, arts, and heritage including the preservation and presentation of collections and related programs.

2) Municipal Infrastructure Funding Initiatives

Whereas municipal governments support quality of life; and

Whereas municipalities are the stewards of civic resources, investing billions of dollars, into physical and social infrastructure; and

Whereas municipalities have had to assume many new – and unfunded – responsibilities without receiving any new revenue-raising tools; and

Whereas the inadequacies of existing municipal revenue-raising tools, like property taxes, have grown more apparent, and has led to a municipal fiscal crisis finding local governments facing increasing expenditure pressures without the proper tools to address them; and

Whereas there is both a deficit in the maintenance of existing infrastructure and a shortfall in funding support to new infrastructure; and

Now Therefore be it resolved that The City of Red Deer requests that the Federation of Canadian Municipalities continue to advance its March 2011 policy statement on Municipal Infrastructure and Transportation with the following clarification:

- Change the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and

Further be it resolved that the Federation of Canadian Municipalities strongly urge the Government of Canada to:

- Establish a broad based fund that supports existing infrastructure deficits and responds to the shortfall in new infrastructure funding; and
- To change existing the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and
- Not specify a specific delivery model.



Report Details

Background:

The Federation of Canadian Municipalities (FCM) has been the national voice of municipal government since 1901. With more than 1,900 members, FCM represents the interests of municipalities on policy and program matters that fall within federal jurisdiction. Members include Canada's largest cities, small urban and rural communities, and 18 provincial and territorial municipal associations.

Each year, municipalities are invited to contribute resolutions of national interest for consideration by the FCM membership. Resolutions that are adopted inform and direct FCM's activities.

Discussion:

Council broadly identified seven resolutions that could be advanced to FCM, as follows:

- Federal Funding to Museums
- Municipal Infrastructure Funding Initiatives
- Federal Crime Prevention Strategy
- Federal Leadership Regarding Noise
- P3 Funding
- National Recreation Summit
- Funding Sources for Airports

Of the seven resolutions proposed, further research and consultation with both the FCM and City administration identified that resolutions may not be required relating to the Federal Crime Prevention Strategy, the National Recreation Summit, Federal Leadership Regarding Noise, P3 Funding or for Airport Funding. The analysis of these items is provided below under the heading of Items Not Requiring Resolution. This section will be following by two resolutions proposed for advancement to FCM.

Items Not Requiring Resolutions

I) Federal Crime Prevention Strategy

Managed in collaboration with the provinces and territories, the federal government has a crime prevention strategy that provides a framework for implementing crime prevention in Canada. Its mission is to provide national leadership on effective and cost-efficient ways to both prevent and reduce crime by addressing known risk factors in high-risk populations and places.



Additionally, the Province of Alberta has a provincial Crime Strategy Framework in place which clearly outlines the framework and strategic direction of the Provincial Crime Strategy.

Because there are federal and provincial strategies already in place and funding available to support these strategies, a resolution to the Federation of Canadian Municipalities is not recommended.

2) Federal Leadership Regarding Noise

It is recognized that there is federal responsibility in establishing manufacturing standards that relate to noise emissions and noise emission labeling. However, in consideration of this item it is recommended that a resolution not be advanced to the FCM. While we appreciate that specific standards may be desirable with respect to vehicles and/or other limited situations that generate noise, it really is not desirable to have federal oversight in this area.

Council has previously adopted a resolution directing that The City of Red Deer review its policy and practices in regards to vehicle noise, and consider establishing standards, regulations and restrictions on vehicle noise; this work is ongoing, as is the analysis of Edmonton's bylaw regulating vehicle noise.

At the Alberta Urban Municipalities Association conference in 2011 a resolution was adopted from the floor that directed the AUMA to request the province establish provincial standards with respect to noise produced in connection with a vehicle, define what constitutes an objectionable noise, and establish a method of determining or measuring noise, and prohibiting the use or operation of a vehicle that emits noise above an established regulated level.

It is recommended that no further action be undertaken pending the outcomes of the items above.

3) National Recreation Summit

In consultation with the Acting Director of Community Services and Councillor Cindy Jefferies, it is felt this resolution to FCM may be premature. There are provincial discussions planned including a province-wide forum in January. This will begin to refine and frame the messaging and ask questions relating to this work. A role for municipalities in this regard is likely to emerge later in 2012.



4) P3's – Why are Infrastructure Dollars linked directly to P3's versus non – P3's?

While we understand Council's desire to see unfettered municipal infrastructure funding, taking a position against this funding model could result in the elimination of funding. Additionally, dependent on the proposed project, this is a funding source The City may wish to tap into in the future. We believe the proposed resolution respecting Municipal Infrastructure Funding Initiatives responds to the issues and concerns of Council.

5) Funding Sources for Airports

This is an item that was previously considered as a possible resolution for the FCM conference. At the January 12, 2011 council meeting, a resolution was presented to council which proposed an expanded definition of regularly scheduled passengers. Through analysis it was identified that such a proposal would ultimately result in less funding as it would create eligibility to many more airports with an overall potential negative impact to more than 200 regional airports. It was agreed therefore that the resolution not be submitted to the FCM. In further consultation with the Red Deer Regional Airport manager, no further recommendations are being put forward.

Proposed FCM Resolutions

Following are the resolutions developed for Council's consideration.

1) Federal Funding To Museums

Whereas the federal government takes a strong role in the fostering, promotion and funding of the arts and cultural sector, as well as providing support for the development of the humanities and science; and

Whereas The City of Red Deer recognizes that successive federal governments have developed an array of policies, programs and other measures to build a national awareness and enjoyment of the rich legacy of Canadian history, artistic impression and scientific achievements; and

Whereas the Canadian Museums Association (CMA) has proposed the creation of a five-year program, the Canadians Supporting Their Museums Fund, which calls upon the federal government to match individual and corporate contributions dollar for dollar to an annual ceiling of \$25 million, to increase private sector investments in Canada's museums and galleries.



Now Therefore be it resolved that The City of Red Deer and FCM lobby the federal government to ensure that Canadian heritage is preserved through continued financial support to local and regional organizations who contribute to objectives related to culture, arts, and heritage including the preservation and presentation of collections and related programs.

2) Municipal Infrastructure Funding Initiatives

Whereas municipal governments support quality of life; and

Whereas municipalities are the stewards of civic resources, investing billions of dollars, into physical and social infrastructure; and

Whereas municipalities have had to assume many new – and unfunded – responsibilities without receiving any new revenue-raising tools; and

Whereas the inadequacies of existing municipal revenue-raising tools, like property taxes, have grown more apparent, and has led to a municipal fiscal crisis finding local governments facing increasing expenditure pressures without the proper tools to address them; and

Whereas there is both a deficit in the maintenance of existing infrastructure and a shortfall in funding support to new infrastructure; and

Now Therefore be it resolved that The City of Red Deer requests that the Federation of Canadian Municipalities continue to advance its March 2011 policy statement on Municipal Infrastructure and Transportation with the following clarification:

- Change the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and

Further be it resolved that the Federation of Canadian Municipalities strongly urge the Government of Canada to:

- Establish a broad based fund that supports existing infrastructure deficits and responds to the shortfall in new infrastructure funding; and
- To change existing the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and
- Not specify a specific delivery model.



LEGISLATIVE & GOVERNANCE SERVICES

January 11, 2012

Ms. Diane Belanger, Resolution Coordinator
Policy, Advocacy and Communications Department
Federal of Canadian Municipalities
24 Clarence Street
Ottawa, ON K1N 5P3

Dear Ms. Belanger,

Re: *The City of Red Deer*
Resolutions for consideration at the FCM 2011 Annual Conference
June 1-4, 2012 Saskatoon, SK

Enclosed is a certified true copy of the resolutions where were passed by Council of The City of Red Deer for submission to the 2011 FCM Annual Conference (June 1-4, 2012) as follows:

- 1) Federal Funding to Museums Resolution
- 2) Municipal Infrastructure Funding Initiatives Resolutions

Please call if you require further information.

Sincerely,

Elaine Vincent
Manager

/attach

c Directors

Federal Funding To Museums

Whereas the Federal Government takes a strong role in the fostering, promotion and funding of the arts and cultural sector, as well as providing support for the development of the humanities and science; and

Whereas The City of Red Deer recognizes that successive federal governments have developed an array of policies, programs and other measures to build a national awareness and enjoyment of the rich legacy of Canadian history, artistic impression and scientific achievements; and

Whereas the Canadian Museums Association (CMA) has proposed the creation of a five-year program, the Canadians Supporting Their Museums Fund, which calls upon the federal government to match individual and corporate contributions dollar for dollar to an annual ceiling of \$25 million, to increase private sector investments in Canada's museums and galleries.

Now Therefore be it resolved that The City of Red Deer and FCM lobby the federal government to ensure that Canadian heritage is preserved through continued financial support to local and regional organizations who contribute to objectives related to culture, arts, and heritage including the preservation and presentation of collections and related programs.

Certified to be a true and correct copy of a Resolution passed by Council of The City of Red Deer on January 9, 2012.



Elaine Vincent

Legislative & Governance Services Manager

Municipal Infrastructure Funding Initiatives

Whereas municipal governments support quality of life; and

Whereas municipalities are the stewards of civic resources, investing billions of dollars, into physical and social infrastructure; and

Whereas municipalities have had to assume many new – and unfunded – responsibilities without receiving any new revenue-raising tools; and

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Whereas municipal governments support quality of life; and

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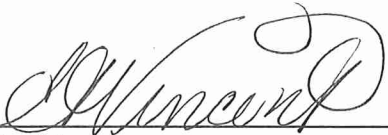
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- Not specify a specific funding model.

Certified to be a true and correct copy of a Resolution passed by Council of The City of Red Deer on January 9, 2012.



Elaine Vincent

Legislative & Governance Services Manager

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL**Bev Greter**

From: Bev Greter
Sent: Wednesday, January 25, 2012 9:48 AM
To: 'Lauren Skelly'
Cc: Frieda McDougall
Subject: RE: Resolutions
Attachments: 1185773 - January 9, 2012 Regular Council Meeting Minutes - 1.DOC

Lauren,

I see the Minutes of the January 9th meeting were not included with Frieda's email. They are now attached for your reference.

Thanks,
Bev

Bev Greter
Corporate Meeting Coordinator
Legislative & Governance Services
P: 403.342.8201; F:403.346.6195
Bev.Greter@reddeer.ca
www.reddeer.ca

From: Frieda McDougall
Sent: Wednesday, January 25, 2012 9:34 AM
To: 'Lauren Skelly'
Cc: Bev Greter
Subject: RE: Resolutions

Hi Lauren. My apologies, I didn't realize the report submitted to our Council and the minutes of the Council meeting were not provided to you earlier. In the enclosed attachment I have again provided the proposed resolutions in the form you have requested, the report submitted to Council's agenda, and the related minutes. I trust this will provide you with what you need. Thanks.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Lauren Skelly [mailto:lskelly@fcm.ca]
Sent: January 23, 2012 3:16 PM

1/25/2012

To: Frieda McDougall
Subject: RE: Resolutions

Hi Frieda,

We require background and context pieces with resolutions.

I encourage you to review the resolution section of the FCM website which has information on guidelines for submission:

http://www.fcm.ca/Documents/corporate-resources/resolutions/FCM_Procedures_for_Resolutions_EN.pdf

In particular, you may want to examine **Section 5: Guidelines for drafting resolutions**; namely regarding background information.

Please let me know if you have any questions or concerns.

Kind regards,

Lauren

From: Frieda McDougall [mailto:Frieda.McDougall@reddeer.ca]
Sent: Monday, January 23, 2012 4:02 PM
To: Lauren Skelly
Subject: RE: Resolutions

We didn't develop any other background – is there something specific you're looking for?

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Lauren Skelly [mailto:lskelly@fcm.ca]
Sent: Monday, January 23, 2012 2:01 PM
To: Frieda McDougall
Cc: Elaine Vincent; Bev Greter
Subject: Re: Resolutions

Hi Frieda,

Thanks for this.

Do you have any other background documents available for either of the resolutions?

Lauren

1/25/2012

Lauren Skelly

Research Analyst | Analyste de la recherche

Policy and Research
Politiques et recherches



FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

24, rue Clarence Street, Ottawa, Ontario K1N 5P3
T. 613-907-6358 | F. 613-241-7440

On 2012-01-23, at 3:01 PM, "Frieda McDougall" <Frieda.McDougall@reddeer.ca> wrote:

Hi Lauren. When our Council proposed the resolution you are referencing they spoke about Quality of Life facilities being things like concert halls, art galleries, and recreation facilities. They didn't create a definition as such, but they wanted to ensure the scope of funding exceeding infrastructure such as roads, underground utilities and bridges and actually supported the types of facilities that enhance our quality of life.

Let me know if that provides enough information.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Lauren Skelly [<mailto:lskelly@fcm.ca>]
Sent: Monday, January 23, 2012 9:52 AM
To: Bev Greter
Subject: Resolutions

Hi Bev –

My name is Lauren Skelly and I am working on the two resolutions you sent Dianne – see attached.

I was wondering if you could provide some further background information and context for both resolutions. This will help us in our analysis and recommendation.

Specifically, we need to know if you have an existing definition of 'quality of life facilities.' What infrastructure categories would be included in quality of life facilities? It will give us something to refer too.

Any other background information on either of the resolutions would be greatly appreciated. Our deadline for submission in Januray 25th, so if you could please provide us the requested

information by then, that would be great.

Please don't hesitate to contact me if you have any further questions.

Kind Regards,

Lauren

Lauren Skelly

Research Analyst | Analyste de la recherche

Policy and Research
Politiques et recherches

<image001.gif>

24, rue Clarence Street, Ottawa, Ontario K1N 5P3
T. 613-907-6358 | F. 613-241-7440

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BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Bev Greter

From: Frieda McDougall
Sent: Monday, January 23, 2012 1:01 PM
To: 'lskelly@fcm.ca'
Cc: Elaine Vincent; Bev Greter
Subject: FW: Resolutions

Hi Lauren. When our Council proposed the resolution you are referencing they spoke about Quality of Life facilities being things like concert halls, art galleries, and recreation facilities. They didn't create a definition as such, but they wanted to ensure the scope of funding exceeding infrastructure such as roads, underground utilities and bridges and actually supported the types of facilities that enhance our quality of life.

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Frieda McDougall
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Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Lauren Skelly [<mailto:lskelly@fcm.ca>]
Sent: Monday, January 23, 2012 9:52 AM
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Please don't hesitate to contact me if you have any further questions.

Kind Regards,

1/23/2012

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Bev Greter

From: Bev Greter
Sent: Friday, January 20, 2012 2:39 PM
To: 'Resolutions'
Subject: RE: The City of Red Deer - Proposed FCM Resolutions

Diane,

Thanks for the confirmation and good to hear the 'snail mail' made it too.

Bev

Bev Greter
Corporate Meeting Coordinator
Legislative & Governance Services
Phone: 403.342.8201
Bev.greter@reddeer.ca
www.reddeer.ca

From: Resolutions [mailto:resolutions@fcm.ca]
Sent: Friday, January 20, 2012 7:38 AM
To: Bev Greter
Cc: Shannon Watt
Subject: FW: The City of Red Deer - Proposed FCM Resolutions

Hello Bev

This is to acknowledge receipt of the resolutions from the City of Red Deer for submission to the Annual Conference. We just received it by snail mail yesterday as well. Thank you for sending the word version it makes our process simpler and quicker, much appreciated. We will get back to you if we have any questions.

With thanks
Diane

From: Bev Greter [mailto:Bev.Greter@reddeer.ca]
Sent: Thursday, January 19, 2012 4:39 PM
To: Resolutions
Subject: FW: The City of Red Deer - Proposed FCM Resolutions

Good afternoon,

At the January 9, 2012 Red Deer City Council Meeting, Council approved two resolutions to be put forward at the 2012 FCM Annual Convention. Certified copies of the resolutions were forwarded to your office late last week. To confirm receipt, please find attached an electronic copy of the letter with the resolutions.

1/20/2012

Christine Kenzie

From: Frieda McDougall
Sent: December 23, 2011 9:15 AM
To: Christine Kenzie
Cc: Elaine Vincent; Lisa Perkins
Subject: FCM Resolution report

Attachments: 1180101 - December 19, 2011 - report to City Manager re FCM Resolutions - 4.DOC



1180101 -
December 19, 2011 -

For inclusion in the Council agenda - reviewed by CLT; changes made; approved by Craig this a.m.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

Bev Greter

From: Lauren Skelly [lskelly@fcm.ca]
Sent: Monday, January 23, 2012 10:12 AM
To: Bev Greter
Subject: Re: Resolutions

Great, thanks Bev

Lauren Skelly

Research Analyst | Analyste de la recherche

Policy and Research
Politiques et recherches



24, rue Clarence Street, Ottawa, Ontario K1N 5P3
T. 613-907-6358 | F. 613-241-7440

On 2012-01-23, at 12:08 PM, "Bev Greter" <Bev.Greter@reddeer.ca> wrote:

Hi Lauren,

Thanks for the email. I will follow up with the departments responsible and get back to you by January 25.

Regards,
Bev

Bev Greter
Corporate Meeting Coordinator
Legislative & Governance Services
Phone: 403.342.8201
Bev.greter@reddeer.ca
www.reddeer.ca

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Lauren Skelly

Research Analyst | Analyste de la recherche

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<image001.gif>

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Legislative & Governance Services

DATE: December 19, 2011
TO: City Manager
FROM: Legislative & Governance Services Manager

SUBJECT: Federation of Canadian Municipalities Resolutions

DM 1180101
BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Background

The Federation of Canadian Municipalities (FCM) has been the national voice of municipal government since 1901. With more than 1,900 members, FCM represents the interests of municipalities on policy and program matters that fall within federal jurisdiction. Members include Canada's largest cities, small urban and rural communities, and 18 provincial and territorial municipal associations.

Each year, municipalities are invited to contribute resolutions of national interest for consideration by the FCM membership. Resolutions that are adopted inform and direct FCM's activities.

It is important to note that in evaluating a resolution for advancement, FCM has indicated that they review resolutions submitted over the prior three years. If a substantially similar resolution has been considered by FCM, the resolution submitted is not advanced for consideration.

Discussion

Council broadly identified seven resolutions that could be advanced to FCM, as follows:

- Federal Funding to Museums
- Municipal Infrastructure Funding Initiatives
- Federal Crime Prevention Strategy
- Federal Leadership Regarding Noise
- P3 Funding
- National Recreation Summit
- Funding Sources for Airports

Of the seven resolutions proposed, further research and consultation with both the FCM and City administration identified that resolutions may not be required relating to the Federal Crime Prevention Strategy, the National Recreation Summit, Federal Leadership Regarding Noise, P3 Funding or for Airport Funding. The analysis of these items is provided below under the heading of Items Not Requiring Resolution. This section will be following by two resolutions proposed for advancement to FCM.

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Managed in collaboration with the provinces and territories, the federal government has a crime prevention strategy that provides a framework for implementing crime prevention in Canada. Its mission is to provide national leadership on effective and cost-efficient ways to both prevent and reduce crime by addressing known risk factors in high-risk populations and places.

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While we understand Council's desire to see unfettered municipal infrastructure funding, taking a position against this funding model could result in the elimination of funding. Additionally, dependent on the proposed project, this is a funding source The City may wish to tap into in the future. We believe the proposed resolution respecting Municipal Infrastructure Funding Initiatives responds to the issues and concerns of Council.

5) Funding Sources for Airports

This is an item that was previously considered as a possible resolution for the FCM conference. At the January 12, 2011 council meeting, a resolution was presented to council which proposed an expanded definition of regularly scheduled passengers. Through analysis it was identified that such a proposal would ultimately result in less funding as it would create eligibility to many more airports with an overall potential negative impact to more than 200 regional airports. It was agreed therefore that the resolution not be submitted to the FCM. In further consultation with the Red Deer Regional Airport manager, no further recommendations are being put forward.

Proposed FCM Resolutions

Following are the resolutions developed for Council's consideration.

1) Federal Funding To Museums

Whereas the federal government takes a strong role in the fostering, promotion and funding of the arts and cultural sector, as well as providing support for the development of the humanities and science; and

Whereas The City of Red Deer recognizes that successive federal governments have developed an array of policies, programs and other measures to build a national awareness and enjoyment of the rich legacy of Canadian history, artistic impression and scientific achievements; and

Whereas the Canadian Museums Association (CMA) has proposed the creation of a five-year program, the Canadians Supporting Their Museums Fund, which calls upon the federal government to match individual and corporate contributions dollar for dollar to an annual ceiling of \$25 million, to increase private sector investments in Canada's museums and galleries.

Now Therefore be it resolved that The City of Red Deer and FCM lobby the federal government to ensure that Canadian heritage is preserved through continued financial support to local and regional organizations who contribute to objectives related to culture, arts, and heritage including the preservation and presentation of collections and related programs.

2) **Municipal Infrastructure Funding Initiatives**

Whereas municipal governments support quality of life; and

Whereas municipalities are the stewards of civic resources, investing billions of dollars, into physical and social infrastructure; and

Whereas municipalities have had to assume many new – and unfunded – responsibilities without receiving any new revenue-raising tools; and

Whereas the inadequacies of existing municipal revenue-raising tools, like property taxes, have grown more apparent, and has lead to a municipal fiscal crisis finding local governments facing increasing expenditure pressures without the proper tools to address them; and

Whereas there is both a deficit in the maintenance of existing infrastructure and a shortfall in funding support to new infrastructure; and

Now Therefore be it resolved that The City of Red Deer requests that the Federation of Canadian Municipalities continue to advance its March 2011 policy statement on Municipal Infrastructure and Transportation with the following clarification:

- Change the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and

Further be it resolved that the Federation of Canadian Municipalities strongly urge the Government of Canada to:

- Establish a broad based fund that supports existing infrastructure deficits and responds to the shortfall in new infrastructure funding; and
- To change existing the existing definition of infrastructure to include all quality of life facilities as a community may determine is appropriate; and
- Not specify a specific delivery model.

Recommendation

That Council considers adopting the following resolutions for advancement to the Federation of Canadian Municipalities at its Annual Meeting in June 2012:

- 1) Federal Funding for Museums
- 2) Municipal Infrastructure Funding Initiatives

Elaine Vincent, Manager
Legislative & Governance Services



January 03, 2012

Former Michener Site Buildings (East of Gaetz Lake Sanctuary): Joint Planning Between The City and The Province of Alberta Requested

City Manager

Report Summary & Recommendation:

The Province is currently working on decommissioning and demolishing buildings on the north Michener site east of the Gaetz Lakes Sanctuary. There are natural and built features that need to be considered in future redevelopment plans.

Proposed Resolution

Whereas The City has been made aware of plans by the Province to demolish a majority of the buildings on the portion of the former Michener Centre site east of the Gaetz Lakes Sanctuary, and

Whereas The City has offered to partner with the Province in joint planning of this area, and

Whereas the site has many unique natural and built features that could be accommodated as features in the future redevelopment of the site.

Now Therefore The City of Red Deer request the Province to immediately halt plans for demolition of buildings within the former Michener Centre site pending the following:

- a) The preparation of a Neighbourhood Area Structure Plan (NASP) with full public input.
- b) The release of studies undertaken by the Province on the condition of the buildings and the Historical Resource Impact Assessment
- c) A discussion with The City on which natural and built features could be preserved within the context of site redevelopment.



Report Details

Background:

The Province of Alberta owns the lands north of 55th Street (208 Meadowview Road) as shown in blue. Senior Administration of The City of Red Deer have been made aware of the decommissioning of buildings on this site through our Heritage Coordinator who has been working with the Heritage Resources Management Branch of The Province of Alberta to document the site.

The Heritage Resources Management Branch has been contacted by Alberta Infrastructure to document eight of the buildings at the north Michener Site because the buildings are slated for decommissioning. There is an agreement between Alberta Infrastructure and the Heritage Resources Management Branch that if buildings 40 years or older are slated for demolition that the Heritage Resources Management Branch does an evaluation and documentation. Services have already been turned off to some of the buildings.

The site is currently zoned PS-Public Service Institutional. The buildings are not listed as HS-Historic Significance or HP-Historic Preservation in the Land Use Bylaw.

The Province of Alberta has the ability to exempt themselves from Municipal bylaws and processes. This includes application for a demolition permit.

Presently the Heritage Coordinator and Planning Department are working with Alberta Infrastructure evaluating the potential for acquiring the JJ Gaetz House, 3504 55th Street, through a nominal disposition to ensure its preservation. This is a separate parcel and building from the sites discussed above for decommissioning. Negotiations with Alberta Infrastructure and the Heritage Resources Management Branch have been very positive.

Discussion:

The City and The Province have a history of working positively together in planning exercises. The site has unique built and natural features that need to be considered in future redevelopment plans.

The City has not been asked to participate in any planning processes to date however we have made this request to our local MLAs. It is important that The City make our intentions known to the Province early in this process as possible so that proper processes can take place.

The City would like to work with Alberta Infrastructure and Heritage Resources Management Branch to develop a process and explore the future potential of these lands. A public consultation component would be included.



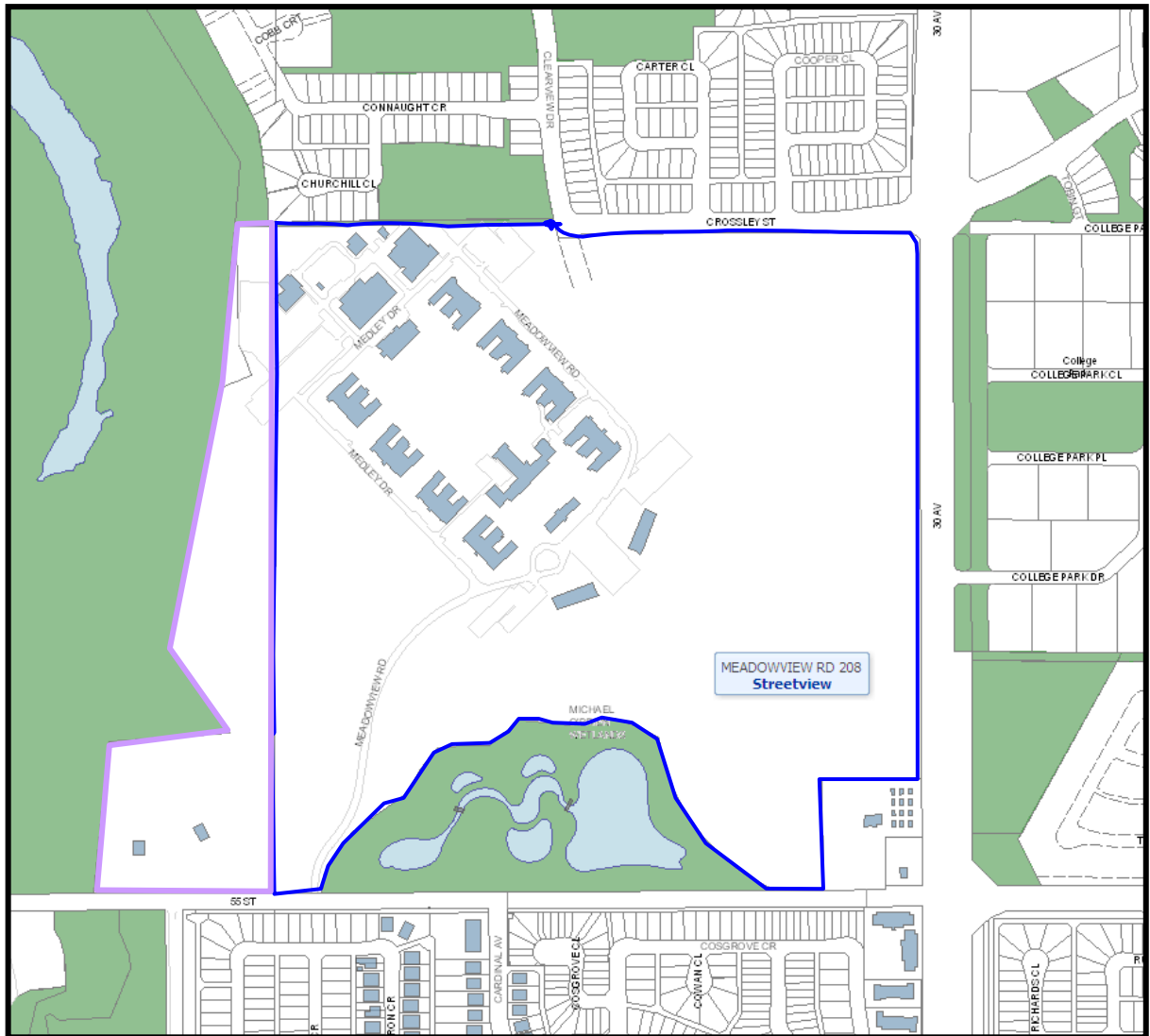
Analysis:

Administration requests that Council provide direction and support in pursuing a joint planning exercise with The Province of Alberta for this site.

Map 1 - Michener Lands north of 55th Street

Blue Outline - 208 Meadowview Road where buildings slated for decommissioning and demolition

Purple Outline - JJ Gaetz House parcel (separate title and project)



DATE: January 11, 2012

TO: Lisa Perkins, Corporate Strategist

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Former Michener Site Buildings (East of Gaetz Lake Sanctuary): Joint Planning between The City and The Province of Alberta Required

Reference Report:

Corporate Strategist, dated January 3, 2012.

Resolution:

The following resolution was passed during the Regular Council meeting held on Monday, January 9, 2012:

Whereas The City has been made aware of plans by the Province to demolish a majority of the buildings on the portion of the former Michener Centre site east of the Gaetz Lakes Sanctuary, and

Whereas the site has many unique natural and built features that could be accommodated as features in the future redevelopment of the site, and

Whereas The City has offered to partner with the Province in joint planning of this area, and

Whereas the Province has recently indicated it will undertake some planning in this area, and

Now Therefore The City of Red Deer request the Province to not proceed further with plans for demolition of buildings within the former Michener Centre site pending the following:

- a) The preparation of a Neighbourhood Area Structure Plan (NASP) with appropriate public input.
- b) The release of studies undertaken by the Province on the condition of the buildings and the Historical Resource Impact Assessment
- c) A discussion with The City on which natural and built features could be preserved within the context of site redevelopment and the continued preservation of the Gaetz Lakes escarpment.

Council Decision - January 9, 2012

Former Michener Site Buildings (East of Gaetz Lake Sanctuary): Joint Planning Between The City
of The Province of Alberta Required

Page Two

Report back to Council:

Comments/Further Action:

A handwritten signature in cursive script, appearing to read "Elaine Vincent".

Elaine Vincent

Legislative & Governance Services Manager

c Manager of Planning

Christine Kenzie

From: Lisa Perkins
Sent: January 04, 2012 9:10 AM
To: Elaine Vincent
Cc: Christine Kenzie; Tara Lodewyk
Subject: Michener report

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

I have made some final modifications to the report with help from Tara. Few things:

- We can confirm that the process related to decommissioning is occurring and it is our understanding this leads to demolition. So the work is going on however I am not sure how "public" it is in the sense that they have not made a big deal about it nor are they making the public aware.
- I have Craig's original motion in the body of the report - it can be removed from there if you like. I would consider removing the word immediately as it sounds a bit strident but I also think we need to be clear.
- Craig or I will queue up Morris to chat with the MLAs
- We also understand this is going to HPC later in January. My read of the file is that there may not be a need to keep the buildings from the heritage perspective and after talking with Tara it has been raised that the history associated with these buildings is not of the most pleasant variety.

I think our report encompasses the points listed above but if it does not please let me know how we can modify it.

Lisa

Lisa M. Perkins, M.A.

Corporate Strategist

Office of the Mayor and City Manager

The City of Red Deer

Phone: 403.342.8738 Fax: 403.346.6195

Lisa.perkins@reddeer.ca

Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Craig Curtis
Sent: December 30, 2011 5:13 AM
To: Mayor and Councillors
Cc: Corporate Leadership Team; Kristina Oberg; Michael Dawe
Subject: FW: Michener Site CONFIDENTIAL

We should also refer this matter officially to the Historical Preservation Commi

FUTURE COUNCIL
MEETING
- FOR JAN 9TH?
→ Report from
Joan Perkins

From: Craig Curtis
Sent: December 30, 2011 5:11 AM
To: Mayor and Councillors
Cc: Corporate Leadership Team; Tara Lodewyk; Michael Dawe; Kristina Oberg
Subject: Michener Site CONFIDENTIAL

The Province has recently been dealing with our building section regarding de-commissioning and demolishing the majority of the buildings on the old Michener site. This comes "out of the blue" as we had been discussing joint planning of the area with Provincial officials.

Morris raised this with our MLAs at our Advocacy meeting just before Christmas. At this meeting it was clear that the Province is anxious to clear the site without any public input. While I don't think many of the buildings are unique historically, there are a number of natural and built environmental features that could be integrated in future redevelopment plans in a creative way. I was stunned by the reaction of our MLAs but withheld a response until this had been discussed with Council. Clearly the community needs a say in how this site is redeveloped.

I should emphasise that the most important building, the Michener Administration building, which I believe a designated Municipal Historic Resource was restored by the Province and the JJ Gaetz House to the west of the main site is not part of this plan. Our MLAs appeared concerned that public reaction like Michael Dawe's petition on the Administration building could make the demolition controversial.

I believe this matter should come before Council as soon as possible with a heads up to our MLAs out of courtesy. We should also check the legal status of issuing demolition permits and whether a Historical Resource Impact Assessment (HRIA) was undertaken as generally required.

A possible motion might read:

Whereas the City has been made aware of plans by the Province to demolish a majority of the buildings on the portion of the former Michener Centre site east of the Gaetz Lakes Sanctuary

Whereas the City has offered to partner with the Province in joint planning of this area.
Whereas the site has many unique natural and built features that could be accommodated as features in the future redevelopment of the site.

Now therefore the City of Red Deer request the Province to immediately halt plans for demolition of buildings within the former Michener Centre site pending the following:
****The preparation of a Neighbourhood Area Structure Plan (NASP) with full public input***
****The release of studies undertaken by the Province on the condition of the buildings and the Historical Resource Impact Assessment***
****A discussion with the city on which natural and built features could be preserved within the context of site redevelopment.***

Craig

2011/12/30



December 19, 2011

Bylaw 3357/A-2012 - Land Use Bylaw Amendment Correction/Clarification Amendments

Planning Department

Report Summary & Recommendation:

The Planning Department has initiated this Land Use Bylaw amendment to correct known formatting, word grammar and typographical irregularities and errors within the bylaw as well as some minor bylaw changes to bring consistency to implementation of the Land Use Bylaw. No substantial changes are being made with regard to any allowable uses, development standards or regulations within the bylaw.

The proposed amendments are fully supported by legal counsel, Planning staff and all other applicable City Departments.

Planning staff recommend that Council give first reading to Land Use Bylaw amendment 3357/A-2012 to eliminate present areas of confusion, address omissions and provide consistency, ease and clarity in bylaw interpretation.

City Manager Comments:

I support the recommendation of Administration that Council give first reading to Land Use Bylaw Amendment 3357/A-2012. A Public Hearing would be held on Monday, February 6, 2012 at 6:00 P.M. during Council's regular meeting.

Craig Curtis
City Manager

Proposed Resolution

That Council give first reading to Land Use Bylaw Amendment 3357/A-2012.



Report Details

Background:

Various areas within the Land Use Bylaw inadvertently contain omissions, formatting irregularities, grammar mistakes, conflicting cross-references or bylaw requirements that are complicated or arduous to implement when processing development permit applications or responding to public inquiries.

The seven proposed changes will clarify several of those areas within the bylaw that have been identified by legal counsel, Planning and Inspections & Licensing staff as errors and/or being problematic in current implementation and application of the Land Use Bylaw.

Discussion:

The Land Use Bylaw amendments proposed are described below:

1. Change the authority to appoint the City's Development Officer(s) from City Council to the City Manager (Section 2.1)
Currently, the City's Land Use Bylaw states that Council shall formally appoint its Development Officer(s) however, in reality this requirement is not happening. Administration believes that it is more expedient to assign this task to the City Manager; this change will not put the Land Use Bylaw in conflict with either the City's Committee or Organizational Bylaws.
2. Amend the Fencing Regulations (Section 3.2 and 1.2(2)(j))
The fencing regulations need to be amended to clarify what is inherently understood and contained in City development publications. Private fences cannot be constructed on City property without the expressed written permission of The City (i.e. license to occupy or encroachment agreement). This will enable the City to enforce and deal with non-conforming fences. Also, as Section 1.2(2)(j) states that the bylaw does not apply to minor structures under 1.8 m in height, an amendment is required to this sub-section in order to ensure the bylaw includes fences under 1.8 m in height.
3. Reformat and correct typographical errors to the R1 Residential Discretionary Use Table (Section 4.1)
Proposed changes will ensure that each discretionary use is separately identified and that cross-references to other related sections within the bylaw are correct.
4. Delete R1N and R1G narrow lot residential districts side yard window placement regulation (Sections 4.3 and 4.3.1)



The requirement that “no window SHALL face directly into the bedroom of an adjacent house”, while originally instituted relative to potential privacy issues on narrow lot developments, is a requirement that has proven difficult and onerous for development staff to validate at the plan check stage. This requires review and verifying the plans of any adjacent built or approved home, analyzing window sizes and measurements both horizontally and vertically between the homes. Experience by Inspections & Licensing staff to ensure compliance of the current requirement on past RIN home building permit applications has proven to be very time consuming. Furthermore, because changes are often made to window locations and sizes by the home builder after building permits have been issued, the process of checking adjoining house plans is considered futile. While the Building/Fire Code provides limitations to the amount of window area openings permitted in a side wall, the matter of windows being located across from each other is not a code issue. Few, if any complaints have been received regarding side window locations between adjoining homes and any related privacy issues. The proposed change is to eliminate the current requirement in RIN and RIG areas that no side yard window in one home shall be located directly across from a bedroom window of another home. The bylaw will still require all bathroom windows to use obscured glass and side windows to be arranged to minimize the incidence of windows facing each other.

5. Addition of “Existing Special Residential Uses” as a Discretionary Use to the R3 Residential (Multiple Family) District (Section 4.5)

Previous bylaw versions contained this discretionary use but it was inadvertently omitted from the R3 District in the 2006 major reformatting update to the Land Use Bylaw. This addition will provide consistency with the R1, R1A and R2 Residential Districts in which this use is listed as a discretionary use.

6. Removal of duplicate development standards in R3 Residential District (Section 4.5)

The proposed change will remove a conflicting duplication of this district’s minimum lot area requirements for multi-family developments. The standards proposed to be removed are in fact R2 multi-family development standards that were added in error to the R3 District through a 2007 Bylaw amendment. The R3 District will retain the minimum lot area requirements applicable to this district.

7. Correct and clarify the Development Authority and square footage requirement of 50,000 sq. ft. for permitted use commercial developments in the new Clearview Ridge development area (Section 8.20.7)

The proposed change eliminates confusion and reference to an existing second and conflicting square footage requirement (75,000 sq. ft.) and grammatical errors presently contained within this section.

8. To link Secondary Suites offences and penalties to the appropriate sections (Section 4.7(9) and Schedule C)

Currently Schedule C lists penalties for not complying with a secondary suite permit as per the general secondary suite section 4.7(9). The new section 4.7 (9.9.1)



specifically creates the offence of failing to comply with the terms of a development permit issued for a secondary suite. The changes to Schedule C now correctly link the applicable penalty to the specific offence provisions in the body of the bylaw.

Analysis:

The proposed amendments address shortfalls within Land Use Bylaw that when corrected will provide both City staff and the public with clearer and easier interpretation and implementation of Land Use Bylaw requirements.

The proposed changes do not conflict with any existing City planning documents (e.g. Municipal Development Plan, other statutory plans).

The proposed amendments are fully supported by legal counsel, Planning staff and all other applicable City Departments. There are no financial or budget implications resulting from the proposed amendments.

BYLAW NO. 3357/A-2012

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer as described herein.

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

Bylaw No. 3357/2006 is hereby amended as follows:

- 1 Section **2.1 Development Officer** is amended by deleting subsection **(1)** and replacing it with the following new subsection:

(1) "The City Manager shall appoint one or more Development Officers."
- 2 Section 3.20 **Fence Regulations** is amended by adding the following new subsection:

"(8) No person shall construct, allow or permit a fence to be located on City property, including a road or lane right-of-way, City boulevard, utility lot or municipal reserve lot, without the expressed written permission of The City."
- 3 Section 1.2(2)(j) is amended by adding the following phrase to the end of the existing text:

 ", but not including fences."
4. Section 4.1 (1) **R1 Permitted and Discretionary Uses Table** is amended by deleting subsection **(b) Discretionary Uses** and replacing it with the following new subsection:

"(b) Discretionary Uses
<ul style="list-style-type: none"> (i) Amateur radio tower. (ii) Assisted Living Facility in a Detached Dwelling Unit. (iii) Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites which are so designated in an Area Structure Plan or Area Redevelopment Plan. (iv) Bed and Breakfast in a Detached Dwelling Unit or Semi-detached Dwelling Unit, subject to section 4.7(11). (v) "Existing Special Residential" (approved prior to December 7, 1998): churches, kindergartens, schools, day care facilities. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall be also deemed to be a Discretionary Use for that site. (vi) Garden Suite subject to section 4.7(13). (vii) Home occupations which will generate additional traffic subject to section 4.7(8). (viii) Home Music Instructor/Instruction (six students), subject to section 4.7 (10). (ix) Municipal Services limited to Police, Emergency Services and/or Utilities. (x) Sales of new homes from a show home. (xi) Secondary Suite, subject to section 4.7(9). (xii) Signs, subject to section 3.3 and 3.4: (1) Freestanding sign for uses listed in 4.1(1)(b): (iii)(iv)(v)(ix) and (x)."

- 5 Section 4.3 **(2)(f) R1N Residential (Narrow Lot) Regulations** is amended by deleting subsection **(f)** and replacing it with the following new subsection:
- “(f) Side windows of above grade storeys of Detached Dwelling Units shall be arranged to minimize the incidence of windows facing each other. Obscured glass shall be used in any bathroom which faces a window in an adjoining residence.”
- 6 Section 4.3.1 **(2) R1G Residential (Small Lot) Regulations** is amended by deleting subsection **(c)** and replacing it with the following new subsection:
- “(c) Side windows of above grade storeys of Detached Dwelling Units shall be arranged to minimize the incidence of windows facing each other. Obscured glass shall be used in any bathroom which faces a window in an adjoining residence.”
- 7 Section 4.5(1)(b) **R3 Residential (Multiple Family) Discretionary Uses** is amended by adding the following new Discretionary Use:
- “(xiii) Existing Special Residential: place of worship, kindergarten, school, and Day Care Facility. For greater certainty, where approval for any Special Residential Use has been given prior to enactment of this Land Use Bylaw amendment, any other Special Residential Use shall also be deemed to be a Discretionary Use for that site.”
- 8 Section 4.5(2) **R3 Residential (Multiple Family) Regulations** is amended by deleting from (a) Table 4.5 R3 Regulations the following requirements from the Lot Area Minimum Regulation:
- (1) “Multi-family (no separate bedroom): 74.0 m²”;
 - (2) “Multi-family (one bedroom): 111.0 m²”; and
 - (3) “Multi-family (more than one bedroom): 139.0 m²”.
- 9 New Section 4.7(9.9.1) is added after Section 4.7(9.9) as follows:
- “(9.9.1) No person shall fail to comply with a development permit, or conditions forming part thereof, issued in relation to a secondary suite development.”
- 10 Section 8.20.7 **Direct Control District No. 27 Neighbourhood Centre DC (27)** is amended by deleting Approving Authority subsection (3)(a) and replacing it with the following new subsection:
- “(a) the Development Authority, in the case of applications for a Permitted Use up to 50,000 square feet (4,645 square metres) which are compliant with the provisions of this district and the Site Plan and Design Package; and”

11 The following provisions are deleted from Schedule C:

“Section 4.7 (9)			
Secondary Suite does not comply with conditions of permit	\$500.00	\$1,000.00	\$5,000.00
Secondary Suite does not comply with the regulations of this Bylaw	\$500.00	\$1,000.00	\$5,000.00”

and is replaced with the following provisions:

“Section 4.7 (9.9.1)			
Failure to comply with Secondary Suite development permit or conditions thereof	\$500.00	\$1,000.00	\$5,000.00
Section 4.7(9.11)			
Failure to comply with Secondary Suite regulations of this Bylaw	\$500.00	\$1,000.00	\$5,000.00”

READ A FIRST TIME IN OPEN COUNCIL this	day of	2012.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2012.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2012.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2012.

MAYOR

CITY CLERK

DATE: January 11, 2012
TO: Tony Lindhout, Senior Planner
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/A-2012 – Correction/Clarification Amendments

Reference Report:

Senior Planner dated December 19, 2011.

Bylaw Reading:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3357/A-2012. A copy of the bylaw is attached.

Report back to Council: Yes

Comments/Further Action:

This office will proceed with advertising for the Public Hearing to be held on Monday, February 6, 2012 at 6:00 p.m. during Council's regular meeting.



Elaine Vincent
Legislative & Governance Services Manager
/attach

c: Director of Planning Services
Corporate Meeting Coordinator

BYLAW NO.

BEING a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer
COUNCIL OF THE CITY OF RED DEER, ALBERTA ENACTS AS FOLLOWS:

Bylaw 3357/2006 is hereby amended as follows:

1. New Section 4.7(9.9.1) is added after Section 4.7(9.9) as follows:

“(9.9.1) No person shall fail to comply with a development permit, or conditions forming part thereof, issued in relation to a secondary suite development.”

2. The following provisions are deleted from Schedule C:

“Section 4.7 (9)

Secondary Suite does not comply with
conditions of permit

\$500.00

\$1,000.00

\$5,000.00

Secondary Suite does not comply with
the regulations of this Bylaw

\$500.00

\$1,000.00

\$5,000.00”

and is replaced with the following provisions:

“Section 4.7 (9.9.1)

Failure to comply with Secondary Suite
development permit or conditions thereof

\$500.00

\$1,000.00

\$5,000.00

Section 4.7(9.11)

Failure to comply with Secondary Suite
regulations of this Bylaw

\$500.00

\$1,000.00

\$5,000.00”

READ A FIRST TIME IN OPEN COUNCIL this day of 2012.

READ A SECOND TIME IN OPEN COUNCIL this day of 2012.

READ A THIRD TIME IN OPEN COUNCIL this day of 2012.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2012.

MAYOR

CITY CLERK

Christine Kenzie

From: Frieda McDougall
Sent: December 28, 2011 8:42 AM
To: Nancy Bergstrom; Joyce Boon; Tara Lodewyk; Tony Lindhout
Cc: Michelle Baer; Jennifer Cragg; Christine Kenzie
Subject: RE: LUB Amendment.Secondary Suite Penalties

Thanks very much. Will someone be taking responsibility for including this in the current bylaw amendment and in adding a comment in the report?

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Nancy Bergstrom [<mailto:NBergstrom@chapmanriebeek.com>]
Sent: December 23, 2011 6:21 PM
To: Frieda McDougall; Joyce Boon; Tara Lodewyk; Tony Lindhout
Cc: Michelle Baer; Jennifer Cragg
Subject: LUB Amendment.Secondary Suite Penalties

Hello all,

In anticipation of the proposed housekeeping amendments to the Land Use Bylaw, it was considered that an amendment to clarify offences and penalties regarding some of the Secondary Suite provisions would be desirable.

Please see the attached proposed amending provisions. As I will be away from the office until January 3, please contact Jennifer or Michelle if there are questions prior to my return.

Merry Christmas to all!

Nancy

Chapman Riebeek LLP
Barristers and Solicitors
300 - 4808 Ross Street
Red Deer, Alberta T4N 1X5
Tel: (403) 346-6603
Fax: (403) 340-1280

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Thank you.

Dec 28/2011
Proposed additional
changes to LUB
from Chapman Riebeek
- Tony to include
the changes?
- Jara revised
report on
Dec 29/2011

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

2011/12/28

Christine Kenzie

From: Frieda McDougall
Sent: November 22, 2011 10:58 AM
To: Michelle Baer
Cc: Christine Kenzie
Subject: RE: Follow up to Agenda Review today
Thanks Michelle.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Michelle Baer [<mailto:MBaer@chapmanriebeek.com>]
Sent: November 22, 2011 9:09 AM
To: Frieda McDougall
Subject: RE: Follow up to Agenda Review today

Tony requested comments by Friday, so I'll get them to him by at least then.
Michelle

From: Frieda McDougall [<mailto:Frieda.McDougall@reddeer.ca>]
Sent: Tuesday, November 22, 2011 8:27 AM
To: Michelle Baer
Subject: FW: Follow up to Agenda Review today

Hi Michelle. Were you going to follow up with Inspections & Licensing re your recommendations below?
Thanks.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Frieda McDougall
Sent: November 17, 2011 4:28 PM
To: 'Michelle Baer'; Christine Lemire
Cc: Don Simpson; Elaine Vincent

Subject: RE: Follow up to Agenda Review today

Thanks Michelle. We'll get back to you re the utility bylaw amendment but just so you know – the CAEP issue is being pulled.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Michelle Baer [mailto:MBaer@chapmanriebeek.com]
Sent: November 17, 2011 4:18 PM
To: Christine Lemire; Frieda McDougall
Cc: Don Simpson; Elaine Vincent
Subject: Follow up to Agenda Review today

Hi Frieda and Christine:

Re Item 3.4

We think a consequential amendment in the LUB is in order. It would be along the lines of "No person shall operate a secondary suite without being the holder of a valid and subsisting license". This is not a legal prerequisite to passing the Licensing bylaw, it just alerts people to the additional requirements, and so shouldn't hold up consideration of the Licensing Bylaw. I will discuss with Tony L. this week so that it can be added to his housekeeping amendments coming in December.

I may make a couple minor wording changes to the Sec.Suite Licensing Bylaw – yes, I know I drafted it, but one always sees changes where improvements can be made. Would you prefer I submit those prior to you printing the agenda packages or incorporate them for second reading? If the former, when do you need them by?

Re Item 3.5

There are no additional changes required to the LUB to reflect the Vertical Overlay District. The necessary link is set out at s. 1.4(2). Quincy's amendment and report are good to go.

Re Item 4.3

Don is looking for a CAEP agreement and will get back to you.

Re Item 5.1

You will us know what's going to happen with the Utility Bylaw amendments?

Michelle Baer
Chapman Riebeek LLP
Barristers & Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Telephone: (403) 346-6603
Fax: (403) 340-1280



December 19, 2011

Waskasoo Park Interpretive Master Plan – Borrowing Bylaw No. 3476/2012

Recreation Parks and Culture

Report Summary & Recommendation:

That Council considers first reading of Borrowing Bylaw No. 3476/2012

City Manager Comments:

I support the recommendation of Administration that Council give first reading to the Waskasoo Park Interpretive Master Plan Borrowing Bylaw 3476/2012. To allow time for advertising, this bylaw would come back for Council's consideration in six weeks time.

Craig Curtis
City Manager

Proposed Resolution

That Council consider first reading of Waskasoo Park Interpretive Master Plan Borrowing Bylaw 3476/2012.



Report Details

Background:

The current Waskasoo Park Interpretive Master Plan is now over 25 years old, dating back to before the park was established. The updating of this plan will provide the framework for telling the stories of the Waskasoo Park system and educating the public on the park, its cultural and natural heritage (geology, ecology, history, environmental stewardship) and to incorporate future growth of the Park.

This updated Waskasoo Park Interpretive Master Plan addresses the exhibit redevelopment and renewal at Kerry Wood Nature Centre and Fort Normandeau as well as the park-wide interpretive signs. Funding for the work outlined in the plan for 2012 and 2013 addresses the recommendations of the plan in terms of exhibit renewal. The exhibits (which are now 25 years old) will take advantage of new technologies, standards and new information regarding story lines and present a fresh new face for the community.

Discussion:

Bylaw No. 3476/2012 reflects the total costs of the project of \$1.85 million. In 2011, \$150,000 was approved for the planning stage, funded from capital project reserve, leaving 1.7M remaining for the project which would be funded through borrowing bylaw.

Of the 1.7 million, \$586, 000 was approved as a part of the 2012 Capital Budget with the remainder to be approved in the 2013 Capital Budget.

2012 Capital Budget Item #	Project Title	Previously funded (2011- CPR)	Borrowing Bylaw	Total for 10 Year Plan
139	Waskasoo Interpretive Master Plan Implementation	\$150,000	\$1,700,000	\$1,850,000

We request that council approve Borrowing Bylaw No. 3476/2012 Waskasoo Park Master Plan implementation for a total of \$1.7 million.

BYLAW NO. 3476/2012

OF THE CITY OF RED DEER

IN THE PROVINCE OF ALBERTA

(the "Municipality")

This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of debenture(s) in the amount of \$1,700,000 for the purpose of:

- **Waskasoo Park Interpretive Master Plan**

WHEREAS:

A. The Council of the Municipality has decided to issue a bylaw pursuant to Sections 254 and 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the Waskasoo Park Interpretive Master Plan. This capital expenditure will address the exhibit redevelopment and renewal at Kerry Wood Nature Centre and Fort Normandeau, as well as the park-wide interpretive signs.

B. The total cost of the project is estimated to be \$1,850,000 and the Municipality estimates the project will be paid from the following funding sources:

Reserves	\$150,000
Debenture(s)	<u>\$1,700,000</u>
Total Cost	\$1,850,000

C. In order to complete the projects it will be necessary for the Municipality to borrow the sum of \$1,700,000, for a period not to exceed 10 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

D. The estimated lifetime of the projects financed under this bylaw is equal to, or in excess of 10 years.

E. The principal amount of the outstanding debt of the Municipality at December 31, 2010 is \$184,714,000 and no part of the principal or interest is in arrears.

F. All required approvals for the projects have been or will be obtained, and the projects are and will be in compliance with all *Acts* and *Regulations* of the Province of Alberta.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. That for the purpose of the Waskasoo Park Interpretive Master Plan, the sum of ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$1,700,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely Waskasoo Park Interpretive Master Plan.
3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TEN (10) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution. The interest rate is not to exceed more than THREE (3) percent above the prevailing Alberta Capital Finance Authority rate on the date the bylaw is created or amended, therefore will not exceed SIX (6) percent (rounded to the nearest whole percent).
4. The indebtedness is to be repaid by way of revenue raised through Municipal property tax and the Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the projects specified by this bylaw.
7. This bylaw comes into force on the date it is passed.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2012.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2012.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2012.
AND SIGNED BY THE MAYOR AND CITY CLERK	day of	2012.
this		

MAYOR

CITY CLERK

DATE: January 11, 2012

TO: Kristina Öberg, Acting Recreation, Parks & Culture Manager
Tracey McKinnon, Division Controller

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Waskasoo Park Interpretative Master Plan – Borrowing Bylaw
3476/2012

Reference Report:

Kristina Öberg, Acting Recreation, Parks & Culture Manager dated December 19, 2011.

Bylaw Reading:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave first reading to Borrowing Bylaw 3476/2012. A copy of the bylaw is attached.

Report back to Council: Yes

Comments/Further Action:

Our office will proceed with advertising of Borrowing Bylaw 3476/2012. After the appropriate advertising, this item will come back to Council's regular meeting on Tuesday, February 21, 2012 for consideration of second and third reading. This will allow sufficient time for the public to submit a petition within 15 days after the last date of advertising which is Friday, January 27, 2012.



Elaine Vincent
Legislative & Governance Services Manager
/attach

c: Acting Director of Community Services
Director of Corporate Services
Financial Services Manager
Corporate Meeting Coordinator

Christine Kenzie

From: Lindsay Trca
Sent: December 20, 2011 9:01 AM
To: Christine Kenzie
Cc: Tracey McKinnon; Jill Sorsdahl
Subject: Jan 9 Council - 3476/2012
Importance: High
Attachments: Bylaw No 3476 2012 Don Approved.doc; Bylaw No 3476 2012 Advertisement Jan 20 and 27 FINAL.doc

Hi Christine,

There is another borrowing bylaw going to Council on January 9, 2012. Community Services has (or will) submit the request for this to be included in the agenda. Unless told otherwise I assume the timeline will be:

Advertising: Jan 20 & 27
Petition period: Jan 28 – Feb 11
2nd & 3rd reading: Feb 21
Valid bylaw: Mar 21

Please advise if this changes.

Thanks

Lindsay Trca
Financial Accountant
Phone: 403-309-8577
Fax: 403-342-8116



Please consider the environment before printing this email.

Dec 19, 2012

Christine Kenzie

To: Heather McLaren
Subject: Waskasoo Park Interpretive Master Plan - Loan Bylaw 3476/2012

Hi Heather.

I see you have a workflow item started for the Waskasoo Park Interpretive Master Plan - Loan Bylaw 3476/2012 - for the Monday, January 9th Council Meeting.

A couple of things I noticed on the report. You can take out the signature lines on the report --- don't need to include them. Also the Loan Bylaw # will be 3476/2012.

I imagine Financial Services / Solicitor is working on the bylaw for you?

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

Christine Kenzie

To: Lindsay Trca

Subject: RE: Borrowing Bylaw 3376/A-2006

You can use Bylaw No. 3476/2012 for the Waskasoo Interpretive Master Plan Borrowing Bylaw.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Lindsay Trca

Sent: November 30, 2011 1:32 PM

To: Christine Kenzie

Subject: RE: Borrowing Bylaw 3376/A-2006

We'll be using 3376/A-2012 in that case. As per my conversation with Karen Yetter she plans for this to have 1st reading on Jan 9, 2012. Tracey will probably take the Waskasoo one on the same day.

Please supply new borrowing bylaw number for Waskasoo.

Lindsay Trca

403-309-8577



From: Christine Kenzie

Sent: November 30, 2011 12:35 PM

To: Lindsay Trca

Subject: RE: Borrowing Bylaw 3376/A-2006

You could use 3376/A-2012 if this bylaw is coming to Council for first reading in 2012.

If it is coming to Council in 2011 (i.e. the December 12th Council Agenda) -- which I would need the report by the end of today --- you would use 3376/B-2011.

Let me know how you are going to proceed.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

2011/11/30

Christine Kenzie

From: Christine Kenzie
Sent: November 30, 2011 2:04 PM
To: Lindsay Trca
Subject: RE: Borrowing Bylaw 3376/A-2006

You can use Bylaw No. 3476/2012 for the Waskasoo Interpretive Master Plan Borrowing Bylaw.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Lindsay Trca
Sent: November 30, 2011 1:32 PM
To: Christine Kenzie
Subject: RE: Borrowing Bylaw 3376/A-2006

We'll be using 3376/A-2012 in that case. As per my conversation with Karen Yetter she plans for this to have 1st reading on Jan 9, 2012. Tracey will probably take the Waskasoo one on the same day.

Please supply new borrowing bylaw number for Waskasoo.

Lindsay Trca
403-309-8577



From: Christine Kenzie
Sent: November 30, 2011 12:35 PM
To: Lindsay Trca
Subject: RE: Borrowing Bylaw 3376/A-2006

You could use 3376/A-2012 if this bylaw is coming to Council for first reading in 2012.

If it is coming to Council in 2011 (i.e. the December 12th Council Agenda) -- which I would need the report by the end of today --- you would use 3376/B-2011.

Let me know how you are going to proceed.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

2011/11/30



December 22, 2011

Borrowing Bylaw Amendment 3376/A-2012 - Sanitary Offsite Levy Fund

Engineering Department

Report Summary & Recommendation:

Borrowing Bylaw 3376/2006 is currently approved for a total of \$28,297,900.

The NW Industrial – South 'IB' Basin was approved in the 2010 capital budget for \$250,000 and included in the sanitary offsite levy borrowing bylaw. There was an additional \$1,500,000 approved as part of the 2011 capital budget, but the borrowing bylaw was not amended to reflect this.

We request that Council amend the Sanitary Offsite Borrowing Bylaw 3376/2006 to include the additional \$1,500,000 for 2011 Capital Budget Item #38.3. This will bring the total of the borrowing bylaw to \$29,797,900.

Please note this bylaw does not need to be advertised as the cost increase is less than 15% of the original amount of the bylaw and there is not a scope change.

City Manager Comments:

I support the recommendation of Administration that Council consider first reading of Sanitary Offsite Borrowing Bylaw Amendment 3376/A-2012. According to Section 258 (5) of the Municipal Government Act this bylaw does not need to be advertised as the cost increase is less than 15% of the original amount of the bylaw and there is no scope change. Sanitary Offsite Borrowing Bylaw Amendment 3376/A-2012 will be brought back for Council's consideration of second and third reading in two weeks time.

Craig Curtis
City Manager

Proposed Resolution

That Council consider first reading of Sanitary Offsite Borrowing Bylaw Amendment 3376/A-2012.

BYLAW NO. 3376/A-2012

Being a bylaw to amend Borrowing Bylaw No. 3376/2006 to increase the borrowing authority by \$1,500,000 to a total of \$29,797,900.

WHEREAS:

- A. In 2006, Council passed Bylaw 3376/2006 to fund the Sanitary Offsite Levy Projects in the total amount of \$17,350,000.
- B. In 2007, Council passed Bylaw 3376/A-2007 to amend the original bylaw to provide for increased funding of \$2,217,900, bringing the total project cost to \$19,567,900.
- C. In 2009, Council passed Bylaw 3376/A-2009 which added the East Hill Central Timberstone and Riverside Drive Twinning #2 to the list of projects covered by the Bylaw.
- D. In 2010, Council passed Bylaw 3376/B-2009 to add additional funding of \$7,350,000 for a total of \$26,917,900 to compensate for the loss of anticipated Offsite Levy funding, to provide for the cost of some components of the project whose costs had not previously been assigned, and to pay for additional project funding costs.
- E. In 2010, Council passed Bylaw 3376/A-2010 to add funding for Vanier East & North – Sanitary Trunk, which increased funding for the project by \$430,000.
- F. In 2011, Council passed Bylaw 3376/A-2011 to increase funding for the Riverside Drive Trunk Twinning project by \$950,000, bringing total project costs to \$28,297,900.
- G. In the 2011 Capital Budget, Council approved additional funds of \$1,500,000 for the NW Industrial – South '1B' Basin, however the borrowing bylaw was not amended. This additional funding brings the total project costs to \$29,797,900.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. Preamble paragraphs B and C of Bylaw 3376/2006 are deleted and replaced with the following new preamble paragraphs:

“B. The total cost of the projects is estimated to be \$29,797,900 and the Municipality estimates the following funding source(s) will be applied to the projects:

Sanitary Offsite Levy fund	\$ 0
Debenture(s)	<u>\$29,797,900</u>
Total Cost	\$29,797,900

C. In order to complete the projects, it will be necessary for the Municipality to borrow the sum of \$29,797,900, for a period not to exceed 20 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.”

2. In paragraph 1, the words “TWENTY EIGHT MILLION TWO HUNDRED NINETY SEVEN THOUSAND AND NINE HUNDRED DOLLARS (\$28,297,900)” are deleted and replaced with the words “TWENTY NINE MILLION SEVEN HUNDRED NINETY SEVEN THOUSAND AND NINE HUNDRED DOLLARS (\$29,797,900).”

3. Paragraph 3 is deleted and replaced with the following new paragraph:

“3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TWENTY (20) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution. The interest rate is not to exceed more than THREE (3) percent above the prevailing Alberta Capital Finance Authority rate on the date the bylaw is created or amended, therefore will not exceed SIX (6) percent (rounded to the nearest whole percent).”

4. This bylaw comes into force on the date that it is passed.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2012.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2012.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2012.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2012.

MAYOR

CITY CLERK

DATE: January 11, 2012
TO: Frank Colosimo, Engineering Services Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Borrowing Bylaw Amendment 3376/A-2012 – Sanitary Offsite Levy

Reference Report:

Engineering Services Manager dated December 22, 2011.

Bylaw Reading:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave first reading to Borrowing Bylaw Amendment 3376/A-2012. A copy of the bylaw is attached.

Report back to Council: Yes

Comments/Further Action:

Borrowing Bylaws typically need to be advertised; however, this bylaw does not need advertising as the cost increase is less than 15% of the original amount of the bylaw and there is no scope change. Therefore, this bylaw will come back to the January 23, 2012 Council Meeting for consideration of second and third reading.



Elaine Vincent
Legislative & Governance Services Manager
/attach

c: Director of Development Services
Director of Corporate Services
Financial Services Manager
Corporate Meeting Coordinator

Backup

Christine Kenzie

From: Lindsay Trca
Sent: December 20, 2011 8:31 AM
To: Christine Kenzie
Cc: Karen Yetter; Jill Sorsdahl
Subject: Jan 9 Council - 3376/A-2012 Amendment
Importance: High
Attachments: Bylaw No 3376A 2012 Don approved.doc

Hi Christine,

Here is bylaw 3376/A-2012 approved by Don for January 9, 2012 Council. Engineering will be making the official request for it to be included in the Council Agenda. **Please note this bylaw does not need to be advertised as the cost increase is less than 15% of the original cost of the project and there is not a scope change.** With that in mind, will this bylaw go for 2nd & 3rd reading on January 16, 2012 (making it valid February 16, 2012)?

Thanks

Lindsay Trca
Financial Accountant
Phone: 403-309-8577
Fax: 403-342-8116

*Section 258 (5)
of MGA.*



Please consider the environment before printing this email.

Christine Kenzie

From: Christine Kenzie
Sent: November 30, 2011 2:04 PM
To: Lindsay Trca
Subject: RE: Borrowing Bylaw 3376/A-2006

You can use Bylaw No. 3476/2012 for the Waskasoo Interpretive Master Plan Borrowing Bylaw.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Lindsay Trca
Sent: November 30, 2011 1:32 PM
To: Christine Kenzie
Subject: RE: Borrowing Bylaw 3376/A-2006

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Please supply new borrowing bylaw number for Waskasoo.

Lindsay Trca
403-309-8577



From: Christine Kenzie
Sent: November 30, 2011 12:35 PM
To: Lindsay Trca
Subject: RE: Borrowing Bylaw 3376/A-2006

You could use 3376/A-2012 if this bylaw is coming to Council for first reading in 2012.

If it is coming to Council in 2011 (i.e. the December 12th Council Agenda) -- which I would need the report by the end of today --- you would use 3376/B-2011.

Let me know how you are going to proceed.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Lindsay Trca
Sent: November 30, 2011 11:45 AM
To: Christine Kenzie
Subject: Borrowing Bylaw 3376/A-2006

Hi Christine,

Please supply the next bylaw number for an amendment to 3376/A-2006.

Thanks

Lindsay Trca
Financial Accountant
Phone: 403-309-8577
Fax: 403-342-8116



Please consider the environment before printing this email.



December 13, 2011

Emergency Management Bylaw Amendment 3468/A-2012

Emergency Management Coordinator

Report Summary & Recommendation:

An administrative bylaw amendment is required to clarify approval of the Municipal Emergency Management Plan and account for a recent resolution of Council.

City Manager Comments:

I support the recommendation of Administration that Council consider first reading of Emergency Management Bylaw Amendment 3468/A-2012. This bylaw would be brought back for Council's consideration of second and third readings in two weeks time.

Craig Curtis
City Manager

Proposed Resolution

That Council consider first reading of Emergency Management Bylaw Amendment 3468/A-2012.



Report Details

Background:

All local authorities in Alberta are required to have a bylaw that establishes authorities in relation to Emergency Management pursuant to the provincial *Emergency Management Act*, RSA 2000 c. E-6.8 (hereby referred to as *The Act*). *The Act* states that the Council of a municipality is required or authorized to establish committees to declare local emergencies, develop emergency plans and direct emergency response.

In February 2011, Council requested that an Emergency Management bylaw be developed for The City of Red Deer. In response to this direction, Emergency Management developed Emergency Management Bylaw No. 3468/2011, which received three readings from City Council on April 18, 2011.

Discussion:

In December 2011, administration drafted an amendment to Emergency Management Bylaw No. 3468/2011 as follows:

1. Removed reference, under Section 13, to Corporate Administrative Policy No. 7002-CA as per the November 28th, 2011, Council Resolution on the adoption of a system of total salary compensation for Council; and
2. Amend Section 24(c) to assign authority for approving emergency management plans and programs, including but not limited to the Municipal Emergency Management Plan (MEMP), to the Director of Emergency Management.

Analysis:

Administration recommends that Council consider giving first reading to Emergency Management Bylaw Amendment 3468/A-2012 with second and third readings of the bylaw to be considered at the Monday, January 23, 2012 Council Meeting.

BYLAW NO. 3468/A-2012

Being a Bylaw to amend Bylaw No. 3468/2011 The Emergency Management Bylaw of the City of Red Deer.

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

Bylaw No. 3468/2011 is hereby amended as follows:

- 1. Section 13. is deleted in its entirety.
- 2. Section 24. (c.) is deleted and replaced with a new Section 24. (c.) as follows:
 - “ 24 c. Ensure the preparation, coordination and approval of emergency management plans and programs, including, but not limited to the Municipal Emergency Management Plan (MEMP).”
- 3 That commencing with section 12, all sections be renumbered sequentially throughout the Bylaw reflecting the deletions as indicated.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2012.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2012.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2012.
AND SIGNED BY THE MAYOR AND CLERK this	day of	2012.

MAYOR

CITY CLERK

BYLAW NO. 3468/2011

Strike-Through Copy of
Current Emergency
Management Bylaw
3468/2011

Being a bylaw to establish policies for Emergency Management in The City of Red Deer.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This Bylaw shall be known as the, "The Emergency Management Bylaw."

Purpose

2. The purpose of this Bylaw is to establish authorities in relation to Emergency Management pursuant to the Emergency Management Act, RSA 2000 c. E-6.8 (herein referred to as "the Act") which states that the Council of a municipality is required or authorized to establish committees to declare local emergencies, develop emergency plans and direct emergency response.

The City of Red Deer will operate using emergency management best-practices and will continuously strive to be recognized as a leader in sustainable, proactive and responsible mitigation, preparedness, response and recovery programs.

The Municipal Emergency Management Plan (MEMP) will establish governance for organizational emergency management activities and make those consistent and interoperable with municipal-wide emergency management governance structures.

Definitions

3. In this bylaw the following terms have the meanings shown:

All-Hazards:

Emergency management best-practice that recognizes the actions required to address the effects of emergencies are the same, irrespective of the nature of the event, thereby permitting an optimization of scarce planning, response and support resources.

**Deputy Director of
Emergency
Management:**

The Emergency Management Coordinator, or designate.

**Director of
Emergency
Management:**

The City Manager, or designate.

Emergency:

Any occasion or instance that warrants action to save lives and to protect property, public health and safety and the environment.

**Emergency
Management
Agency (EMA):**

The Director, Deputy Director and Assistant Deputy Director of Emergency Management as well as members of the Corporate Leadership Team. Responsible for the direction and control of the City's response to emergencies including authorizing the taking of any action necessary to respond to an emergency event.

**Emergency Management
Committee (EMC):**

The Mayor and two Councillors, as appointed by Council, or designates drawn from the remaining members of Council. The Mayor is the chairperson of the committee.

**Emergency
Management:**

The development, coordination and execution of plans, measures and programs pertaining to mitigation, preparedness, response and recovery before, during and after an emergency event.

**Emergency Operations
Centre (EOC):**

A protected site from which civic officials coordinate, monitor and direct emergency response and recovery activities during an emergency event.

**Municipal Emergency
Management Plan
(MEMP):**

The plan that outlines:

- How people and property will be protected in a real or imminent emergency situation;
- Who is responsible for carrying out specific actions before, during and/or after an emergency event;
- The personnel, equipment, facilities, supplies and other resources available for use in responding to and/or recovering from an emergency;
- How emergency response and recovery actions will be coordinated.

Emergency Management Committee (EMC)

4. The Emergency Management Committee (EMC) is hereby established for The City of Red Deer within the meaning of section 11.1(1) of the Act.
5. The EMC will consist of the Mayor and two councillors appointed by Council. All remaining members of Council will be alternate members. In the absence of a member, the Deputy Mayor or alternate Deputy Mayor will act in place of the Mayor and may appoint any of the remaining members of Council to act in place of an absent appointed councillor.
6. The EMC will be chaired by the Mayor, or in the absence of the Mayor, by the Deputy Mayor or alternate Deputy Mayor.
7. In accordance with its authority to delegate as set out in section 203 of the *Municipal Government Act*, Council hereby delegates to EMC its powers and duties under section 21 of the Act, in particular the power to declare, renew and terminate a declaration of a State of Local Emergency.

Emergency Management Committee (EMC) Meetings

8. The EMC shall meet annually or more frequently as required and may meet on less than 24 hours notice. Where in person meetings are not possible, the EMC may convene by telephone or electronic means of communication.
9. Where the EMC is not able to meet promptly, its powers may be exercised by the Mayor acting alone or, in the absence of the Mayor, by the Deputy Mayor or alternate Deputy Mayor.

Duties of the Emergency Management Committee (EMC)

10. The EMC shall be responsible to advise the City on the development of emergency management plans and programs.
11. The EMC may expend all sums required for the response to and recovery from an emergency event.
12. The EMC may enter into agreements with and make payments or grants, or both, to persons or organizations for the provision of services in the development or implementation of emergency management plans and programs.
- ~~13. The City shall pay the expenses of the members of the EMC in accordance with Corporate Administrative Policy No. 7002-CA.~~

Emergency Management Agency (EMA)

14. In accordance with Section 11.2 (1) of the Act, The City of Red Deer will maintain an Emergency Management Agency to act as its agent in exercising the City's powers and duties under the Act.
15. There is hereby established an Emergency Management Agency (EMA).
16. The EMA in The City of Red Deer shall consist of the following members or their designates:
 - a. City Manager, as Director of Emergency Management;
 - b. Emergency Management Coordinator, as Deputy Director of Emergency Management;
 - c. Manager, Emergency Services, as Assistant Deputy Director of Emergency Management;
 - d. Director of Corporate Services;
 - e. Director of Planning Services;
 - f. Director of Development Services;
 - g. Director of Community Services;
 - h. Manager, Human Resources;

- i. Manager, Communications & Strategic Planning;
 - j. Manager, Legislative & Governance Services (LGS);
 - k. Corporate Strategist.
17. Others may be invited to participate in EMA meetings at the call of the Chairperson.
18. The Director of Emergency Management will serve as Chairperson of the EMA.

Emergency Management Agency (EMA) Meetings

19. The EMA shall meet annually or more frequently as determined by the Director of Emergency Management and may meet on less than 24 hours notice.
20. The EMA may convene by telephone or electronic means of communication.

Duties of the Emergency Management Agency (EMA)

21. The EMA shall be responsible for the direction and control of the City's response to emergencies. In particular, the EMA may authorize the taking of any action necessary to respond to and/or recover from an emergency event.
22. The EMA has the authority to exercise the City's powers under Section 24 of the Act and, in particular, on the declaration of a State of Local Emergency (SOLE) by the Emergency Management Committee (EMC):
- a. Shall cause any emergency plan or program to be put into operation; and
 - b. May exercise or authorize any person to exercise any power given to the Minister under Section 19(1) of the Act in relation to the part of the City affected by the SOLE declaration.

Director of Emergency Management

23. The City Manager is hereby established as the Director of Emergency Management (DEM).

24. The Director shall:
- a. Appoint a person to act as the Director and Chairperson in the absence of the City Manager;
 - b. Determine the procedures to be followed by the Emergency Management Agency (EMA) in its deliberations;
 - c. Ensure the preparation, ~~and~~ coordination ~~and approval~~ of emergency management plans and programs including but not limited to the Municipal Emergency Management Plan (MEMP).
~~Corporate Administrative Policy 5011-GA;~~
 - d. Act as the Emergency Operations Centre (EOC) Director should the municipal EOC be activated in relation to a real or imminent emergency situation, as defined in the MEMP;
 - e. Ensure the submission of annual reports to the Emergency Management Committee (EMC) on the status of all emergency management plans and programs.
25. The Director may delegate responsibilities to any member of the EMA to assist in the preparation, coordination and implementation of emergency management plans and programs.
26. The Director may consult with or permit other stakeholders or interested parties who can advise or assist the EMA in the preparation, coordination and/or implementation of any emergency management plans and programs, to participate in meetings of the EMA or any subcommittees thereof.

Deputy Director of Emergency Management

27. The Emergency Management Coordinator, Corporate Services, is hereby designated as the Deputy Director of Emergency Management.

Assistant Deputy Director of Emergency Management

28. The Manager of Emergency Services, Development Services, is hereby designated as the Assistant Deputy Director of Emergency Management.

READ A FIRST TIME IN OPEN COUNCIL this 18th day of April 2011.
READ A SECOND TIME IN OPEN COUNCIL this 18th day of April 2011.
READ A THIRD TIME IN OPEN COUNCIL this 18th day of April 2011.
AND SIGNED BY THE MAYOR AND CITY CLERK this 18th day of April 2011.

"Frank Wong"

DEPUTY MAYOR

"Elaine Vincent"

CITY CLERK

DATE: January 11, 2012
TO: Karen Mann, Emergency Management Coordinator
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Emergency Management Bylaw Amendment 3468/A-2012

Reference Report:

Emergency Management Coordinator dated December 13, 2011.

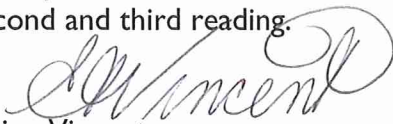
Resolution:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave first reading to Emergency Management Bylaw Amendment 3468/A-2012. A copy of the bylaw is attached.

Report back to Council: Yes

Comments/Further Action:

This bylaw will come back to the Monday, January 23, 2012 Council Meeting for consideration of second and third reading.



Elaine Vincent
Legislative & Governance Services Manager
/attach

c: Director of Corporate Service
Corporate Meeting Coordinator

Christine Kenzie

To: Karen Mann
Subject: RE: Submission for Council Agenda: January 23rd, 2012

Hi Karen,

You can add these items via E-agenda to the January 23, 2012 Council Meeting. Deadline for submission of items is 2 Wednesdays prior to the Council Meeting --- in this case it would be Wednesday, January 11, 2012 -- 4:30 P.M.

Let me know if you have any problems with the E-agenda workflow process.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Karen Mann
Sent: December 07, 2011 4:01 PM
To: Christine Kenzie
Cc: Chris Sisson; Joni Baillie
Subject: Submission for Council Agenda: January 23rd, 2012

Christine,

I am trying to get an item on the agenda for the January 23rd, 2012 Council Meeting. It is the new Municipal Emergency Management Plan (MEMP) which will be a Council Policy once it is approved.

I will have three items:

- 1) Memo/Backgrounder
- 2) The MEMP document
- 3) Policy Statement explaining the MEMP as a Council Policy.

I was wondering whether I have to add all of these items to the Council Agenda using E-Agenda or if it still goes through LGS for approval first? Also, what is the deadline for having material submitted for the January 23rd Council date.

Thanks for your help.

Karen

Karen Mann, B.A. (Hons.) - ADES, ABCP
Emergency Manager

Phone: 403-342-8258

Cellular: 403-318-6549 (24/7 Emergency Contact)

Fax Line: 403-341-4115

Email: karen.mann@reddeer.ca

Box 5008, Red Deer, Alberta T4N 3T4

Christine Kenzie

From: Karen Mann
Sent: December 19, 2011 4:52 PM
To: Christine Kenzie
Cc: Kim Woods; John Knoch
Subject: RE: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment
Christine,

Thank you for this information. I understand the change regarding first, second and third readings and that is fine with me. If required, I can present to Council on the 9th and come back on the 23rd for the second and third readings.

Please amend the last statement in the report to correspond with the timeline you have stated. That would be fine.

I was told that I did not need to put this into SIRE as it was being done by LGS. One of the amendments to the Bylaw was procedural and not something I changed (had to do with Council passing a resolution about their own pay) and therefore there were, essentially, multiple authors to this bylaw amendment (me and LGS). I think that is why this became a little more convoluted than a simple bylaw amendment (which I would have entered into E-Agenda).

Thanks.

Karen

Karen Mann, B.A. (Hons.) - ADES, ABCP
Emergency Manager

Phone: 403-342-8258
Cellular: 403-318-6549 (24/7 Emergency Contact)
Fax Line: 403-341-4115
Email: karen.mann@reddeer.ca

Box 5008, Red Deer, Alberta T4N 3T4

Emergency Management - Mitigating Against, Preparing For, Responding To and Recovering From Emergencies, With Unwavering
Commitment to the Safety and Security of People, Property and the Environment.

From: Christine Kenzie
Sent: December 19, 2011 12:18 PM
To: Karen Mann
Cc: Kim Woods; Frieda McDougall
Subject: FW: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

With the new report format in workflow --- we no longer require signatures on reports. I have also taken your name off the report and just listed your title (normally the department name would be inserted here).

Also, FYI -- this bylaw would be presented for first reading only on January 9th -- with second and third readings to be considered at the January 23rd Council Meeting. Council has asked that all bylaws coming forward now only receive first reading at one Council Meeting, then second and third readings at the next Council Meeting.

Do you want to change the last statement in your report to reflect that this will come forward for first reading, with second and third readings at the next Council Meeting?

P.S. -- Next time -- try and submit the report through the SIRE workflow.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Karen Mann
Sent: December 19, 2011 12:03 PM
To: Christine Kenzie
Cc: Kim Woods
Subject: FW: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

This looks good. I am just wondering where I need to sign it.

Thanks.

Karen

Karen Mann, B.A. (Hons.) - ADES, ABCP
Emergency Manager

Phone: 403-342-8258
Cellular: 403-318-6549 (24/7 Emergency Contact)
Fax Line: 403-341-4115
Email: karen.mann@reddeer.ca

Box 5008, Red Deer, Alberta T4N 3T4

Emergency Management - Mitigating Against, Preparing For, Responding To and Recovering From Emergencies, With Unwavering Commitment to the Safety and Security of People, Property and the Environment.

2011/12/20

From: Kim Woods
Sent: December 19, 2011 12:00 PM
To: Christine Kenzie
Cc: Karen Mann
Subject: FW: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

Hi - I took "Mayor" out and the "and" in recommendation was already cleaned up...I believe we are good to go!

Karen – please sign – could you arrange with Christine?

Thanks,

Kim

Kim Woods
Policy Coordinator
Phone: 403.342.8246
kim.woods@reddeer.ca

From: Frieda McDougall
Sent: December 19, 2011 11:55 AM
To: Kim Woods; Christine Kenzie
Subject: RE: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

This looks good Kim. In the memo I would just change the paragraph that relates to the Council compensation resolution – you indicate Mayor and Council and it was only Council. And, in the recommendation you have an 'and' following the recommendation that would need to be removed. If it meets Karen's needs have her sign and submit and it's good to go. Thanks.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Kim Woods
Sent: December 15, 2011 4:29 PM
To: Christine Kenzie
Cc: Frieda McDougall
Subject: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

For council agenda – Elaine will let you know when this goes – I'm not sure just trying to help the memo and amendment along.

2011/12/20

Christine Kenzie

From: Karen Mann
Sent: December 16, 2011 10:29 AM
To: Christine Kenzie
Subject: Re: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment

I thought the 23rd but Elaine indicated to John that it could go on the 9th. I am good with either date!

Thanks!

Sent from my iPhone

On Dec 16, 2011, at 9:15 AM, "Christine Kenzie" <Christine.Kenzie@reddeer.ca> wrote:

> Thanks for the report and bylaw amendment. I have attached the template for the new format we are using for reports submitted for a Council Agenda. This is the template that is used in the workflow in SIRE.
>
> Please revise the report to the new format using the template attached and send it back to me. You can also start a workflow item in Sire for this.
>
> Karen, you had indicated in an earlier email that this item was to go to the January 23, 2012 Council Meeting. Is this what you are still intending?
>
> Let me know if you have any questions.
>
>
>
> Christine Kenzie | Corporate Meeting Coordinator
> Legislative & Governance
Services<mailto:<http://www.reddeer.ca/City+Government/City+Services+and+Departments/Legislative+and+Administrative+Services/default.htm>> | The City of Red Deer<<http://www.reddeer.ca/>>
> D 403.356.8978 | F 403.346.6195
> christine.kenzie@reddeer.ca
>
>
>

> From: Kim Woods
> Sent: December 15, 2011 4:29 PM
> To: Christine Kenzie
> Cc: Frieda McDougall
> Subject: Memo/Bylaw amendment/Bylaw with strike through > Emergency Management Bylaw Amendment
>

> For council agenda - Elaine will let you know when this goes - I'm not sure just trying to help the memo and amendment along.
>

> Please let Karen know if she needs to do a presentation.
>

> Thanks,
>

> Kim
>

> Kim Woods, Policy Coordinator
> Phone: 403.342.8246
> Email: kim.woods@reddeer.ca<mailto:kim.woods@reddeer.ca>
> Website: The City of Red Deer<<http://www.reddeer.ca/>>
>

> <1179379 - December 2011 Memo fr Karen Mann Re Emergency Mgnt Bylaw amendment - 1.DOC>
> <1179350 - 3468A-2012 Emergency Management Bylaw Amendment - 1.DOC>



January 3, 2012

39 Street Water Trunk Twinning (From Springbett Drive to Maxwell Drive)

Amendment to Water Off-Site Borrowing Bylaw 3459/2010

Legislative & Governance Services

Report Summary & Recommendation:

Water Off-Site Borrowing Bylaw Amendment 3459/A-2011 is being brought back for Council's consideration of second and third readings.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

That Council consider second and third readings of Water Off-Site Borrowing Bylaw Amendment 3459/A-2011.



Report Details

Background:

At the Monday, November 14, 2011 Council Meeting, Water Off-Site Borrowing Bylaw Amendment 3459/A-2011 was given first reading.

Water Off-Site Borrowing Bylaw Amendment 3459/A-2011 provides for an increase of \$350,000 to bring the total of the borrowing bylaw to \$2,470,000. This additional funding is for the 39 Street Water Trunk Twinning project from Springbett Drive to Maxwell Avenue.

Discussion:

Public Consultation Process:

Advertisements were placed in the Red Deer Advocate on November 25 and December 2, 2011. No petitions were received during the 15 days after the last date of advertising.

It is recommended that Council consider second and third readings of the bylaw.



Report Originally Submitted
to the November 14, 2011
Council Meeting

November 02, 2011

39 Street Water Trunk Twinning (from Springbett Drive to Maxwell Avenue)

Amendment to Water Off-Site Borrowing Bylaw 3459/2010

Engineering Services

Report Summary & Recommendation:

We request that Council amend the Water Off-Site Borrowing Bylaw 3459/2010 to include the additional \$350,000 for 2011 Capital Budget Item #40.8, bringing the total of the borrowing bylaw to \$2,470,000.

City Manager Comments:

I support the recommendation of Administration that Council give first reading to Borrowing Bylaw Amendment 3459/A-2011. To allow sufficient time for advertising, this bylaw would come back to Council for second and third readings at the January 9, 2012 Council Meeting.

Craig Curtis
City Manager

Proposed Resolution

That Council give first reading to Borrowing Bylaw Amendment 3459/A-2011.



Report Details

Background:

The 2011 Water Offsite Levy Fund Borrowing Bylaw 3459/2010 was approved January 24, 2011 for a total of \$2,120,000 for the approved capital projects listed below.

2011 Capital Budget Item #	Project Title	2011 Budget
40.1	NW Industrial NE 36, SE 36, NE 25 (53-54)	\$650,000
40.8	39 Street-Water Trunk Twinning (from Mountview)	\$1,470,000
		\$2,120,000

Discussion:

A budget increase request has been submitted separately to Council for an additional \$350,000 for the 39 Street-Water Trunk Twinning (from Mountview).

BYLAW NO. 3459/A-2011

Being a bylaw to amend Borrowing Bylaw No. 3459/2010 to increase the borrowing authority by \$350,000 to a total of \$2,470,000.

WHEREAS:

- A. In 2010 the City passed Bylaw 3459/2010 to borrow the sum of \$2,120,000 to fund the Northwest Industrial NE 36, SE 36, NE 25 (53-54) and the 39 Street – Water Trunk Twinning (from Mountview).
- B. In order to undertake construction and completion of the 39 Street – Water Trunk Twinning (from Mountview) project, additional borrowing of \$350,000 is required.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. Preamble paragraphs B and C of Bylaw 3459/2010 are deleted and replaced with the following new preamble paragraphs:

“B. The total cost of the projects is estimated to be \$2,470,000 and the Municipality estimates the following funding source(s) will be applied to the projects:

Debenture(s)	<u>\$2,470,000</u>
Total Cost	\$2,470,000

- C. In order to complete the projects, it will be necessary for the Municipality to borrow the sum of \$2,470,000, for a period not to exceed 20 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.”
2. In paragraph 1, the words “TWO MILLION ONE HUNDRED AND TWENTY THOUSAND DOLLARS (\$2,120,000)” are deleted and replaced with the words “TWO MILLION FOUR HUNDRED AND SEVENTY THOUSAND DOLLARS (\$2,470,000).”
3. Paragraph 3 is deleted and replaced with the following new paragraph:

“3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TWENTY (20) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution. The interest rate is not to exceed more than THREE (3) percent above the prevailing Alberta Capital Finance Authority rate on the date the bylaw is created or amended, therefore will not exceed SEVEN (7) percent (rounded up to the nearest whole percent).”

4. This bylaw comes into force on the date that it is passed.

READ A FIRST TIME IN OPEN COUNCIL this 14th day of November 2011.

READ A SECOND TIME IN OPEN COUNCIL this day of 2012.

READ A THIRD TIME IN OPEN COUNCIL this day of 2012.

AND SIGNED BY THE MAYOR AND CLERK this day of 2012.

MAYOR

CITY CLERK

DATE: January 11, 2012
TO: Frank Colosimo, Engineering Services Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: 39 Street Water Trunk Twinning (from Springbett Drive to Maxwell Avenue) Amendment to Water Off-site Borrowing Bylaw 3459/2010, Borrowing Off-site Bylaw Amendment 3459/A-2011

Reference Report:

Engineering Services Manager dated January 3, 2012.

Bylaw Reading:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave second and third reading to Borrowing Off-Site Bylaw Amendment 3459/A-2011. A copy of the bylaw is attached.

Report back to Council: No

Comments/Further Action:

This office will follow up with distribution of the above bylaw.



Elaine Vincent
Legislative & Governance Services Manager

c: Director of Development Services
Director of Corporate Services
Financial Services Manager
Corporate Meeting Coordinator

LOAN BYLAW AMENDMENT 3459/A-2011
WATER OFF-SITE BORROWING BYLAW – INCREASE IN BORROWING AMOUNT

DESCRIPTION: Increase in debenture borrowing from \$2,120,000 to \$2,470,000 to finance development and construction of the 39 Street – Water Trunk Twinning (from Mountview)

FIRST READING: November 14, 2011

FIRST PUBLICATION: November 25, 2011

SECOND PUBLICATION: December 2, 2011

PUBLIC HEARING & SECOND READING: January 9, 2012

THIRD READING:

January 9, 2012

LETTERS REQUIRED TO PROPERTY OWNERS: YES ☐ ☒ NO

NO

DEPOSIT: YES ☐ \$ _____ NO ☒

COST OF ADVERTISING RESPONSIBILITY OF:

City of Red Deer

ACTUAL COST OF ADVERTISING:

\$ _____ X 2

TOTAL:

\$ _____

MAP PREPARATION:

\$ _____

TOTAL COST:

\$ _____

LESS DEPOSIT RECEIVED:

\$ _____

AMOUNT OWING/ (REFUND):

\$ _____

INVOICE NO.:

BATCH NO.:

(Advertising Revenue to 180.5901)

Borrowing Bylaw 3459/A-2011

Red Deer City Council proposes to pass the following bylaw to provide for an increase in debenture borrowing from \$2,120,000 to \$2,470,000 to finance development and construction of the 39 Street – Water Trunk Twinning (from Mountview).

The proposed bylaw may be inspected at Legislative & Governance Services, 2nd Floor City Hall during regular office hours.

The electors may submit a petition calling for a vote of the electors to determine whether the proposed bylaw should be passed. The petition must meet the formal requirements of sections 221-226 of the Municipal Government Act and be filed with the Legislative Services Manager within 15 days after the last date the proposed bylaw is advertised. The last date of advertisement for this bylaw is **December 2, 2011**. Any petition will be public information. If you have any question regarding the petition process or the use of the petition please contact the Legislative Services Manager at 403-342-8132.

Publication Dates: Friday, November 25th and Friday, December 2, 2011

BYLAW NO. 3459/A-2011

Being a bylaw to amend Borrowing Bylaw No. 3459/2010 to increase the borrowing authority by \$350,000 to a total of \$2,470,000.

WHEREAS:

- A. In 2010 the City passed Bylaw 3459/2010 to borrow the sum of \$2,120,000 to fund the Northwest Industrial NE 36, SE 36, NE 25 (53-54) and the 39 Street – Water Trunk Twinning (from Mountview).
- B. In order to undertake construction and completion of the 39 Street – Water Trunk Twinning (from Mountview) project, additional borrowing of \$350,000 is required.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

- 1. Preamble paragraphs B and C of Bylaw 3459/2010 are deleted and replaced with the following new preamble paragraphs:

“B. The total cost of the projects is estimated to be \$2,470,000 and the Municipality estimates the following funding source(s) will be applied to the projects:

Debenture(s)	<u>\$2,470,000</u>
Total Cost	\$2,470,000

- C. In order to complete the projects, it will be necessary for the Municipality to borrow the sum of \$2,470,000, for a period not to exceed 20 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.”
- 2. In paragraph 1, the words “TWO MILLION ONE HUNDRED AND TWENTY THOUSAND DOLLARS (\$2,120,000)” are deleted and replaced with the words “TWO MILLION FOUR HUNDRED AND SEVENTY THOUSAND DOLLARS (\$2,470,000).”
- 3. Paragraph 3 is deleted and replaced with the following new paragraph:

“3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TWENTY (20) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution. The interest rate is not to exceed more than THREE (3) percent above the prevailing Alberta Capital Finance Authority rate on the date the bylaw is created or amended, therefore will not exceed SEVEN (7) percent (rounded up to the nearest whole percent).”

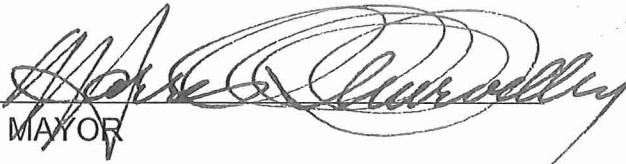
4. This bylaw comes into force on the date that it is passed.

READ A FIRST TIME IN OPEN COUNCIL this 14th day of November 2011.

READ A SECOND TIME IN OPEN COUNCIL this 9th day of January 2012.

READ A THIRD TIME IN OPEN COUNCIL this 9th day of January 2012.

AND SIGNED BY THE MAYOR AND CLERK this 9th day of January 2012.


MAYOR


CITY CLERK



January 3, 2012

New Utility Bylaw 3464/2011 to Replace Existing Utility Bylaw 3215/98

Legislative & Governance Services Department

Report Summary & Recommendation:

Utility Bylaw 3464/2011 is being brought back for Council's consideration of second and third readings.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

That Council consider second and third readings of Utility Bylaw 3464/2011.



Report Details

Background:

At the Monday, November 28, 2011 Council Meeting, Council gave first reading to Utility Bylaw 3464/2011 which will replace the current Utility Bylaw 3215/98.

Discussion:

Utility Bylaw 3464/2011 is being brought back for Council's consideration of second and third readings.



Report Originally Presented to the
December 12, 2011 Council
Meeting

November 16, 2011

New Utility Bylaw 3464 to Replace Existing Utility Bylaw 3215/98

Environmental Services

Report Summary & Recommendation:

The purpose of this report is to provide information to City Council in support of proposed changes to the current Utility Bylaw No. 3215/98 (copy attached) and to seek City Council's approval to rescind the current bylaw and adopt the proposed Utility Bylaw No. 3464/2011 (copy attached). Bylaw adoption will require three readings.

City Manager Comments:

I support the recommendation of Administration. Utility Bylaw 3464/2011 will be presented for First Reading only at the December 12, 2011 Council Meeting. The bylaw will come back to Council for consideration of second and third readings at the Monday, January 9, 2012 Council Meeting.

Proposed Resolution

That Council consider First Reading of Utility Bylaw 3464/2011



Report Details

Background:

A comprehensive review of the Utility Bylaw No. 3215/98 has not been done since it was originally adopted in 1998. Environmental Services has identified a number of changes that are needed to bring the bylaw up to date.

The department initially conducted several meetings with the Water, Wastewater, and Waste Management Sections of Environmental Services to identify clauses that required updating and clauses that were missing based on a review of other bylaws from Calgary, Edmonton, Lethbridge, and Medicine Hat. Revisions were also based on the *Model Sewer Use Bylaw Guidance Document* prepared for the Canadian Council of Ministers of the Environment (CCME).

An initial draft of the new bylaw was then developed and comments were sought from The City's Revenue & Assessment and Engineering Departments.

The final stage of the process involved several drafts and incorporated comments provided by these departments as well as legal reviews by The City's solicitor Chapman & Riebeek.

A number of business owners were advised of the proposed changes to the Wastewater Surcharge program. Some of the changes had been initiated by the businesses (e.g. maximum limits). No objections were raised.

Discussion:

A general re-organization of the entire bylaw was done and clauses related to each other were grouped as sub-clauses under the correct corresponding title. Clauses that relate to all utilities are now included under the General Provisions Part; whereas clauses that are specific to one utility are included under the Part for that utility (i.e. Water, Wastewater, Storm Water, or Waste Management).

General housekeeping changes were made, such as language changes to improve the clarity of clauses, abbreviating frequently used terms (e.g. The City of Red Deer to "The City"), and providing subtitles for every clause to identify the subject matter. More specific changes are outlined below.



Clause 18, Billing Errors was created to indicate that The City will make corrections to a customer account, whether it is a credit or debt, for up to the prior 12 month period.

Clause 24, Reasonable Notice was added to define the provisions for notice to customers regarding breaches of the bylaw. Clauses 25 to 28 were modified to more clearly define conditions for Termination.

Subsection (3) of Clause 31, Connection to Utility Service was added to include connection charges in lieu of Offsite Levies for water and wastewater utilities.

Subsection (5) of Clause 31, Connection to Utility Service was modified to allow the Director to defer the requirement for property owners to connect to water and wastewater utilities.

Clause 35, Spills is a new clause that describes who to contact and what information needs to be collected in the event of a spill on the ground or to the Wastewater or Storm Water sewers.

Fines were defined more distinctly in Clause 37, Offences and Penalties rather than a penalty range of \$500 to \$2,500; the application of which could be open to interpretation. The main changes are:

- In subsection (1) the value of the fine for the first offence was set at \$1,000 and subsequent offences to \$2,500. This subsection applies to breaches of the bylaw that could have serious operational or environmental impacts, such as a spill of contaminated materials into the storm or wastewater systems.
- Under subsection (2) the first offence was increased from \$50 to \$100 and the second & subsequent offences was set at \$500. The existing bylaw set second offences at \$150 and subsequent offences at \$500. This subsection would apply to less serious breaches of the bylaw, such as disregarding water rationing requirements or burning solid waste.

Clause 39, Connection to City Water Supply was added to address bacteriological contamination concerns related to larger service lines being connected to The City's water system.

Clause 62, Use of Groundwater Wells was added to address the abandonment of old wells once a property is connected to the City's water system.



Clause 64, Fire Hydrants was added to address unauthorized use of hydrants, numbering & painting of hydrants, access to hydrants on private property, and clearance around hydrants.

Clause 65, Permit to Use Water from a Fire Hydrant explains how authorization to use a hydrant can be obtained from The City.

Clause 77, Plugged Wastewater Sewers was added to identify the process and responsibility for customers dealing with a plugged sewer.

Clause 81, Prohibited Substances in Wastewater; additional prohibited substances were added to this section as recommended by CCME. Limits for Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) were increased from 1,000 to 4,800 mg/L in response to the needs of some large customers.

Clause 83, Overstrength Surcharge and Schedule C were modified to increase the range of concentrations covered by the Overstrength Surcharge and provide a block rate system for payment (i.e. the unit rate increases in tiers as the concentrations increase). The new rates were assessed based on the cost to treat the various constituents in the WWTP. A comparison of the rates is illustrated in the following table:

Constituent	Unit of Measure	Previous Concentration and Rate	Proposed Concentration and Rate		
			Tier 1	Tier 2	Tier 3
BOD	Range (mg/L)	200 to 1,000	300 to 2400	2400 to 4800	Above 4800
	Rate (\$/kg)	\$0.84	\$0.87	\$1.16	\$1.74
Suspended Solids (TSS)	Range (mg/L)	200 to 1,000	300 to 2400	2400 to 4800	Above 4800
	Rate (\$/kg)	\$0.91	\$0.83	\$1.10	\$1.66
Oil & Grease	Range (mg/L)	100 to 500	100 to 250	250 to 500	Above 500
	Rate (\$/kg)	\$0.26	\$0.68	\$0.90	\$1.36

Clause 85, Dental Waste Amalgam Separator addresses the issues of dental facilities discharging waste amalgam into the wastewater sewer.

Clause 89, Disconnection of Sewer indicates that The City may disconnect a customer's sewer service when the wastewater is hazardous to humans, the environment, or the operation of the Wastewater system.



Clause 91, Hauled Wastewater indicates that hauled wastewater may only be discharged at an approved location, with a valid hauler agreement. The rate for hauled waste identified in Schedule C is now based on load capacity rather than vehicle type or size. The proposed rate is \$8.30 per cubic meter; which is based on the current volume charge plus the proposed Overstrength Surcharge and the typical hauled wastewater concentrations of BOD, TSS, and O & G in hauled wastewater. There is now a minimum charge of \$5.00 per load, although recreational vehicles are still exempt (i.e. no charge).

Clause 92, Best Management Practice indicates that industrial, commercial, and institutional customers must provide information to The City relative to their processes and discharge characteristics. This does not concern domestic wastewater.

The entire Storm Water Utility Section, Part 5 of the Bylaw, is new and addresses possible issues such as cleanouts, backflow valves, tree roots, catch basins, prohibited substances, and disconnection. The clauses in this section mirror those in the Wastewater Utility Section.

Clause 103, Exclusive Contracts was updated to reflect the requirements of the most recent solid waste collection contract and provides for repayment of lost revenues by individuals who breach the exclusive contract.

In Clauses 104 to 106, Residential and Commercial Waste, the type of collection services provided for different land uses was identified.

A deposit of \$220 has been added to Schedule D for higher risk customers (as defined in Clause 9 of the Bylaw). The previous deposit was assessed based on 30% of the customer's estimated annual bill.

Rates included in Schedule E for Collection and Landfill use are unchanged except that a \$20 charge has been added for provision of a container lock.

All rates will be re-evaluated as part of our annual review and will be presented to Council early in 2012, following budget approval.

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BYLAW NO. 3464/2011

Being a Bylaw of The City of Red Deer to provide for the supply and use of the Water, Wastewater, Storm Water and Solid Waste utilities of The City of Red Deer.

Background

A Council has authority under the Municipal Government Act, to pass bylaws respecting the safety, health and welfare of people. Council of the City of Red Deer has deemed it appropriate to provide for the establishment and operation of certain public utility services, including provision for the terms and conditions under which such utilities will be provided.

COUNCIL HEREBY ENACTS AS FOLLOWS:

PART 1 – SHORT TITLE**SHORT TITLE AND ESTABLISHMENT OF UTILITIES**

- 1 (1) This Bylaw may be called "The Utility Bylaw".
- (2) The City of Red Deer hereby establishes the following municipal utilities: Water, Wastewater, Storm Water and Waste Management (including Recycling).

PART 2 – GENERAL PROVISIONS**DEFINITIONS**

- 2 Words and phrases in this Bylaw shall have the meanings set out in Schedule A.

SUPERVISION

- 3 (1) The Utility Services shall be supervised by the City Manager.
- (2) The Director of Development Services (the Director) and the Director of Corporate Services (the Treasurer) shall have the powers and duties with respect to the Utility Services specified in this Bylaw and as otherwise specified by the City Manager or Council.

SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

- 4 (1) All meters and metering equipment shall be supplied, owned and maintained by The City unless otherwise provided in this Bylaw.

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- (2) Notwithstanding the payment by a customer of any costs incurred by The City, The City shall retain full title to all lines, equipment and apparatus on its side of the point of delivery, and to all meters and metering equipment provided by it.

ASSIGNMENT OF CONTRACT

- 5 A contract for a Utility Service is not transferable and shall remain in full force and effect until terminated by the customer or The City as provided herein.

CITY RESPONSIBILITY AND LIABILITY

- 6 (1) The City does not guarantee the continuous uninterrupted supply of any Utility Service but reserves the right to suspend the supply of a Utility Service at any time without notice where required in the maintenance or operation of the Utility Service.
- (2) The City and its officers, employees and agents shall not be liable for any damages of any kind due to or arising out of:
 - (a) a failure to provide a Utility Service;
 - (b) the interruption of service due to maintenance or operational requirements, or due to reasons beyond The City's control; or
 - (c) the disconnection of a Utility Service in accordance with this Bylaw.

APPLICATION FOR SERVICE

- 7 (1) Any person who requires a Utility Service shall apply to The City by completing an application form and providing such information as The City may require, including credit references, confirmation of the identity and legal authority of the applicant, and information respecting load and the manner in which the services will be utilized.
- (2) The applicant shall pay an application fee as set forth in Schedule D.
- (3) The City may establish procedures for the creation of a contract for Utility Services by telephone, fax, internet or other electronic means, or may require the applicant to sign a contract for service.
- (4) The Utility Service account shall be set up:

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- (a) in the name of the owner of the property to which the utilities are to be supplied, where the Utilities are requested by the owner of the property; or
 - (b) in the name of the occupant(s) of a property where the Utilities are requested by an occupant of the property. Where the occupants are tenants, all of the persons named as tenants in the landlord-tenant agreement shall be jointly and severally liable for the Utility account, regardless of which tenant's name the account is opened in; or
 - (c) in the name of the general contractor in the case of a new building under construction, where the Utilities are requested by the general contractor.
- (5) Notwithstanding subsection (2), the Treasurer may waive the application fee in the case of a mortgage lender which acquires title to a property as part of the process of foreclosure.
- (6) Upon making application, providing all information required by The City, and paying the application fee, deposit and any other sums required, there shall be a binding Utility Service agreement between the customer and The City. The provisions of the application form and of this Bylaw shall constitute the terms and conditions of such agreement.

CONDITIONS OF SERVICE

- 8 (1) The City is not obliged to supply Utility Services until the account holder has provided The City with access to the premises to which the Utilities are to be provided, so to enable The City to inspect the physical connections for such Utility and to obtain an initial meter reading for each metered Utility Service.
- (2) No new Utility account will be opened for anyone who is already indebted to The City for Utility Services unless satisfactory arrangements for payment of the outstanding amount have been made.

DEPOSITS

- 9 (1) No deposits are required to establish a Utility account, except in the following cases:
- (a) customers who are unable to establish or maintain creditworthiness satisfactory to The City; or

- (b) where payment of a Utility account in the name of the applicant is in arrears; or
 - (c) where a Utility service to a property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of a Utility account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's Utility account has been written off as a bad debt; or
 - (f) where collection proceedings, including legal action or referral to a collection agency, have been commenced in respect of the applicant's previous Utility account; or
 - (g) where the applicant has not maintained an existing or previous Utility account in good standing; or
 - (h) in other similar situations, at the discretion of the Treasurer.
- (2) Before a new Utility account is opened, the applicant shall pay all amounts owed to The City for any other Utility accounts, and shall also provide a guarantee of payment in the form of a cash deposit, money order, or certified cheque in the amount set forth in Schedule D. Alternately, In the case of large industrial customers, The City may accept an irrevocable letter of credit or guarantee from a financial institution.
 - (3) Customers opening a new account due to a change of residence within the City shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
 - (4) The Treasurer may waive the requirement for a deposit if the Treasurer is satisfied as to the creditworthiness of the applicant.
 - (5) The City may apply a deposit to the balance outstanding under the customer's Utility account.

INTEREST ON DEPOSITS

10 Interest on each customer's cash security deposit shall be calculated

annually and credited, not in advance, at the rate specified to be paid on security deposits under the *Residential Tenancy Act*, RSA 2000, Ch. R-17.

REFUND OF DEPOSIT

- 11 When a customer has established and maintained creditworthiness satisfactory to The City, or upon termination of the Utility contract, the deposit shall be refunded together with accrued interest, after deducting all charges outstanding, including the cost of shutting off or discontinuing any Utility Service for non-payment.

SERVICE CHARGE

- 12 When a customer requests that The City attend at the property to which the Utility service is being supplied with respect to any matter relating to the supply of Utility services or the servicing of the same, and if for any reason whatsoever The City is unable to enter the said premises, or if the call is for failure of service not attributable to The City, the customer shall pay a service charge fee as set forth in Schedule D.

AFTER HOURS CALLS

- 13 The customer shall pay the applicable after hours fee as set forth in Schedule D for service calls after 4:00 p.m. or before 7:30 a.m., Monday through Friday, or on a Saturday, Sunday, or statutory or civic holiday. The after hours fee shall also apply if a meter is required to be installed or connected, or should a Utility Service be required to be disconnected or reconnected during such times.

DISCONNECTION

- 14 The customer shall pay a disconnection service charge as set forth in Schedule D where a service call is made to disconnect a Utility service at the request of the customer.

RECONNECTION

- 15 The customer shall pay a reconnection service charge as set forth in Schedule D where a service call is made for the purpose of restoring discontinued services.

WINTER INSTALLATION

- 16 The cost payable by the customer for installing a service between November 1st of any year and May 15th of the following year shall be increased by the amount set forth in Schedule D.

UTILITY CHARGES AND PAYMENT OF UTILITY ACCOUNTS

- 17 (1) The rates and charges for Utility Services shall be those set out in the Schedules to this Bylaw or as otherwise established by resolution of Council from time to time.
- (2) All rates and charges shall be paid to The City within the time prescribed by this Bylaw.
- (3) The whole amount owing in a Utility account is due and payable on the due date stated on the Utility bill and the account will be deemed to be in arrears if payment is not made on or before the due date. A customer is responsible to pay the amounts owing in a Utility bill whether or not the customer has received it.
- (4) The City may discontinue the supply of all or any Utility services when a customer has not paid the full Utility account on or before the due date. Utility services will not be reinstated until all arrears and charges owed to The City are paid, or until payment arrangements satisfactory to the Treasurer have been made.

BILLING ERRORS

- 18 Where a customer has been charged less or more than they should have been charged for Utility Services provided, The City will review the account and make corrections for the billing errors for up to a maximum of 12 months prior to the date the error is discovered. Corrections will not be made for billing errors in respect of Utility Services provided more than one year prior to the date the billing error is discovered.

LATE PAYMENT PENALTY

- 19 When the customer pays the utility account after the due date stated in the account (or after such other due date as may be approved by the Treasurer), whether the payment is made at a financial institution or directly to The City, the customer shall pay a penalty on the overdue balance as set forth in Schedule D.

NOVELTY PAYMENT METHODS

- 20 The City may refuse to accept a payment by way of a cheque drawn on a form other than a bank cheque form (a Novelty Cheque), but where The City does so, the customer shall be liable for and pay to The City all charges and costs incurred to process the Novelty Cheque. The City will follow the Bank of Canada rules and regulations of currency acceptance limitations in respect of payment by cash.

INTERIM UTILITY BILL

- 21 (1) Where The City has not measured the amount of a metered Utility service, it may issue an interim Utility bill based on estimated consumption and shall credit Utility accounts for all payments made by a customer against such interim bill.
- (2) Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.

ENFORCEMENT

- 22 The Treasurer is authorized to collect all accounts owing to The City under this Bylaw, and may take any of the measures a municipality is authorized to take under the *Municipal Government Act, RSA 2000, Chap M-26*.

APPEALS

- 23 A customer who feels aggrieved in respect of rates charged to that customer under this Bylaw on the grounds that such rates are unfair, unreasonable or discriminatory, may appeal such rates to the Red Deer Appeal & Review Board by a notice specifying the grounds of the complaint submitted in accordance with the provisions outlined in the Committees Bylaw.

REASONABLE NOTICE

- 24 The City shall provide written notice to a customer of any breach of this Bylaw which may result in The City discontinuing Utility Services. Such notice shall be delivered at least 10 days prior to discontinuance of Utility Services and shall be sent to the customer as follows:
- (a) in the case of a customer who is known to be a tenant at the premises, the notice shall be sent to the address of the premises;

and

- (b) in the case of a customer who owns the property, the notice shall be sent to the address of the premises and the address provided in the application for service, if different.

TERMINATION BY CUSTOMER

- 25 (1) A customer is responsible for all charges accruing to the customer's Utility account until such time as the customer notifies The City that the account is to be closed, whether due to a change in the ownership or the occupancy of the property to which the Utilities are being supplied.
- (2) When a customer gives notice to The City that the customer's account is to be closed, The City shall obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

TERMINATION BY THE CITY UPON NOTICE

- 26 The City may discontinue the supply of any Utility Service for any of the following reasons, after notice has been given pursuant to Section 24:
- (a) non-payment of any Utility accounts;
 - (b) inability of The City to obtain access to premises to read or inspect any meter;
 - (c) failure or refusal of a customer to comply with any provision of this Bylaw;
 - (d) failure or refusal of a customer to comply with the provisions of any statute or regulation, including the Alberta Building Code; or
 - (e) in any other case provided for in this Bylaw.

TERMINATION WITHOUT NOTICE

- 27 (1) The City may discontinue the supply of a Utility Service without prior notice for any of the following reasons:
- (a) at the request of the account holder for discontinuance of service;

- (b) failure by, or refusal of, a customer to comply with any order given by the Director under this Bylaw;
 - (c) in any other case provided for in this Bylaw.
- (2) The City may discontinue the supply of the Water Utility Service without prior notice for any of the reasons listed above or for any of the following reasons:
 - (a) if the customer has caused, permitted or allowed any piping, fixture, fitting, container or other appliance to be or remain connected to the water supply system which allows or has the potential to allow water from a source other than the Water Utility or any other harmful or Deleterious liquid or substance to enter the Water Utility;
 - (b) failure by a customer to notify The City within 24 hours after the seal on a bypass is broken;
 - (c) failure by a customer to repair or replace a Backflow Preventer within ninety-six (96) hours of being so directed by the Director; or
 - (d) in the event of an emergency or water shortage as the Director deems necessary.

TERMINATION DUE TO VACANT PREMISES

28 When the premises to which Utility Services is provided become vacant and no new application for service has been made, The City may terminate the contract and:

- (a) disconnect the Utility Service; or
- (b) in lieu of disconnecting the service, open a new utility account in the name of the owner and charge the fee set forth in Schedule D to open the account. Nothing herein shall prevent the owner from requesting that The City disconnect such Utility Service provided the owner pays the service charge prescribed herein.

AUTHORIZATION TO ENTER PREMISES TO TERMINATE SERVICE

29 (1) In accordance with the Municipal Government Act, the Director may, after giving reasonable notice to the owner or occupier of the property, enter

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any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of a Utility Service to that property, or for the purpose of supplying a Utility Service to that property.

- (2) The City may tow vehicles blocking Utility Service shut off valves and manholes and may charge the vehicle owner for the cost of the towing.

SERVICE KILL

- 30 No person shall cause, permit or allow a building to be demolished or removed until Utility Services to the property are disconnected and any fee for such disconnection has been paid. Notwithstanding the foregoing, the Director may, in circumstances which the Director considers appropriate, permit the service to remain connected to the Utility Service line or main.

CONNECTION TO UTILITY SERVICE

- 31 (1) Within one year after a Utility Service becomes available, the owner of every building situated on land abutting on any street in which there is a Water Main or a Wastewater Sewer, shall at the owner's expense connect such building to the water system and install sanitation facilities, where available, and connect the building to the Wastewater Sewer systems in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this Bylaw.
- (2) The owner shall provide The City with a completed application in the form approved by the Director for a permit to make such connection. The application shall be supplemented by any plans, specifications, or other information required by the Director.
- (3) The owner of a parcel of land in respect of which no Offsite Levy for Water or Wastewater has been paid to The City, shall, in addition to the fees otherwise specified in this Bylaw, pay a connection fee as follows:
- (a) in the case of a single-family parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for the Water and Wastewater services provided, multiplied by the actual area of the parcel or 0.12 ha, whichever is less.
- (b) where such a single-family parcel is subsequently subdivided and a new Water or Wastewater Service Connection is required for the subdivided parcel, the owner shall pay a separate connection fee for each subdivided parcel, in an amount equal to the current per

hectare Offsite Levy charge for the Water and Wastewater services provided, multiplied by the actual area of the un-subdivided parcel less the area set out in subsection (a) above;

- (c) in the case of a multi-family or non-residential parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for the Water and Wastewater services provided, calculated on the area of the parcel in question.
- (4) The connection fee specified in subsection (3) above shall not apply to any parcel in respect of which The City has otherwise received or made arrangements to receive payment of an equivalent amount.
- (5) Notwithstanding subsection (1), the Director shall have the discretion to extend the period of time within which the connection to the Water Main, or Wastewater Sewer must be made for such period of time as the Director considers is reasonable and subject to review every 5 years or less, provided that such extension of time is consistent with City policies and Council direction, and also provided that the failure to connect:
 - (a) will not jeopardize the health or safety of the occupants of the building or of other City residents;
 - (b) will not adversely affect the integrity or operation of those utilities; and
 - (c) will not present an undue risk of damage to property or the environment.
- (6) A person who has been directed to connect their building to a Utility Service shall have the right to appeal the direction to the Red Deer Appeal & Review Board by a notice submitted within 14 days of the date that the direction to connect has been served, in accordance with the provisions outlined in the Committees Bylaw. On hearing such appeal, the Board may vary, suspend or rescind such direction on such terms as it deems appropriate.
- (7) At such time as the owner connects to a Utility Service, the owner shall also open a utility account and make payment of all application fees and deposits that may be required under this Bylaw.
- (8) No person may connect to a Utility Service until such time as payment has been made to The City by the property owner or prior owner in respect of the cost of construction of the Utility Service (including carrying charges)

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to serve the land owned or occupied by that person, or until such person has made other arrangements satisfactory to The City to pay that person's proportionate share of those costs.

- (9) No person shall uncover, make any connections with or opening into, use, alter, or disturb any Water Mains, City Service Connections, Wastewater Sewer, Storm Water Sewer or appurtenances thereof, unless authorized by the Director.
- (10) All Water Mains, Wastewater Sewers, and Storm Water Sewers located within The City's property, right-of-way, or easement shall be constructed by The City's forces or its contractors and shall be maintained by The City.
- (11) All Private Service Connections, Wastewater Sewers, and Storm Water infrastructure and facilities on private property shall be constructed and maintained by the owner's forces at his expense in accordance with the requirements of this Bylaw and the Alberta Building Code.

UTILITY CONNECTION EXCEPTIONS

- 32 (1) All owners of property fronting on 65 Avenue between 67 Street and Taylor Drive shall, prior to the hook-up of water, Storm Water, or Wastewater Sewer services, and as a condition of such services, pay of the following sums of money to The City, namely:
- (a) a sum equal to the off-site water charges, Storm Water, or Wastewater Sewer levy based on the rate in force as of the date of the water, Storm Water or Wastewater Sewer connections established under The City's Off-Site Levy Bylaw; and
 - (b) the estimated cost of the construction of small diameter Water Main and hydrants, Storm Water, or Wastewater Sewers and manholes and all appurtenances thereto, constructed along and in 65 Avenue between 67 Street and Taylor Drive, distributed on the assessable frontage along 65 Avenue and pro-rated to the owner based on the frontage of the owner's land as it relates to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the water, Storm Water, or Sewer service to the owner's property.

ABANDONED BUILDING SEWER CONNECTIONS

- 33 When any Wastewater or Storm Water Private Sewer Connection is

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abandoned, the owner of the property shall effectively block up the connection at a suitable location within their property to prevent Wastewater or Storm Water from backing up into the soil or from dirt being washed into the City Sewer Connection.

SAMPLING AND MONITORING

- 34 (1) Where sampling is required for the purposes of determining the concentration of constituents in the Wastewater or Storm Water, the sample may:
- (a) be collected manually or by using an automatic sampling device; and
 - (b) contain additives for its preservation.
- (2) For the purpose of determining compliance with this Bylaw, discrete Wastewater or Storm Water streams within premises may be sampled, at the discretion of the Inspector.
- (3) The owner or operator of any industrial, commercial or Institutional premises or multi-storey residential building shall at all times ensure that every Monitoring Access Point as required by this Bylaw is accessible to the Inspector for the purposes of observing, sampling and flow measurement.
- (4) Any single Grab Sample may be used to determine compliance with any provision of this Bylaw.
- (5) All tests, measurements, analyses and examinations of Wastewater or Storm Water, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with Standard Methods and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Inspector as agreed in writing prior to sample analysis.
- (6) The following businesses require Sampling Ports when it is not possible to install a Monitoring Access Point:
- (a) dental offices;
 - (b) businesses using photographic processing equipment; or

- (c) any other businesses deemed necessary by the Inspector.

SPILLS

- 35 (1) In the event of a Spill on the ground or to a Wastewater and/or Storm Water sewers, the person responsible for the Spill or the person having the charge, management and control of the Spill shall immediately notify and provide any requested information with regard to the Spill to:
- (a) 911 emergency if there is any immediate danger to human health and/or safety; or
 - (b) if there is no immediate danger:
 - (i) The City by contacting the Environmental Services Source Control 24 Hour # 403-342-8750;
 - (ii) the owner of the premises where the release occurred; and
 - (iii) any other person whom the person reporting knows or ought to know may be directly affected by the release.
- (2) Thereafter, that person shall provide a detailed report on the Spill to The City, within five working days after the Spill, containing the following information to the best of their knowledge:
- (a) name and telephone number of the person who reported the Spill and the location and time where they can be contacted;
 - (b) location where Spill occurred; date and time of Spill; material spilled; characteristics and composition of material spilled; volume of material spilled; duration of Spill event;
 - (c) work completed and any work still in progress in the mitigation of the Spill;
 - (d) preventive actions being taken to ensure a similar Spill does not occur again; and copies of completed Spill prevention and Spill response plan.
- (3) The person responsible for the Spill and the person having the charge, management and control of the Spill shall do everything reasonably possible to contain the Spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the Spill and contaminated residue, and restore the affected area to its condition prior to the Spill.

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- (4) Nothing in this Bylaw relieves any persons from complying with any notification or reporting provisions of:
 - (a) other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill; or
 - (b) any other Bylaw of The City.
- (5) The City may invoice the person responsible for the Spill to recover all costs arising as a result of the Spill and such person shall pay the costs invoiced.
- (6) The City may require the person responsible for the Spill to prepare and submit a Spill contingency plan to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

POWER AND AUTHORITY OF INSPECTORS

- 36 (1) An Inspector or other designated officer of The City may in accordance with this Bylaw and the Municipal Government Act:
- (a) enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Bylaw.
 - (b) take samples of Wastewater, Storm Water, clear-water waste and Subsurface Water being released from the premises or flowing within a private drainage system;
 - (c) perform on-site testing of the Wastewater, Storm Water, clear-water waste and Subsurface Water within or being released from private drainage systems, Pre-treatment facilities and Storm Water management facilities;
 - (d) make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
 - (e) require information from any person, inspect and copy documents or remove documents from premises to make copies, concerning any potential violation of this bylaw;

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- (f) inspect chemical storage areas and Spill containment facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on site;
 - (g) inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that in their opinion could have been part of the release.
- (2) Where an inspection discloses any failure, omission, or neglect respecting any Utility Service upon the customer's premises, or discloses any defect in the location, construction, design or maintenance of any facility or any connection there from to the Utility Service, the person making such inspection shall, in writing, notify the customer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Director. Such notified person shall within the time limited rectify such cause of complaint stated in the notice.
 - (3) No person shall hinder or prevent the Inspector or designated officer of The City from carrying out any of their powers or duties.
 - (4) The City may serve any person who is in violation of any provision of this Bylaw with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or within such additional time as required by this Bylaw or as determined by the Director. Such person shall, within the time stated in such notice, permanently cease all violations.

OFFENCES AND PENALTIES

37 (1) Any person who:

- (a) breaches any of the following sections of this Bylaw:
 - (i) Section 31, Connection to Utility Service;
 - (ii) Section 35, Spills;
 - (iii) Section 74, Prohibited Disposal of Wastewater;
 - (iv) Section 80, Storm Water / Ground Water Discharge to Wastewater Sewer;
 - (v) Section 81, Prohibited Substances in Wastewater;
 - (vi) Section 83 (3), Overstrength Surcharge;
 - (vii) Section 85, Dental Waste Amalgam Separator;
 - (viii) Section 86, Grease, Oil, & Solids Interception;

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- (ix) Section 87 (2), Customer Self-Monitoring;
- (x) Section 91, Hauled Wastewater;
- (xi) Section 98, Prohibited Storm Water Sewer Use;
- (xii) Section 99 (1), Discharge of Prohibited Substances; or
- (xiii) Section 114, Hazardous Waste, Dangerous Goods, Special Waste;

- (b) fails to act in compliance and accordance with any notice given under this Bylaw;
- (c) obstructs an Inspector;
- (d) releases Wastewater improperly;
- (e) discharges water, without a permit, to the Wastewater or Storm Water Sewer systems that was not provided by The City; or
- (f) knowingly makes false statements, records, reports, plans or other documents filed or required to be maintained pursuant to this Bylaw, or falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Bylaw

shall be guilty of an offence and upon summary conviction shall be liable to pay court costs plus a penalty of:

- (i) \$1,000 for the first occurrence of such offence;
- (ii) \$2,500 per occurrence for any subsequent occurrence; and
- (iii) in default of payment of the penalty, to imprisonment for up to 6 months.

- (2) Any person who breeches any other provision of this Bylaw shall be guilty of an offence and upon summary conviction shall be liable to pay court costs plus a penalty of:

- (a) \$100 for the first occurrence of such offence;
- (b) \$500 per occurrence for any subsequent occurrence of the offence; and
- (c) in default of payment of the penalty, imprisonment for up to 30 days.

- (3) Where a person commits a breach of this Bylaw which is of an on-going and continuing nature, he shall be liable to a fine of \$2,500 per day or part thereof during which such offence occurs or continues.
- (4) A Peace Officer or Bylaw Enforcement Officer who has reasonable grounds to believe that a person has contravened any provision of this Bylaw, may serve upon such person an offence ticket allowing the payment of the specified penalty to The City which payment will constitute a guilty plea and shall be accepted by The City in lieu of prosecution for the offence.

PART 3 - WATER UTILITY

WATER SERVICE BILLING RATES

- 38
- (1) A Water Utility customer shall pay the amounts specified in this Bylaw and in Schedules B and D for all water supplied and Water Utility services provided.
 - (2) The Director shall determine which rate in Schedule B and D shall apply to any particular customer.
 - (3) The rate payable by a customer as set out in Schedule B of this Bylaw for all water supplied shall be determined by reference to the size and the reading of the water meter supplied to each customer.
 - (4) Where a Remote Reading Device is installed in addition to the water meter, the water meter shall be used to determine the official reading.

CONNECTION TO CITY WATER SUPPLY

- 39
- (1) In the case of a new Private Service Connection to a City Service Connection that is 38 mm or larger in diameter, the customer shall provide, at the customer's expense, proof of satisfactory bacteriological test results (as per ANSI/AWWA C651-05) for the service, from a laboratory accredited to perform such tests by the Province of Alberta.

CONTINUOUS WATER SUPPLY NOT GUARANTEED

- 40
- (1) The City does not guarantee the pressure nor the continuous supply of water and The City reserves the right at any and all times without notice to change operating water pressures and to shut off water. The City and its officers, employees and agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by

reason of the water containing sediments, deposits or other foreign matter.

- (2) Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply or pressure or quality of water required for their use.

INSPECTION OF PREMISES

- 41 (1) The City may inspect the premises of a customer who applies to The City for the supply of water in order to determine if it is advisable to supply water to such customer.
- (2) The City may, with the permission of the customer, inspect the premises of the customer in order to do any tests on water piping or fixtures belonging to such customer so as to determine if this Bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of water to that customer may be shut off.

WATER USE RESTRICTIONS

- 42 (1) The Director may, at such times and for such lengths of time as the Director considers necessary or advisable, regulate, restrict or prohibit the use of water for use other than human consumption. The Director may cause the water supply to any customer who causes, permits or allows irrigation, wastage, exterior washing, or other non-human consumption in contravention of any such regulation, restriction or prohibition to be shut off until the customer undertakes to abide by and comply with such regulation, restriction or prohibition.
- (2) No customer shall operate, use, interfere with, obstruct or impede access to the Water Utility Service or any portion thereof in any manner not expressly permitted by this Bylaw, in default of which the Director may cause the water being supplied to such customer to be shut off until such customer complies with all of the provisions of this Bylaw.

WASTAGE

- 43 (1) No customer shall cause, permit or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from Private Service Connection, a faulty plumbing system or otherwise.

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- (2) Notwithstanding the foregoing, the Director may under such condition as the Director may consider reasonable allow water discharge for the purposes of:
- (a) the installation and maintenance of infrastructure, including the flushing of Water Mains, hydrant leads and City Service Connections to prevent stagnation and/or to remove Deleterious materials;
 - (b) preventing the freezing of Water Mains, hydrants leads, irrigation systems and services connections;
 - (c) conducting water flow tests;
 - (d) fire fighting and associated training programs; or
 - (e) other purposes as deemed necessary by the Director.

REQUIREMENT TO USE LOW-FLOW PLUMBING FIXTURES

- 44 (1) Any person installing plumbing fixtures for any new construction or renovation project that requires a plumbing permit for a residential, commercial, industrial, or Institutional structure shall install only Low-flow Plumbing Fixtures.
- (2) The requirements of subsection (1) shall not apply to plumbing facilities installed for safety or emergency purposes including emergency safety showers and face / eye wash stations.

USE OF WATER

- 45 (1) No customer shall:
- (a) sell water supplied hereunder;
 - (b) use or apply any water to the use or benefit of others or to any other than the customer's own use and benefit;
 - (c) increase the usage of water beyond that agreed upon with The City; or
 - (d) extract or remove any water from any hydrant within the City;
- without first obtaining written permission from the Director and subject to

such reasonable conditions as the Director may impose with respect to the quantity, price and times of withdrawal of the water so used.

- (2) During such periods as the City Manager may designate by notice published in a newspaper in the City,
 - (a) no customer shall use, permit, or allow to be used, any water supplied to any premises, the numerical address of which (excluding street name) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number;
 - (b) no customer shall use, permit, or allow to be used any water supplied to any premises, the numerical address of which (excluding street name) ends in an even number for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number;
- (3) During such period as The City by notice published in a newspaper may designate, no customer shall use, permit, or allow to be used, any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.

INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 46
- (1) Any customer that notifies The City of a failure or interruption of water supply, the investigation of which necessitates the excavating of a street shall, prior to excavating, deposit with the Treasurer the costs thereof as estimated by the Director, or sign a work order, agreeing to pay such costs, at the discretion of the Director.
 - (2) If such failure or interruption was caused by the City Service Connection the customer shall not be liable for such costs and any deposit paid shall be refunded.
 - (3) If such failure or interruption was caused by the Private Service, the actual cost of such work shall be paid by the customer and the deposit shall be applied thereto; any excess shall be refunded to the customer and any deficiency shall be collected in the same manner as water rates.

PRESSURE SURGES

- 47
- No customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the customer's water supply or to be operated

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which causes pressure surges or other disturbances which may in the opinion of the Director, result in damage to other customers or to the Water Utility Service.

CONTAMINATION

- 48 No customer shall cause, permit or allow to be or remain connected to the customer's water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the Water Utility Service or any liquid or substance to enter the Water Utility Service. The Director may cause the water supply to any customer contravening the provisions of this section to be shut off provided that the Director shall, if the Director considers it practicable so to do, give notice to such customer prior to such water supply being shut off. The water supply to such customer shall not be restored until such customer has paid to The City all costs associated with the shutting off of the water supply, the cleanup of contamination and the remedying of the customer's default under this section.

MEASUREMENT BY METER

- 49 All water supplied by The City to a customer shall be measured by a meter unless otherwise provided for in this Bylaw.

METER INSTALLATION AND MAINTENANCE

- 50 (1) Customers who require the installation of more than one meter shall pay a fee as set forth in Schedule D for each additional meter.
- (2) The City may change a customer's meter(s) with notice given pursuant to Section 24.

INSTALLATION RESPONSIBILITY

- 51 (1) Water meters supplied by The City which are 50 millimetres in size or smaller shall be installed by The City with no direct charge to the customer.
- (2) Water meters supplied by The City which are larger than 50 millimetres in size shall be installed at the expense of the customer.
- (3) The customer shall provide for the installation of a water meter to the satisfaction of the Director and when required shall install a properly valved bypass.

- (4) For water meter installation within a building, the customer shall provide a suitable site for such installation near a main shut off, to the satisfaction of the Director and in accordance with the City of Red Deer Design Guidelines.
- (5) The customer shall ensure that employees or agents of The City have clear access to meter areas and water meters for meter testing and reading purposes.
- (6) Unless the Director otherwise approves, The City shall not be obligated to supply more than one water meter for any one building. If additional water meters are approved, a separate curb stop will be required for each additional water meter.
- (7) A separate water meter shall be installed for each of the two dwelling units contained within a duplex residential building and a separate curb stop will be required for each water meter.
- (8) Any customer whose water is not metered, or whose meter is not positioned to the satisfaction of the Director, shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the customer.

METER CHAMBER

52 When in the opinion of the Director, the premises to be supplied with water are too far from the City Service Connection to conveniently install a meter in the premises, or if a number of buildings are to be so supplied or for any other reason in the opinion of the Director, then the customer shall, at the customer's sole cost, construct and maintain a container for a meter and such container shall in all respects including location, construction size, access and otherwise howsoever be satisfactory to the Director.

METER SIZE

53 The size of the meters shall be determined as follows:

- (a) if the internal diameter of the Private Service is 25 millimetres or less, a 16 millimetre meter shall be used; or
- (b) if the internal diameter of the Private Service exceeds 25 millimetres, the size of the meter shall be one size smaller than the

size of the Private Service; or

- (c) if the Private Service is a Combined Service, the internal diameter of the Private Service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

BYPASSES

- 54 Any customer having a water meter 50 millimetres in size or larger shall at the customer's own expense construct and maintain a properly valved bypass satisfactory to the Director which bypass shall be sealed by The City and shall be opened by the customer only in case of emergency. The customer shall notify The City within 24 hours after the seal on the bypass is broken, failing which the Director may cause the water supply to such customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

METER VALVING

- 55 Any customer having a meter smaller than 50 millimetres in size shall, at the customer's sole cost and expense, supply and maintain valves on both sides of and within 300 millimetres of the meter.

PROTECTION OF METER

- 56 (1) The customer shall provide adequate protection for the meter supplied by The City and any associated valves or pipes against freezing, heat or any other internal or external damage of any kind which may affect the operation of the water meter or meters, failing which the customer shall pay to The City all costs associated with the repair of such meter or associated valves & pipes which amount shall be recoverable in the same manner as all other costs and charges provided for under this Bylaw.
- (2) No person other than an authorized City employee shall remove, disconnect, reconnect or tamper with a meter.
- (3) The customer shall notify the Director immediately whenever a water meter is not operating or if any part of a meter becomes damaged or broken.
- (4) The customer is responsible for the safe keeping of any water meter and any Remote Reading Device that is installed on the customer's premises.

- (5) The customer shall pay the cost of repairing or replacing any water meter or metering accessories supplied and installed by The City that may be damaged from any causes or any other cause within the control of the owner.
- (6) The customer shall notify the Director within 24 hours if the seal on the bypass valve or a water meter is broken for emergency purposes or any other purpose.

NON-REGISTERING METER

- 57
- (1) If, upon the reading of a meter, it is determined that the meter has failed to accurately record the consumption of the Utility Service supplied then the consumption will be estimated upon such basis that the Director considers to be fair and equitable and the account rendered pursuant to Section 18.
 - (2) Where it has been determined by The City that the meter is not accurately recording the consumption of a Utility Service, The City may enter the premises to replace the meter, on notice to the customer pursuant to Section 24.

TESTING OR CALIBRATION OF DISPUTED METERS

- 58
- (1) A customer who disputes a meter reading shall give written notice to The City.
 - (2) Following receipt of written notice; the water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Director. If the meter is found to be accurate within 98.5% to 101.5% of the water passing through it, the expense of such test or calibration shall be borne by the customer in the amount designated in Schedule D.
 - (3) If the meter is found not accurate within the above limits it shall forthwith be repaired or be replaced by one that is accurate and the expense thereof shall be borne by The City.
 - (4) If a meter is found not to be accurate within the aforesaid limits then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted.
 - (5) Where an examination of past meter readings or other information does

not disclose the time at which the meter error commenced, then the meter error shall be deemed to have commenced three months prior to the date the meter was tested or from the date upon which the meter was installed, whichever is less.

METER READING

- 59 (1) A customer shall permit The City to perform meter reading using automated monitoring equipment.
- (2) The City shall endeavour to read the meters of non-residential customers once every month and to read the meters of residential customers once every two months, or at such other intervals as are reasonable and practicable under the circumstances. If The City cannot gain access safely to read the meter as aforesaid, the consumption of the Utility Service shall be estimated upon such basis as the Treasurer considers to be fair and equitable and the account rendered in accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, The City may discontinue any or all Utility Services supplied to the premises, until such time as The City is able to obtain an actual meter reading.
- (3) The Director may shut off the water supply to a customer who refuses to provide a water meter reading or access to perform a water meter reading after notice has been given pursuant to Section 24.
- (4) The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.
- (5) The City may require a water meter to be either tested on site or removed for testing by a person authorized by The City at any time. The City may discontinue any or all Utility Services supplied to the premises until such time as a person authorized by The City is able to obtain access to test the meter or remove it for testing.

ADDITIONAL METER READS

- 60 When a customer requests a meter reading at a time other than the regular scheduled time for meter reading, the customer may be assessed a fee as set forth in Schedule D for such reading. Provided, however, if upon such reading, it is determined that the previous billed meter reading is incorrect, no fee shall be required.

PRIVATE SERVICES

- 61 All persons doing any work or service upon a Private Service or the plumbing system attached to it shall comply with the provisions of the Alberta Building Code and any applicable bylaws. A Private Service shall be buried to a depth of at least 2.7 metres to prevent freezing.

USE OF GROUNDWATER WELLS

- 62 Once a parcel of land is connected to City Water Service, any groundwater wells within such property must be abandoned unless otherwise approved in writing by the Director. Such approval would be subject to cross-connection control, flow measurement and periodic inspection, as stipulated by the Director.

FIRE PROTECTION SERVICE

- 63 (1) A Fire Line shall be used only for fire protection purposes and a water line which provides combined domestic service and Fire Line service shall not be installed without the prior approval of the Fire Chief.
- (2) The Director shall determine whether or not a meter shall be affixed to a Fire Line. If required, the meter shall be supplied and installed in a manner satisfactory to the Director at the customer's expense.

FIRE HYDRANTS

- 64 (1) Unless authorized by the Director, no person shall:
- (a) open or close any fire hydrant or valve;
 - (b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
 - (c) use water from a fire hydrant, regardless of whether that hydrant is located on private or public property, for any purpose other than fire protection.
- (2) All fire hydrants are to be numbered and painted to The City's standard. The City may provide this service upon request, as per the rates in Schedule D. This information can be provided upon request to the Environmental Services Department.
- (3) No owner or occupant of a parcel or premises shall allow the access to a fire hydrant located on or adjacent to that parcel or premises to be

obstructed in any manner, whether by the building or erection of any structure or the accumulation of any building material, rubbish or other obstruction.

- (4) No owner or occupant of a parcel or premises shall allow anything on the parcel or premises to interfere with the operation of a fire hydrant located on or adjacent to that parcel or premises.
- (5) All persons who own property on which a fire hydrant is located or own property which is adjacent to City owned property on which a fire hydrant is located shall:
 - (a) maintain a one (1) metre clearance on each side of a fire hydrant;
 - (b) not permit anything to be constructed, erected, or placed within the clearance area;
 - (c) not permit anything except grass to be planted within the clearance area; and
 - (d) maintain visibility of hydrants from the nearest access road.

PERMIT TO USE WATER FROM A FIRE HYDRANT

- 65
- (1) The Director may authorize the use of a fire hydrant and the use of water from a fire hydrant on a temporary basis where no other supply of water can reasonably be obtained.
 - (2) The Director will, as a condition for the use of a fire hydrant and the use of water from a fire hydrant, require that the water pass through a water meter and backflow prevention device prior to use.
 - (3) Any person authorized to use a fire hydrant shall obtain a hydrant connection permit from The City and ensure that a copy of such permit is kept with the persons utilizing the hydrant and they must produce the hydrant connection permit to an employee or agent of The City immediately upon demand.

TEMPORARY WATER SERVICE

- 66
- Any persons requiring a temporary water supply during the course of construction shall apply to The City and shall pay the sums required in Schedule B and D, which may include installation and removal of service water meter and Backflow Preventer and water consumption charges.

THAWING SERVICES

- 67 (1) The cost of thawing a frozen service shall be borne as follows:
- (a) by the customer if the Private Service or the plumbing system connected thereto is frozen, as determined by the Director;
 - (b) by the customer if the City Service Connection is frozen as a result of the negligence of the customer, as determined by the Director;
 - (c) by The City if the City Service Connection is frozen for any other reason, as determined by the Director.
- (2) If the Director is of the opinion that a Private Service or plumbing system has frozen without any negligence on the part of the customer or any other person for whose negligence the customer is responsible, the Director may waive the cost of one thawing during any one winter season which shall be deemed to run from November 1st to May 15th.
- (3) The City shall not thaw a Private Service or plumbing system unless the customer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including Private Service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against The City for any such damage whatsoever except damage caused by the negligence of The City.

SERVICE SIZE

- 68 The size of the service required for residential purposes shall be determined in accordance with the Alberta Building Code, provided that The City shall not install a service having a size smaller than 25 mm.

BOILERS

- 69 In any case where a steam boiler or equipment of a nature similar to that of a steam boiler is supplied directly from a service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

REQUESTED WATER SHUT OFF

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- 70 (1) No person shall turn a water Service Valve on or off except as authorized by the Director.
- (2) No owner of a parcel or premises shall allow a water Service Valve to be turned on or off except as authorized by the Director.
- (3) If a customer requires the supply of water to be shut off for their own purposes, the customer shall submit a request to the Director and pay The City the amount specified in Schedule D.

BACKFLOW PREVENTER

- 71 (1) Where in the opinion of the Director, the configuration of any water connection creates a high risk for contamination to the water system, the customer, upon being given notice by the Director, shall install on their water service an approved Backflow Preventer at the customer's sole cost.
- (2) No customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or Polluted Water, Wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- (3) If a condition is found to exist which is contrary to subsection (2), the Director may issue such order or orders to the customer as may be required to obtain compliance with subsection (2).
- (4) Where in the opinion of the Director, the configuration of any water connection creates a high risk of contamination to the water system, the customer, upon being given notice by the Director, shall install an approved Backflow Preventer at all identified sources of potential contamination.
- (5) All Backflow Preventers shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Director; by personnel approved by the Director to carry out such tests, to demonstrate that the device is in good working condition. The customer shall submit a report in a form approved by the Director for all tests performed on a Backflow Preventer within thirty (30) days of a test and a record card issued by the Director shall be displayed on or adjacent to the Backflow Preventer. The tester shall record thereon the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the

tester's initials, the tester's name (if self employed) or the name of the testers employer and the tester's license number.

- (6) When the results of a test referred to in subsection (5) show that a Backflow Preventer is not in good working condition, the customer shall, when so directed by the Director, repair or replace the device within ninety-six (96) hours. If the customer fails to comply with the direction given, The City may shut off the water service or water services.
- (7) If a customer fails to have a Backflow Preventer tested, the Director may notify the customer that the Backflow Preventer must be tested within ninety-six (96) hours of the customer receiving the notice.
 - (a) if a customer fails to have a Backflow Preventer tested within the time provided in subsection (5), the Director may cause the water service or water services to be terminated until the Backflow Preventer has been tested and approved as required by Section 71 of this Bylaw.
- (8) No person shall turn on a water Service Valve to provide water to the occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for Cross Connections and approved by the Inspections and Licensing Manager.
- (9) No persons other than those who have achieved journeyman or "Certificate of Competency" in an accredited program of Alberta may conduct the tests on Backflow Preventers.

PART 4 - WASTEWATER UTILITY

WASTEWATER UTILITY SERVICE LEVY AND BILLING RATES

- 72 The City hereby levies on all persons owning or occupying property connected with The City's Wastewater Sewer system a fixed Wastewater charge plus a variable charge based on the volume of Wastewater contributed by the customer, to be paid monthly as determined by the Director calculated using the rates set forth in Schedule C.

WASTEWATER CONNECTION EXCEPTIONS

- 73 Notwithstanding Section 72, the Director shall have the right to make special agreements on terms fixed by the Director with certain industries or others to whom large quantities of water are sold but whose uses of

such water do not involve the return of comparable amounts of Wastewater to The City's Wastewater Sewer system.

PROHIBITED DISPOSAL OF WASTEWATER

- 74 (1) No person shall place, deposit, dump or permit Wastewater, dangerous goods, or any other waste, to be deposited in any manner upon public or private property within the City or in any area under the jurisdiction of The City.
- (2) No person shall discharge to any watercourse within the City or to any area under the jurisdiction of The City, any Wastewater, Industrial Waste, Dangerous Goods, or Polluted Waters, except where suitable pre-treatment is provided.
- (3) Except as permitted by this Bylaw or the Alberta Building Code, no person shall construct or maintain in the City any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of Wastewater.

CLEANOUTS

- 75 A Building Sewer that is connected to a Wastewater Sewer shall be equipped with a main Cleanout with a minimum diameter of 100 mm located not more than 25 m from property line. The main Cleanout shall be located as close as practical to the point where the Wastewater Sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (2 metres) for effective rodding and cleaning. The building Wastewater Sewer from Cleanout to property line is to be as straight as possible. A maximum of one 45° bend is permitted for the Cleanout and a maximum of one additional 45° bend may be used between the Cleanout and property line. Total angle of all bends shall not exceed 90°.

BACKFLOW VALVES

- 76 All Wastewater plumbing fixtures and floor drains set below the highest level of the ground surface adjacent to the premises shall be protected from backflow by an approved Wastewater Backflow Valve.

PLUGGED WASTEWATER SEWERS

- 77 (1) When a Sewer blockage occurs, a customer shall first contact a private plumbing firm to determine whether the blockage is in the Private Sewer Connection or the City Sewer Connection.
- (2) Plumbers may bill The City at the rates identified in Schedule D if blockages occur on The City's property.
- (3) The private plumbing firm shall notify The City within three hours when unable to clear a blockage on City property.

TREES AND ROOTS

- 78 (1) No deep rooting trees such as willow, poplar or elm are to be planted over building Wastewater Sewer lines on private property.
- (2) If it is determined that a blockage in a Private Sewer Connection is caused by a tree located on private property then The City shall have no obligation to clear the blockage.
- (3) If it is determined that a blockage in a Private Sewer Connection is caused by a tree located on City property, The City will clear the blockage and either place the Sewer on a root-cutting maintenance program to ensure that the roots are kept clear, re-line the Sewer pipe, or remove the tree at The City's expense.
- (4) If it is determined that a blockage in the City Sewer Connection or any other part of The City's Wastewater Sewer system is caused by tree roots extending from trees located on private property, The City will, at the owner's expense, clear the blockage and either place the Sewer on a root-cutting maintenance program, re-line the Sewer pipe, or remove the tree(s).

CONNECTION TO WASTEWATER SEWER

- 79 No weeping tile, sump pump or eavestrough downspout system shall be connected to any Wastewater Sewer unless approved in writing by the Director.

STORM WATER / GROUND WATER DISCHARGE TO WASTEWATER SEWER

- 80 No person shall discharge, or cause to be discharged, Storm Water, surface water, ground water, roof run-off, subsurface drainage, or Cooling Water to any Wastewater Sewer, unless:

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- (a) upon the application of the customer the Director determines that exceptional conditions prevent compliance with the foregoing provisions and authorizes such discharge; and
- (b) the discharge is in accordance with a validated Wastewater Discharge Dewatering Permit.

PROHIBITED SUBSTANCES IN WASTEWATER

81 No person shall discharge or permit to be discharged into any Wastewater Sewer:

- (a) any solid or viscous substance capable of causing obstruction, or other interference with the operation of the Wastewater system, including Dangerous Goods, Hazardous Waste, Biological Waste, Combustible Waste, Biomedical Waste, Reactive Waste, elemental mercury, prescription or illegal drugs, PCBs, Pesticides, Radioactive Materials, ashes, cinders, sand, potters clay, resin, mud, straw, metal, glass, rags, feathers, tar, plastics, wood, grass clippings, insoluble shavings, asphalt, creosote, bone, hide, eggshells, meat and fat trimmings or waste, baking dough, chemical residues, spent grain and hops, whole food, garbage, paint residues, cat box litter, animal tissues, manure, blood, or Sharps;
- (b) Wastewater having a pH lower than 6.0 or higher than 10.5, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and Wastewater treatment processes;
- (c) Wastewater containing substances in concentrations exceeding the following:

(i)	Antimony	1.0 mg/L
(ii)	Arsenic	1.0 mg/L
(iii)	Barium	3.0 mg/L
(iv)	Boron	1.0 mg/L
(v)	Cadmium	0.05 mg/L
(vi)	Chromium	1.0 mg/L
(vii)	Chlorinated Hydrocarbons	0.02 mg/L
(viii)	Copper	0.5 mg/L
(ix)	Cyanide	1.0 mg/L
(x)	Lead	1.0 mg/L
(xi)	Manganese	1.0 mg/L

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(xii)	Mercury	0.1 mg/L
(xiii)	Nickel	0.5 mg/L
(xiv)	Phenolic Compounds	0.1 mg/L
(xv)	Selenium	1.0 mg/L
(xvi)	Silver	1.0 mg/L
(xvii)	Sulphide	1.0 mg/L
(xviii)	Zinc	1.0 mg/L
(xix)	Total Suspended Solids (TSS)	4,800 mg/L
(xx)	Biochemical Oxygen Demand (BOD)	4,800 mg/L
(xxi)	Chemical Oxygen Demand (COD)	9,600 mg/L
(xxii)	Total Phosphorus	150 mg/L
(xxiii)	Total Kjeldahl Nitrogen	400 mg/L
(xxiv)	Oil and Grease - animal, vegetable	500 mg/L
(xxv)	Oil and Grease - synthetic hydrocarbon	50 mg/L
(xxvi)	Phosphates	100 mg/L

- (d) Wastewater containing hydrogen sulphide, carbon disulphide, reduced sulphur compounds, amines or ammonia;
- (e) Wastewater containing dyes or colouring materials which may or could pass through a Wastewater treatment plant and discolour the Wastewater effluent;
- (f) Wastewater above 75 degrees Celsius;
- (g) any substance which:
 - (i) is or may become harmful to any recipient water course or collection system or part thereof or will cause a violation or noncompliance event in the Operating Approval for the Wastewater Treatment Plant;
 - (ii) may interfere with the proper operation or maintenance of the Wastewater system, disposal of biosolids, or any Wastewater treatment process or cause damage to the Wastewater Works or Wastewater treatment plant;
 - (iii) grit removed from commercial or industrial premises including but not limited to grit removed from car washing establishments, automobile garages and restaurant Sumps or from Interceptors;
 - (iv) will be discharged in layers or will form layers upon interaction with other Wastewater;

DISCHARGE OF PROHIBITED SUBSTANCES

- 82 (1) Any person responsible for or aware of the discharge of prohibited substances in the Wastewater system shall immediately report to the Director in order that the necessary precautions can be taken to minimize the Deleterious effects of the discharge. Such person must also make other required reports to Alberta Environment and any other governing body.
- (2) If testing of Wastewater shows that it is noncompliant with this Bylaw, the Director may direct the customer to comply with the Bylaw and may, in addition, direct the customer at its expense to install such monitoring and recording equipment as the Director deems necessary and to provide to The City the results of said monitoring as required.
- (3) Any person who contravenes any of the provisions of Section 81, 82, 83 or 85 shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay to The City all costs of monitoring, sampling, testing, and removing any contamination resulting from the discharging of any such substances into a Wastewater Sewer, and for any other amount for which The City may be held liable because of such contamination.

OVERSTRENGTH SURCHARGE

- 83 (1) A person who has discharged, caused, or permitted Wastewater to be discharged into any Wastewater Sewer containing constituents exceeding the concentrations outlined in Schedule C, shall pay the volume and treatment charges set forth in Schedule C.
- (2) Should testing of the Wastewater being discharged into the Wastewater collection system be required for the purpose of determining the Wastewater surcharge rate, such sampling and testing shall be conducted by the Inspector, or by the customer to the satisfaction of the Inspector, using automated sampling devices or in accordance with the following manual sampling protocol:
- (a) samples from the effluent produced at a location will be collected for a minimum of any two days within a seven day period;
- (b) a minimum of four Grab Samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;

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- (c) the analysis shall be conducted on a Composite Sample made of each day's Grab Samples; and
- (3) The results of the foregoing tests shall be averaged to determine the characteristics and concentration of the effluent being discharged into the City Wastewater collection system.
- (4) No person shall, for the purpose of meeting any concentration limits set out in this Bylaw, dilute any Wastewater intended to be deposited in the Wastewater collection system.

COST OF SAMPLING

- 84 When the customer's discharged wastewater contains constituents exceeding the discharge limits in Section 81, 82, or 83, the cost of all sampling and analysis shall be at the customer's expense.

DENTAL WASTE AMALGAM SEPARATOR

- 85 Every owner or operator of premises from which Dental Amalgam may be discharged, which waste may directly or indirectly enter a Sewer, shall:
- (a) install in any piping system at its premises that connects directly or indirectly to a Sewer, Dental Amalgam Separators with at least 95% removal efficiency in amalgam weight and which are certified as compliant with *ISO 11143 – "Dental Equipment: Amalgam Separators"*;
 - (b) operate and maintain all Dental Amalgam Separators in good working order and according to the manufacturer's recommendations;
 - (c) provide an approved monitoring point which is readily and easily accessible at all times for inspection; and
 - (d) provide to the Inspector on request a maintenance schedule and record of maintenance for each installed Dental Amalgam Separator.

GREASE, OIL, & SOLIDS INTERCEPTION

- 86 (1) Every owner or operator of premises containing a restaurant, vehicle repair or auto body shop, petroleum service station, or vehicle and

equipment washing establishment, when in the opinion of the Director it is necessary to do so, shall:

- (a) install an Interceptor or filter for the removal from Wastewater of grease, oil, solids or other harmful substance;
 - (b) make available to the Inspector upon request a maintenance schedule and record of maintenance for the Interceptor or filter; and
 - (c) shall keep and make available to the Inspector upon request a two-year record of documentary proof of Interceptor clean-out and the disposal of oil, grease, solids and sediments.
- (2) All Interceptors shall be of a type and capacity approved by the Director and shall be located so as to be readily and easily accessible for cleaning and inspection and shall be maintained by the customer at the customer's expense in continuously efficient operation at all times. The Interceptors shall be installed in compliance with the most current requirements of the Alberta Building Code and the Canadian Standards Association.
- (3) No person shall:
- (a) discharge emulsifiers into the Sewer system ahead of an Interceptor; or
 - (b) use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of Oil and Grease through a Grease Interceptor.
- (4) Should any blockage of the Wastewater Sewer system be caused by reason of failure, omission, or neglect of a customer, to comply strictly with the provisions of this Bylaw, the customer shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay The City for all costs of clearing such blockage and for any other amount for which The City may be held liable because of such blockage.

CUSTOMER SELF-MONITORING

- 87 (1) The customer shall, at its own expense, complete any monitoring, sampling, and testing of any discharge to a Wastewater system as required by The City, and shall provide the results to The City in a form specified by the Director.

- (2) Any customer who exceeds the discharge limits in this Bylaw shall submit an environmental plan to the satisfaction of the Director, at the customer's expense, which will detail the steps necessary to change their discharge characteristics to the standards required under the provisions of this Bylaw.

MANHOLES

- 88 (1) Manhole(s) are required to be constructed in locations that are accessible to The City, on all Wastewater Service Connections to premises such as:
- (a) Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, painting shops;
 - (b) Commercial - Shopping centres, strip malls, warehouses, grocery stores, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries; and
 - (c) Other - residential dwellings over 6 units, apartment over 6 units, nursing homes, senior complexes, Institutions, hospitals, dental labs, funeral homes, churches, schools.
- (2) Such manholes may be constructed by the customer, or by The City at the customer's cost, and shall be maintained by the customer so as to be safe and accessible at all times.

DISCONNECTION OF SEWER

- 89 (1) Where Wastewater which:
- (a) is hazardous or creates an immediate danger to any person;
 - (b) endangers or interferes with the operation of the Wastewater collection system; or
 - (c) causes or is capable of causing an adverse effect;
- is discharged to the Wastewater collection system, the Inspector may, in addition to any other remedy available, disconnect, plug or shut off the Sewer line discharging the unacceptable Wastewater into the Wastewater collection system or take such other action as is necessary to prevent such Wastewater from entering the Wastewater collection system.

- (2) The Wastewater may be prevented from being discharged into the Wastewater collection system until evidence satisfactory to the Inspector has been produced to ensure that no further discharge of hazardous Wastewater will be made to the Wastewater collection system.
- (3) Where the Director takes action pursuant to subsection (1), the Inspector may by notice in writing advise the owner or occupier of the premises from which the Wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse The City for all such costs which were incurred.

PRIVATE WASTEWATER DISPOSAL

- 90 (1) Where a Wastewater Sewer is not available for connection as required under the provisions of Section 31(1), the building Wastewater Sewer shall be connected to a private Wastewater disposal system complying with the provisions of this Bylaw, the Alberta Building Code, Alberta Environment & Public Health Regulations, and such additional requirements as may be imposed by the Director. The owner shall operate and maintain the private Wastewater disposal facilities in a Wastewater manner at all times at no expense to The City.
- (2) After the owner has connected to the Wastewater Sewer system as required by Section 31(1), the owner shall, within 60 days of the date of connection to the Wastewater Sewer system, dispose of all waste appropriately and remove any septic tanks, cesspools and similar private Wastewater disposal facilities and reclaim the site with clean native soil.

HAULED WASTEWATER

- 91 (1) No person shall discharge or permit the discharge of Hauled Wastewater at any location other than a Hauled Wastewater discharge location approved by the Director. Manifests to discharge Hauled Wastewater are available at The City's Wastewater Treatment Plant.
- (2) Any person or company that proposes to discharge Hauled Wastewater at The City Wastewater Treatment Plant must:
- (a) apply for and receive a Hauled Wastewater Manifest issued by the Director; and
 - (b) enter into and comply with the requirements of the Hauled Wastewater agreement established by The City.

BEST MANAGEMENT PRACTICE

- 92 (1) As a condition of discharging Wastewater into the Wastewater Sewer, customers in industrial, commercial, and institutional sectors shall submit to the Director a completed Notice of Wastewater Discharge form and a Best Management Practice:
- (a) in the case of new premises, within 30 days of commencing the discharge of Wastewater in the Wastewater Sewer; and
 - (b) In the case of existing premises, within 90 days of the date that this Bylaw is adopted.
- (2) A Best Management Practice is not required for the discharge of waste produced from residential premises, or for sanitary waste and Wastewater from showers and restroom washbasins produced from a non-residential property.
- (3) A customer must report any change in the discharging operation registered under the Notice of Wastewater Discharge form (such as a change in the discharge characteristics, ownership, name, location, contact person, telephone number, or fax number) to the Inspector within 30 days of the change by submitting a completed Notice of Wastewater Discharge form showing the changes.
- (4) Nothing in a Best Management Practice or a Notice of Wastewater Discharge form relieves a person discharging waste from complying with this Bylaw or any other applicable enactment.

PART 5 - STORM WATER UTILITY**CONNECTION TO STORM WATER SEWER**

- 93 Where the seasonally adjusted groundwater table is within 2m of the top of the footing of any residence constructed after the passage of this Bylaw, such residence must have a weeping tile system connected to a Storm Water Sewer where a Storm Water Sewer is available, or with the permission of the Director, connected to the Wastewater Sewer.

CLEANOUTS

- 94 A building Storm Water Sewer that is connected to The City's Storm Water Sewer shall be equipped with a main Cleanout with a minimum diameter of 75mm, located not more than 25m from property line. The

main Cleanout shall be located as close as practical to the point where the Storm Water Sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (2m) for effective rodding and cleaning. The building Storm Water Sewer from Cleanout to property line is to be as straight as possible. A maximum of one 45° bend is permitted for the Cleanout and a maximum of one additional 45° bend may be used between the Cleanout and property line. The total of the angles of all bends shall not exceed 90°.

BACKFLOW VALVES

- 95 All weeping tile and Storm Water fixtures set below the level of the highest ground surface adjacent to the premises shall be protected from backflow by an approved Storm Water Backflow Valve.

TREES AND ROOTS

- 96 (1) No deep rooting trees such as willow, poplar, or elm are to be planted over Storm Water Sewer lines on private property.
- (2) If it is determined that a blockage in a private Storm Water Sewer connection is caused by a tree located on private property, The City shall have no obligation to clear the blockage.
- (3) If it is determined that a blockage in a private Storm Water Sewer connection is caused by a tree located on City property, The City will clear the blockage and either place the Sewer on a root-cutting maintenance program, re-line the Sewer pipe, or remove the tree at The City's expense.
- (4) If it is determined that a blockage in The City's Storm Water Sewer connection or any other part of the City Storm Water Sewer system is caused by tree roots extending from trees located on private property, The City will, at the owner's expense, clear the blockage and either place the Sewer on a root-cutting maintenance program, re-line the Sewer pipe, or remove the trees.

PRIVATE STORM WATER SEWER SYSTEMS

- 97 Storm Water Sewers installed on industrial, commercial or Institutional property for the purposes of collecting Storm Water and carrying it into the Storm Water Sewers shall be equipped with an Interceptor. The installation of catch basins and Interceptors on private property shall comply with The City's Design Guidelines, as they may be amended from time to time.

PROHIBITED STORM WATER SEWER USE

- 98 (1) No person shall discharge, or cause to be discharged, groundwater, roof run-off, subsurface drainage, or Cooling Water from any industrial process, to any Storm Water Sewer, unless;
- (a) upon the application of the customer, the Director determines that exceptional conditions prevent compliance with the foregoing provisions and authorizes such discharge; and
 - (a) the discharge is in accordance with a validated Storm Water Discharge Dewatering Permit;
- (2) No person shall discharge, deposit or permit any of the following into any pipe, main conduit, manhole, street inlet, gutter or aperture draining into the Storm Water system:
- (a) any Deleterious substance; Industrial Waste; domestic waste; non-domestic waste; Wastewater; trucked liquid waste; pool or hot tub water; mud, sand, silt, or grit; any flammable liquid or explosive material; solvent or petroleum derivative including but not limited to gasoline, naphtha or fuel oil; any pesticides, insecticide or fungicides; Radioactive Material; septage or animal wastes.
 - (b) any corrosive, noxious or malodorous gas, liquid or substance which either singly or by interaction with other wastes, is capable of:
 - (i) creating a public nuisance or hazard to life;
 - (ii) preventing human entry into a Storm Water Sewer or pump station; or
 - (iii) causing damage to the Storm Water system.
 - (c) any other substance which may cause impairment of or damage to the environment, human health, safety, property, or City infrastructure.
- (3) No person shall obstruct or restrict a Storm Water Sewer or the flow therein.
- (4) No person shall discharge water to any Storm Water Sewer or to a watercourse, containing any substance which, in the opinion of the Director:

- (a) is or may become harmful to any recipient watercourse or Storm Water system or part thereof;
- (b) may interfere with the proper operation or maintenance of the Storm Water system;
- (c) may become a health or safety hazard to persons, property, animals, vegetation and the environment.

DISCHARGE OF PROHIBITED SUBSTANCES IN STORM WATER

- 99 (1) Any person responsible for or aware of the discharge of prohibited substances in the Storm Water system shall immediately report that event to the Director in order that the necessary precautions can be taken to minimize the Deleterious effects of the discharge. Such person must also make other required reports to Alberta Environment and any other governing body.
- (2) Should any testing of Storm Water show that it is noncompliant with this Bylaw, the Director may direct the customer to comply with the Bylaw and may, in addition, direct the customer at its expense to install such monitoring and recording equipment as the Director deems necessary and supply the results of said monitoring as required. The cost of all sampling and analysis shall be at the customer's expense.
- (3) Any person who contravenes any of the provisions of Section 98 shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay to The City all costs of monitoring, sampling, testing, and removing any contamination resulting from the discharging of any such materials into a Storm Water Sewer, and for any other amount for which The City may be held liable because of such contamination.

CITY STORM WATER SEWER USE

- 100 City forces may discharge water into a Storm Water Sewer or watercourse resulting from non-domestic activities such as:
- (a) hydrant & Water Main flushing (dechlorination required); and
 - (b) fire fighting activities.

DISCONNECTION OF STORM WATER SEWER

- 101 (1) Where Storm Water which:

- (a) is hazardous or creates an immediate danger to any person or the environment;
- (b) endangers or interferes with the operation of the Storm Water system; or
- (c) causes or is capable of causing an adverse effect;

is discharged to the Storm Water system, the Director may, in addition to any other remedy available, disconnect, plug or seal off the Storm Water Sewer line discharging the unacceptable water into the Storm Water system or take such other action as is necessary to prevent such water from entering the Storm Water system.

- (2) The water may be prevented from being discharged into the Storm Water system until evidence satisfactory to the Director has been produced to assure that no further discharge of hazardous water will be made to the Storm Water system.
- (3) Where the Director takes action pursuant to subsection (1), the Director may by notice in writing advise the owner or occupier of the premises from which the water was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse The City for all such costs.

PART 6 - WASTE MANAGEMENT UTILITY

SCOPE OF WASTE MANAGEMENT UTILITY

- 102 (1) The City Waste Management Utility shall provide for the collection, removal and disposal of Solid Waste, Recyclables, Yard Waste and Special Waste within the City as specified in this Bylaw.
- (2) As Waste Management Utility services are not a metered service, the provisions of Part 2 of this Bylaw dealing with the creation and administration of utility accounts apply to the Waste Management Utility subject to all necessary modifications to reflect the provisions of this Part.

EXCLUSIVE CONTRACTS FOR WASTE MANAGEMENT SERVICES

- 103 (1) City Administration is authorized to enter into exclusive contracts for the collection, removal and disposal of Solid Waste, Yard Waste, Special Waste and Recyclables within the City.

- (2) The Solid Waste Contractor shall not have exclusive rights to collect the following types of waste:
 - (a) large household goods such as furniture;
 - (b) Solid Waste in on-site mechanical compactors, roll-off bins, or Containers of a capacity greater than 6 cubic yards;
 - (c) Waste produced in the process of constructing, altering or repairing a building;
 - (d) Waste not accepted at the Disposal Grounds;
 - (e) those items suitable for recycling or reuse; or
 - (f) Waste of any kind generated from the Michener Centre.
- (3) Where The City has entered into such exclusive contracts, no person other than the contractor may provide the same or similar type of service within the City. Notwithstanding that, the owner or occupant of premises may remove or dispose of Solid Waste, Recyclables or Yard Waste from those premises.
- (4) Any person who breaches the provisions of subsection (3) hereof, in addition being liable to prosecution for an offence under this Bylaw, shall be liable for and make payment to The City of the amount of revenue which would have been generated had The City been able to collect the Recyclables, Solid Waste or Yard Waste.

RESIDENTIAL WASTE - DETACHED AND SEMI-DETACHED DWELLING UNITS

- 104 Solid Waste, Recyclables and Yard Waste shall be collected by The City on a weekly basis from all detached and semi-detached Dwelling Units and secondary suites.

RESIDENTIAL WASTE - MULTI-FAMILY AND MULTI-ATTACHED BUILDINGS

- 105 (1) The City shall provide weekly collection of Recyclables for all Multi-Family and Multi-Attached Buildings.
- (2) The City shall provide weekly collection of Solid Waste for all Multi-Family and Multi-Attached Buildings except, where the building owner has made

provisions for others to collect such Solid Waste; in which case, Solid Waste must be collected at least once per week.

COMMERCIAL WASTE

- 106 (1) In this section, Non-residential Premises includes premises of a commercial or industrial nature, as well as institutions and Places of Worship.
- (2) Subject to the provisions of Section 103, the owner or occupant of Non-residential Premises may choose to have Solid Waste from the premises collected by The City or by a private contractor.
- (3) The City does not provide Yard Waste collection or Recyclable collection services to Non-residential Premises.

CHARGES AND FEES

- 107 (1) The owner or occupant of premises receiving Waste collection services from The City, shall pay to The City a monthly charge at the rates established in Schedule E.
- (2) The monthly charge for waste collection services (Solid Waste and Recyclables) will apply even where no material is set out for collection. In the case of detached and semi-detached Dwelling Units, the monthly charge shall be a debt due to The City whether the property is occupied or not. The owner of the property shall be liable to pay the monthly charge where the utility account with the occupant has been terminated for any reason.
- (3) Where service is provided for part of a billing period, the rates shown under Schedule E for such service shall be prorated and charged for the portion of the period the service is provided.
- (4) No charges shall be levied in respect of unimproved residential lands.

ADMINISTRATION OF SOLID WASTE SERVICE

- 108 The Director shall have the following authorities with respect to the administration of the Waste Management Utility:
- (a) ensure the safe and efficient collection, removal and disposal or recycling of Solid Waste, Yard Waste, and Recyclables under this Bylaw and under any contract entered into by The City;

- (b) require the owner of a property to install a lid on a garbage Container when, in the Director's opinion, there is a problem with the containment of Solid Waste which could be resolved by the installation of a lid;
- (c) decide what does or does not constitute Solid Waste, Yard Waste, Recyclables or Special Waste under this Bylaw;
- (d) determine which of the rates set out in Schedule E applies to a particular customer in light of the quantity or volume of Solid Waste produced by that customer;
- (e) establish the months of the year during which Yard Waste shall be collected;
- (f) establish the number of Units of Solid Waste permitted per weekly collection; and
- (g) establish such other reasonable policies or regulations as may be necessary for the safe, orderly and efficient collection and disposal of Waste within the City.

USE OF THE SOLID WASTE UTILITY SERVICE AND DISPOSAL GROUNDS

- 109 (1) The City is not responsible to collect Solid Waste that is not stored in a Container or Receptacle and placed out for collection.
- (2) Customers shall place Solid Waste Receptacles as near as practicable to the lane abutting the lands from which the Solid Waste is produced so as to be easily accessible to the Solid Waste Contractor.
 - (3) If a building is constructed such that it abuts directly on the lane, the owner of the parcel shall provide to the reasonable satisfaction of the Director a space within the building of sufficient area to contain all Solid Waste between periods of collection.
 - (4) In the case of premises for which Solid Waste Services are not provided by a lane, customers shall place Solid Waste Receptacles in such manner as the Director directs.
 - (5) A Receptacle for containing Solid Waste shall be sufficiently strong to hold the weight of Solid Waste contained therein without breaking and shall not exceed 1.2m in length or 100 litres in volume.

- (6) A Receptacle when loaded with Solid Waste shall not weigh more than 25 kg and The City is not required to handle or collect the contents of a Receptacle which exceeds that weight.
- (7) All Solid Waste shall be removed to and disposed of in the Disposal Grounds subject to the regulations established by The City and no person shall deposit or dispose of Solid Waste at any location in the City except the Disposal Grounds.
- (8) A person shall not use or permit to be used any vehicle or trailer for the conveyance or storage of Waste unless it is fitted with a cover capable of preventing the scattering or dispersal of Waste while it is being stored or transported by the vehicle. Any person conveying an unsecured load to the Disposal Grounds, in addition to being liable for prosecution for an offence under this Bylaw, will be charged a surcharge at the Disposal Grounds as outlined in Schedule E.

CONTAINMENT OF SOLID WASTE

- 110 (1) No owner or occupant of land shall permit Solid Waste to accumulate loosely on such land.
- (2) An owner or occupant of land shall ensure that any Solid Waste produced from such land is held in Receptacles or Containers in good condition and which are adequate to contain the accumulation of Solid Waste originating from such lands between collection times.
- (3) A person shall not put out or permit to be put out animal feces or any other excrement unless packaged separately from other Solid Waste in a securely tied plastic bag free of punctures, tears and leaks.

DISPOSAL OF SOLID WASTE

- 111 (1) All owners or occupants of land shall remove and dispose of all Solid Waste originating on their lands or premises which are not collected, removed and disposed of pursuant to this Bylaw, and in default of their so doing, The City may remove and dispose of such Solid Waste at the expense of such owners or occupants, who shall pay such expenses to The City on demand.
- (2) No person shall dispose of any Waste in a Receptacle or Container owned or leased by another person without the express written consent of the owner or lessee of the Receptacle or Container.

- (3) Public Receptacles shall only be used for the disposal of incidental Solid Waste and shall not be used for the disposal of Solid Waste generated by residences, businesses or other commercial activities.

RESIDENTIAL SOLID WASTE COLLECTION

- 112 (1) Basic residential Solid Waste collection service shall consist of the weekly collection of a maximum of 5 Units of Solid Waste per residential customer unless otherwise directed by the Director. Units of Solid Waste in excess of the basic residential Solid Waste collection service will be picked up if an Extra Waste Tag, purchased from The City, is attached to the garbage bag for disposal.
- (2) The owner or occupant of residential lands or premises may remove or cause to be removed Solid Waste from their property at their own expense, but must still pay to The City the rate levied under this Bylaw for Solid Waste and Recyclable Collection.
- (3) The owner or occupant of multi-family residential lands or premises must ensure that Solid Waste is collected from the property at least once per week. Unless Containers are used, the owner must ensure that all Solid Waste is neatly contained in Receptacles between collection times. The joint use or sharing of Containers or Receptacles between multi-family residential lands or premises, for the collection and disposal of Solid Waste, shall not be permitted except with the prior written permission of the Director.
- (4) Subsections (2) & (3) do not apply to removal of Solid Waste from the Michener Centre.

NON-RESIDENTIAL SOLID WASTE

- 113 (1) The owner or occupant of non-residential lands or premises may remove their own Solid Waste at their own cost and expense by employing the services of their own workers or employees, but such owner or occupant shall not contract such work out to any party other than the Solid Waste Contractor. This prohibition does not apply to the removal of the types of Solid Waste which are listed as exceptions in Section 103(2).
- (2) Any person who breaches the provisions of subsection (1), in addition to their liability to be prosecuted for an offence under this Bylaw, shall be liable for and make payment to The City of the fees and charges for removal and disposal of Solid Waste which such person would have had

to pay had such person used the services of the Solid Waste Contractor for such purpose.

- (3) This section does not apply to removal of Solid Waste from the Michener Centre.

HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL SOLID WASTE

- 114 (1) The owner or occupant of land which produces or possesses any Dangerous Goods, Hazardous Waste or Special Solid Waste shall remove and dispose of such goods in accordance with this Bylaw and any regulations of the Governments of Alberta and Canada.
- (2) The owner or occupant of any lands from which any Dangerous Goods, Hazardous Waste or Special Solid Waste is removed shall properly identify such Waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- (3) No person shall deposit or mix with any Solid Waste for collection in the Solid Waste service or delivery to the Disposal Grounds any Dangerous Goods or Hazardous Waste.
- (4) No person shall place, or cause to be placed, any Special Solid Waste into the Solid Waste service or Disposal Grounds without obtaining permission from the Director and making payment of the disposal charge specified in Schedule E.
- (5) Any person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Grounds or any other site in the City and shall make payment of the same to The City on demand.

BURNING

- 115 Except as provided in The City's Fire Permit Bylaw no person shall burn or attempt to burn any Solid Waste in the City.

SOLID WASTE FROM OUTSIDE THE CITY

- 116 No person shall deposit any Solid Waste at the Disposal Grounds which does not originate from within the boundaries of the City except with the prior written permission of the Director or under the authority of a contract with The City.

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Bylaw No. 3464/2011

PART 7 - GENERAL**REMAINDER ENFORCEABLE**

117 Should any portion of this Bylaw be found by any court to be void or unenforceable, then it is the intention of Council that the remainder of this Bylaw shall remain in full force and effect, notwithstanding such ruling.

EFFECTIVE DATE

118 This bylaw shall come into effect on February 1, 2012.

REPEAL OF PREVIOUS BYLAW

119 Bylaw No. 3215/98 is hereby repealed effective February 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL this 12th day of December 2011.

READ A SECOND TIME IN OPEN COUNCIL this day of 2012.

READ A THIRD TIME IN OPEN COUNCIL this day of 2012.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2012.

MAYOR

CITY CLERK

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Bylaw No. 3464/2011

SCHEDULE A – DEFINITIONS

SCHEDULE B – WATER RATES

SCHEDULE C – WASTEWATER RATES

SCHEDULE D – BILLING AND SERVICE FEES

SCHEDULE E – SOLID WASTE COLLECTION RATES

Bylaw 3464/2011

SCHEDULE A**DEFINITIONS**

In this Bylaw, words and phrases shall mean and be interpreted in accordance with the definitions set out in this Schedule.

- (1) **Backflow Preventer**, also referred to as a cross connection control device, means a device that prevents flow of water or other liquids, mixtures, or substances into the potable water system from any source or sources other than the intended source.
- (2) **Backflow Valve** means a device to prevent flow reversal in a Storm Water or Wastewater Sewer connection.
- (3) **Best Management Practice** means a set of procedures, equipment, training, or other provisions applicable to operations to assist in compliance with this Bylaw.
- (4) **Biological Waste** means waste from a hospital, medical clinic, health care facility, mortuary or biological research laboratory which contains or may contain:
 - (a) pathogenic agents that cannot be effectively mitigated by Wastewater treatment; and
 - (b) experimental biological matter that may be hazardous to human health or detrimental to the environment.
- (5) **Biomedical Waste** means:
 - (a) any human anatomical waste, animal waste, untreated microbiological waste, waste Sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, date, 2004, as amended; or
 - (b) waste that is generated by human health care facilities, medical research and teaching establishments, clinical testing or research laboratories, and facilities involved in the production or testing of vaccines, and contains or may contain pathogenic agents that may cause disease in humans exposed to the waste.
- (6) **BOD or Biochemical Oxygen Demand** means the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

- (7) **Building Sewer** means that part of a Wastewater drainage system outside a building commencing at a point 1 metre from the outer face of the wall of the building and connecting the building drain to the Wastewater sewer or place of disposal of Wastewater;
- (8) **COD or Chemical Oxygen Demand** means a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic matter.
- (9) **City Service Connection** means that portion of a pipe used or intended to be used for the supply of water which extends from the water main to the service valve.
- (10) **City Sewer Connection** means that part of the Wastewater or Storm Water sewer pipe located within the limits of The City's road allowance, lands, right of ways, or easements and is connected to a private sewer system and The City's sewer main.
- (11) **Cleanout** means a pipe fitting that has a removable cap or plug and is so constructed that it will permit access to a sewer pipe for the purpose of cleaning.
- (12) **Combined Service** means the City Service Connection used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection.
- (13) **Combustible Waste** means a substance that is able to catch fire and burn easily.
- (14) **Composite Sample** means a volume of Wastewater, Storm Water, uncontaminated water, clear water or effluent made up of three or more grab samples that have been combined automatically or manually and taken at intervals during the sampling periods,
- (15) **Container** means a container for Solid Waste which is designed to be emptied by a front loading Solid Waste vehicle.
- (16) **Cooling Water** means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water.
- (17) **Cross Connection** means an existing connection or a potential connection between any part of a potable water system and any other environment containing other substances in a manner, which, under any circumstances, would allow such substance to enter the potable water system.

- (18) **Dangerous Goods** has the meaning set out from time to time in the *Dangerous Goods Transportation and Handling Act*, RSA 2000, Ch D-4 as amended, and the regulations thereunder.
- (19) **Deleterious** means:
- (a) any substance that, if added to any water, would degrade or alter or form part of a process of degradation or alteration of the quality of that water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or unsuitable for the purposes intended;
 - (b) any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of the water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or unsuitable for the purposes intended.
- (20) **Dental Amalgam** means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.
- (21) **Dental Amalgam Separator** means any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation Wastewater.
- (22) **Disposal Grounds** means the landfill site operated by The City.
- (23) **Dwelling Unit** means one or more rooms useable as a residence operated as a single housekeeping unit and having its own sleeping, cooking, and toilet facilities.
- (24) **Extra Waste Tag** means a sticker purchased from The City to be used to identify Units of Solid Waste in excess of the basic residential Solid Waste collection service.
- (25) **Fire Line** means a pipe intended solely for the purpose of providing a supply of water for fire protection purposes.
- (26) **Grab Sample** means a volume of Wastewater, Storm Water, potable water or effluent which is collected over a period not exceeding 15 minutes.
- (27) **Hauled Wastewater** means waste removed from a Wastewater system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a Wastewater holding tank or any industrial waste which is transported to and deposited into any location in the Wastewater works.

- (28) **Hazardous Waste** means:
- (a) any substance or mixture of substances that exhibits characteristics of flammability, corrosivity, radioactivity, reactivity or toxicity; and
 - (b) has the meaning set out from time to time in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, Ch. E 12 as amended, and the regulations thereunder and the *Alberta Waste Control Regulation* (AR129/93) and any successor to this Acts or Regulations.
- (29) **Hydrocarbons** mean solvent extractable matter as set forth in Standard Methods.
- (30) **Industrial Waste** means any waste from industrial processes, such as dairies, breweries, packing plants and similar processes.
- (31) **Inspector** means a person or employee authorized by The City to enforce the provisions of this Bylaw such as a Bylaw Enforcement Officer or a Designated Sewer Officer.
- (32) **Institution or Institutional Facility** means a facility, usually owned by a government, operated for public purposes, such as a school, university, medical facility (hospital, nursing station, nursing home), museum, prison, government office, military base. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, and industrial processes.
- (33) **Interceptor** means a device designed to prevent oil, grease, sand or other solid matter from passing from the source thereof into the Wastewater or Storm Water Sewer systems.
- (34) **Low-flow Plumbing Fixtures** means toilets with a usage not exceeding 6.0 litres per flush; single flush urinals with a usage not exceeding 3.8 litres per flush; shower head fixtures with a flow rate not exceeding 9.5 litres per minute; and lavatory basin faucets and kitchen sink faucets with a flow rate not exceeding 8.3 litres per minute.
- (35) **Monitoring Access Point** means an access point, such as a chamber, in a Private Sewer Connection to allow for observation, sampling and flow measurement of the Wastewater, potable water or Storm Water therein.
- (36) **Multi-Family Building** and **Multi-Attached Building** means a building containing three or more dwelling units.
- (37) **Oil and Grease** means n-Hexane extractable matter as described in Standard Methods.

- (38) **Overstrength Surcharge** means the rate per m³ of water consumed and charged to a user who releases Wastewater to the Sewer that exceeds one or more constituent concentrations.
- (39) **PCBs** means any mono-chlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.
- (40) **Person** means an individual, association, partnership, corporation, municipality or an agent or employee of such a person.
- (41) **pH** means the measure of the intensity of the acid or alkaline condition of a solution determined by the hydrogen ion concentration of the solution as set forth in Standard Methods.
- (42) **Phosphates** means a chemical salt classified as orthophosphates, condensed phosphates and poly-phosphates.
- (43) **Polluted Water** means materials or water that contain deleterious substances in excess of that permitted in this Bylaw.
- (44) **Potable Water** means water with a level of quality which is typical of uncontaminated water normally supplied by The City;
- (45) **Pretreatment** means the reduction, elimination or alteration of pollutants in Wastewater prior to discharge into the Sewer, whether by physical, chemical or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants.
- (46) **Private Sewer Connection** means the part of any sewer system lying within the limits of private lands and connecting to The City's Wastewater or Storm Water Sewer system.
- (47) **Private Service** or **Private Service Connection** means that portion of a pipe used or intended to be used for the supply of water which extends from the Service Valve to a meter.
- (48) **Radioactive Materials** means prescribed substances as defined in the *Atomic Energy Control Act* and Regulations (RSC 1985, c. A-16) as amended from time to time or as defined in the *Nuclear Safety and Control Act* and Regulations or amended versions thereof.
- (49) **Reactive Waste** means a substance that:
 - (a) is normally unstable and readily undergoes violent changes without detonating;

- (b) reacts violently with water;
 - (c) forms potentially explosive mixtures with water;
 - (d) when mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - (e) is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
 - (f) is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
 - (g) is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
 - (h) is an explosive (Class 1) as defined in the regulations under the [federal, provincial or territorial Statute or Regulation as appropriate for the municipality], as amended.
- (50) **Receptacle** means a receptacle for Solid Waste other than a container as defined herein and includes a garbage can and garbage bags.
- (51) **Recyclable** means any materials designated as recyclable under The City's Residential Recycling Collection Contract.
- (52) **Recycling Contractor** means the person who is under contract with The City to collect Recyclable material from residential properties in the City of Red Deer.
- (53) **Remote Reading Device** means a device which is connected to a water meter by The City and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building.
- (54) **Sampling Port** means a valve, tap, or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that The City may establish from time to time.
- (55) **Service Valve** means the water valve on a City Service Connection.
- (56) **Sewer** means a pipe, conduit, drain, open channel or ditch for the collection and transmission of Wastewater or Storm Water and to which Private or City Sewer Connections may be attached.

- (57) **Sharps** means hypodermic needles, syringes, blades, broken glass and any devices, instruments or other objects which have acute rigid corners, edges or protuberances.
- (58) **Solid Waste Contractor** means the person who or the Corporation which is under contract with The City to collect and haul Solid Waste to the City's Disposal Grounds.
- (59) **Solid Waste** means discarded material or Waste or any kind which is permitted to be disposed of at the Disposal Grounds.
- (60) **Special Solid Waste** means waste which requires special disposal treatment at the Disposal Grounds but does not include Solid Waste, Hazardous Waste or Dangerous Goods.
- (61) **Spill** means a direct or indirect discharge into the Wastewater or Storm Water sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.
- (62) **Standard Methods** means a procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition or approved in writing by the Inspector.
- (63) **Storm Water Sewer** means a sewer for the collection and transmission of uncontaminated water, Storm Water, drainage from land or from a watercourse or any combination thereof but excluding any Wastewater.
- (64) **Storm Water** means the water running off the surface of a drainage area during and immediately after a period of rain or snow melt.
- (65) **Subsurface Water** means groundwater including foundation drain water.
- (66) **Sump** means a facility on the connection to the Wastewater collection system for trapping large, heavy solids before discharge into these systems.
- (67) **Total Kjeldahl Nitrogen** means the sum of organic nitrogen and ammonia nitrogen as set forth in Standard Methods.
- (68) **Total Phosphorus** means an essential chemical element and nutrient for all life forms as set forth in Standard Methods.
- (69) **Total Suspended Solids (TSS)** means insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.
- (70) **Unit of Solid Waste** means a garbage bag up to 660 mm by 915 mm or a garbage can up to 100 litres in volume.

- (71) **Utility** and **Utility Service** means, as the context may require, the City's Water Utility, Wastewater Utility, Storm Water Utility and Waste Management Utility.
- (72) **Water Main** means those pipes installed by The City in streets for the conveyance of water throughout the City to which City Service Connections may be attached.
- (73) **Water Utility** means the system of water works owned and operated by The City and all accessories and appurtenances thereto.
- (74) **Waste** means any solid or liquid material or product or combination of them that is intended to be treated or disposed of or that is intended to be stored and then treated or disposed of.
- (75) **Wastewater** means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.
- (76) **Wastewater Sewer** means a sewer for the collection and transmission of domestic or industrial Wastewater or any combination thereof.
- (77) **Wastewater Sludge** means Wastewater containing more than 0.5% total solids or solid material recovered from the Wastewater treatment process.
- (78) **Wastewater Works** means any works for the collection, transmission, treatment and disposal of Wastewater, Storm Water or uncontaminated water, including a combined sewer, Wastewater Sewer or Storm Water Sewer, or any part of such works, but does not include plumbing or other works to which the applicable Building Code applies.
- (79) **Yard Waste** means any materials designated as Yard Waste under The City's Solid Waste & Yard Waste Collection Contract.

SCHEDULE B**WATER RATES**

- 1 Every customer shall pay for water supplied to him the aggregate of amount determined as follows:
- (a) A consumption charge of \$0.743 for each cubic metre of water supplied.
 - (b) A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
16 mm	\$19.60
19 mm	\$31.38
25 mm	\$57.12
38 mm	\$133.34
50 mm	\$321.91
75 mm	\$543.51
100 mm	\$1,150.60
150 mm	\$2,156.13
200 mm	\$3,810.21

SCHEDULE C

WASTEWATER RATES

- 1 The cost of Wastewater service for residential premises connected to The City Sewer system and which contain not more than two dwelling units shall be a flat fee of \$37.91 per month.
- 2 Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay at the rate of \$1.53 per cubic metre of Wastewater calculated in the manner herein set forth with a minimum of \$37.91 per month.
- 3 Where the Director has tested the discharge of Wastewater into the sewerage system pursuant to Clause 83, Overstrength Surcharge and found that the Wastewater exceeds the limits of BOD, total suspended solids or oil & grease set out therein, then that customer shall pay for Wastewater service at the following rates:
 - (a) a volume charge based on \$1.53 per cubic metre, plus
 - (b) a treatment charge based on the amount of BOD, grease and suspended solids at the following rates:

Tier 1				Surcharge
	Concentration above	Concentration below		
BOD	300	2,400	mg/L	\$0.87 /kg
TSS	300	2,400	mg/L	\$0.83 /kg
Oil & Grease - animal, vegetable	100	250	mg/L	\$0.68 /kg
Tier 2				Surcharge
	Concentration above	Concentration below		
BOD	2,400	4,800	mg/L	\$1.16 /kg
TSS	2,400	4,800	mg/L	\$1.10 /kg
Oil & Grease - animal, vegetable	250	500	mg/L	\$0.90 /kg
Maximum Allowable Limits				Surcharge
	Concentration above			
BOD		4,800	mg/L	\$1.74 /kg
TSS		4,800	mg/L	\$1.66 /kg
Oil & Grease - animal, vegetable		500	mg/L	\$1.36 /kg

Example calculation:

For wastewater containing a BOD concentration of 5,000 mg/L (5 kg/m³):

		<u>Surcharge Rate</u>
• On the first 0.3 kg/m ³	0.3 x \$0.00 =	\$0.00
• On the next 2.1 kg/m ³	2.1 x \$0.87 =	\$1.83

• On the next 2.4 kg/m ³	2.4 x \$1.16 =	\$2.78
• On the last 0.2 kg/m ³	0.2 x \$1.74 =	<u>\$0.35</u>
Total Surcharge Rate:		\$4.96 per m ³

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of Wastewater contributed by the customer to the Wastewater Sewer shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from The City or from sources other than The City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the Wastewater Utility charges. The customer may, at his own expense, install and maintain a meter subject to approval by the Director upon which the service charge shall thereafter be determined.
- 5 Disposal at the Liquid Waste Station and FOG Station (Fats, Oils and Grease) is \$8.30/cubic meter.
 - (a) charges will be based on an estimate of the load volume, as determined by the Director.
 - (b) there is a minimum \$5 charge per load.
 - (c) there is no charge for recreational vehicles.

Note: See Schedule D for Wastewater Service Fees

SCHEDULE D**BILLING AND SERVICE FEES****1 UTILITY BILLING FEES**

(1)	Application fee for utility billing	\$15
(2)	Non-application fee (open a new account in owner's name)	\$30
(3)	Deposit to obtain a utility account	\$220
(4)	Late payment penalty	1.5% per month of the outstanding balance

2 NEW SERVICE CONNECTION

		From Main In Street	From Main In Lane
(1)	Basic charge for 25mm water service and 150 mm Wastewater Sewer	\$7,185	\$6,000
(2)	Basic charge for 25 mm water service	\$6,145	\$4,845
(3)	Basic charge for 150 mm Wastewater Sewer	\$6,145	\$4,845
(4)	Basic charge for 100 mm Storm Water Sewer	\$6,145	\$4,845
(5)	Basic charge for 25 mm water main, 150 mm Wastewater Sewer and 100mm Storm Water Sewer	\$7,430	\$6,140
(6)	Dual service upon approval	\$8,240	N/A
(7)	Water service renewal upon approval	\$7,085	N/A
(8)	Extra charge for larger water service:		
	38 mm		\$275
	50 mm		\$750
	100 mm		\$3,255
	150 mm		\$4,025

200 mm		\$5,295
250 mm		\$6,550
300 mm		\$8,450
(9) Extra charge for larger Wastewater or Storm Water sewer:		
200 mm	Ribbed	\$225
	DR35	\$300
250 mm	Ribbed	\$320
	DR35	\$480
300 mm	Ribbed	\$440
	DR35	\$690
375 mm	Ribbed	\$ 640
	DR35	\$1005
450 mm	Ribbed	\$1015
	DR35	\$1450
600 mm	Ribbed	\$1715
(10) Disconnection of service (water kill)		
up to 50 mm in size		\$2,665
up to 50 mm in size, same dig at time of basic service		\$1,155
Over 50 mm in size		\$4,465
(11) Additional fee for winter construction of service (Nov. 1 – May 15)		
(a) Lane		\$1,545
(b) Street		\$2,330
(12) Other Charges		
(a) Construction of manhole to 3.1 metres in depth		\$3,745
(i) additional cost per vertical metre in excess of 3.1 metres in depth		\$510
(b) Inspection Chamber		\$2,170

(c)	Fire Hydrant and Valve Installation	\$5,985
(d)	Cutting and replacing pavement	
	(i) single or double service 75 mm and under	\$2,890
	(ii) single or double service over 75 mm	\$2,670
	(iii) triple service 75 mm and under	\$3,815
	(iv) triple service over 75 mm	\$4,275
	(v) for service kill 75 mm and under	\$1,855
	(vi) for service kill over 75 mm	\$1,985
	(vii) for water service renewal	\$1,460
	(viii) additional asphalt repair costs for excavations in excess of 4 metres deep (per additional metre of depth)	\$1,000
(e)	Replacing sidewalks:	
	(i) single or double service residential	\$2,850
	(ii) single or double service commercial	\$4,420
	(iii) triple service residential	\$3,150
	(iv) triple service commercial	\$4,620
	(i) additional sidewalk repair costs for excavations in excess of 4 metres deep (per location)	\$650
(f)	Replacing curb only:	
	(i) single or double service	\$1,680
	(ii) triple or dual service	\$1,874
	(iii) additional curb repair costs for excavations in excess of 4 metres deep (per location)	\$450
(g)	Landscaping repairs (boulevard area)	\$200
(h)	Landscaping repairs (utility lot/reserve)	\$575

3 MISCELLANEOUS SERVICE FEES

(1)	Installation of more than one meter	\$21 per meter
(2)	Requested meter reading	\$21
(3)	Service call during regular hours	\$52

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(4)	Service call after regular hours	\$150
(5)	Disconnection service charge	\$54
(6)	Reconnection service charge	\$54
(7)	Turn water off or on for repairs or line testing	
	(a) during regular working hours	\$54
	(b) after regular working hours	\$150
(8)	Temporary water supply:	
	(a) for construction purposes includes 16 mm water meter with up to 10 cubic metres consumption (Consumption in excess of 10 cubic meters will be billed at current water consumption rate)	\$80 (plus monthly meter charge)
(9)	Meter Test	\$90
(10)	Repairs to water meters	at cost
(11)	Thawing water service	at cost
(12)	Repair to damaged standpipe	at cost
(13)	Private fire hydrant maintenance	
	(a) routine hydrant inspection	\$40 / hydrant
	(b) winter hydrant inspection (Nov 1 – May 15)	\$75 / hydrant
	(c) damage evaluation	\$65 / hydrant
	(d) paint	\$75 / hydrant
(14)	Bulk Water	
	(a) use of designated fire hydrant to obtain water (per permit plus water consumption charges)	\$75
(15)	Clearing plugged Wastewater Sewer	
	(a) during regular working hours	\$120 / blockage
	(b) after regular working hours	\$250 / blockage
(16)	Televise Wastewater Sewer lines	

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- (a) service (regular hours only)
- (b) mains (regular hours only)

\$185 / service
at cost

SCHEDULE E**SOLID WASTE COLLECTION RATES**

- 1 (a) Rates to be applicable for premises when supplied with a Container by the Solid Waste Contractor engaged by The City. Scheduled Service includes Contractor-provided Container.

SOLID WASTE COLLECTION RATES FOR FRONT-END CONTAINERS				
Type of Service	Monthly Rate			
	1.5 m ³ (2 yd ³)	2.3 m ³ (3 yd ³)	3.1 m ³ (4 yd ³)	4.6 m ³ (6 yd ³)
<u>Service on Demand:</u>				
Container rental	10.19	12.73	15.28	17.83
Lift charge	11.28	16.92	22.56	33.85
<u>Scheduled Service:</u>				
1 lift per month	11.28	16.92	22.56	33.85
1 lift every 2 weeks	24.37	36.56	48.74	73.10
1 lift per week	48.85	73.28	97.70	146.55
2 lifts per week	97.70	146.55	195.41	293.10
3 lifts per week	146.55	219.83	293.10	439.65
4 lifts per week	195.41	293.10	390.81	586.22
5 lifts per week	244.26	366.38	488.51	732.77
6 lifts per week	293.10	439.65	586.22	879.32
Extra lift for scheduled service	11.28	16.92	22.56	33.85

- (b) Charges for special Container services in addition to the above rates will be as follows:

Standard lid	no charge
Castors on Containers	\$17.83 per month per container
Lock	\$20 one time charge per container

- 2 Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides Receptacles for hand pickup of Solid Waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP							
Volume Per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick-Up
	1	2	3	4	5	6	
$\leq 0.4 \text{ m}^3$	23.63	47.26	70.89	94.52	118.15	141.78	5.46
$> 0.4 \text{ to } 0.8 \text{ m}^3$	23.63	47.26	70.89	94.52	118.15	141.78	5.46
$> 0.8 \text{ to } 1.5 \text{ m}^3$	47.26	94.52	141.78	189.04	236.30	283.56	10.92
$\geq 1.5 \text{ to } 2.3 \text{ m}^3$	70.90	141.80	212.70	283.61	354.51	425.41	16.37
$> 2.3 \text{ to } 3.1 \text{ m}^3$	94.53	189.06	283.59	378.13	472.66	567.19	21.83
$> 3.1 \text{ to } 3.8 \text{ m}^3$	118.16	236.32	354.48	472.64	590.81	708.97	27.29
$> 3.8 \text{ to } 4.6 \text{ m}^3$	141.79	283.58	425.37	567.16	708.95	850.75	32.75
$> 4.6 \text{ to } 5.3 \text{ m}^3$	165.42	330.84	496.26	661.68	827.10	992.52	38.20

Note: 0.4 m^3 is approximately equal to 3 units (bags or cans) of garbage

- 3 For a single family Dwelling Unit, a semi-detached residential unit, a single family Dwelling Unit with a basement Dwelling Unit situated therein, or a Dwelling Unit in a Multi-Family Building or multiple family development, the charge for basic residential collection shall be \$11.70 per month per Dwelling Unit for the collection of a maximum of 5 Units of Solid Waste per week per Dwelling Unit year round, and once a week collection of Yard Waste for approximately seven months per year. The charge for Solid Waste tags for units in excess of the basic residential collection service shall be \$1.00 per Extra Waste Tag.
- 4 (a) All Dwelling Units which require individual blue box collection services shall be charged \$5.65 per month for weekly pick up.
- (b) Any Dwelling Unit which requires the City's communal recycling collection service shall be charged \$5.10 per month per Dwelling Unit.
- 5 Disposal Grounds rates for acceptance of Solid Waste

<u>Description</u>	<u>Rate</u>
(a) residents hauling residential Solid Waste from their own residences	\$60 per tonne
(b) private companies or commercial haulers with commercial or residential Solid Waste	\$60 per tonne

- (c) demolition, concrete, asphalt and tree rubble \$60 per tonne
- (d) Special Solid Waste \$80 per tonne
- (e) Asbestos \$80 per tonne
- (f) When fractional metric tonnes are delivered, the rate charged for the same shall be determined by pro-rating the above rates per tonne in the same ratio as the weight of such Solid Waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$7.00 shall apply for items 5(a), 5(b), 5(c), and a minimum charge of \$80 shall apply for items 5(d) and 5(e).
- (g) Cover Material as defined in The City of Red Deer Waste Management Facility Disposal Guidelines No Charge
- (h) A surcharge of \$20 per load will be applied to unsecured loads as outlined in Clause 108(b), Administration of Solid Waste Service.

DATE: January 11, 2012

TO: Tom Warder, Environmental Services Manager

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Utility Bylaw 3464/2011 to Replace Existing Utility Bylaw 3215/98

Reference Report:

Legislative & Governance Services Manager, dated November 08, 2011.

Bylaw Reading:

At the Monday, January 9, 2012 Red Deer City Council Meeting, Council gave second and third reading to Utility Bylaw 3464/2011. A copy of the bylaw is attached.

Report back to Council: No

Comments/Further Action:

This office will follow up with distribution of the above bylaw.



Elaine Vincent
Legislative & Governance Services Manager

c: Director of Development Services
Director of Corporate Services
Financial Services Manager



January 3, 2012

Notice of Motion

Councillor Tara Veer – Re: Options for the Regulation and Control of Urban Chickens and Other Livestock Within The City of Red Deer

Legislative & Governance Services

Report Summary & Recommendation:

This Notice of Motion was introduced at the December 12, 2011 Council Meeting by Councillor Veer and is being submitted for Council's consideration.

City Manager Comments:

In October, 2011 the Governance and Policy Committee requested that a bylaw amendment to include chickens as a permitted use under the Land Use Bylaw be brought back to Council within three months. If Council agrees to the Notice of Motion submitted by Councillor Veer, a two part report that would combine the request for an amendment to the Land Use Bylaw as well as the exploration of a licensing system for the control of urban chickens and other livestock should be brought back for Council's consideration at the February 21, 2012 Council Meeting.

Craig Curtis
City Manager

Proposed Resolution

Whereas a recent Red Deer Advocate article reported that there are citizens in the city who are raising chickens in their backyards; and

Whereas The City's Land Use Bylaw does not indicate the keeping of chickens as either a permitted or a discretionary use thereby indicating it is not permitted within the city; and

Whereas some citizens are supportive of the raising of chickens in an urban environment if properly regulated and controlled; and

Whereas some citizens are concerned about the raising of chickens in an urban environments; and



Whereas Council, through its Governance & Policy Committee, has requested administration to prepare a Land Use Bylaw amendment that would permit urban chickens; and

Whereas, a Land Use Bylaw amendment is not the only means of establishing regulations;

Therefore be it Resolved that The City of Red Deer request administration to explore other options for the regulation and control of urban chickens and other livestock through a licensing system such as those used in other jurisdictions as such a system would also allow for the proper regulation of urban chickens and for the revocation of licenses for non-compliance with regulations.

Further be it Resolved that administration provide a report to Council, by February, 21, 2012 in response to this request.

Report Details

Background:

At the Monday, December 12, 2011 Council Meeting, Councillor Tara Veer introduced the following Notice of Motion regarding the options for regulation and control of urban chickens and other livestock within the city of Red Deer:

Whereas a recent Red Deer Advocate article reported that there are citizens in the city who are raising chickens in their backyards; and

Whereas The City's Land Use Bylaw does not indicate the keeping of chickens as either a permitted or a discretionary use thereby indicating it is not permitted within the city; and

Whereas some citizens are supportive of the raising of chickens in an urban environment if properly regulated and controlled; and

Whereas some citizens are concerned about the raising of chickens in an urban environments; and

Whereas Council, through its Governance & Policy Committee, has requested administration to prepare a Land Use Bylaw amendment that would permit urban chickens; and

Whereas, a Land Use Bylaw amendment is not the only means of establishing regulations;



Therefore be it Resolved that The City of Red Deer request administration to explore other options for the regulation and control of urban chickens and other livestock through a licensing system such as those used in other jurisdictions as such a system would also allow for the proper regulation of urban chickens and for the revocation of licenses for non-compliance with regulations.

Further be it Resolved that administration provide a report to Council, by February, 21, 2012 in response to this request.

Discussion:

The Notice of Motion is submitted for Council's consideration.

DATE: January 11, 2012

TO: Joyce Boon, Inspections & Licensing Manager

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Notice of Motion Submitted by Councillor Tara Veer – Options for the Regulation and Control of Urban Chickens and Other Livestock within The City of Red Deer

Reference Report:

Councillor Tara Veer, dated December 12, 2011.

Resolutions:

The following resolutions were passed during the Regular Council meeting held on Monday, January 9, 2012:

Notice of Motion

Whereas a recent Red Deer Advocate article reported that there are citizens in the city who are raising chickens in their backyards; and

Whereas The City's Land Use Bylaw does not indicate the keeping of chickens as either a permitted or a discretionary use thereby indicating it is not permitted within the city; and

Whereas some citizens are supportive of the raising of chickens in an urban environment if properly regulated and controlled; and

Whereas some citizens are concerned about the raising of chickens in an urban environments; and

Whereas Council, through its Governance & Policy Committee, has requested administration to prepare a Land Use Bylaw amendment that would permit urban chickens; and

Whereas, a Land Use Bylaw amendment is not the only means of establishing regulations;

Therefore be it Resolved that The City of Red Deer request administration to explore other options for the regulation and control of urban chickens and other livestock through a licensing system such as those used in other jurisdictions as such a system would also allow for the proper regulation of urban chickens and for the revocation of licenses for non-compliance with regulations.

Further be it Resolved that administration provide a report to Council, by February, 21, 2012 in response to this request.

Council Decision Letter

Notice of Motion – Options for the Regulation and Control of Urban Chickens and Other Livestock within The City of Red Deer

Page Two

Report back to Council: Yes

Comments/Further Action:

Administration to provide a report to Council for their consideration by February 21, 2012.

A handwritten signature in cursive script, appearing to read 'Elaine Vincent', written in dark ink.

Elaine Vincent

Legislative & Governance Services Manager

c: Councillor Tara Veer
Director of Planning Services
Corporate Meeting Coordinator

Christine Kenzie

From: Tara Veer [tara.veer@reddeer.ca]
Sent: December 22, 2011 3:49 PM
To: Christine Kenzie
Cc: Frieda McDougall; Elaine Vincent
Subject: RE: Notice of Motion Re Options for Regulation and Control of Urban Chickens & Other Livestock in Red Deer

Hi Christine,

Thanks for checking... I still plan to proceed as I think it's a viable option. We were laughing about it the other day so perhaps that's why Craig thought so, but I never said otherwise.

Tara

Councillor Tara Veer | Red Deer City Council
Legislative & Governance Services | The City of Red Deer
D 403.342.8111 | F 403.346.6195
Councillor Tara Veer

From: Christine Kenzie [mailto:Christine.Kenzie@reddeer.ca]
Sent: Thursday, December 22, 2011 12:15 PM
To: Tara Veer
Cc: Frieda McDougall; Elaine Vincent
Subject: Notice of Motion Re Options for Regulation and Control of Urban Chickens & Other Livestock in Red Deer

Tara,

I am going through items to come forward at the Monday, January 9th Regular Council Meeting. Can you confirm if you are still interesting in putting forward the Notice of Motion re Urban Chickens that you introduced at the December 12, 2011 Council meeting? Craig Curtis was under the impression that you might be considering withdrawing it.

Can you confirm?

Thanks

Merry Christmas,

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

2011/12/22

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL*BACKUP*

4. NEW BUSINESS

4.1 Utility Bylaw Amendment

Frank Colosimo, Engineering Services Manager, presented a supplemental report to the proposed amendment to Utility Bylaw 3215/B-2011. This amendment was initially presented to Council at the September 23, 2011 Council meeting.

The Utility Bylaw amendment was received for information and referred back to Council for third reading.

4.2 Chickens

An article in the October 10th 2011 issue of the Red Deer advocate has raised awareness of keeping chickens in back yards in Red Deer. Joyce Boon presented background information on the situation in Red Deer, and what is regulated in the City of Red Deer Land Use Bylaw.

After discussion, the following resolution was put forward:

Moved by Councillor Lynne Mulder, seconded by Councillor Tara Veer

“Resolved that the Governance & Policy Committee recommend a bylaw amendment to include chickens as a permitted use under the Land Use Bylaw and direct administration to bring back a Land Use Bylaw amendment within three months.”

IN FAVOUR: Councillor Paul Harris, Councillor Lynne Mulder,
Councillor Tara Veer, Councillor Dianne Wyntjes,
Councillor Frank Wong

OPPOSED: Councillor Chris Stephan

MOTION CARRIED



January 3, 2012

Land Use Bylaw Amendment 3357/T-2011

Rezoning of Place of Worship Site in Lancaster/Vanier
East Neighbourhood NASP

From R2 Residential (Medium Density) District Site to
R2.V10 to Limit Height of Building to 10 m (2 Storeys)

Legislative & Governance Services

Report Summary & Recommendation:

Summary:

The report attached is being brought forward from the Monday, November 28, 2011
Council Meeting.

Recommendation:

That Council consider giving second and third readings to Land Use Bylaw Amendment
3357/T-2011.



Report Details

Background:

At the Monday, November 28, 2011 Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3357/T-2011

Land Use Bylaw Amendment 3357/T-2011 provides for the rezoning of the Lancaster/Vanier East Place of Worship site, if it is not developed as a Place of Worship, from R2 Residential (Medium Density) District to R2.V10. This would limit the height of a building erected on the site to 10 m (2 storeys).

Public Consultation Process

A Public Hearing has been advertised for Land Use Bylaw Amendment 3357/T-2011 to be held on Monday, January 9, 2012 at 6:00 P.M. during Council's regular meeting. Advertisements were placed in the Red Deer Advocate on December 9, 2011 and December 16, 2011. The owners of the properties adjacent to the site were notified by letter of the Public Hearing.



Report Originally Submitted
to the Monday, November
28, 2011 Council Meeting

November 16, 2011

Council request for information September 6, 2011

Information on Place of Worship site in Lancaster/Vanier East Neighbourhood Area Structure Plan (NASP)

Planning Department

Report Summary & Recommendation:

The following report has been prepared in response to a resolution requesting that Planning staff review residential land use options on the Place of Worship site in *Lancaster/Vanier East NASP*. The site is currently proposed for R2 Residential if the Place of Worship Site is not purchased.

Planning staff recommend that Council rezone the Place of Worship Site to R2.V10 to include the Place of Worship site in the Vertical Overlay District as described in the *Land Use Bylaw*. This option would limit the height of any proposed buildings on the site to ten meters or two storeys therefore addressing public comments regarding privacy and allowing density targets to be achieved.

City Manager Comments:

I support the recommendation of Administration to go with Option 2 and give first reading to Land Use Bylaw Amendment 3357/T-2011. A Public Hearing would be held on Monday, January 9, 2012 at 6:00 p.m. during Council's Regular Meeting.

Craig Curtis
City Manager

Proposed Resolution

That Council consider first reading of Land Use Bylaw Amendment 3357/T-2011.



Report Details

Background:

Council passed the following resolutions on September 6, 2011. The first resolution resolved the concerns with the social care site in the Lancaster/Vanier East NASP. Planning staff have prepared the following report in response to the second resolution regarding the Place of Worship site.

***“Resolved** that Council of The City of Red Deer having considered the report from the Planner, dated August 17, 2011, re: Council Request for Information – May 16, 2011, information on Place of Worship and Social Care Site Shadow Plan in Lancaster/Vanier East Neighbourhood Area Structure Plan (NASP) hereby agrees to leave the social care sites as identified in the Lancaster/Vanier East NASP. If the sites are not developed for their intended uses they would revert to the alternative residential uses as identified in the NASP.”*

***“Resolved** that Council of The City of Red Deer having considered the report from the Planner, dated August 17, 2011, re: Council Request for Information – May 16, 2011, Information on Place of Worship and Social Care Site Shadow Plan in Lancaster/Vanier East Neighbourhood Area Structure Plan (NASP) hereby agrees directs administration to explore options for residential development in the Place of Worship Site(s).”*

Two options for residential development on the Place of Worship site are outlined for Council's consideration including Planning staffs preferred option.

Discussion:

The City of Red Deer *Neighbourhood Planning Guidelines and Standards* currently specify that a site of approximately 1 acre (.405 ha) in size be identified in each new neighbourhood for the use as a Place of Worship. The site is to be held by the developer and advertised for a period of 6 months. If the site is not acquired for a Place of Worship the site reverts to the alternate use as identified in the NASP. In December 2007 Parkland Community Planning Services initiated a survey of existing Place of Worships to determine whether existing City policies appropriately addressed the requirements for new Place of Worship sites. Respondents indicated that the short length of time sites were advertised, site size, and land costs were prohibiting factors to land acquisition within new neighbourhoods. Planning is currently looking at options to address these concerns as we review how we do neighbourhood design in Red Deer.

The approved *Lancaster/Vanier East NASP* identifies one 2.2 acre Place of Worship site which is over twice as large as a single quarter section site requirement. Council approved the rezoning of phases 1 and 2 of the neighbourhood with the exception of this Place of Worship site due to community concerns.



In response Planning staff prepared a report that explored land use options for the Place of Worship and Social Care Site(s) and the alternative use of space as inferred previously in a 'shadow plan'. Council did not request changes to the Social Care Site in the resolution. Council asked that administration further explore options for residential development on the Place of Worship site (resolution above).

Currently as described in the NASP, if the Place of Worship Site is not developed as a Place of Worship it is proposed to remain an R2 Residential (Medium Density) District site. R2 Residential (Medium Density) District permits a range of building form as identified in Appendix A.

Public comments collected through the NASP process identified two main issues:

1. Shadow plan and the perception that the area identified in the *Lancaster/Vanier East NASP* as the south Social Care Site would be greenspace/ball diamond, as identified in the original Vanier NASP.
2. Public perception of loss of privacy if the Place of Worship Site is developed as a Place of Worship or higher density residential. The issue of increased vehicles parking on the street was identified as a concern.

Analysis:

Analysis:

The area identified as a Place of Worship Site did not include any shadow planning in the original Vanier NASP. This was related to the social care site which Council addressed on September 6.

The *City of Red Deer Land Use Bylaw* outlines parking standards and requires developments shall accommodate sufficient parking within the site.

The following two options address privacy concerns and are available to Council:

Options	Pros	Cons
I: Additional NASP Text Amend the <i>Lancaster/Vanier East NASP</i> to include text to limit the height of any building constructed on the Place of Worship Site to a maximum of ten metres or two storeys. The Municipal Planning Commission would be the approving authority for any apartment style structure. This option would include a NASP amendment.	Privacy concerns addressed. Original proposed density of the <i>Lancaster/Vanier East NASP</i> should be maintained.	This option does not affect the land use district in the Land Use Bylaw creating a risk that the text could be missed by those not familiar with the NASP. NASP is opened up for review.



<p>2: Vertical Height Overlay R2.V10</p> <p>Include the Place of Worship Site in the Vertical Height Overlay District as described in the <i>City of Red Deer Land Use Bylaw</i>. This is similar to creating a site exception. This option would limit the height of any proposed building(s) on the site to ten metres which is two storeys. The general purpose of this sub-district is to establish the maximum permitted height on any site in any use district.</p> <p>The Lancaster/Vanier East Place of Worship Site would be rezoned to R2.V10 in the <i>Land Use Bylaw</i>, which would limit the height of a building to 10m (2 storeys).</p>	<p>Privacy concerns addressed.</p> <p>Original proposed density of the <i>Lancaster/Vanier East NASP</i> should be maintained.</p>	<p>No additional text in the NASP.</p>
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Note: Planning Administration considered the use of a Direct Control District for the site as a third option. The *Land Use Bylaw* states the general purpose of a direct control district is “to provide for innovative developments, which in the opinion of Council, require specific regulations unavailable in other land use districts”. Administration determined a direct control district was not appropriate.

Planning Administration is **recommending Option 2** for the following reasons:

- 1) The height limit at two storeys (10 metres) addresses the neighbourhood concerns for privacy. The parking regulations in addition to other site regulations in the *Land Use Bylaw* would need to be met as a part of the development permit process.
- 2) Planning staff views the site as appropriate for medium density development given its proximity to neighbourhood entry points, collector roadways and green space. The site is complimentary to surrounding land uses.
- 3) It does not limit the developer to any particular building form under two storeys; therefore maintaining the targeted density of the neighbourhood.

If Council proceeds with Option 2 Bylaw 3357/T-2011 is attached for first reading.

Consultation

The Developer for the *Lancaster/Vanier East NASP* is supportive of Option 2, to limit the vertical height of any building(s) to two storeys.

Those individuals who issued relevant letters to the Planning Department in response to the *Lancaster/Vanier East NASP* have been provided with a copy of this report including the date that Council will be considering this issue.

BYLAW NO. 3357/T-2011

BEING a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer as described herein.

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

Bylaw no. 3357/2006 is hereby amended as follows:

1. The land shown cross-hatched in the sketch attached as Schedule A to this bylaw is superseded from County Ag (Agricultural) District to R2.V10 Residential (Medium Density) District with a vertical height restriction of ten (10) metres.
2. The "Land Use District Map R10" contained in "Schedule A" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 14 - 2011 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 28th day of November 2011.

READ A SECOND TIME IN OPEN COUNCIL this day of 2011.

READ A THIRD TIME IN OPEN COUNCIL this day of 2011.

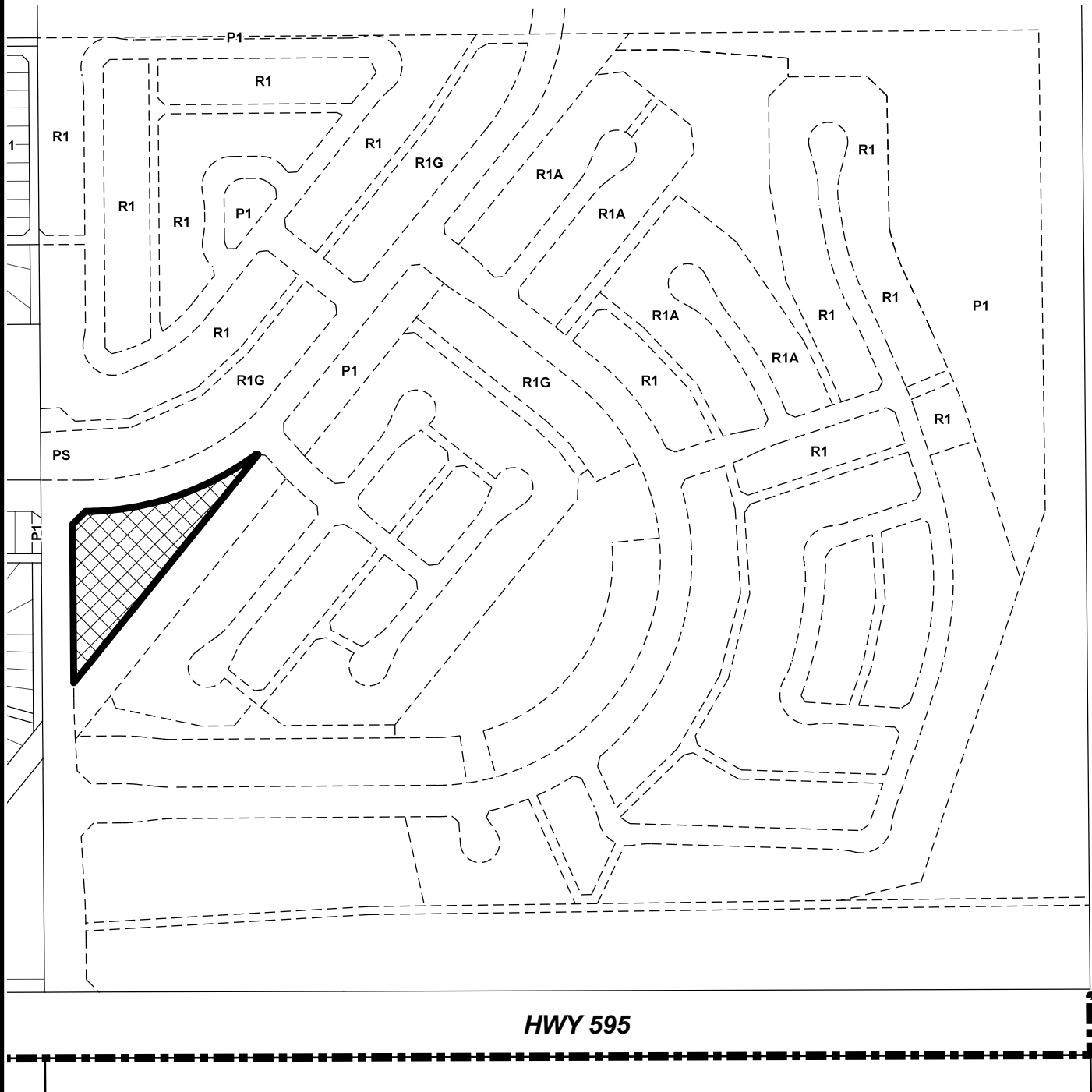
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2011.

MAYOR

CITY CLERK



Proposed Amendment to Land Use Bylaw 3357/2006



Supercede District to:



County AG to R2.V10

Affected District:

AG - Agriculture District (Red Deer County)
R2 - Residential (Medium Density) District

Proposed Amendment

Map: **14 / 2011**

Bylaw: **3357 / T-2011**

Date: **Oct 28, 2011**



PLANNING DEPARTMENT

Report Originally Submitted to
the September 6, 2011
Council Meeting

DATE: August 17, 2011

TO: Craig Curtis, City Manager

FROM: Quincy Brown, Planner

RE: Council request for information May 16, 2011
Information on place of worship and social care site shadow plan in
Lancaster/Vanier East Neighbourhood Area Structure Plan (NASP)

Summary:

Planning staff prepared the following report in response to the resolution passed May 16, 2011 by Council:

“Resolved that Council of The City of Red Deer hereby agree that a report be prepared for Council’s consideration outlining options respecting the dedication of place of worship and social care sites and the alternative use of space as inferred previously as a ‘shadow’ plan to respond to expectations of property owners.”

Four options are outlined for Council’s consideration including Planning Administrations preferred option recommendation.

Background:

The Lancaster/Vanier East NASP and corresponding Land Use Bylaw amendment to rezone phase 1 and 2 of the neighbourhood have been approved by Council. The place of worship site was removed from the rezoning request. The place of worship site still has the County Agricultural Zoning. Figure 1 identifies the location of the place of worship site and the two (2) social care sites as identified in the Lancaster/Vanier East NASP.

The place of worship site was not rezoned due to an issue raised by both City Council and members of the public relating to the original Vanier Woods NASP and the shadow plan of a ball-diamond to be constructed in the new Lancaster/Vanier East Neighbourhood. The location of the ball diamond was planned to be adjacent to the existing soccer field found in the Vanier Woods Neighbourhood. Figure 2 includes the original Vanier Woods NASP land-use concept map which has been overlaid on the Lancaster/Vanier East NASP land-use concept. The figure identifies the shadow planned ball field. The landowners who provided comment indicating concern have been notified of this supplementary report and the date when Council will consider the issue.

Currently both the social care site and the place of worship site in Vanier East are being advertised as available for purchase in accordance with the NASP. Alternative uses in accordance with direction provided by City Council and the approved Lancaster/Vanier East NASP would be permitted to be considered after December 30, 2011 (place of worship site) and June 30, 2012 (social care site).

Discussion:

During development of the original Vanier Woods NASP in 2005/06, The City’s standards for central park sites leaned towards providing a centralized neighbourhood park site. These sites have historically included multiple sports fields. During this same time period, priority was shifting from large neighbourhood park sites to focus on linear parks and the preservation of natural areas within new neighbourhoods. With the limited amount of municipal reserve dedication provided through the NASP process, accomplishing all of these objectives was not a possibility in Vanier Woods (2006). Through the planning and review process, the decision was made to preserve the tree stand in the north east section and provide a linear park trail system in the neighbourhood,

thus foregoing the development of a central park site that would allow for a second sports field. For this reason, even though the land to the east of Vanier Woods was not within Red Deer at the time, a decision was made to show the potential for expansion of the existing Vanier Woods central park site and possible future ball diamond.

During the Lancaster/Vanier East NASP process, five years later, an Ecological Profile was completed. The Ecological Profile outlines natural areas to be considered for preservation. Land encumbrances were also identified (ie., pipeline right of ways and road allowance for the future 20th Avenue). It became clear that the open space design would be a challenge because of a growing emphasis on preservation of natural features and development of linear park systems. A decision was made to eliminate the ball diamond after discussing the current needs for such facilities with the City's Recreation Section and the Public School Board. These decisions will allow for the preservation of a number of key natural features and the development of both a linear park/trail system and smaller park areas throughout the neighbourhood. These areas will contain key recreation amenities while providing important pedestrian and transportation linkages.

Analysis:

Planning Administration recognizes that showing the proposed ball diamond in a shadow plan in the original Vanier NASP was not good planning practice as citizens may have relied on this information in making a purchase of their property.

The following options are available to Council:

Option 1: Purchase the place of worship site and social care site(s) at fair market value and develop them as park/open space. These sites are not ideal for active park uses but could serve a passive recreational purpose such as community gardens. This option is not recommended due to financial implications of the land purchase.

Option 2: Leave the place of worship and social care sites as identified in the Lancaster/Vanier East NASP. If the sites were not developed for their intended uses they would revert to the alternative residential uses as identified in the NASP:

- Place of Worship – R2 Residential (Medium Density) District would remain an R2 Residential (Medium Density) District site (see appendix A for permitted land uses).
- Social Care Site(s) – PS (Public Services) District could be rezoned to R1G Residential (Small Lot) District (see appendix A for permitted land uses).

This is the recommended option. Planning Administration is of the view that the land-use designations are appropriate and should not be amended. The decision to eliminate the ball diamond has allowed the preservation of a number of key natural features and the development of a linear park system through the new neighbourhood.

Planning administration feel that regardless of whether the sites are developed for public uses (social care site, place of worship site) or the alternative residential use, the developments will be complimentary to the existing Vanier Neighbourhood and the new Lancaster/Vanier East neighbourhood. The site requirements as outlined in the Land Use Bylaw will apply. This includes consideration of on-site parking. Please refer to Appendix A for more detailed site analysis of the place of worship and social care sites.

Option 3: Identify a different alternative zone for the place of worship site that does not permit multiple storey buildings. This option is not recommended. This option would require a NASP amendment and additional planning work to determine a land use that is complimentary to the surrounding neighbourhood. If the site was 'downzoned' the density of the neighbourhood would be reduced.

Option 4: Direct administration to explore alternative locations for the place of worship and social care sites within the Lancaster/Vanier East Neighbourhood. This would increase the separation between the proposed land uses and the existing Vanier Neighbourhood. This option would include a NASP amendment. This option is

Page 3 of 7

not recommended. Planning Administration's view is that the sites designated as place of worship and social care are appropriate within the context of the neighbourhood.

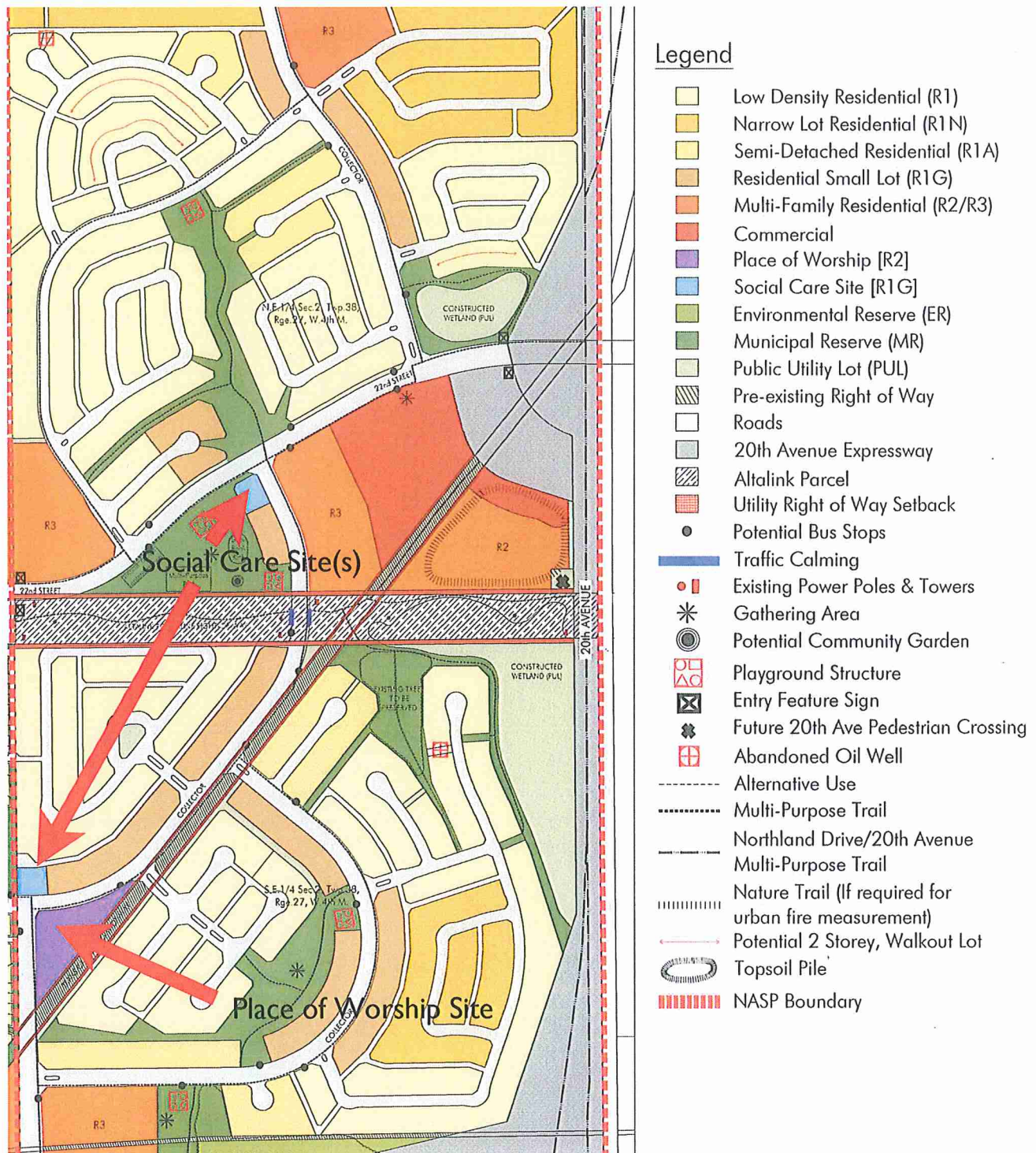
Recommendation

That Council proceeds with **Option 2** to leave the place of worship and social care sites as identified in the Lancaster/Vanier East NASP. If the sites are not developed for their intended uses they would revert to the alternative residential uses as identified in the NASP:

- Place of Worship - would remain an R2 Residential (Medium Density) District.
- Social Care Site(s) – PS (Public Services) District would revert to R1G Residential (Small Lot) District.

Quincy Brown
Planner

Tara Lodewyk
Planning Manager



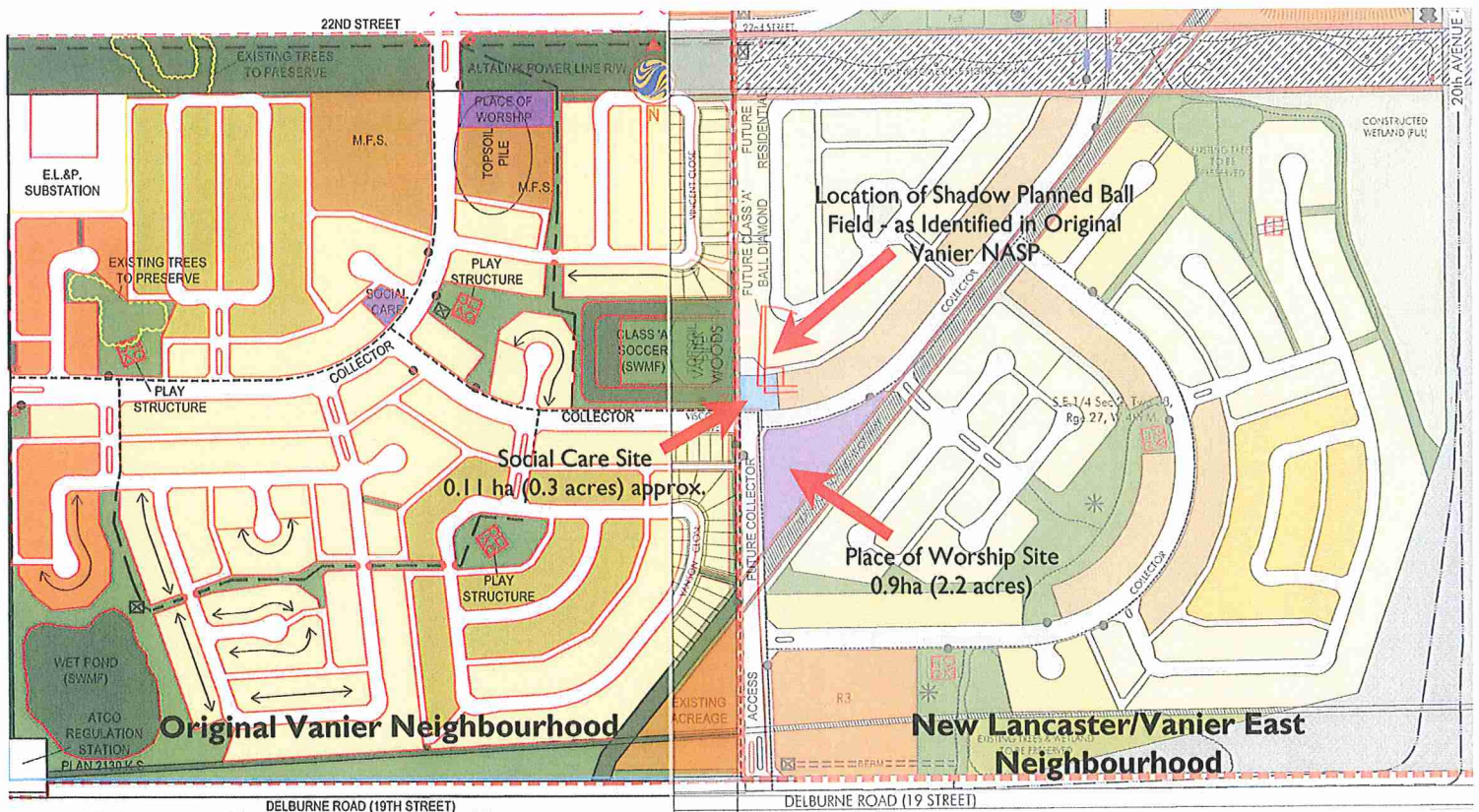


Figure 2.0: Location of Shadow Planned Ball Field

Appendix A**Site Analysis:**

The following site analysis provides an overview of the site constraints, permitted uses and general implications if the sites develop as proposed. The site analysis considers: 1) The proposed Place of Worship site, 2) The social care site located in the south quarter section of the Lancaster/Vanier East NASP.

Place of Worship Site:

Location and Neighbourhood Context	<ul style="list-style-type: none"> • Place of worship site is adjacent to two collector roadways. Site is located at the primary access into the neighbourhood. • The proposed site has strong vehicular and pedestrian links. Proposed location would result in minimal vehicular traffic impacting the surrounding neighbourhood. Parking would be addressed on-site through the development permit process. • Site is in close proximity to the existing Trans Canada Pipeline. Development of the site would be required to meet setback requirements. • The proposed site has limited existing neighbours. Closest residential property in the existing Vanier Neighbourhood is approximately 30m (98 ft) away (edge of property). • If the site were developed as a public use (place of worship) there is opportunity for positive synergies between the neighbours and site uses/facilities.
Site and Zoning Requirements	<ul style="list-style-type: none"> • Size: 0.9 ha (2.2 acres) • Proposed site zoning is R2 Residential (Medium Density) District • Permitted uses would include: <ul style="list-style-type: none"> • Detached Dwelling • Assisted Living Facility • Day Care Facility • Temporary Care Facility • Place of Worship or Assembly • Multi-attached dwelling(s) • Multiple Family Building • Municipal Services (police, emergency services) • Public or quasi-public buildings. • Semi-detached dwelling units • Maximum building height is 2 stories (10m) for all structures except apartments which allow up to a 3 story maximum. <p>** Developer originally proposed this site as a R3 Residential (Multiple Family) District site but down-zoned the site to R2 Residential (Medium Density) District as a result of public comment.</p>
Implications	<ul style="list-style-type: none"> • Community opposition from existing Vanier residents. Please see attached letters from the public. • Site configuration (potentially challenging for development). • On site parking requirements – If developed as a place of worship site, parking requirement would include: 1 stall per 6 persons, based on maximum occupancy of the primary congregation/sanctuary area. Parking lot area could result in a substantial portion of the lot depending on facility size.

Social Care Site: Please note that two social care sites are proposed in the Lancaster/Vanier East plan – one for each quarter section of development. The following site analysis applies to the social care site in the south quarter section only given its proximity to existing residents.

Location and Neighbourhood Context	<ul style="list-style-type: none"> • Social care site is located in the south quarter section of development and is adjacent to two collector roadways (located at the intersection). • Site located at the primary entry into the neighbourhood – minimal traffic impacts on the surrounding neighbourhood. • Site is immediately adjacent to a greenspace. • Strong pedestrian linkages with the surrounding neighbourhood. • The proposed site has limited existing neighbours. Closest residential property to the existing Vanier Neighbourhood is approximately 25m (82 ft) away (edge of property).
Site and Zoning Requirements	<ul style="list-style-type: none"> • Site currently zoned PS (Public Service) District. Site is proposed to revert to R1G Residential (Narrow Lot) District if not purchased for public services use (rezoning would be required). Permitted uses in the PS District include: <ul style="list-style-type: none"> • Assisted living facility • Day care facility • Institutional service facility • Offices for community oriented groups • Private clubs or organizations • Temporary care facility • Garden plots • Maximum building height in the PS District is: subject to the commissions' approval.
Implications	<ul style="list-style-type: none"> • Community opposition from existing Vanier residents. Please see attached letters from the public.

COMMENTS FROM CITIZENS

REGARDING

VANIER EAST/NORTH

NEIGHBOURHOOD AREA STRUCTURE PLAN

Haley Mountstephen

From: [REDACTED]
Sent: March 08, 2011 4:18 PM
To: Haley Mountstephen
Subject: Vanier Woods

Hi Haley,

I attended the Vanier Woods open house at St. Francis in Lancaster last week. The comments I have on the new Vanier East development that I would like to have brought up city council are as follows:

1. The initial plan had a ball diamond directly adjacent to Viscount Dr. I purchased a home across the street with this in mind and according to the updated plan the ball diamond will not be located here.
2. The plan has a place of worship right off of Viscount Dr and the lot is relatively small. My concern is due to the lack of adequate parking to support the traffic I will have cars parked directly in front of my home.
3. Also if there is not a church that acquires this land, will there be high density housing condos put in here. It would take away from the privacy in the neighborhood for all those with lots backing up onto this land.

Thank you,

Nick Haycock

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]



Comment Form

Proposed Vanier East/North Neighbourhood Area Structure Plan
And associated East Hill MASP and MDP Amendments
March 3, 2011

Name: Walter Reynolds
Mailing Address: _____
E-mail Address: _____
Phone: _____

① On original phase plan for existing Vanier Woods site adjacent to Soccer Field it shows possible Class A Baseball Field. Our property borders the soccer field & would also have cornered to the baseball field. We had bought this property / lot thinking we would have a large green space to our property! Can this be amended??

② Also my opinion on having the back alley run up to the middle of the soccer field might cause danger to kids playing on the field!

Please return your written comments by 4:30 p.m. Tuesday March 8th, 2011. Comment sheets can be submitted in person to The City of Red Deer Planning Department located in City Hall 4914-48th Avenue, by mail to Box 5008, Red Deer, AB T4N 3T4, by fax to (403) 342-8200 or e-mail to haley.horvath@reddeer.ca.

The City is collecting your information to help make decisions on proposed programs, services, and/or plans in/for the city of Red Deer. The personal information on this form is collected under the authority of the *Municipal Government Act*, Section 3 and is protected under the provisions of the *Freedom of Information and Protection of Privacy (FOIP) Act*. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. When disclosing public comments, The City will endeavor to disclose only the author's name, unless there is a legislative, privacy or public interest reason to disclose more or less information. If you have any questions about the collection, use and protection of this information, please contact the Manager of the Planning Department, 3rd floor, City Hall, 4914 - 48 Ave, Red Deer, AB 403-406-8700.

Farm Air Properties Inc.

May 2, 2011

Via Email

Elaine Vincent
Legislative & Governance Services Manager
City of Red Deer
4914 - 48 Avenue
Red Deer, AB T4N 3T4

Dear Ms. Vincent:

Re: NASP

Thank you for your letter of April 26, 2011 (attached) advising of the Public Hearing on Monday, May 16, 2011. We own the 80 acres west of 20th Avenue and the proposed 22nd Street, and are in support of the NASP.

Yours truly,

FARM AIR PROPERTIES INC.



Robert A. Manning
President

End

T 403-346-3875

FROM THE DESK OF
RENE RONDEAU

T 403-357-4336

May 10, 2011
City of Red Deer - Council

Red Deer City Council,

I am writing this letter, to express concerns and suggestions about the plans to develop the new phase of Vanier Woods. I have been living in Red Deer since 1995, and have no plans on moving away from the City anytime soon. One reason, because the City of Red Deer is a great and beautiful place to live. While the City has grown into a major centre over the past number of years, City Planners and Developers have done a great job keeping the area's natural state, the beauty and the importance of Recreation in our Communities. The City's neighbourhoods have great trails, amazing outdoor and indoor sporting facilities, beautiful parks and has easy access to amenities.

Our family built our home in Vanier Woods, and we back onto the east side of Red Deer. When I purchased the home, I was not naive to think the City would not build behind us. In fact, we knew that was going to happen, and we're expecting development to happen sooner than later. Please understand, I have no problem with the development happening. It's what is being planned that concerns our family and many others living in our community.

Our concerns lie in the planning of Vanier Woods East Neighbourhood Area Structure Plan. We want the City Council of Red Deer to definitely question and re-examine the plan in front of all of us. Having lived in 8 neighbourhoods during my time in Red Deer, I have never been really concerned, until now.

After examining the plans, attending the open house, discussing with our neighbours and giving it much thought, I would like you to share some of our concerns.

First of all, Red Deer is known for it's bounty of Multi-use Recreational and Sporting Fields, but apparently not in Vanier Woods. This area is looking with young families, and yet there is only one Soccer Pitch (Water Retention Area) in the entire current neighbourhood and future plans.

I understand they plan to have one in the new Lancaster, but that neighbourhood already has one at the School. Vanier Woods residents need to have a place to go

FROM THE DESK OF
RENE RONDEAU

to, for the abundance of teams to use, and for families to enjoy. ~~The City needs to examine the needs of the community and force developers to have guidelines when it comes to Recreation, Sport and Green Space required per development.~~ Right now, there is a shortage of multi-use fields, centres and facilities in our City. As we grow, our City needs to look to future communities like Vanier as leading examples, not as just another Expansion Plan East. We need the City to look at all Neighbourhood Area Structure Plans and examine what priorities lie in future developments, is it cramming more homes into tight corners or making great places for families to call home and enjoy time outside in our neighbourhood parks and fields.

~~Another concern is the plan to have a place of worship in new Communities like Vanier Woods East. We have no problem in having them as our neighbours with in reason, but planning for the sake of never having them build here is ridiculous. After speaking to developers at the Open House, we were told straight out that the plan is to have that as a place of worship, but chances are it won't happen. Developers reasoning the price is typically too expensive for the smaller churches, and the land is too small for the ones that can afford the space. Southern sites are zoned for multi-living (duplex/townhouse).~~

Currently, we already have one of those lots "sitting empty" on Vanier Drive. It was to be a place of worship, now a developers owns it and it has not been touched and is becoming an eyesore. ~~With the City needs to re-examine this and make the proposed corner lot into an attractive Sport/Recreation area, easy access from motorists off the Delburne Road and through the Community of Vanier Woods.~~ We are tired of seeing unused lots of land wasting away, while kids play baseball or football on the streets. So please, redevelop the plans so they work for those who live in the area.

Other concerns brought on by neighbours include, the need for the City to investigate thoroughly on future plans to build around the Trans Canada Pipeline. ~~We understand that there will be a trail system on top of the existing Pipeline, we just hope that there are plans to build accordingly around it.~~

We all understand the need to develop and build on areas to make our City prosper. We are not naive in thinking that the city will stop building outward, but if you build then let us enjoy what you create for years to come. Let it be your Legacy.

Sincerely yours,

Rene Rondeau

Attention: Red Deer City Councillors

The rezoning of the Phase 1 and 2 of the Lancaster/ Vanier Woods East neighbourhood is concerning to me as a homeowner in Vanier Woods. This proposed new neighbourhood is geared towards developing higher density housing through reducing lot sizes, resembling trends in Calgary and Edmonton. This move towards higher density housing in suburban areas will effectively deteriorate the positive, small town feeling that the community of Red Deer currently maintains. In my opinion, that small town feeling is what makes Red Deer such a great place to live.

Further, the current trend towards smaller lot sizes seems to be counterproductive when The City of Red Deer is also promoting projects such as the downtown revitalization. In my opinion, these higher density residential projects should be focused within the city core if The City wants to revitalize downtown. There appears to be little value in making lots smaller in suburban communities, given that we are also trying to attract more people to live in our downtown core.

When purchasing my home in Vanier Woods ...) In 2009, I purchased the home on the basis of Melcor's original outline for the area, dated 2006. This apparent "shadow" plan proposed ball diamonds and a soccer field adjacent to our street. Instead, the updated plan now outlines a church, a social gathering site, and narrower residential lots (R1G). These shadow plans should not be included with the original plan, based on the fact that a level of reliance may be placed on this information by prospective residents of the community. In my opinion, a shadow plan is in place to attract residents, giving them an idea of what the community will look like in the future. In this case, I would question as to whether the ball diamond was ever intended to be built in this area.

Additionally, these new R1G lots appear to be fairly small and would not leave much yard space given the size of the home; during a recent media release City Councillors sited this as a concern. The motion in favour passed based on some councillors stating that there could be potential housing shortages. The small lots will effectively give the new neighbourhood a clustered look, common to areas with high density residential zoning.

I also cannot comprehend why putting larger homes on reduced lots seems necessary at this time. Given the overall supply of homes in Red Deer and the existence of many new neighbourhoods that have room for growth such as Sunnybrook South, Clearview, and Timberlands, the need to put larger homes on reduced lots seems completely unnecessary at this time. It should also be noted that there are approximately 700 listings for used residential properties on MLS, signifying a large supply of inventory in the Red Deer market. As a resident this is a concern, as new developments will add to an already large property inventory and may deteriorate homeowner property values. It could potentially leave neighbourhoods appearing half empty for many more years than necessary. I can personally attest to the difficulties of dealing with construction when moving into a new residential development, and given the excess supply of homes this project could take many more years than necessary to be complete.

Your time to review my concerns is greatly appreciated!

Sincerely,
Nicholas Haycock



January 3, 2012

Downtown Business Association's 2012 Budget

Legislative & Governance Services Department

Report Summary & Recommendation:

The Downtown Business Association's 2012 Budget is being presented for Council's approval. Following any presentations, Council is to consider the approval of the 2012 BRZ Budget.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

That Council approve the 2012 BRZ Budget.



Report Details

Background:

In 1984 Council received a request from businesses located in the downtown area to establish a Business Revitalization Zone (BRZ) in accordance with the Municipal Government Act. Based on this and input from the downtown businesses, Council agreed to establish this zone. The Downtown Business Association's Board of Directors is responsible for the management of this zone, including preparation and administration of its budget.

Although this Board operates autonomously from The City of Red Deer, we are linked in the following ways:

1. Council appoints the members of the Board.
2. The BRZ Budget is approved by Council.
3. Any changes to the BRZ Bylaw, including its boundaries, must be approved by Council.
4. The City completes the business assessment, invoices and collects the BRZ Tax for the Board. These invoices are sent out in February of each year to every person assessed for business purposes in the BRZ. The due date for payment is always March 31st.

Discussion:

In early December, 2011 the Legislative & Governance Services Department received the Downtown Business Association's Budget for 2012. In accordance with Council's previous resolution, individual notices were mailed to every person assessed for business purposes within this zone, stating that on January 9, 2012 at 6:00 p.m. Council will consider written or verbal presentations concerning the budget and consider approval of the budget following any presentations.

Analysis:

The report and budget from the Downtown Business Association outlines the financial implications of approving this budget. If approval of this budget is received, an amendment to the BRZ Tax Bylaw would come forward to Council at a future meeting.

December 7, 2011

Dear Sir/Madam:

**Re: Downtown Business Association – 2012 Budget
Request for Your Comments**

History

In 1984 businesses in the downtown formed a Business Revitalization Zone (BRZ) with a mission statement to guide the progress of Red Deer's central business district to provide a healthy atmosphere of business development and social and cultural improvements.

There are approximately 500 businesses located within this zone whose boundaries are shown on the attached map. The BRZ is governed by the Downtown Business Association Board of Directors who manage within the regulations set by Provincial legislation and empowered by Municipal law.

2012 BRZ Budget

To comply with Provincial legislation, each year the Downtown Business Association (DBA) must present a budget for the BRZ to City Council for approval. This budget, if approved, will be used as the basis for the BRZ tax that members pay. Before Council considers this budget we want to give you, as a member of the Association, an opportunity to provide Council with your comments about this budget. The 2012 Downtown Business Association budget and the Downtown Business Association's 2011 Report are attached for your review.

Comments can be communicated to Council by:

1. Sending a letter to: Red Deer City Council
c/o Legislative & Administrative Services Manager
Box 5008, Red Deer, AB T4N 3T4
Deadline: **Tuesday, January 3, 2012**
2. Emailing Council at: legislativeservices@reddeer.ca

Downtown Business Association-2012 Budget

December 7, 2011

Page 2

3. Attending and speaking at the Council Meeting scheduled for **Monday, January 9, 2012** at 6:00 p.m. in Council Chambers, 2nd floor, City Hall (access through west, Park side, City Hall doors). Letters may also be submitted at the Council Meeting.

Comments submitted will be placed on the open agenda of Council and will be available to the public.

For additional information, or should you have questions, please contact:

Regarding the Budget:

- Downtown Business Association at (403) 340-8696 or email at info@downtownreddeer.com

Regarding the Council Meeting:

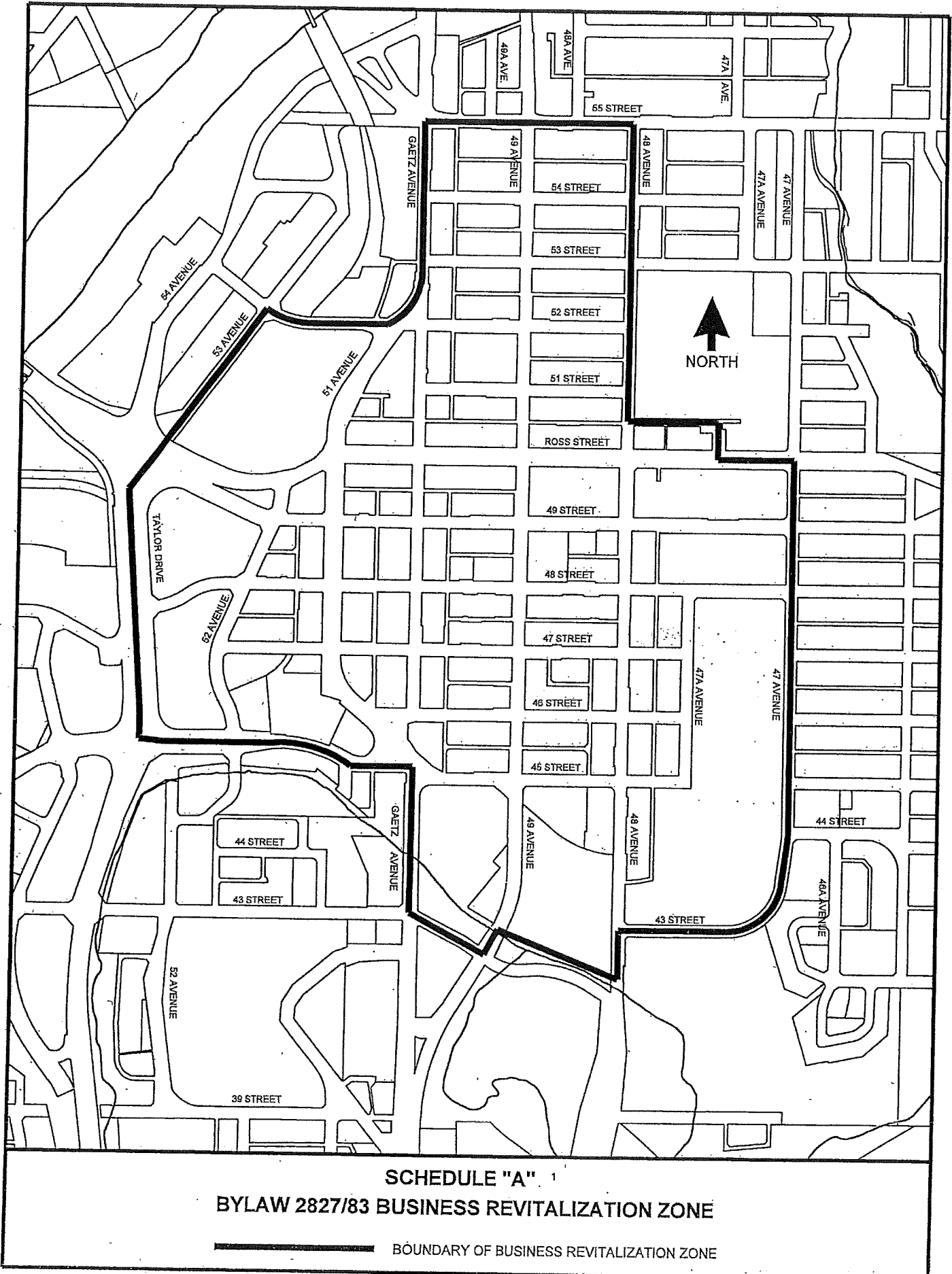
- Legislative & Administrative Services Manager at (403) 342-8132 or email at legislativeservices@reddeer.ca

Sincerely,



Elaine Vincent
Legislative & Administrative Services Manager
/attach.

c Director of Corporate Services
City Assessor
Controller-Property Taxation



¹ 2827/B-84, 2827/A-91, 2827/A-2001, 2827/A-2003

**2012 BRZ Budget Package**

December 2011

Dear Downtown Business Operator,

Please find enclosed the 2012 budget package for the Downtown Business Revitalization Zone. This budget reflects the programs and initiatives the Red Deer Downtown Business Association Board of Directors proposes to undertake on your behalf in 2012.

The Red Deer Downtown Business Association (DBA) acts as a representative, liaison and resource to downtown businesses and, on their behalf, undertakes initiatives that support and promote downtown by taking an active role and being an influential voice on matters that affect the downtown. The DBA works to make downtown clean, safe and attractive. The organization develops marketing programs and works as a partner to develop and deliver events. The DBA seeks to positively reinforce the downtown experience by promoting downtown as a great place to live, work and play.

The DBA now employs three full-time office staff – Executive Director, Promotions Director and Communications & Events Coordinator. That third position results from our entering into agreement with CentreFest to provide festival director services, thereby cost-sharing a full-time employee. The Clean Team now employs two full-time positions to better manage the workload and enhance service. We also employ two summer students to assist with Promotions & Events and the Clean Team. In addition to the many programs and services we are solely responsible to provide, we are an active partner, committee member and/or representative of downtown business interests in other areas. The enclosed 2012 Annual Report summarizes the accomplishments of the organization over the past year.

The 2012 budget has been organized to reflect our strategic objectives under the areas of Advocacy & Influence, Spaces & Places, Image & Awareness as well as operational and fixed costs. This summary budget will allow the organization to build on successes, to develop new initiatives and to continue to leverage your tax levy contribution. (In 2011, we leveraged \$0.91 for every levy \$1 collected.) There is an increase to the budgeted levy amount for 2012 (reflective of an increase in the overall assessed value of businesses). The majority of businesses will continue to pay the annual minimum levy. This budget will be presented to City Council in January.

In the past few years, we have worked to maximize revenues and limit expenses, resulting in budget surpluses. We propose to transfer funds from reserve for two continuing projects. We continue to work on the details, but plan to continue offering matching grants up to \$5000 per approved projects under the Façade & Shopfront Improvement Fund.

The 2012 Board – Al Gamble, Tom Lewis, Marilyn Mah, Bryan Balderson, Katherine Bouchard, Bill Graham, Brett Salomons, Terry Krause, Brian Olstad, Cindy Jeffries and Lorna Watkinson-Zimmer – will meet in January to select the executive and refine the budget-strategy.

I thank those of you who attended the Annual Meeting recently and encourage you to review the 2011 Annual Report and to contact us should you have questions, comments or a great idea to share. I can be reached at 403.340.8696 or graham@downtownreddeer.com.

Regards,

A handwritten signature in black ink, appearing to read 'G. Barclay'.

Graham Barclay
Executive Director

Red Deer Downtown Business Association

111A, 4818 50 (Gaetz) Avenue Red Deer, AB T4N 4A3

Phone 403.340.8696 Fax 403.340.8699

Email info@downtownreddeer.com Web www.downtownreddeer.com

Downtown Business Association: 2012 Budget Summary

REVENUE	2012 Proposed	2011 Budget
BRZ Levy	\$295,000	\$252,000
Streetscape Agreement	\$133,000	\$133,000
Other Income ¹	\$70,500	\$49,000
Transfer From Surplus ²	\$75,000	\$55,000

Total Revenue	\$573,500	\$489,000
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EXPENSES	2012 Proposed	2011 Budget
Advocacy & Influence		
Includes salary, benefits and payroll expenses, memberships, board and staff professional development and events, meeting, travel and programming expenses	\$102,364	\$94,500
Greater Downtown Retail & Residential Strategy ²	\$25,000	\$25,000
Total Advocacy & Influence	\$127,364	\$119,500

Spaces & Places		
Includes Streetscape programming and supplies, Banners and Graffiti Awareness, salaries, benefits and payroll expenses (incl WCB)	\$126,619	\$110,850
Vehicle operation and capital reserve	\$13,000	\$12,500
DBA Admin Fee / Recovery	\$15,000	\$15,000
Façade & Shopfront Improvement Fund ²	\$30,000	\$30,000
Total Spaces & Places	\$184,619	\$168,350

Image & Awareness		
Includes Marketing and Events programming, salaries, benefits and payroll expenses	\$203,417	\$168,350
Total Image & Awareness	\$203,417	\$155,150

Operations		
BRZ Assessment Fee (to City of Red Deer)	\$10,000	\$10,000
Insurance	\$3,200	\$3,000
Professional Fees - Bookkeeping and Audit	\$14,000	\$14,000
Office Expenses (postage, supplies, telephone, IT, printing, equipment, etc)	\$18,900	\$11,500
Rent	\$22,000	\$20,000
Administration Recovery	-\$15,000	-\$15,000
General Contingency	\$5,000	\$2,500
Total Operations	\$58,100	\$46,000

Total Expenditures	\$573,500	\$489,000
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1 - To better reflect the work we do, the 2012 Budget Summary has been amended to include actual revenues and expenses. In past years, to remain consistent in reporting year-over-year, revenues were used to off-set related expenses (ex. - Adopt-a-Planter and MainStreet programs or the student employee grant) with the Budget Summary showing only net amounts. The Other Income revenue budgeted for 2012 is realistic, consistent with amounts earned in previous years and related expenses are included in this Budget Summary.

2 - In 2010, the DBA resolved to set aside funds to work in partnership with the City to develop and implement a Greater Downtown Retail & Residential Strategy. This project is dependent on Council approval of funding. This did not get used in 2011 but we hope to use it in 2012.

3 - In 2009, the DBA concluded a Main Street Legacy Project agreement with the province. Surplus and budgeted funds had been set aside for a Spaces & Places project in 2010. That fund has been carried forward to 2011 for the Façade and Shopfront Improvement Fund. The board decided to continue the program into 2012 with the same amount being allocated.

2011 ANNIVERSARY CELEBRATIONS

1 Executive Summary
2 Welcome From Graham Barclay
4 Digital Connections
5 Markets + Festivals
6 Spaces + Places
7 Shops
8 Clean Team
9 2011 Board + Staff



EXECUTIVE SUMMARY

Downtowns are becoming more important than ever. As big houses in the suburbs start to have less appeal for younger buyers and people are looking for new experiences in more walkable and vibrant communities, downtowns are where they are looking.

These changes won't happen overnight but downtown businesses have a lot to gain from the urban renaissance. Customers are seeking out opportunities for unique shopping experiences and the ability to support local first. Trends show that individuals recognize the economic and social impact shopping and eating at locally-owned independent businesses has as opposed to shopping and eating at large corporate chains/stores.

Downtowns are natural incubators for locally-owned independent businesses. The understanding of the local first philosophy creates huge potential for downtowns as a destination – a destination to draw new shoppers, new investment and create a new revitalized neighbourhood for our whole community to enjoy.

Red Deer's downtown is ready to be the social and economic core of our community. A number of recent revitalization projects, both private and public, have contributed to the current business and retail environment creating an enhanced commercial district that will pay off in the attraction of new business, new jobs and increased vitality.

The momentum of positive change continues in the downtown with projects such as Veterans' Park, the Gaetz Avenue Revitalization, the installation of the first street piano in Canada and the Ross Street Experiment. Add to that forward momentum, the continued use of downtown as a backdrop and stage for major events such as Centre Fest, Fiestaval, Alberta Arts Days, First Fridays and the Downtown Farmer's Market.

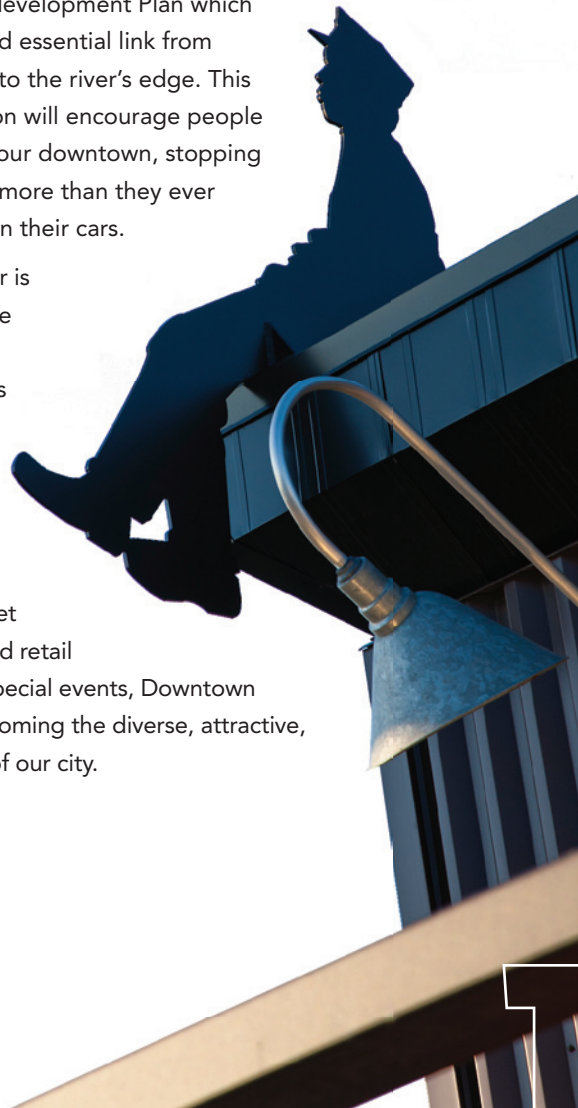
Great initiatives such as these bring people to the downtown to enjoy and to discover all there is to offer. The opening

of the Donald School of Business and the Central Alberta Theatre changed the landscape of downtown and will continue to contribute to legitimate activity on our streets both during the day and into the evenings.

With the initiation of a retail and residential recruitment strategy for the downtown, emphasis is being put on the need for more high quality housing in the downtown and proactive recruitment of new businesses to compliment those already existing and thriving in the downtown.

The implementation of the Greater Downtown Action Plan continues with a number of priorities including the Riverlands Area Redevelopment Plan which outlines a strong and essential link from Historic Downtown to the river's edge. This enhanced connection will encourage people to walk and bike in our downtown, stopping to find and explore more than they ever have while passing in their cars.

Downtown Red Deer is becoming the unique destination that residents and visitors are looking for. From investment in major capital projects to impromptu musical concerts on the street piano and specialized retail opportunities and special events, Downtown Red Deer is fast becoming the diverse, attractive, and desirable core of our city.



WELCOME

Well here we are. Another AGM is here; another year has come and gone. Wait, this is my first AGM and actually, November 14 is my first week as the Executive Director. This is exciting! I am very glad to bring you greetings to this meeting and I am pleased and honored to be here with you.

I have been part of this downtown community for four years now and I am looking forward to giving back to the best area of Red Deer. I am encouraged by the Little Gaetz project and am excited to see it near completion. It has been a process but I am sure we can now start to see the reward it will bring. Veterans' Park, Sorensen Station and other new buildings are making downtown the place to be.

It is going to be a pleasure to get to know more people in this area and learn how I can help as many people as I can. I hope to bring all members of the community together; even more than they currently are. And make sure we are inclusive to all types of businesses and populations. I have always felt welcomed downtown and I plan to continue with that culture and let all of Red Deer know we are open for business.

The downtown is transitioning to a focal point of the city because of all the hard work of businesses, government and citizens. Downtown has been moving down a path in the right direction and we should continue this way, while also continuing to look for innovative ideas and partnerships to building a community even more attractive to business and consumers.

Downtown is the best part of Red Deer and let's get ready to celebrate and show this city we believe it!



Graham Barclay, Executive Director





DIGITAL CONNECTIONS

"Because of our digital exposure the photographic image is a powerful marketing tool... combined with a constant purposful change in quality merchandise, we attract and retain our clients from Red Deer and beyond. Where living and giving are everyday occurrences."

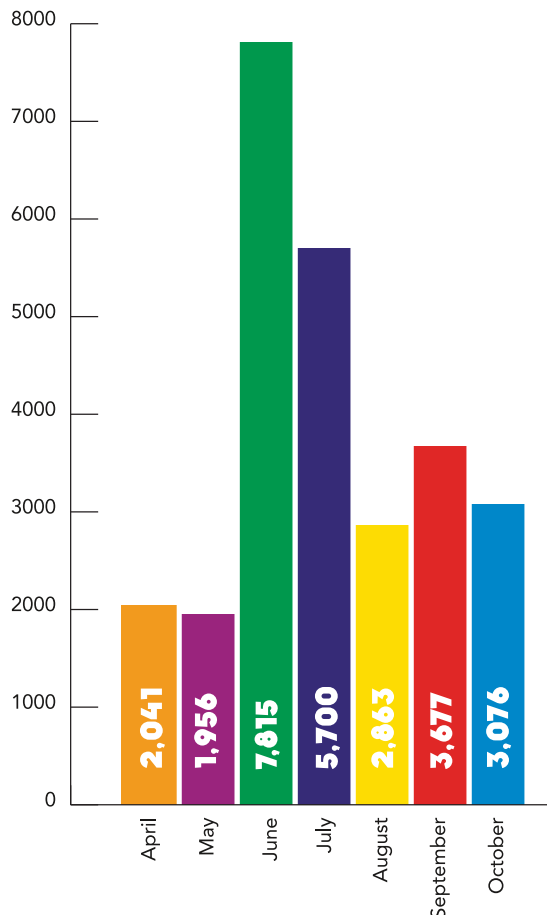
– Betty Hattori, Paper Crane Gallery



Pictured: Betty Hattori, Paper Crane Gallery

The DBA joined the Social Media ring this year. It became very apparent that traditional means of marketing and promotions was changing, and changing very quickly. If we wanted to reach all audiences we needed to embrace this new form of social media. It gave us an opportunity to connect with people who do not use traditional media and we were able to connect with a much larger audience.

FACEBOOK POST ACTIVITY:



While we still used some traditional forms of advertising and promotions, such as radio, newspapers, posters and press releases we made the switch to using social media as an additional tool. You can now connect with us on Facebook or follow us on Twitter.

We have also noticed an increase in the number of downtown businesses using our social media outlets to promote their businesses and events, a trend that we hope to see grow in the future.

The "Little Gaetz Grows Up" advertising campaign that surrounded the construction this summer relied heavily upon the use of social media. Numerous Tweets and Facebook updates centered around the businesses on Little Gaetz Avenue, as a way to advertise that the downtown and its businesses were still open during construction. One store noted getting a major sale of well over \$500 value, from a customer in Edmonton who had seen her product on our Facebook page and drove to Red Deer specifically to get it.

The website has been a great success. We have taken great care in including thorough descriptions of events and activities happening downtown. We hope to continue engaging businesses in the downtown to provide content. Traffic to our website has nearly tripled since March 2011.

The E-News is distributed bi-weekly, and we include a variety of downtown events, news and any information that is beneficial to our downtown businesses. All E-News articles have a clickable link that leads the reader to our website, the E-News currently gets sent to 557 businesses.

The Downtown Business Association will continue to look for opportunities to enhance communications with downtown business and the community.

MARKETSTH FESTIVALS

At the Red Deer Downtown Business Association, we are continuously striving to fulfill our vision of a complete and sustainable Downtown neighbourhood brimming with entrepreneurship and cultural vitality. A thriving neighbourhood alive with culture and entertainment, unique shops and eateries.

Event facilitation plays a significant role in our ongoing efforts to achieve this vision for Downtown, as events not only draw people to the Downtown neighbourhood, but also to the many unique, local businesses that are located here. Essentially, events are the lifeblood of our neighbourhood and an expression of the diversity and cultural vitality of the Downtown community.

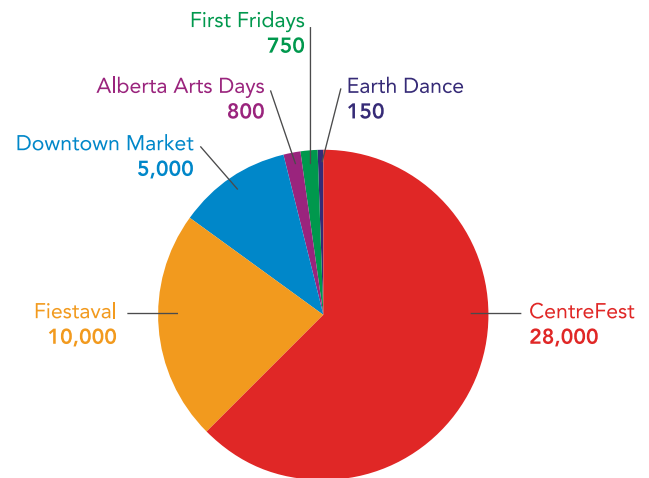
We have just completed our second year of the 'Downtown Market', the market runs the first Wednesday in June till the first Wednesday in October and is located at the old Arlington Inn sight. The numbers of attendees grew and vendors were very pleased with the response from the community. From their farm to your table - less than a 100 miles.

The DBA takes an active role in CentreFest, downtown's largest festival. The attendance was the largest it has ever been and planning is underway for the tenth anniversary in 2012.

The response to Fiestaval was over whelming! Attendance grew for this free multicultural event promoting an opportunity to experience Latin American arts, rhythms, and flavours. If you haven't taken it in – join us next year!

The DBA has also provided varying levels of support to other downtown events such as Earth Dance, Alberta Art Days, First Fridays and the Biggest Tree Festival & Parade.

2011 ATTENDANCE:



Pictured: Mike, Steel Pony Farm

"Selling veggies at the downtown farmer's market this summer was an awesome experience. It is a farmer's market in the true sense, where the people growing the veggies, making the jams, and caring for the livestock are right there to talk with eaters. It's about food and commerce, but looking back, what has really stuck with me are the connections that I made. I connected with new friends, I connected with a healthy diet and lifestyle, and I connected to a vibrant and sustainable local economy."

– **Mike Kozlowski**, Steel Pony Farm

SPACES PLACES



A downtown is the sum of many parts but those parts are often hard to define. You know when a downtown has got it right but you can't always say why. Downtowns serve as our community living rooms. They are the stage in which we gather, socialize, connect and visit. Downtown Red Deer is evolving to include a number of wonderful stages for meeting and gathering.

In September, Veterans' Park officially opened bringing a wonderful gathering and event space to the downtown while providing a more significant pedestrian experience on Ross Street. Used this summer for the launch of Fiestaval, this community gathering space will continue to serve as a people magnet for both formal and informal gatherings in the downtown.

Rooted in historical significance, three blocks of Gaetz Avenue received a major revitalization to honour that history but reinvigorate the street to provide more pedestrian space allowing individuals to more easily interact with businesses at a street level. Gaetz Avenue now has the

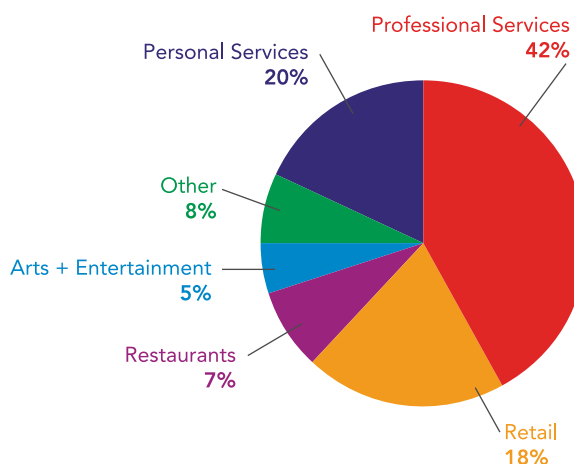
opportunity to be a hub of activity creating a whole new vitality in the downtown while introducing residents to new services and retail in the downtown.

During the construction, several businesses on the Avenue as well as in other parts of the downtown benefited from the Storefront and Façade program revitalizing the curb appeal of their building. This investment quickly pays for itself. In fact, 70 per cent of visitor sales at restaurants, retail shops and lodging facilities occur because merchants have created a beautiful, welcoming entry with attractive signage and window displays.

Attractive businesses in the downtown are only part of a successful formula for any downtown. An essential ingredient in any downtown is people. People drive commerce and create life on the street. In September, both the Donald School of Business and Central Alberta Theatre opened their doors in the downtown. Both organizations provide potential for new foot traffic in the downtown both during the day and into the evening. The decision to locate these two facilities in the downtown says a great deal about where the downtown is today and the direction it is moving.

The investment in public spaces is an integral piece in the revitalization of downtown. These spaces are more than just concrete and plants. These spaces will serve as gathering and meeting places for our community. They will draw people out of office buildings, encourage people to get out of their cars and provide opportunity for more significant programming in the downtown. These spaces will be the heartbeat of our downtown.

DOWNTOWN BUSINESS PERCENTAGE:



SHOPS

Shopping in a dynamic downtown is an experience that everyone loves. This desire for downtown shopping is increasing year on year as consumers look for specialized shopping experiences and retailers provide more 'out of the box' opportunities including products and services not found in big box centres. In a world where these generic big box retail strips pop up looking the same in every community, consumers seek out locations where shopping can be a unique and individual experience. Mixed use buildings with retail on the main floor and residential living above are essential in this formula providing residents with options for urban neighbourhood living where walking to all their needs is a reality.

Encouraging people to leave their office, their homes or their cars to see what is in the downtown is often a challenge. At the end of the long day many get in their cars or on the bus and head home leaving the downtown shop-portunities behind. Investing in public spaces and events will help draw people down to the street level and to the many things to discover. Many interesting shops line the streets of downtown Red Deer making it perfect for outdoor strolling. On one block you can stumble upon speciality gifts in shops like Paper Crane or Country Cupboard (bet you don't leave empty handed) both located on Gaetz Avenue. Just one block over you will find Housewarmings on Ross Street where any item will warm any house. But if it is your garden or kitchen that needs that unique touch, Sunworks is a must visit.

This year Hudson Madison joined the downtown and some say downtown went 'uptown' with their arrival. Hudson Madison is emerging as one of western Canada's premier interior decorating and design experts carrying exclusive hand-crafted and hand-finished product lines. With new items displayed daily, it is easy to get lost in the sheer beauty of the store. We welcome their arrival as well as the arrival of Art and Bean, a shop focused on fair trade merchandise, and the new owners of Bistro on Gaetz.

With your house sorted, take time for yourself and pick up a few wardrobe pieces at the many independent fashion shops in the downtown. For ladies wear visit Talk of the Town on Ross, Euro-Mode on 49th Street, or Jag Wear on Gaetz.



Pictured: Hudson Madison

Rounding out your shopping experience is Rob Rae's who carries both men and women's fashion.

Urban fashion is starting to find its niche in downtown Red Deer and shops like Alta Boutique on Ross, Dirt Bags on 48th Street and Muse on 48th Street all carrying new, chic and modern brands.

No outfit is complete without the perfect accessory – shoes. Visit Great Strides and ...comforts the sole both located on Gaetz Avenue for the perfect pair of shoes to compliment, or outshine, any outfit you put on.

Complementing the shopping scene, downtown offers local cultural venues – plays, musical performances and gallery showings. First Fridays continue to thrive and performances at the Scott Block, CAT Theatre and many art galleries in the downtown are growing and establishing a strong reputation as the social events to attend in Red Deer. If that wasn't enough, downtown continues to have a varied choice of dining choices, pubs, clubs and lounges.

With all there is to offer in downtown Red Deer, don't find yourself missing out.

"The Downtown Business Association has been a catalyst for many initiatives that make downtown a more welcoming and vibrant place for residents and visitors alike. Our shop is proud to make downtown our home, and we thank the DBA for generating a real sense of community in our area."

– **Catherine Robb**, housewarmings



Pictured: Sandy, Clean Team

The Clean Team is a dedicated team who work tirelessly within the BRZ boundaries to keep the streets, sidewalks, downtown ghosts and common areas clean. They also do garbage removal, poster removal, pressure washing of street furniture and much more. The members of the clean team are also ambassadors for the downtown, offering directions, dining and shopping suggestions, parking assistance and they are an extra set of eyes and ears on the street.

Sandy and her co-worker Shannon go the extra mile to make sure that Downtown Red Deer is clean, fresh and comfortable for the residents who live and work here. Next time you see them give them a wave!

"Thank you to Sandy for doing such a terrific job in keeping our downtown clean. It is a comfort to see Sandy and her truck with the little flashing yellow light. She is familiar to a lot of downtown workers. I appreciate what she does, it can't be easy."

– **Wanda Ingoldsby**, RBC -
Royal Bank of Canada

AVERAGES PER YEAR:

7956	Garbage cans emptied
1760	Garbage removal in Parks (<i>summer months</i>)
1404	Recycle cans emptied
1300	Garbage removed from planters
780	Pieces of street furniture pressured washed
416	Directions or assistance given
286	Response to parking issues
208	Removal of flyers + posters
176	Removal of construction garbage
60	Pick up of abandoned bicycles
48	Removal of dead birds or animals
15	Removal of abandoned appliances/furniture
16	Delivery of found personal effects to RCMP
12	Response to needle exchange program
2	First responder for medical issues

FACT:

The clean team picks up enough garbage in a year to fill the Collicutt Centre wave pool approximately 2.5 times.



2011 BOARD + STAFF

2011 BOARD:

Al Gamble - Chair, Executive Place

Jennifer Powell - Vice Chair, Alberta Employment + Immigration

Mark Poty - Treasurer, Venture Tax & Accounting

Bill Graham - Executive, RIFCO

Lorna Watkinson Zimmer - Executive, ...comforts the sole

Katherine Bouchard - Crop Hair Boutique

Bryan Balderson - Diversified Staffing Services Ltd.

Davin Kemshead - Advantage Commercial

Terry Krause - Alberta Tourism Parks & Recreation

Brian Olstad - Redpoint Design

Chris Stephan - City of Red Deer Council

Charity Dyke - Greater Downtown Coordinator

2011 STAFF:

Graham Barclay, Executive Director
graham@downtownreddeer.com

Janice Shimek, Promotions Director
janice@downtownreddeer.com

Randy Butler, Communications & Events
randy@downtownreddeer.com

Sandy Dempsey, Clean Team Leader

Shannon Playne, Clean Team

www.downtownreddeer.com

Twitter: @downtownreddeer

Facebook: fb.com/downtownreddeer



Pictured: Veterans' Park

2011 ANNU JALRI EVIEW



LEGISLATIVE & GOVERNANCE SERVICES

January 11, 2012

Mr. Graham Barclay
Executive Director
Red Deer Downtown Business Association
111A, 4818 Gaetz Avenue
Red Deer, AB T4N 4A3

**Re: Council Decision – January 9, 2012
Downtown Business Association 2012 Budget**

Dear Mr. Barclay:

Thank you for your presentation at the Monday, January 9, 2012 regular meeting of Red Deer City Council. The following resolution was passed:

Resolved that Council of The City of Red Deer having considered the report from the Legislative & Governance Services Department, dated January 3, 2012, Re: Downtown Business Association's 2012 Budget hereby approves the Downtown Business Association's 2012 Budget as presented to Council on January 9, 2012.

If you have any questions regarding this matter, please contact Joanne Parkin, Revenue & Assessment Manager directly at 403.342.8126.

Yours sincerely,

Elaine Vincent
Manager

c: Joanne Parkin, Revenue & Assessment Manager

DATE: January 11, 2012

TO: Brian Lutz, City Assessor, Revenue & Assessment
George Lipka, Property Assessor, Revenue & Assessment

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Downtown Business Association 2012 Budget

Reference Reports:

Legislative & Governance Services Manager, dated January 3, 2012.

Resolutions:

The following resolution was passed during the Regular Council meeting held on Monday, January 9, 2012:

Resolved that Council of The City of Red Deer having considered the report from the Legislative & Governance Services Department, dated January 3, 2012, Re: Downtown Business Association's 2012 Budget, hereby approves the Downtown Business Association's 2012 Budget as presented to Council on January 9, 2012.

Report back to Council: No

Comments/Further Action:



Elaine Vincent
Legislative & Governance Services Manager

c: Director of Corporate Services
Revenue & Assessment Manager

Christine Kenzie

From: Christine Kenzie
Sent: January 05, 2012 3:03 PM
To: Mayor and Councillors
Cc: Corporate Leadership Team
Subject: Letter Received regarding Downtown Business Association

Attachments: Letter Re DBA from Gary Wanless.pdf



Letter Re DBA from
Gary Wanless...

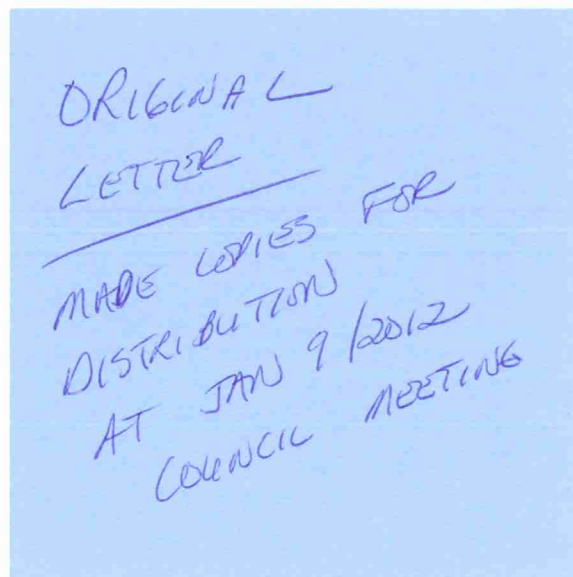
The attached letter was received at LGS this afternoon via fax. The DBA 2012 Budget is to be considered for approval by Council at the January 9, 2012 Council Meeting. The January 9, 2012 Council Agendas have already been printed. This letter will be handed out at the Monday, January 12, 2012 Council Meeting for your review.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca



BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

December 27, 2011

VIA FAX: (403) 346-6195

Red Deer City Counsel
4914 - 48 Avenue, Box 5008
Red Deer, AB T4N 3T4

Attention: Legislative & Administrative Services Manager

Dear Sir/Madame:

RE: Downtown Business Association

The Downtown Business Association has requested comments with respect to correspondence dated December 7, 2011 and in particular a budget of 2012.

I am a member of a law firm and have practiced downtown at this firm since 1985; however, I have been downtown since 1980.

The increase in budget with respect to image and awareness of some 30% is unacceptable. Furthermore, it is a waste of money.

There are many issues with respect to the downtown. Perhaps we can start with meeting the members of the Downtown Business Association on a face to face basis. Over the 30 years I have never met a person from the Downtown Business Association nor never been approached with respect to what can be done with respect to the downtown. Clearly getting to know the members and their ideas will not solve things overnight, but it is a start. Has the association approached banks? Has it approached professionals? Has it approached the arts community? Has it approached the bar owners? Probably not.

Something needs to be done. Image comes from "Reality". Right now, that reality is drunks and the bar crowd at night, hookers in doorways and "sleepers" in the bank machine areas.

Yours truly,



Per: **GARY W. WANLESS**
GWW/cr

300, 4808 Ross Street Red Deer, Alberta T4N 1X5

Telephone: (403) 346-6603

Fax: (403) 340-1280

Email: info@chapmanricbeck.com





BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Legislative & Administrative Services

DATE: January 4, 2011²
TO: City Council
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Downtown Business Association's 2011 Budget

History:

In 1984 Council received a request from businesses located in the downtown area to establish a Business Revitalization Zone (BRZ) in accordance with the Municipal Government Act. Based on this and input from the downtown businesses, Council agreed to establish this zone. The Downtown Business Association's Board of Directors is responsible for the management of this zone, including preparation and administration of its budget.

Although this Board operates autonomously from The City of Red Deer, we are linked in the following ways:

1. Council appoints the members of the Board.
2. The BRZ budget is approved by Council.
3. Any changes to the BRZ Bylaw, including its boundaries, must be approved by Council.
4. The City completes the business assessment, invoices and collects the BRZ Tax for the Board. These invoices are sent out in February of each year to every person assessed for business purposes in the BRZ. The due date for payment is always March 31st.

Public Consultation Process:

In early December 2010¹ the Legislative and Governance Services department received the Downtown Business Association's Budget for 2011². In accordance with Council's previous resolution, individual notices were mailed to every person assessed for business purposes within this zone, stating that on January 10, 2011 at 6:00 p.m. Council will consider written or verbal presentations concerning the budget and consider approval of the budget following any presentations.

...2/

Financial Implications:

The report and budget from the Downtown Business Association outlines the financial implications of approving this budget. If approval of this budget is received, an amendment to the BRZ Tax Bylaw would come forward to Council at a future meeting.

Recommendation:

That following any presentations, Council consider the approval of the ²⁰¹²~~2011~~ BRZ Budget.

A handwritten signature in black ink, appearing to read "Elaine Vincent". The signature is fluid and cursive, with a large loop at the end.

Elaine Vincent
Manager

December 7, 2011

CENTURY 21 ADVANTAGE COMMERCIAL
905 - 4747 67 ST
RED DEER AB T4N 6H3

Dear Sir/Madam:

**Re: Downtown Business Association – 2012 Budget
Request for Your Comments**

History

In 1984 businesses in the downtown formed a Business Revitalization Zone (BRZ) with a mission statement to guide the progress of Red Deer's central business district to provide a healthy atmosphere of business development and social and cultural improvements.

There are approximately 500 businesses located within this zone whose boundaries are shown on the attached map. The BRZ is governed by the Downtown Business Association Board of Directors who manage within the regulations set by Provincial legislation and empowered by Municipal law.

2012 BRZ Budget

To comply with Provincial legislation, each year the Downtown Business Association (DBA) must present a budget for the BRZ to City Council for approval. This budget, if approved, will be used as the basis for the BRZ tax that members pay. Before Council considers this budget we want to give you, as a member of the Association, an opportunity to provide Council with your comments about this budget. The 2012 Downtown Business Association budget and the Downtown Business Association's 2011 Report are attached for your review.

Comments can be communicated to Council by:

1. Sending a letter to: Red Deer City Council
c/o Legislative & Administrative Services Manager
Box 5008, Red Deer, AB T4N 3T4
Deadline: **Tuesday, January 3, 2012**
2. Emailing Council at: legislativeservices@reddeer.ca

DM. 1173335
— MERGED LETTERS.
— DBA MAIL OUT.

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

3. Attending and speaking at the Council Meeting scheduled for **Monday, January 9, 2012** at 6:00 p.m. in Council Chambers, 2nd floor, City Hall (access through west, Park side, City Hall doors). Letters may also be submitted at the Council Meeting.

Comments submitted will be placed on the open agenda of Council and will be available to the public.

For additional information, or should you have questions, please contact:

Regarding the Budget:

- Downtown Business Association at (403) 340-8696 or email at info@downtownreddeer.com

Regarding the Council Meeting:

- Legislative & Administrative Services Manager at (403) 342-8132 or email at legislativeservices@reddeer.ca

Sincerely,



Elaine Vincent
Legislative & Administrative Services Manager
/attach.

c Director of Corporate Services
City Assessor
Controller-Property Taxation

Christine Kenzie

From: Graham [graham@downtownreddeer.com]

Sent: January 03, 2012 12:22 PM

To: Christine Kenzie

Subject: RE: January 9th council meeting

Already done and awaiting his response.

Thanks,
Graham

From: Christine Kenzie [mailto:Christine.Kenzie@reddeer.ca]

Sent: January-03-12 11:41 AM

To: 'Graham'

Subject: FW: January 9th council meeting

Graham, to confirm our telephone conversation this morning --- you were going to respond to the email below from Mr. Sundby.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Legislative Services

Sent: January 03, 2012 10:25 AM

To: Christine Kenzie

Subject: FW: January 9th council meeting

This was in the LGS email-box.

Alison Relkov | Client Services Support

Legislative & Governance Services | The City of Red Deer

P 403.342.8262 | F 403.346.6195

alison.relkov@reddeer.ca

From: Dustin Sundby [mailto:Dustin.Sundby@mnp.ca]

Sent: January 2, 2012 10:18 AM

To: graham@downtownreddeer.com

Cc: Legislative Services

Subject: January 9th council meeting

Hi Graham,

2012/01/03

It has been a while since we last spoke - congratulations on your new position! Graham, I just wanted to confirm is the meeting on 9th going to more of a formal budget proposal and then acceptance or will you also be giving an overview of the 2012 operational plan? I wasn't able to make the AGM and thought attending the Council meeting would be informative in regards to the DBA. I appreciated the 2011 annual report that was sent at the beginning of December.

Best regards,

Dustin Sundby, MPAcc, CA

REGIONAL MANAGING PARTNER - CENTRAL ALBERTA

DIRECT 403.356.1258

FAX 403.341.5599

TOLL FREE 1.877.500.0779

4922 - 53 St.

Red Deer, AB T4N 2E9

mnp.ca



Member of Praxity, AISDL
Global Alliance of Independent Firms



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Christine Kenzie

From: Legislative Services
Sent: January 03, 2012 10:25 AM
To: Christine Kenzie
Subject: FW: January 9th council meeting
This was in the LGS email-box.

Alison Relkov | Client Services Support
Legislative & Governance Services | The City of Red Deer
P 403.342.8262 | F 403.346.6195
alison.relkov@reddeer.ca

From: Dustin Sundby [mailto:Dustin.Sundby@mnp.ca]
Sent: January 2, 2012 10:18 AM
To: graham@downtownreddeer.com
Cc: Legislative Services
Subject: January 9th council meeting

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2012/01/03

December 7, 2011

Dear Sir/Madam:

**Re: Downtown Business Association – 2012 Budget
Request for Your Comments**

History

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There are approximately 500 businesses located within this zone whose boundaries are shown on the attached map. The BRZ is governed by the Downtown Business Association Board of Directors who manage within the regulations set by Provincial legislation and empowered by Municipal law.

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Comments can be communicated to Council by:

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c/o Legislative & Administrative Services Manager
Box 5008, Red Deer, AB T4N 3T4
Deadline: **Tuesday, January 3, 2012**
2. Emailing Council at: legislativeservices@reddeer.ca

3. Attending and speaking at the Council Meeting scheduled for **Monday, January 9, 2012** at 6:00 p.m. in Council Chambers, 2nd floor, City Hall (access through west, Park side, City Hall doors). Letters may also be submitted at the Council Meeting.

Comments submitted will be placed on the open agenda of Council and will be available to the public.

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Regarding the Budget:

- Downtown Business Association at (403) 340-8696 or email at info@downtownreddeer.com

Regarding the Council Meeting:

- Legislative & Administrative Services Manager at (403) 342-8132 or email at legislativeservices@reddeer.ca

Sincerely,



Elaine Vincent
Legislative & Administrative Services Manager
/attach.

c Director of Corporate Services
 City Assessor
 Tax Collector

Christine Kenzie

From: Patti Murray
Sent: December 06, 2011 3:10 PM
To: Christine Kenzie
Subject: RE: labels for BRZ

Used the avery 5160

Patti Murray
City of Red Deer
Revenue & Assessment Services
403-342-8198 Fax #: 403-342-8199

From: Christine Kenzie
Sent: December 06, 2011 3:09 PM
To: Patti Murray
Subject: RE: labels for BRZ

Let me know which labels you used and I will send you replacements.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Patti Murray
Sent: December 06, 2011 2:50 PM
To: Christine Kenzie
Subject: labels for BRZ

Used 18 sheets for the BRZ labels.

Patti Murray
City of Red Deer
Revenue & Assessment Services
403-342-8198 Fax #: 403-342-8199

Christine Kenzie

From: Patti Murray
Sent: December 06, 2011 11:04 AM
To: John Knoch; Brian Lutz; Deb Stott; Elaine Vincent
Cc: Christine Kenzie
Subject: 2012 BRZ annual letters

490 – 2012 BRZ Annual letters have been sent to the Print room for printing and mailing out Dec 7, 2011.

DM # 1173335 contains copies of the merged letters.

Patti Murray

City of Red Deer

Revenue & Assessment Services

403-342-8198 Fax #: 403-342-8199

Christine Kenzie

From: Patti Murray
Sent: November 04, 2011 4:02 PM
To: Christine Kenzie
Subject: RE: BRZ Mailout

Once George has the BRZ system all updated we can do the letters.

I've put on my calendar Nov 30th, so anytime from that day on I can do the merge. (no meetings or timesheets that week)

Patti Murray

City of Red Deer

Revenue & Assessment Services

403-342-8198 Fax #: 403-342-8199

From: Christine Kenzie
Sent: November 04, 2011 3:53 PM
To: Patti Murray
Subject: RE: BRZ Mailout

In last year's letter we said "approximately 500" businesses were located in the DBA. Looks like we can still use that number. I would like the letters to go out the week of December 5th --- and it will depend on when I can get the packages from the DBA.

What is your schedule like --- when can you do the merge? I can get the letter to you, dated December 5th -- and you can do the merge. I talked to Lise in the print room and she is aware that this will be coming.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Patti Murray
Sent: November 04, 2011 3:38 PM
To: Christine Kenzie
Subject: RE: BRZ Mailout

George is away on vacation until Nov 23.

I just checked the BRZ system and it's showing 492 businesses. This figure might change slightly when George returns (business closed or opened). I have scheduled to do the BRZ letters in early Dec. Did you want them mailed out Dec 5th? If so, that means the letters must be printed and ready for the DBA inserts by Nov 30, Dec 1st, and the mail room needs to be notified.

Patti Murray

City of Red Deer

Revenue & Assessment Services

403-342-8198 Fax #: 403-342-8199

From: Christine Kenzie

Sent: November 04, 2011 3:33 PM

To: George Lipka

Cc: Patti Murray

Subject: BRZ Mailout

It's getting close to that time of year again -- for the DBA's BRZ Budget mailout and annual report.

Will / do you have the # of businesses that we can insert into the letter?

We also have asked Patti to do the merging of the letters for us - I'm hoping she can help us out again this year.

Will aim to have the letter and package ready to go by December 5th --- I spoke to Janice at the DBA and she thinks they should have the budget and annual report ready for then.

Let me know where you are at with this.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

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Thanks.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca



January 3, 2012

Secondary Suite Licensing Bylaw 3475/2011

Legislative & Governance Services Department

Report Summary & Recommendation:

Secondary Suite Licensing Bylaw 3475/2011 is being brought back for Council's consideration of second and third readings. Administration has proposed some amendments to Secondary Suite Licensing Bylaw 3475/2011 for Council's consideration prior to giving second and third readings of the bylaw. Prior to consideration of second and third readings a public meeting will be held allowing interested citizens to speak to the proposed licensing bylaw.

City Manager Comments:

I recommend proceeding with giving second and third readings to the amended Secondary Suite Licensing Bylaw 3475/2011 and maintaining the licensing fee at \$165.00 which is consistent with other similar fees such as Home Occupation and Bed and Breakfasts. With respect to the overall licensing of secondary suites, this bylaw was strongly recommended by the Secondary Suites Ad Hoc Review Committee following community input. The licensing provides a mechanism for maintaining on-going safety and monitoring non-compliance for secondary suites. The objections received generally reflect a concern with having to pay an additional fee, however the fee appears to be reasonable.

Craig Curtis
City Manager

Proposed Resolution

That Council pass a resolution to amend Secondary Suite Licensing Bylaw 3475/2011 prior to consideration of second and third readings of the bylaw.



Report Details

Background:

At the Monday, November 28, 2011 Council Meeting, Council gave first reading to Secondary Suite Licensing Bylaw 3475/2011.

Secondary Suite Licensing Bylaw 3475/2011 provides for the licensing of secondary suites within The City of Red Deer and is to come into effect on March 1, 2012 allowing compliance with the bylaw no later than June 1, 2012.

Discussion:

Administration has provided a report, attached, regarding a review of licensing fees and the consideration of alternative options for a license fee. A copy of the report that was submitted to Council at the November 28, 2011 Council Meeting is also attached.

Administration is also proposing amendments to Secondary Suite Licensing Bylaw 3475/2011 which include removing Section 14 and 38 to align with The City's approach to these matters in other bylaws. Sections 32 and 33 are proposed to be amended to ensure consistency with the appeal provisions in the Committees Bylaw. A strike-out version of Secondary Suite Licensing Bylaw 3475/2011 is attached showing the proposed changes.

It is recommended that Council pass a resolution to amend Secondary Suite Licensing Bylaw 3475/2011, as indicated above, prior to consideration of second and third readings.



December 16, 2011

Secondary Suite License Bylaw

Inspections and Licensing

Report Summary & Recommendation:

Inspections & Licensing recommends that City Council support **Option #3** to charge the \$165.00 per year for business license fees for a secondary suite. This fee would ensure that administrative costs are covered as well all secondary suite owners would pay the same fee. This one fee for all would make it simplistic for administration to determine at the time of renewal. This fee is the fee that was supported by the Secondary Suite Ad Hoc Committee as well as the Municipal Planning Commission

City Manager Comments:

I recommend proceeding with giving second and third readings to the amended Secondary Suite Licensing Bylaw 3475/2011 and maintaining the licensing fee at \$165.00 which is consistent with other similar fees such as Home Occupation and Bed and Breakfasts. With respect to the overall licensing of secondary suites, this bylaw was strongly recommended by the Secondary Suites Ad Hoc Review Committee following community input. The licensing provides a mechanism for maintaining on-going safety and monitoring non-compliance for secondary suites. The objections received generally reflect a concern with having to pay an additional fee, however the fee appears to be reasonable.

Craig Curtis
City Manager

Proposed Resolution

That Council pass a resolution to amend Secondary Suite Licensing Bylaw 3475/2011 prior to consideration of second and third readings of the bylaw.



Report Details

Background:

On November 28, 2011, Inspections & Licensing presented a Secondary Suite License Bylaw to City Council. Upon review and consideration of the bylaw Council gave the bylaw 1st reading. Council has requested that administration review licensing fees and consider alternative options for a license fee.

The annual fee that has been proposed in the Secondary Suite Licensing Bylaw is \$165.00

Notification

In early December an information letter was mailed to over 600 secondary suite owners:

These are owners whose:

suites were approved over the past two years

suites that have not been considered at this time (waiting in the cue)

suites that are legal non-conforming

suites that were permitted under previous NASPs

It was noted by administration when compiling the information for theses letter that the owner information reflected numerous changes in registered owners since the development permit process.

Discussion:

In reviewing fees under the current License Bylaw #3159/96, there is a schedule of fees that are charged for various types of licenses some of which are:

Resident	\$55.00
Non-Resident	\$330.00
Home-Occupation	\$165.00
Vendors	\$110.00
Bed & Breakfast	\$165.00

The following definitions are provided for clarity

"Resident" means a person, firm or corporation that:

- (a) is located or resides within the boundaries of the City, or
- (b) provides the space and services including office area and telephone from premises that are listed on the business tax roll, or
- (c) has an occupancy permit issued under the Land Use Bylaw; and
- (d) satisfies the Manager that he intends to carry on business within



the City for not less than six months;

"Non-resident" means a person who does not reside in the City, provided that if such person pays to the City a business tax in respect of a business, he shall be deemed for the purpose of that business to be a resident;

"Home Occupation" means the conduct of a business from a residential site but does not include a bed and breakfast.

What are Licensing Fees?

Licensing fees are fees charged to persons who carry on business or business activities in the City of Red Deer. These fees are set to cover the cost of tracking registered ownership, covering the administration cost for the application process, collection of any further required information that may be required and the annual renewal process. The receipt of the business license by the owner confirms that the relevant steps to the application process have been completed.

\$165.00 fee Proposed in the Bylaw

In June 7, 2011 a report was taken to Council for consideration of licensing of secondary suites which discussed what the purpose and implementation of a License Bylaw would entail. Within this report it was suggested by administration that the license fee be set at approximately \$100.00 per year for all secondary suites. Council at that time had suggested that the fee be set similar to a home occupation business license which is currently \$165.00 in the Business License Bylaw. The proposed bylaw has been reviewed by the Secondary Suite Ad Hoc Committee as well as the Municipal Planning Commission, who supported the \$165.00 license fee.

Analysis:

Options for council to consider

Option #1

Consider that all secondary suites owners are **"residents"** and charge \$55.00 per year for a business license for a secondary suite.

Consideration: Inspections & Licensing have a funding request in the 2012 operating budget for \$80,000.00 for increased revenue which will be affected by this option.



Option #2

Charge \$55.00 per year for a “**resident**” business license for a secondary suite where the owner lives in Red Deer

Charge \$330.00 per year for a “**non-resident**” business license for a secondary suite where the owner does not live in the City of Red Deer.

Records indicate that approximately 12% of the owners of suites live outside of the City of Red Deer and many are managed by management/lease companies.

Consideration: Inspections & Licensing have a funding request in the 2012 operating budget for \$80,000.00 for increased revenue which will be affected by this option.

Option #3

Charge \$165.00 per year for a business license for a secondary suite.

Rationale: this fee is what is charged for a home occupation when a business is from a residential site. A secondary suite could be deemed a form of business.

BYLAW NO. 3475/2011

Copy of Secondary Suites Licensing Bylaw Showing Proposed Amendments (Strike-Out)
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Being a bylaw to provide for the licensing, regulating and governing of Secondary Suites in the City of Red Deer.

WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, (the “MGA”) as amended, authorizes council of a municipality to pass bylaws for municipal purposes respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) nuisances, including unsightly property;
- (c) businesses, business activities and persons engaged in business;

AND WHEREAS Section 8 of the MGA states that in a bylaw passed under Section 7 Council may deal with any development, activity or business in different ways, and may also provide for a system of licenses, permits and approvals;

AND WHEREAS Section 542 of the MGA provides that a Designated Officer of the municipality may enter private property on reasonable notice for the purpose of carrying out an inspection to determine whether or not a bylaw of the municipality is being complied with;

AND WHEREAS the City’s Land Use Bylaw authorizes the development of Secondary Suites in certain circumstances;

AND WHEREAS the Council of the City of Red Deer deems it desirable to license, regulate and govern Secondary Suites for the purposes of health and safety, nuisance control and the protection of property;

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the “Secondary Suite Licensing Bylaw”.

Purpose

2. The purpose of this bylaw is to provide for the licensing, regulating and governing of Secondary Suites in the City of Red Deer.

Definitions

3. The definitions of terms used in the City's Land Use Bylaw apply to the interpretation of this bylaw. In addition, the following words shall have the following meanings:

Additional Fee means a fee, in addition to the License Fee, imposed by the City on a License Holder at any time during the Term of the License for costs incurred by the City attributable to the use of the Secondary Suite;

Applicant means a Person applying for a new License or renewing a License under this bylaw;

Appeal Board means the Red Deer Appeal and Review Board appointed under the City's Committee Bylaw to hear appeals under this bylaw;

License means the certificate issued by the Inspections and Licensing Manager under this bylaw;

License Holder means an Owner who has applied for and received a valid License under this bylaw;

Occupant means a Person, other than an Owner, who resides in a Secondary Suite;

Occupancy Permit means the certificate duly issued by the City approving the occupancy of the Secondary Suite for which the License application has been made;

Owner includes all Persons shown by the records at Land Titles to be the Owner of the subject property and also includes a Property Manager;

Property Manager means a Person who:

- (a) manages or controls the Property; or
- (b) has control over the condition of a Secondary Suite or the activities carried on within the Secondary Suite;

Person includes an individual, a corporation and its directors and officers, or partnership, and their heirs, executors, assignees and administrators;

Property means the parcel of land on which a Secondary Suite is located.

Use

4. Unless the context requires otherwise, the verb "use" shall include "intend to use", "design to use", and "cause or permit to be used."

Inspections and Licensing Manager Authority

5. The powers and authority to issue, renew, refuse to issue, revoke or suspend a License or to impose terms and conditions on a License are hereby delegated to the Manager of Inspections and Licensing or his or her delegate.
6. Subject to the provisions of this bylaw, where the Applicant or License Holder meets all of the requirements of this bylaw, the Inspections and Licensing Manager may grant a License, or renewal, as the case may be, with or without conditions.

Requirement to be Licensed

7. An Owner shall not operate, maintain, rent, or offer for rent a Secondary Suite without first obtaining a License for the Secondary Suite under this bylaw.
8. Where a License has been issued under this bylaw for a Secondary Suite, no Person shall use, operate, maintain, rent, offer for rent or permit to be used, maintained, rented or offered for rent that Secondary Suite except in conformity with the terms and conditions of the License and the provisions of this bylaw.

Application for License

9. An Owner wishing to obtain a License for a Secondary Suite may apply to the Inspections and Licensing Manager by submitting an application in the form established by the City from time to time which shall include the following information:
 - (a) the name and address of the registered owner(s) as shown on the records in the Land Titles Office, and the telephone number of the registered owner(s);
 - (b) if the registered owner is a corporation, the name, address and telephone number of all officers, directors and shareholders;
 - (c) if the registered owner is a partnership, the name, address and telephone number of all individual members of the partnership;
 - (d) the name, address and telephone number of the Property Manager, if applicable;
 - (e) if the address of the Owner is not located within the City of Red Deer, the name of the Owner's agent who does reside in the City of Red Deer, and all contact information for the agent;
 - (f) the location of the Secondary Suite including municipal address and legal description;
 - (g) the number of bedrooms in the Secondary Suite; and

- (h) the number of parking stalls available for use by the Occupants.
10. An application for a License or for the renewal of a License shall be submitted with the following:
- (a) the Occupancy Permit number assigned to the Secondary Suite by the City, or if an Occupancy Permit has not been issued, the Occupancy Permit Application Number assigned to the Secondary Suite by the City; and
 - (b) the License Fee and any applicable Additional Fee.
11. Notwithstanding the foregoing, where the application is for a renewal only of a License, the information required in Section 8 and 9 need only be provided where it has changed from the prior year's application.
12. No Person shall knowingly give false information when applying for a License under this bylaw.

License Fee

13. The fee for a License or a renewal under this bylaw shall be \$165.00.
- ~~14. Where the License Fee is paid by cheque and the City agrees to accept such form of payment, and the Applicant's financial institution refuses to clear that cheque, any License issued hereunder will be revoked.~~
15. A portion of a License Fee paid as part of an application under this bylaw may be refunded, at the discretion of the Inspections and Licensing Manager, if the application is refused.

License Requirements

16. No License shall be issued or renewed unless:
- (a) the use of the Property is permitted in accordance with the City's Land Use Bylaw;
 - (b) the building on the Property complies with all applicable provincial and federal legislation and any codes or regulations thereunder;
 - (c) the building and the Property are in compliance with the City's Community Standards Bylaw.

Term of License

17. A License issued under this bylaw shall expire twelve months after the date on which it is issued.

Display and Format of License

18. Where a License is issued under this bylaw, the License shall be displayed in a prominent location inside the entrance to the Secondary Suite together with a list of any terms or conditions imposed on the License.
19. A License issued under this bylaw shall state the following:
 - (a) the name, address and telephone number of the registered owner or the Property Manager, or both;
 - (b) In the event that neither the registered owner nor a Property Manager resides or is located within the City of Red Deer, the name and contact information for the Owner's agent;
 - (c) the License number;
 - (d) the date of issue;
 - (e) the date of expiry; and
 - (f) the name of the License Holder.

License on Terms and Conditions

20. Notwithstanding any other provision of this bylaw, the Inspections and Licensing Manager may impose terms and conditions on any License issued or renewed as are reasonably necessary to give effect to this bylaw. Notwithstanding the generality of the foregoing, conditions may be imposed on the following grounds:
 - (a) to ensure the health, safety and welfare of any person;
 - (b) to protect people or property; or
 - (c) to control and abate nuisances.
21. Notwithstanding any other provisions of this bylaw, the Inspections and Licensing Manager may impose Additional Fees on a License Holder, by way of a Notice of Additional Fee, at any time during the term of the License, for costs incurred by the City attributable to the use or operation of the Secondary Suite.

22. The Notice of Additional Fee shall be sent to the License Holder by registered mail and shall provide the License Holder with sixty (60) days to pay the outstanding amount from the date of such Notice.

Owner's Agent

23. Where the address of the registered owner of the Property is not located within the City of Red Deer, and the Owner has not retained a Property Manager located in Red Deer, the Owner shall appoint a Person who resides within the City to serve as the Owner's agent. Such person shall for the purposes of this bylaw, be deemed to have full authority to act on behalf of the Owner in respect of the operation of the Secondary Suite, including authorizing request for entry.
24. If, at any time after the issuance of a License, the Owner or the Owner's agent, as the case may be, ceases to reside in the City of Red Deer, the Owner shall, within 7 days of such cessation, provide the City with written notice appointing another Person who is a resident of the City as their agent. Such notice shall include all contact information for the agent.

Inspections

25. Upon receipt of an application for a License or License renewal, a Designated Officer may enter upon the Property to be licensed to make an inspection to ensure that all provisions of this bylaw have been satisfied.
26. In accordance with section 542 of the MGA, the Designated Officer must provide reasonable notice to the registered owner or occupant of the premises prior to the inspection, and must produce, on request, identification showing that he or she is authorized to make the entry.
27. No Person shall obstruct or interfere with a Designated Officer who is carrying out a lawful inspection under this bylaw.

Refusal, Revocation or Suspension of License

28. No Person is entitled to the continuance of a License and, upon issuance, renewal, revocation or suspension, the License shall remain the property of the City.
29. An Applicant or License Holder whose application meets all the requirements of this bylaw is entitled to a License or renewal except where the Inspections and Licensing Manager has reasonable grounds to believe that:
 - (a) the Applicant has submitted false information in support of a License or License renewal;
 - (b) the Owner will not meet the requirements of this bylaw or any terms or conditions imposed on a License issued under this bylaw;

- (c) the issuance of the License or renewal would be contrary to the public interest;
 - (d) refusal, revocation or suspension is necessary for the protection of the health or safety of any Person.
30. The Inspections and Licensing Manager may suspend or revoke a License for non-compliance either with this bylaw or with a condition of the License, until the requirements of this bylaw or the condition of the License have been met, or until the Inspections and Licensing Manager is reasonably satisfied that appropriate measures have been taken to prevent a recurrence of the non-compliance.
31. A suspension or revocation of a License shall not take effect until:
- (a) the Inspections and Licensing Manager has given 7 days written notice of the proposed suspension or revocation to the License Holder by registered mail sent to the address indicated in the application and the License Holder has not filed an appeal; or
 - (b) on the date of the decision of the Appeal Board, unless the Appeal Board indicates otherwise.

Appeal

32. An Applicant or License Holder may appeal:
- (a) a condition of its License;
 - (b) the proposed suspension or revocation of its License; or
 - (c) a refusal to issue or renew a License
- by filing ~~with the City Clerk, within 7 days~~ **an appeal with the secretary of the Appeal and Review Board, within 14 days** of the date it receives notice of the condition, the proposed suspension or revocation or the refusal, **in accordance with the relevant procedures outlined in the City of Red Deer Committees Bylaw.** ~~a written appeal setting forth with reasonable particularity the matters complained of and the grounds upon which such appeal is being made.~~
33. The City Clerk shall convene a meeting of the Appeal Board to hear the appeal and on such appeal:
- (a) ~~unless the time is extended by a resolution of City Council, an appeal shall be heard and a decision rendered within 30 days of the date of the filing of an appeal;~~

- (b) the Appeal Board shall hear from the Applicant or the License Holder, their legal counsel, the Inspections and Licensing Manager, and any other party who the Appeal Board agrees to hear from;
- (c) the Appeal ~~Committee~~ **Board** may confirm, revoke or deny:
 - (i) a condition of the License; ~~(provided that condition is being appealed);~~
 - (ii) the period of the suspension or revocation of the License; or
 - (iii) the failure to issue or renew a License.

Offences

- 34. It is an offence to fail to comply with this bylaw or to breach any term or condition of a License granted hereunder.
- 35. A Person who is found guilty of an offence under this bylaw is liable on summary conviction to a fine of not more than \$1,000.00.
- 36. Where a Person has been convicted of an offence under this bylaw, and continues to operate a Secondary Suite without complying with this bylaw, that person is guilty of a continuing offence, and shall be liable to a penalty of \$100.00 for each day that the offence continues.

General

- 37. A License issued pursuant to this bylaw may not be transferred.
- ~~38. A copy of a record of the City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.~~
- 39. In any prosecution for an offence, where a question arises as to whether a Person had a valid and subsisting License, the burden is on that Person to establish that the License was valid and subsisting.

Severability

- 40. The invalidity of any provision of this bylaw shall not affect the validity of the remainder.

Transitional

- 40. This bylaw shall take effect March 1, 2012. All Secondary Suites must be in compliance with the terms and provisions of this bylaw by no later than June 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL this 28th day of November 2011.
READ A SECOND TIME IN OPEN COUNCIL this day of 2012.
READ A THIRD TIME IN OPEN COUNCIL this day of 2012.
AND SIGNED BY THE MAYOR AND CLERK this day of 2012.

MAYOR

CITY CLERK



Report Originally Presented to
the Monday, November 28,
2011 Council Meeting

November 15, 2011

Secondary Suite Licensing Bylaw

Inspections and Licensing

Report Summary & Recommendation:

The secondary suite permitting process within the Land Use Bylaw has been ongoing now since December 14, 2009. Prior to the bylaw being approved by Council, the process had allowed for community input with open houses, web surveys, brochures and local paper advertisement for bylaw amendments. Over 450 secondary suites have been considered by the Development Authority and for each application the landowners within 60 metres of each site have been notified of the secondary suite use. To ensure that we keep a continuing open line of communication with the public and secondary suite owners, we would recommend that City Council support **Option 2** which would allow Administration time to notify secondary suite owners of the proposed bylaw and allow time for other members of the public to contact us.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing department dated November 15, 2011, Secondary Suite Licensing Bylaw, hereby agrees to lift from the table consideration of the above report.



Report Details

Background:

On June 27, 2011, Inspections & Licensing submitted a report to Council related to what a Secondary Suite License Bylaw could achieve. At this meeting City Council approved the following resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Inspections & Licensing Co-Managers dated June 7, 2011 re: Licensing of Secondary Suites hereby supports a Secondary Suite Licensing process in order to track and monitor active secondary suites and authorizes Administration to develop Secondary Suite Bylaw to be brought back for Council’s consideration prior to October 31, 2011”

At the Council meeting of October 17, 2011, this item was tabled until the Monday November 28, 2011 Council meeting.

Discussion:

Administration along with Legal Counsel has developed the Bylaw, which is attached with this report. Some key points of the proposed Secondary Suite Licensing Bylaw are:

- No person shall operate any secondary suite without a license
- A new licensee will be required on the sale of the property
- Licenses will be \$165.00 annually, similar to home occupation business licenses
- Detailed information that will be required when the application is made
- Conditions may be issued with the License
- Licenses are renewal 12 months from the date the license is issued
- Licenses can be refused or revoked allowing the owner to appeal to the City of Red Deer Appeal and Review Board.
- Additional fees for costs incurred by the City may be charged to the owner
- The bylaw will become effective March 1, allowing compliance with the bylaw no later than June 1, 2012

The proposed attached bylaw has been reviewed and supported by both the Secondary Suite Ad Hoc Committee at their meeting of November 8, and the Municipal Planning Commission at their meeting of November 9, 2011.

The proposed \$165 license fee will provide approximately \$80,000 additional revenue, which will be brought forward to Council during the 2012 Operating Budget process in the form of a Funding Adjustment Recommendation (FAR).



Administration offers two options for Councils consideration:

Option 1

Approve the bylaw and give 3 readings of the bylaw on November 28.

Option 2

Approve the bylaw and give 1st reading on November 28, 2011 and table the 2nd and 3rd reading for one month to allow the community to make comments on the proposed bylaw.



SECONDARY SUITE REGULATION AD HOC REVIEW COMMITTEE

Date: November 8, 2011
To: City Council
From: Ron Polutnik, Vice-Chair, Secondary Suite Regulation Ad Hoc Review Committee
Subject: Secondary Suites Licensing Bylaw– Council Resolution – December 14, 2010

At the November 8, 2011 Secondary Suite Regulation Ad Hoc Review Committee meeting, the Committee discussed a draft Bylaw to provide for the licensing, regulating and governing of secondary suites in the City of Red Deer. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Secondary Suite Regulation Ad Hoc Review Committee having reviewed and discussed the Secondary Suite Licensing Bylaw hereby refers the Bylaw as amended to Council.”

The above is submitted for Council’s consideration.

Respectfully submitted,

“Ron Polutnik”

Ron Polutnik
Vice-Chair, Secondary Suite Regulation Ad Hoc Review Committee

/li

- c. J. Boon, Inspections & Licensing Manager
T. Lindhout, Senior Planner



MUNICIPAL PLANNING COMMISSION

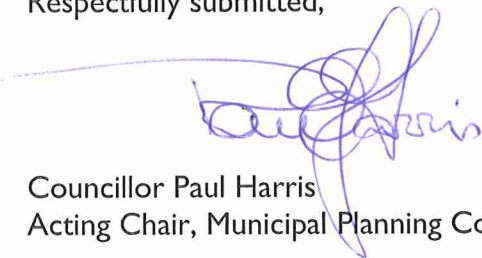
DATE: November 9, 2011
TO: City Council
FROM: Municipal Planning Commission
RE: Secondary Suites Licensing Bylaw

At the November 9, 2011 Municipal Planning Commission meeting, the Municipal Planning Commission discussed a draft Bylaw to provide for the licensing, regulating and governing of secondary suites in the City of Red Deer. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Municipal Planning Commission having reviewed and discussed the Secondary Suites Licensing Bylaw hereby accepts the Secondary Suites Licensing Bylaw and forwards the Secondary Suites Licensing Bylaw to Council for consideration.”

The above is submitted for Council’s consideration.

Respectfully submitted,



Councillor Paul Harris
Acting Chair, Municipal Planning Commission

/li

c: Joyce Boon, Inspections & Licensing Manager

BYLAW NO. 3475/2011

WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, (the “MGA”) as amended, authorizes Council of a municipality to pass bylaws for municipal purposes respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) nuisances, including unsightly property;
- (c) businesses, business activities and persons engaged in business;

AND WHEREAS Section 8 of the MGA states that in a bylaw passed under Section 7 Council may deal with any development, activity or business in different ways, and may also provide for a system of licenses, permits and approvals;

AND WHEREAS Section 542 of the MGA provides that a Designated Officer of the municipality may enter private property on reasonable notice for the purpose of carrying out an inspection to determine whether or not a bylaw of the municipality is being complied with;

AND WHEREAS The City’s Land Use Bylaw authorizes the development of Secondary Suites in certain circumstances;

AND WHEREAS the Council of The City of Red Deer deems it desirable to license, regulate and govern Secondary Suites for the purposes of health and safety, nuisance control and the protection of property;

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the “Secondary Suite Licensing Bylaw”.

Purpose

2. The purpose of this bylaw is to provide for the licensing, regulating and governing of Secondary Suites in The City of Red Deer.

Definitions

3. The definitions of terms used in The City’s Land Use Bylaw apply to the interpretation of this bylaw. In addition, the following words shall have the following meanings:

Additional Fee means a fee, in addition to the License Fee, imposed by The City on a License Holder at any time during the Term of the License for costs incurred by the City attributable to the use of the Secondary Suite;

Applicant means a Person applying for a new License or renewing a License under this bylaw;

Appeal Board means the Red Deer Appeal and Review Board appointed under The City's Committees Bylaw to hear appeals under this bylaw;

License means the certificate issued by the Inspections and Licensing Manager under this bylaw;

License Holder means an Owner who has applied for and received a valid License under this bylaw;

Occupant means a Person, other than an Owner, who resides in a Secondary Suite;

Occupancy Permit means the certificate duly issued by The City approving the occupancy of the Secondary Suite for which the License application has been made;

Owner includes all Persons shown by the records at Land Titles to be the Owner of the subject property and also includes a Property Manager;

Property Manager means a Person who:

- (a) manages or controls the Property; or
- (b) has control over the condition of a Secondary Suite or the activities carried on within the Secondary Suite;

Person includes an individual, a corporation and its directors and officers, or partnership, and their heirs, executors, assignees and administrators;

Property means the parcel of land on which a Secondary Suite is located.

Use

4. Unless the context requires otherwise, the verb "use" shall include "intend to use", "design to use", and "cause or permit to be used."

Inspections and Licensing Manager Authority

5. The powers and authority to issue, renew, refuse to issue, revoke or suspend a License or to impose terms and conditions on a License are hereby delegated to the Manager of Inspections and Licensing or his or her delegate.

6. Subject to the provisions of this bylaw, where the Applicant or License Holder meets all of the requirements of this bylaw, the Inspections and Licensing Manager may grant a License, or renewal, as the case may be, with or without conditions.

Requirement to be Licensed

7. An Owner shall not operate, maintain, rent, or offer for rent a Secondary Suite without first obtaining a License for the Secondary Suite under this bylaw.
8. Where a License has been issued under this bylaw for a Secondary Suite, no Person shall use, operate, maintain, rent, offer for rent or permit to be used, maintained, rented or offered for rent that Secondary Suite except in conformity with the terms and conditions of the License and the provisions of this bylaw.

Application for License

9. An Owner wishing to obtain a License for a Secondary Suite may apply to the Inspections and Licensing Manager by submitting an application in the form established by The City from time to time which shall include the following information:
 - (a) the name and address of the registered owner(s) as shown on the records in the Land Titles Office, and the telephone number of the registered owner(s);
 - (b) if the registered owner is a corporation, the name, address and telephone number of all officers, directors and shareholders;
 - (c) if the registered owner is a partnership, the name, address and telephone number of all individual members of the partnership;
 - (d) the name, address and telephone number of the Property Manager, if applicable;
 - (e) if the address of the Owner is not located within the city of Red Deer, the name of the Owner's agent who does reside in the city of Red Deer, and all contact information for the agent;
 - (f) the location of the Secondary Suite including municipal address and legal description;
 - (g) the number of bedrooms in the Secondary Suite; and
 - (h) the number of parking stalls available for use by the Occupants.

10. An application for a License or for the renewal of a License shall be submitted with the following:
 - (a) the Occupancy Permit number assigned to the Secondary Suite by The City, or if an Occupancy Permit has not been issued, the Occupancy Permit Application Number assigned to the Secondary Suite by The City; and
 - (b) the License Fee and any applicable Additional Fee.
11. Notwithstanding the foregoing, where the application is for a renewal only of a License, the information required in Section 8 and 9 need only be provided where it has changed from the prior year's application.
12. No Person shall knowingly give false information when applying for a License under this bylaw.

License Fee

13. The fee for a License or a renewal under this bylaw shall be \$165.00.
14. Where the License Fee is paid by cheque and the City agrees to accept such form of payment, and the Applicant's financial institution refuses to clear that cheque, any License issued hereunder will be revoked.
15. A portion of a License Fee paid as part of an application under this bylaw may be refunded, at the discretion of the Inspections and Licensing Manager, if the application is refused.

License Requirements

16. No License shall be issued or renewed unless:
 - (a) the use of the Property is permitted in accordance with The City's Land Use Bylaw;
 - (b) the building on the Property complies with all applicable provincial and federal legislation and any codes or regulations thereunder;
 - (c) the building and the Property are in compliance with The City's Community Standards Bylaw.

Term of License

17. A License issued under this bylaw shall expire twelve months after the date on which it is issued.

Display and Format of License

18. Where a License is issued under this bylaw, the License shall be displayed in a prominent location inside the entrance to the Secondary Suite together with a list of any terms or conditions imposed on the License.
19. A License issued under this bylaw shall state the following:
 - (a) the name, address and telephone number of the registered owner or the Property Manager, or both;
 - (b) In the event that neither the registered owner nor a Property Manager resides or is located within the city of Red Deer, the name and contact information for the Owner's agent;
 - (c) the License number;
 - (d) the date of issue;
 - (e) the date of expiry; and
 - (f) the name of the License Holder.

License on Terms and Conditions

20. Where events have occurred in connection with the operation or use of a Secondary Suite that have created a nuisance or put at risk the safety, health, welfare or property of the Occupants or neighbours, the Inspections and Licensing Manager may impose terms and conditions on a License that are intended to deal with that risk, including conditions respecting the following matters:
 - (a) the procedures required to be in place to address the cleanliness or upkeep of the Property;
 - (b) nuisance abatement measures which must be in place to ensure that the Secondary Suite does not create a nuisance;
 - (c) limiting the term of the License to a period of less than one year, to determine the effectiveness of such measures or procedures; or
 - (d) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the Inspections and Licensing Manager, reasonably necessary to protect the safety, health, welfare, and property of any person.
21. Notwithstanding any other provisions of this bylaw, the Inspections and Licensing Manager may impose Additional Fees on a License Holder, by way of a Notice of

Additional Fee, at any time during the term of the License, for costs incurred by The City attributable to the use or operation of the Secondary Suite.

22. The Notice of Additional Fee shall be sent to the License Holder by registered mail and shall provide the License Holder with sixty (60) days to pay the outstanding amount from the date of such Notice.

Owner's Agent

23. Where the address of the registered owner of the Property is not located within the city of Red Deer, and the Owner has not retained a Property Manager located in Red Deer, the Owner shall appoint a Person who resides within the city to serve as the Owner's agent. Such person shall for the purposes of this bylaw, be deemed to have full authority to act on behalf of the Owner in respect of the operation of the Secondary Suite, including authorizing request for entry.
24. If, at any time after the issuance of a License, the Owner or the Owner's agent, as the case may be, ceases to reside in the city of Red Deer, the Owner shall, within 7 days of such cessation, provide The City with written notice appointing another Person who is a resident of the city as their agent. Such notice shall include all contact information for the agent.

Inspections

25. Upon receipt of an application for a License or License renewal, a Designated Officer may enter upon the Property to be licensed to make an inspection to ensure that all provisions of this bylaw have been satisfied.
26. In accordance with section 542 of the MGA, the Designated Officer must provide reasonable notice to the registered owner or occupant of the premises prior to the inspection, and must produce, on request, identification showing that he or she is authorized to make the entry.
27. No Person shall obstruct or interfere with a Designated Officer who is carrying out a lawful inspection under this bylaw.

Refusal, Revocation or Suspension of License

28. No Person is entitled to the continuance of a License and, upon issuance, renewal, revocation or suspension, the License shall remain the property of The City.
29. An Applicant or License Holder whose application meets all the requirements of this bylaw is entitled to a License or renewal except where the Inspections and Licensing Manager has reasonable grounds to believe that:
 - (a) the Applicant has submitted false information in support of a License or License renewal;

- (b) the Owner will not meet the requirements of this bylaw or any terms or conditions imposed on a License issued under this bylaw;
 - (c) the issuance of the License or renewal would be contrary to the public interest;
 - (d) refusal, revocation or suspension is necessary for the protection of the health or safety of any Person.
30. The Inspections and Licensing Manager may suspend or revoke a License for non-compliance either with this bylaw or with a condition of the License, until the requirements of this bylaw or the condition of the License have been met, or until the Inspections and Licensing Manager is reasonably satisfied that appropriate measures have been taken to prevent a recurrence of the non-compliance.
31. A suspension or revocation of a License shall not take effect until:
- (a) the Inspections and Licensing Manager has given 7 days written notice of the proposed suspension or revocation to the License Holder by registered mail sent to the address indicated in the application and the License Holder has not filed an appeal; or
 - (b) on the date of the decision of the Appeal Board, unless the Appeal Board indicates otherwise.

Appeal

32. An Applicant or License Holder may appeal:
- (a) a condition of its License;
 - (b) the proposed suspension or revocation of its License; or
 - (c) a refusal to issue or renew a License
- by filing with the City Clerk, within 7 days of the date it receives notice of the condition, the proposed suspension or revocation or the refusal, a written appeal setting forth with reasonable particularity the matters complained of and the grounds upon which such appeal is being made.
33. The City Clerk shall convene a meeting of the Appeal Board to hear the appeal and on such appeal:
- (a) unless the time is extended by a resolution of City Council, an appeal shall be heard and a decision rendered within 30 days of the date of the filing of an appeal;

- (b) the Appeal Board shall hear from the Applicant or the License Holder, their legal counsel, the Inspections and Licensing Manager, and any other party who the Appeal Board agrees to hear from;
- (c) the Appeal Committee may confirm, revoke or deny:
 - (i) a condition of the License (provided that condition is being appealed);
 - (ii) the period of the suspension or revocation of the License; or
 - (iii) the failure to issue or renew a License.

Offences

- 34. It is an offence to fail to comply with this bylaw or to breach any term or condition of a License granted hereunder.
- 35. A Person who is found guilty of an offence under this bylaw is liable on summary conviction to a fine of not more than \$1,000.00.
- 36. Where a Person has been convicted of an offence under this bylaw, and continues to operate a Secondary Suite without complying with this bylaw, that person is guilty of a continuing offence, and shall be liable to a penalty of \$100.00 for each day that the offence continues.

General

- 37. A License issued pursuant to this bylaw may not be transferred.
- 38. A copy of a record of The City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
- 39. In any prosecution for an offence, where a question arises as to whether a Person had a valid and subsisting License, the burden is on that Person to establish that the License was valid and subsisting.

Severability

40. The invalidity of any provision of this bylaw shall not affect the validity of the remainder.

Transitional

40. This bylaw shall take effect March 1, 2012. All Secondary Suites must be in compliance with the terms and provisions of this bylaw by no later than June 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL this	28 th	day of	November	2011.
READ A SECOND TIME IN OPEN COUNCIL this		day of		2011.
READ A THIRD TIME IN OPEN COUNCIL this		day of		2011.
AND SIGNED BY THE MAYOR AND CLERK this		day of		2011.

MAYOR

CITY CLERK

DATE: January 11, 2012
TO: Joyce Boon, Inspections & Licensing Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Secondary Suite Licensing Bylaw 3475/2011

Reference Reports:

Legislative & Governance Services Manager, dated January 3, 2012.

Resolution:

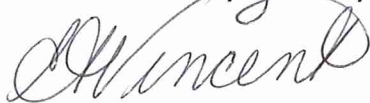
The following resolution was passed during the Regular Council meeting held on Monday, January 9, 2012:

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing department dated December 16, 2011 and the submission and comments of the public, re: Secondary Suite Licensing Bylaw 3475/2011, hereby agrees to table consideration of this item for six weeks to provide administration to evaluate the comments in relation to the proposed bylaw and bring recommendations back for Council's consideration.

Report back to Council: Yes

Comments/Further Action:

Administration to prepare a report with recommendations for Council's consideration and bring back to the Tuesday, February 21, 2012 regular Council meeting.



Elaine Vincent
Legislative & Governance Services Manager

c: Planning Services Director
Secondary Suite Regulation Ad Hoc Review Committee

Christine Kenzie

To: Craig Curtis
Cc: Elaine Vincent
Subject: January 3 2012 General Themes of Comments Received from Public Regarding Secondary Suite Licensing Bylaw 3475/2011
Attachments: 1183966 - January 3 2012 General Themes of Comments Received from Public Regarding Secondary Suite Licensing Bylaw 34752011 - 1.DOC

I have compiled some of the general themes from the comments received from the public to date -- re the Secondary Suite Licensing Bylaw. - see attached.

I will include this summary with the confidential attachment that includes the comments received for Council's review - with the January 9th Council Agenda package.

Here are the City Manager Comments I have prepared so far:

"I recommend proceeding with giving second and third readings to the amended Secondary Suite Licensing Bylaw 3475/2011 and maintaining the licensing fee at \$165.00 which is consistent with other similar fees such as Home Occupation and Bed and Breakfasts. With respect to the overall licensing of secondary suites, this bylaw was strongly recommended by the Secondary Suites Ad Hoc Review Committee following community input. The licensing provides a mechanism for maintaining on-going safety and non-compliance for secondary suites. The objections received generally reflect a concern with having to pay an additional licensing fee, however the fee appears to be reasonable."

Let me know if you have any changes re the above by Noon tomorrow.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

**General Themes of Comments Received from the Public Regarding
Secondary Suites Licensing Bylaw 3475/2011**

- Objection to paying an additional fee after spending money to apply for legal suite and bringing suites up to code.
- Another tax grab – business tax
- Additional fee will be passed on to renters
- Request not to proceed with additional “tax” or make it fairer by imposing it on all individuals or corporations who operate rental accommodation in The City
- Include single family rental property in the license requirements
- Licensing fee will become a slippery slope and will only increase over time
- Bylaw runs contrary to the need for more affordable housing
- Proposed bylaw is not necessary and not enforceable
- Half the cost of the proposed licensing fee would seem more appropriate
- A more nominal fee of \$25 for a yearly license
- Only the complying landlords are paying the costs
- Bylaw is discriminatory in nature and unnecessary
- Secondary Suites Licensing Bylaw penalizes landlords that provide safe legal low cost living accommodations to their tenants
- License, once obtained, should stay with the suite – not the owner
- Motivation behind the bylaw being one or a combination of the following:
Regulate the suite, Regulate the owner and Regulate the occupant
- Need a better definition of what constitutes a secondary suite

Christine Kenzie

From: Elaine Vincent
Sent: December 15, 2011 3:36 PM
To: Legislative & Governance Services Mail Distribution Group
Subject: FW: Proposed lines

In case any of you are receiving calls, here are the lines to be used to answer the questions....

If I've missed anything let me know.

Elaine

Elaine Vincent
Manager, Legislative and Governance Services
The City of Red Deer
Phone: 403-342-8134
Fax: 403-346-6195
elaine.vincent@reddeer.ca

From: Elaine Vincent
Sent: Thursday, December 15, 2011 2:54 PM
To: Joyce Boon
Cc: Frieda McDougall
Subject: Proposed lines

Proposed speaking notes: Let me know if you think anything is missing.....

Under the MGA, a public hearing is only required for land use bylaw amendments.

The proposed licensing of secondary suites bylaw is not a land use bylaw therefore legally council is not required to hold a public hearing.

Council has requested that a public meeting be held at 6:15 on January 9th.

The purpose of this public meeting is to hear from the public on the impact of the proposed licensing of secondary suites bylaw.

Those impacted citizens who wish to speak on January 9th will be able to do so. They will have 5 minutes to address their concerns to council. Speakers will be asked to speak to key points that have not been raised by previous speakers.

Those citizens who wish to have their comments considered in writing by Council are asked to submit their comments to be included in the public council agenda.

Council will then decide if they wish to proceed with second/third reading of the bylaw or direct any changes as a result of hearing the public's concern.

Home > City Government > News Releases > Archive > 2011 > December > Public meeting for secondary suites on January 9

Receive news release notifications by e-mail

Public meeting for secondary suites on January 9

December 21, 2011

Citizens can comment on the proposed licensing of secondary suites at a public meeting on Monday, January 9, at 6:15 p.m. in Council Chambers.

Residents who cannot attend the public meeting, but wish to have their comments considered by Council, are asked to submit their comments to legislativeservices@reddeer.ca by January 6, 2012.

The bylaw proposes that all owners of secondary suites apply and obtain a license for their suite. If approved, the bylaw would come into effect March 1, 2012, and all property owners would be required to apply, pay for, and obtain their license by June 1, 2012.

The purpose of the bylaw is to allow City administration to determine ownership, ensure that the suite remained active, prevent unauthorized suites to remain, and allow new applications to be considered for approval when existing suites are removed.

Following the public meeting, Council will decide if they want to proceed with the second/third reading of the bylaw or direct any changes to administration.

For more information on the secondary suites bylaw, please contact Inspections & Licensing at 403-342-8208.

-end-

For more information, please contact:

Frieda McDougall
Deputy City Clerk
The City of Red Deer
403-342-8136

Christine Kenzie

From: Michelle Baer [MBaer@chapmanriebeek.com]

Sent: December 19, 2011 11:55 AM

To: Christine Kenzie

Subject: RE: Secondary Suite Licensing Bylaw - for January 9 2012 Council Agenda

Yes, it's in the works and will be to you in time. I'll touch base with Joyce to see what's she's got in her report.

From: Christine Kenzie [mailto:Christine.Kenzie@reddeer.ca]

Sent: Monday, December 19, 2011 11:52 AM

To: Michelle Baer

Subject: FW: Secondary Suite Licensing Bylaw - for January 9 2012 Council Agenda

Do you have an amendment coming re the Secondary Suites Licensing Bylaw? Would need it by end of day on Wednesday, December 21st.

Joyce has submitted her additional report.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Frieda McDougall

Sent: November 29, 2011 2:43 PM

To: Joyce Boon; Michelle Baer

Cc: Christine Kenzie

Subject: RE: Secondary Suite Licensing Bylaw - for January 9 2012 Council Agenda

Hi Joyce. Our deadline for the January 9 agenda is Wednesday, December 21. Thanks.

Frieda McDougall

Deputy City Clerk

Legislative & Governance Services

Phone: 403-342-8136 Fax: 403-346-6195

Email: frieda.mcdougall@reddeer.ca

From: Joyce Boon

Sent: November 29, 2011 12:21 PM

To: Frieda McDougall; Michelle Baer; Jackie Kurylo

Cc: Elaine Vincent; Don Simpson; Jennifer Cragg

2011/12/19

Subject: RE: Secondary Suite Licensing Bylaw

Frieda,

My understating that this information from Michelle on additional fees will go to Council with the 2nd and 3rd reading along with a report from me on Licensing fees and a recommendation for a reduced license fee. Can you let me know what date you need this by please for the agenda preparation.

Joyce Boon
Inspections & Licensing Manager
403.342.8192
joyce.boon@reddeer.ca

From: Frieda McDougall
Sent: November 28, 2011 12:07 PM
To: Michelle Baer; Jackie Kurylo
Cc: Elaine Vincent; Joyce Boon; Don Simpson; Jennifer Cragg
Subject: RE: Secondary Suite Licensing Bylaw

Hi Michelle. Thanks for your speedy response on this. I don't think we need to do anything today – I think we can prepare an amendment for prior to 2nd & 3rd reading. Let's make sure we have everything ready to go forward at that time. Thanks again.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Michelle Baer [<mailto:MBaer@chapmanriebeek.com>]
Sent: November 28, 2011 10:58 AM
To: Frieda McDougall; Jackie Kurylo
Cc: Elaine Vincent; Joyce Boon; Don Simpson; Jennifer Cragg
Subject: FW: Secondary Suite Licensing Bylaw

I inadvertently missed your question about the **Additional Fees**.

Currently, the City has required certain owners to enter a "cleanliness agreement" as a condition of their suite approval. Under that agreement, the Owner is required to put up security to the City, and pledge to keep his property in good order. If the city has to clean the property, it uses the money it holds as security, and charges the owner for any excess.

By allowing for an Additional Fee to be added as a condition of a license, we remove consideration of the condition of the premises at the development permit stage. We believe that this is more appropriately addressed as a condition of a license, rather than a development permit, hence its inclusion here.

Michelle

2011/12/19

From: Michelle Baer
Sent: Monday, November 28, 2011 10:46 AM
To: Frieda McDougall; Jackie Kurylo
Cc: 'Elaine Vincent'; Joyce Boon; Don Simpson; Jennifer Cragg
Subject: RE: Secondary Suite Licensing Bylaw

Hello Jackie and Frieda,

Thank you for your review of the Secondary Suite Bylaw.

I will address your comments in order.

S14, re NSF

This provision was discussed with Inspections and Licensing, who also identified it as being a new provision. There are a few ways to deal with NSF cheques – your license can be conditional on your cheque cashing, your license can be withheld until your cheque cashes, etc. Basically, our point was that they should be dealt with consistently, and from a legal perspective, an applicant is only entitled to a license if the fee is paid. If their cheque is NSF, the fee has not been paid. I see no particular problem with this, but it's a question for administration and can certainly be deleted after/on first reading.

S15: discretion of I & L manager to refund application fees when license is refused.

This provision is intended to recognize the administrative time/work that may go into processing/reviewing certain applications. I am not aware of problems that administration has had in this area, but the provision can be amended if desired, on second reading.

S 26: Entering Premises on reasonable notice

This is taken directly from the MGA, and it is recommended not to further define "reasonableness" as it varies from one situation to the next.

S 32-33: Appeals

From a legal perspective, I do not see it as a problem that the timelines do not match the Committee's bylaw, however, from a practical perspective I agree that this is less than ideal. I have spoken with Joyce Boon and she agrees that the intent was to be guided by / consistent with the appeal provisions in the Comm. Bylaw.

I propose we change as follows:

Section 32: An Applicant or License Holder may appeal:

- (a) no change
- (b) ""
- (c) ""

by filing an appeal with the secretary of the Review and Appeal Board, within 14 days of the date it receives notice of the condition, the proposed suspension, revocation or refusal, in accordance with the relevant procedures outlined in the City of Red Deer Committees Bylaw.

-

-

33.

The Review and Appeal Board shall be convened to hear the appeal and on such appeal:

- (a) Delete
- (b) No change

33.

The Review and Appeal Board shall be convened to hear the appeal and on such appeal:

- (a) Delete
- (b) No change
- (c) The Appeal Board may confirm, revoke, vary, or deny,
 - (i) A condition of the License (~~provided that condition is being appealed~~)
 - (ii) No change
 - (iii) No change

S38:

This provision is taken from the Drinking Establishment bylaw, and relates to court proceedings. Does not affect the Appeal board.

S40: timelines

The June 1 date has been proposed by Administration, MPC and the Ad Hoc Committee.

Please let me know your thoughts re the highlighted changes above, and whether you think this needs further discussions (in which case, we may need to consider tabling the matter) or whether it can go forward tonight for first reading, subject to the highlighted changes.

Michelle

From: Elaine Vincent [<mailto:Elaine.Vincent@reddeer.ca>]

Sent: Monday, November 28, 2011 9:02 AM

To: Michelle Baer

Subject: FW: Secondary Suite Licensing Bylaw

Importance: High

Hi Michelle...

Here are some comments from Jackie and Frieda on the secondary suite licensing bylaw.... Please work directly with them to address their concerns and let me know the outcome.

Thanks,

E

Elaine Vincent

Manager, Legislative and Governance Services

The City of Red Deer

Phone: 403-342-8134

Fax: 403-346-6195

elaine.vincent@reddeer.ca

November 28, 2011 8:57 AM
all; Elaine Vincent
Secondary Suite Licensing Bylaw

This bylaw contradicts the committees bylaw (noted below). Overall my question is why are they trying to establish Board procedure in this bylaw? Here is my initial take;

2011/12/20

costs possibly be and why can't they be appealed / challenged?

S. 26: Licensing Inspector to enter premises after giving reasonable notice - what is reasonable notice? How long? Written or verbal? If a license is denied b/c an inspection couldn't be arranged this will go straight to appeal

S. 32: Appeal must be filed within 7 days of notice of refusal - this contradicts S 29(10) of the Committees Bylaw

S. 33(a): Appeal must be heard within 30 days: this does not belong in this bylaw - should be Committees Bylaw

S. 33(a): Appeal must be heard AND a decision rendered within 30 days - contradicts S. 29(14)(b) of the Committees Bylaw - decision within 15 days of hearing

S. 33©(i): A board can confirm, revoke or deny a condition of the license ONLY if that condition is being appealed....this binds the board and should be amended;

S. 38: What does this relate to? Evidence in court? Not sure why it is here....if it is meant to apply to the RDA&RB then I would ask that it be removed - the Board determines its own rules of procedure

S. 40: All SS to comply by June 1, 2012??? Is this a direction of Council? The tight timeline to submit applications didn't work well the first time - is there a reason to think it would be different now?

jk

ugall
, 2011 12:48 PM

lary Suite Licensing Bylaw

Hi Elaine. I just noticed that Michelle included appeal provisions in the above noted bylaw. This is okay except they're included a clause which basically limits the appeal board role (s. 33(c)(i)). As well, there are a few weird provisions such as if someone pays for their license by cheque and the cheque bounces – the license is revoked. ...I don't think any of our other bylaws say this yet we continue to accept cheques.

I've also got Jackie looking at this who may raise other flags.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

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2011/12/19

Christine Kenzie

From: Michelle Baer [MBaer@chapmanriebeek.com]
Sent: December 20, 2011 2:27 PM
To: Christine Kenzie
Cc: Joyce Boon
Subject: RE: Secondary Suite Licensing Bylaw - for January 9 2012 Council Agenda
Attachments: Secondary Suite Licencing Bylaw -Dec 19 11.doc

Hi Christine,

Attached is the amendment to the Secondary Suites Licensing Bylaw, reflecting the comments of Council at first reading as well as the changes that J.Kurylo brought to our attention. I've used the track changes function, and trust that this will transmit well. You may need to confirm that numbering is still intact with the changes.

Michelle

From: Christine Kenzie [mailto:Christine.Kenzie@reddeer.ca]
Sent: Monday, December 19, 2011 11:52 AM
To: Michelle Baer
Subject: FW: Secondary Suite Licensing Bylaw - for January 9 2012 Council Agenda

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Joyce has submitted her additional report.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

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To: Joyce Boon; Michelle Baer
Cc: Christine Kenzie
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Frieda McDougall
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Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

*Backup
Michelle to + strike
- Provide a better set copy.
that includes a
detailed description of
changes made to
the bylaws.
- include those changes in
B/F memo.*

From: Joyce Boon
Sent: November 29, 2011 12:21 PM
To: Frieda McDougall; Michelle Baer; Jackie Kurylo
Cc: Elaine Vincent; Don Simpson; Jennifer Cragg
Subject: RE: Secondary Suite Licensing Bylaw

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2011/12/20

S. 14: Revocation of license when cheque is NSF - the appeal board can hear revocation appeals - this clause is not a good idea
S. 15: When application is denied, fees can be refunded at discretion of Licensing Manager - our experience is that having the discretion causes nothing but trouble
S. 21: Additional costs incurred by the City - this seems like a bit of a wild card / cash grab - what could these costs possibly be and why can't they be appealed / challenged?
S. 26: Licensing Inspector to enter premises after giving reasonable notice - what is reasonable notice? How long? Written or verbal? If a license is denied b/c an inspection couldn't be arranged this will go straight to appeal
S. 32: Appeal must be filed within 7 days of notice of refusal - this contradicts S 29(10) of the Committees Bylaw
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, 2011 12:48 PM

lary Suite Licensing Bylaw

Hi Elaine. I just noticed that Michelle included appeal provisions in the above noted bylaw. This is okay except they're included a clause which basically limits the appeal board role (s. 33(c)(i)). As well, there are a few weird provisions such as if someone pays for their license by cheque and the cheque bounces – the license is revoked. ...I don't think any of our other bylaws say this yet we continue to accept cheques.

I've also got Jackie looking at this who may raise other flags.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

2011/12/20

BYLAW NO. ____/2011

Being a bylaw to provide for the licensing, regulating and governing of Secondary Suites in the City of Red Deer.

WHEREAS Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, (the "MGA") as amended, authorizes council of a municipality to pass bylaws for municipal purposes respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) nuisances, including unsightly property;
- (c) businesses, business activities and persons engaged in business;

AND WHEREAS Section 8 of the MGA states that in a bylaw passed under Section 7 Council may deal with any development, activity or business in different ways, and may also provide for a system of licenses, permits and approvals;

AND WHEREAS Section 542 of the MGA provides that a Designated Officer of the municipality may enter private property on reasonable notice for the purpose of carrying out an inspection to determine whether or not a bylaw of the municipality is being complied with;

AND WHEREAS the City's Land Use Bylaw authorizes the development of Secondary Suites in certain circumstances;

AND WHEREAS the Council of the City of Red Deer deems it desirable to license, regulate and govern Secondary Suites for the purposes of health and safety, nuisance control and the protection of property;

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the "Secondary Suite Licensing Bylaw".

Purpose

2. The purpose of this bylaw is to provide for the licensing, regulating and governing of Secondary Suites in the City of Red Deer.

Definitions

3. The definitions of terms used in the City's Land Use Bylaw apply to the interpretation of this bylaw. In addition, the following words shall have the following meanings:

Additional Fee means a fee, in addition to the License Fee, imposed by the City on a License Holder at any time during the Term of the License for costs incurred by the City attributable to the use of the Secondary Suite;

Applicant means a Person applying for a new License or renewing a License under this bylaw;

Appeal Board means the Red Deer Appeal and Review Board appointed under the City's Committee Bylaw to hear appeals under this bylaw;

License means the certificate issued by the Inspections and Licensing Manager under this bylaw;

License Holder means an Owner who has applied for and received a valid License under this bylaw;

Occupant means a Person, other than an Owner, who resides in a Secondary Suite;

Occupancy Permit means the certificate duly issued by the City approving the occupancy of the Secondary Suite for which the License application has been made;

Owner includes all Persons shown by the records at Land Titles to be the Owner of the subject property and also includes a Property Manager;

Property Manager means a Person who:

- (a) manages or controls the Property; or
- (b) has control over the condition of a Secondary Suite or the activities carried on within the Secondary Suite;

Person includes an individual, a corporation and its directors and officers, or partnership, and their heirs, executors, assignees and administrators;

Property means the parcel of land on which a Secondary Suite is located.

Use

4. Unless the context requires otherwise, the verb "use" shall include "intend to use", "design to use", and "cause or permit to be used."

Inspections and Licensing Manager Authority

5. The powers and authority to issue, renew, refuse to issue, revoke or suspend a License or to impose terms and conditions on a License are hereby delegated to the Manager of Inspections and Licensing or his or her delegate.
6. Subject to the provisions of this bylaw, where the Applicant or License Holder meets all of the requirements of this bylaw, the Inspections and Licensing Manager may grant a License, or renewal, as the case may be, with or without conditions.

Requirement to be Licensed

7. An Owner shall not operate, maintain, rent, or offer for rent a Secondary Suite without first obtaining a License for the Secondary Suite under this bylaw.
8. Where a License has been issued under this bylaw for a Secondary Suite, no Person shall use, operate, maintain, rent, offer for rent or permit to be used, maintained, rented or offered for rent that Secondary Suite except in conformity with the terms and conditions of the License and the provisions of this bylaw.

Application for License

9. An Owner wishing to obtain a License for a Secondary Suite may apply to the Inspections and Licensing Manager by submitting an application in the form established by the City from time to time which shall include the following information:
 - (a) the name and address of the registered owner(s) as shown on the records in the Land Titles Office, and the telephone number of the registered owner(s);
 - (b) if the registered owner is a corporation, the name, address and telephone number of all officers, directors and shareholders;
 - (c) if the registered owner is a partnership, the name, address and telephone number of all individual members of the partnership;
 - (d) the name, address and telephone number of the Property Manager, if applicable;
 - (e) if the address of the Owner is not located within the City of Red Deer, the name of the Owner's agent who does reside in the City of Red Deer, and all contact information for the agent;
 - (f) the location of the Secondary Suite including municipal address and legal description;
 - (g) the number of bedrooms in the Secondary Suite; and

(h) the number of parking stalls available for use by the Occupants.

10. An application for a License or for the renewal of a License shall be submitted with the following:
 - (a) the Occupancy Permit number assigned to the Secondary Suite by the City, or if an Occupancy Permit has not been issued, the Occupancy Permit Application Number assigned to the Secondary Suite by the City; and
 - (b) the License Fee and any applicable Additional Fee.
11. Notwithstanding the foregoing, where the application is for a renewal only of a License, the information required in Section 8 and 9 need only be provided where it has changed from the prior year's application.
12. No Person shall knowingly give false information when applying for a License under this bylaw.

License Fee

13. The fee for a License or a renewal under this bylaw shall be \$165.00.
14. A portion of a License Fee paid as part of an application under this bylaw may be refunded, at the discretion of the Inspections and Licensing Manager, if the application is refused.

Deleted: <#>Where the License Fee is paid by cheque and the City agrees to accept such form of payment, and the Applicant's financial institution refuses to clear that cheque, any License issued hereunder will be revoked. ¶

License Requirements

15. No License shall be issued or renewed unless:
 - (a) the use of the Property is permitted in accordance with the City's Land Use Bylaw;
 - (b) the building on the Property complies with all applicable provincial and federal legislation and any codes or regulations thereunder;
 - (c) the building and the Property are in compliance with the City's Community Standards Bylaw.

Term of License

16. A License issued under this bylaw shall expire twelve months after the date on which it is issued.

Display and Format of License

17. Where a License is issued under this bylaw, the License shall be displayed in a prominent location inside the entrance to the Secondary Suite together with a list of any terms or conditions imposed on the License.
18. A License issued under this bylaw shall state the following:
 - (a) the name, address and telephone number of the registered owner or the Property Manager, or both;
 - (b) In the event that neither the registered owner nor a Property Manager resides or is located within the City of Red Deer, the name and contact information for the Owner's agent;
 - (c) the License number;
 - (d) the date of issue;
 - (e) the date of expiry; and
 - (f) the name of the License Holder.

License on Terms and Conditions

19. Notwithstanding any other provision of this bylaw, the Inspections and Licensing Manager may impose terms and conditions on any License issued or renewed as are reasonably necessary to give effect to this bylaw. Notwithstanding the generality of the foregoing, conditions may be imposed on the following grounds:
 - (a) to ensure the health, safety and welfare of any person;
 - (b) to protect people or property; or
 - (c) to control and abate nuisances.
20. Notwithstanding any other provisions of this bylaw, the Inspections and Licensing Manager may impose Additional Fees on a License Holder, by way of a Notice of Additional Fee, at any time during the term of the License, for costs incurred by the City attributable to the use or operation of the Secondary Suite.
21. The Notice of Additional Fee shall be sent to the License Holder by registered mail and shall provide the License Holder with sixty (60) days to pay the outstanding amount from the date of such Notice.

Owner's Agent

22. Where the address of the registered owner of the Property is not located within the City of Red Deer, and the Owner has not retained a Property Manager located in Red Deer, the Owner shall appoint a Person who resides within the City to serve as the Owner's agent. Such person shall for the purposes of this bylaw, be deemed to have full authority to act on behalf of the Owner in respect of the operation of the Secondary Suite, including authorizing request for entry.
23. If, at any time after the issuance of a License, the Owner or the Owner's agent, as the case may be, ceases to reside in the City of Red Deer, the Owner shall, within 7 days of such cessation, provide the City with written notice appointing another Person who is a resident of the City as their agent. Such notice shall include all contact information for the agent.

Inspections

24. Upon receipt of an application for a License or License renewal, a Designated Officer may enter upon the Property to be licensed to make an inspection to ensure that all provisions of this bylaw have been satisfied.
25. In accordance with section 542 of the MGA, the Designated Officer must provide reasonable notice to the registered owner or occupant of the premises prior to the inspection, and must produce, on request, identification showing that he or she is authorized to make the entry.
26. No Person shall obstruct or interfere with a Designated Officer who is carrying out a lawful inspection under this bylaw.

Refusal, Revocation or Suspension of License

27. No Person is entitled to the continuance of a License and, upon issuance, renewal, revocation or suspension, the License shall remain the property of the City.
28. An Applicant or License Holder whose application meets all the requirements of this bylaw is entitled to a License or renewal except where the Inspections and Licensing Manager has reasonable grounds to believe that:
 - (a) the Applicant has submitted false information in support of a License or License renewal;
 - (b) the Owner will not meet the requirements of this bylaw or any terms or conditions imposed on a License issued under this bylaw;
 - (c) the issuance of the License or renewal would be contrary to the public interest;
 - (d) refusal, revocation or suspension is necessary for the protection of the health or safety of any Person.

29. The Inspections and Licensing Manager may suspend or revoke a License for non-compliance either with this bylaw or with a condition of the License, until the requirements of this bylaw or the condition of the License have been met, or until the Inspections and Licensing Manager is reasonably satisfied that appropriate measures have been taken to prevent a recurrence of the non-compliance.
30. A suspension or revocation of a License shall not take effect until:
- (a) the Inspections and Licensing Manager has given 7 days written notice of the proposed suspension or revocation to the License Holder by registered mail sent to the address indicated in the application and the License Holder has not filed an appeal; or
 - (b) on the date of the decision of the Appeal Board, unless the Appeal Board indicates otherwise.

Appeal

31. An Applicant or License Holder may appeal:

- (a) a condition of its License;
- (b) the proposed suspension or revocation of its License; or
- (c) a refusal to issue or renew a License

by filing an appeal with the secretary of the Review and Appeal Board, within 14 days, of the date it receives notice of the condition, the proposed suspension or revocation or the refusal, in accordance with the relevant procedures outlined in the City of Red Deer Committees Bylaw.

32. The City Clerk shall convene a meeting of the Appeal Board to hear the appeal and on such appeal:

- (a) the Appeal Board shall hear from the Applicant or the License Holder, their legal counsel, the Inspections and Licensing Manager, and any other party who the Appeal Board agrees to hear from;
- (b) the Appeal Committee may confirm, revoke or deny:
 - (i) a condition of the License ;
 - (ii) the period of the suspension or revocation of the License; or

Deleted: with the City Clerk, within 7 days

Deleted: a written appeal setting forth with reasonable particularity the matters complained of and the grounds upon which such appeal is being made.

Deleted: (a)

Deleted: unless the time is extended by a resolution of City Council, an appeal shall be heard and a decision rendered within 30 days of the date of the filing of an appeal;

Deleted: b

Deleted: c

Deleted: (provided that condition is being appealed

- (iii) the failure to issue or renew a License.

Offences

33. It is an offence to fail to comply with this bylaw or to breach any term or condition of a License granted hereunder.
34. A Person who is found guilty of an offence under this bylaw is liable on summary conviction to a fine of not more than \$1,000.00.
35. Where a Person has been convicted of an offence under this bylaw, and continues to operate a Secondary Suite without complying with this bylaw, that person is guilty of a continuing offence, and shall be liable to a penalty of \$100.00 for each day that the offence continues.

General

36. A License issued pursuant to this bylaw may not be transferred.
37. In any prosecution for an offence, where a question arises as to whether a Person had a valid and subsisting License, the burden is on that Person to establish that the License was valid and subsisting.

Deleted: <#>A copy of a record of the City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.¶

Severability

38. The invalidity of any provision of this bylaw shall not affect the validity of the remainder.

Transitional

39. This bylaw shall take effect March 1, 2012. All Secondary Suites must be in compliance with the terms and provisions of this bylaw by no later than June 1, 2012.

Deleted: 40

READ A FIRST TIME IN OPEN COUNCIL this ____ day of _____

READ A SECOND TIME IN OPEN COUNCIL this ____ day of _____

READ A THIRD TIME IN OPEN COUNCIL this ____ day of _____

Christine Kenzie

From: Frieda McDougall
Sent: November 29, 2011 2:43 PM
To: Joyce Boon; Michelle Baer
Cc: Christine Kenzie
Subject: RE: Secondary Suite Licensing Bylaw

Hi Joyce. Our deadline for the January 9 agenda is Wednesday, December 21. Thanks.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Joyce Boon
Sent: November 29, 2011 12:21 PM
To: Frieda McDougall; Michelle Baer; Jackie Kurylo
Cc: Elaine Vincent; Don Simpson; Jennifer Cragg
Subject: RE: Secondary Suite Licensing Bylaw

Frieda,

My understating that this information from Michelle on additional fees will go to Council with the 2nd and 3rd reading along with a report from me on Licensing fees and a recommendation for a reduced license fee. Can you let me know what date you need this by please for the agenda preparation.

Joyce Boon
Inspections & Licensing Manager
403.342.8192
joyce.boon@reddeer.ca

From: Frieda McDougall
Sent: November 28, 2011 12:07 PM
To: Michelle Baer; Jackie Kurylo
Cc: Elaine Vincent; Joyce Boon; Don Simpson; Jennifer Cragg
Subject: RE: Secondary Suite Licensing Bylaw

Hi Michelle. Thanks for your speedy response on this. I don't think we need to do anything today – I think we can prepare an amendment for prior to 2nd & 3rd reading. Let's make sure we have everything ready to go forward at that time. Thanks again.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services

2011/11/29

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Frieda McDougall

From: Joyce Boon
Sent: December 12, 2011 10:28 AM
To: Frieda McDougall
Cc: Lynn Iviney
Subject: Comments from SS Owners re Proposed SS Lic Bylaw.doc

Attachments: Comments from SS Owners re Proposed SS Lic Bylaw.doc



Comments from SS
Owners re Pro...

Hi Frieda, we sent out over 600 letters on Friday regarding SS bylaw. I have attached the letter for your information. Comments will be coming to your department to compile for the agenda. We will ensure you get copies if we get them coming to us.

Joyce

*Sample letter
sent to residents*



LEGISLATIVE & GOVERNANCE SERVICES

December 8, 2011

«Prime_Owner_Name»
«Owner_Address_1»
«Owner_Address_2», «Owner_Address_3»

Dear Secondary Suite Owner:

RE: Comments on Proposed Secondary Suite Licensing Bylaw

On November 28, City Council gave first reading to the proposed Secondary Suite Licensing Bylaw. Administration will be taking the bylaw back to Council, along with written comments from secondary suite owners, on January 9, 2012 for consideration of second and third reading of the bylaw.

The bylaw proposes that all owners of secondary suites that are new, existing or recently approved, apply and obtain a license for their suite. If approved, the bylaw would become effective as of March 1, 2012, with all property owners required to apply, pay for, and obtain their license prior to June 1, 2012.

The purpose of the bylaw is to track and monitor active secondary suites. It would allow Administration to determine ownership, ensure that the suite remained active, to prevent unauthorized suites to remain, and to allow new applications to be considered for approval when existing suites have been removed.

A copy of the proposed bylaw has been enclosed for your review. If you have any comments or concerns regarding this proposal, please submit them in writing by mail, fax, or e-mail, prior to **December 21, 2011** at 4:30pm to the address listed below. Please be aware that any comments submitted can be made public.

*City of Red Deer
c/o Legislative Services
P.O. Box 5008
2nd Floor, 4914 - 48 Avenue
Red Deer, AB T4N 3T4
E-mail: legislativeservices@reddeer.ca
Phone: 403-342-8132 or Fax: 403-346-6195.*

Sincerely,

Joyce Boon
Manager, Inspections & Licensing
INSPECTIONS & LICENSING DEPARTMENT

Encl.
/es

Christine Kenzie

From: Frieda McDougall
Sent: December 01, 2011 8:05 AM
To: Tara Veer
Cc: Elaine Vincent; Christine Kenzie
Subject: FW: Phone Message - Secondary Suite Licensing Bylaw - Citizen Concern
Importance: High

Hi Tara. We'll take care of it.

By the way, media keeps referring to a public hearing even though that was not contemplated by the bylaw. We'll now take a look at how to best manage this – but we'll notify Mr. Bonin regardless of the process we follow.

Frieda McDougall
Deputy City Clerk
Legislative & Governance Services
Phone: 403-342-8136 Fax: 403-346-6195
Email: frieda.mcdougall@reddeer.ca

From: Tara Veer [<mailto:tara.veer@reddeer.ca>]
Sent: November 30, 2011 9:22 PM
To: Elaine Vincent; Frieda McDougall
Subject: FW: Phone Message
Importance: High

Hi Ladies,

I spoke with this gentleman today regarding Secondary Suites and he would like to be notified of the public hearing when the time comes (It seems to me there reference to a public hearing on the Secondary Suites Licensing Bylaw, although now that I think of it there likely isn't given that it isn't a Land Use Bylaw amendment). Either way, Mr. Bonin mentioned he would formally email me his concerns so we will have them for debate.

Tara

Councillor Tara Veer | Red Deer City Council
Legislative & Governance Services | The City of Red Deer
D 403.342.8111 | F 403.346.6195
Councillor Tara Veer



Council Meeting of January 9, 2012

ATTACHMENT "A"

DOCUMENT STATUS: Public

REFERS TO: Current Utility Bylaw 3215/98



UTILITY BYLAW

No. 3215/98

OFFICE CONSOLIDATION

(AS AT DECEMBER 12, 2011)

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BYLAW NO. 3215/98

Being a bylaw of the City of Red Deer, in the Province of Alberta, to regulate and provide for the supply and use of the water, wastewater and solid waste utilities of The City of Red Deer.¹

PART 1**ENACTMENT²**

WHEREAS The City of Red Deer has constructed and now maintains utility systems to provide for water, wastewater and solid waste service and facilities; and

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided.

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

1 This bylaw may be called "The Utility Bylaw".

PART 2**DEFINITIONS**

2 In this Bylaw and in the Schedules attached hereto:

"Application" shall mean the application made by the customer to the City for the supply of utility services;

"Apartment Building" or "Multi Family Building" shall mean a residential building containing three or more dwelling units;

"Building Code" shall mean the Alberta Building Code 1985 and amendments thereto or replacements thereof;

"City" shall mean The City of Red Deer or an employee or agent designated by The City;

¹ 3215/D-2000, 3215/A-2004

² 3215/D-2000, 3215/A-2004

"Customer" shall mean any person, firm partnership, corporation or organization who has entered into a contract with the City for utility services, or who is the owner or occupant of any premises connected to or provided with a utility;

"Director" shall mean the Director of Development Services of the City, or a person or agent authorized by the Director to act on behalf of the Director;

"Dwelling Unit" or "Residential Premises" shall mean one or more rooms useable as a residence operated as a single housekeeping unit and having its own sleeping, cooking and sanitary facilities.

"Financial Institution" shall mean a bank, a trust company, or a credit union, located in the City;

"Non-Residential Customer" shall mean those persons, firm partnership, corporation or organization who use a utility service for any purpose other than exclusively residential purposes.

"Owner" shall mean the registered owner of a property or the purchaser thereof;

"Premises" includes land and buildings;

"Residential Customer" shall mean those persons who occupy a building used exclusively for residential purposes and connected to or provided with a utility;

¹"Service Connection" for the purpose of this bylaw shall mean all that portion of the pipes, or things that provide a public utility situate between the public utility main and the property line of the property to which such utility is supplied;

"Street" shall mean all those lands situated within a registered road right-of-way at the Land Titles Office, Edmonton, Alberta.

"Treasurer" shall mean the Director of Corporate Services of the City, or an agent or City employee authorized by such Director to act on behalf of the Director;

¹ 3215/D-2000

3

Bylaw No. 3215/98

"Utility" and "Utility Service" shall mean and include, as the context may require:

- (i) the supply of water;
- (ii) the provision of wastewater collection and disposal;
- (iii)¹ DELETED
- (iv)² the provision of solid waste collection and disposal.
- (v) the provision of recycling services

PART 3

GENERAL PROVISIONS

SUPERVISION

- 3 (1) The utility services shall be under the general supervision and control of the City Manager.
- (2) The Director and Treasurer shall exercise the powers and perform the duties with respect to the utility services conferred and placed upon them by this bylaw and any other bylaw of the City applicable thereto and any order or direction of the City Manager or Council with respect thereto.

SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

- 4 (1) All meters and metering equipment shall be supplied, owned and maintained by the City unless otherwise provided in this bylaw.
- (2) Notwithstanding the payment by a customer of any costs incurred by the City, the City shall retain full title to all lines, equipment and apparatus on its side of the point of delivery, and to all meters and metering equipment provided by it.

¹ 3215/D-2000

² 3215/A-2004

ASSIGNMENT OF CONTRACT

- 5 The contract for utility service is not transferable by the customer and shall remain in full force and effect until the customer notifies the City of their desire to terminate the contract or until the said contract shall have been terminated by the City.

CITY RESPONSIBILITY AND LIABILITY

- 6 The City does not guarantee the continuous uninterrupted supply of any utility, and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility and the City, its officers, employees or agents shall not be liable for any damages of any kind due to or arising out of a failure to supply a utility.

PART 4**APPLICATION FOR AND CONDITIONS OF SERVICE****APPLICATION**

- 7 (1)¹ Any customer who requires utility services shall apply to the City and pay an application fee as set forth in Schedule "A" and may be required to sign an application or a contract for service, and to supply information respecting load and the manner in which the services will be utilized, and credit references.
- (2) The utility account shall be set up:
- (a)² in the name of the owner of the property to which the utilities are to be supplied, or".
- (b) where there is evidence of a landlord-tenant situation, in the name of the tenant or;
- (c) in the name of the general contractor in the case of a new building under construction.
- (3) An application shall be supported by such identification and legal authority of the applicant as the Treasurer may require.

¹ 3215/A-2005, 3215/B-2005

² 3215/D-2000

- (4) The Treasurer may waive the application fee for owners of residential rental properties for the utility services supplied to all rental properties registered in their name, for building contractors constructing property until the property is ready for occupancy, and financial institutions for the utility services supplied to all of its residential foreclosure properties where legal title has been passed to the financial institution pending property liquidation.

- 8 Upon making application, providing all information required by the City, and paying the application fee, deposit and any other sums herein required, there shall thereupon be a binding agreement between the customer and the City, for the utility service applied for, and the provisions of the application and this bylaw shall constitute the terms and conditions of such agreement.

CONDITIONS OF SERVICE

- 9 The City shall not be obligated to provide utility services until access has been provided to the premises to enable the City to obtain an initial meter reading for each utility service which is metered.
- 10 Where the applicant is indebted to the City for any utility services previously provided by the City, the applicant may not be allowed to complete their application, or be entitled to receive utility services, until satisfactory arrangements have been made for payment of such outstanding account and any deposit required.

PART 5

DEPOSITS

DEPOSITS - GENERAL

- 11 (1) No deposits are required in order to establish a utility account, except in the following cases:
- (a) customers who are unable to establish and maintain a credit worthiness satisfactory to the City; or

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- (b) where payment of a utility account in the name of the applicant is in arrears; or
 - (c) where service to a property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of an account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's utility account has been written off as a bad debt and the applicant has applied for a new utility account; or
 - (f) where collection proceedings, including legal action or referral to a collection agency, commenced for recovery of the applicant's previous utility account and the applicant has applied for a new utility account; or
 - (g) where there is no evidence of a landlord-tenant relationship, or of a general contractor for new construction situation, and the applicant wishes to set up the utility account in any name other than that of the legal owner, and providing that the City agrees to this action; or
 - (h) where the applicant's existing or previous utility account(s) has not been maintained in good standing
- (2) Before obtaining a utility account, applicants in the foregoing categories shall pay all arrears or previous balances owing, and shall also provide a guarantee of payment in the form of a cash deposit or irrevocable letter of guarantee from a financial institution, in a form suitable to the City, in an amount equal to 30 percent of the estimated annual bill.
 - (3) Customers opening a new account due to a change of residence within the City shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
 - (4) The Treasurer may waive the requirement for a deposit.

INTEREST ON DEPOSITS

- 12 (1) Interest on each customer's cash security deposit calculated annually, not in advance, shall be credited to a cash deposit calculated as follows;

- (a) In respect to deposits received by the City on or before May 1, 1982:
 - (i) from May 1, 1982 to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,
 - (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v)¹ from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act, RSA 2002, Chap R-17.
- (b) In respect to deposits received by the City after May 1, 1982 but on or before March 1, 1984:
 - (i) from the date the deposit was received to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,
 - (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v)² from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act, RSA 2000, Chap R-17.
- (c) In respect to deposits received by the City after March 1, 1984:
 - (i) from the date the deposit was received to May 1, 1992 at a rate of 6% per year,

¹ 3215/A-2004

² 3215/A-2004

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- (ii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iii) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (iv)¹ from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act, RSA 2000, Chap R-17.
- (2) The deposit interest accrued in the cash deposit will be credited to the utility account of the customer beginning in the year 2000 and annually thereafter.

REFUND OF DEPOSIT

- 13 (1) When customers have established and maintained a credit worthiness satisfactory to the City, or upon termination of the contract, the utility account deposit paid by such customer shall be refunded, together with any accrued interest thereon that has not already been credited to the customer's account as provided for by Section 12, after deducting therefrom all charges outstanding, including the cost of shutting off or discontinuing any utility service for non payment of accounts rendered.
- (2) Deposits may be refunded at the discretion of the Treasurer.

PART 6

METERS

MEASUREMENT BY METER

- 14² All water supplied by The City to a customer shall be measured by a meter unless otherwise provided for in this bylaw.

PROTECTION OF METER

- 15 (1) Each customer shall provide adequate protection for the meter supplied by the City against freezing, heat or any other internal or external damage,

¹ 3215/A-2004

² 3215/D-2000

failing which the customer shall pay to the City all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.

- (2) No person other than an authorized City employee shall remove, disconnect, reconnect or tamper with a meter.

METER INSTALLATION

- 16¹ Every customer who requires the installation of more than one meter for each metered utility, shall pay a fee as set forth in Schedule "A" for each additional meter.

NON-REGISTERING METER

- 17 (1) If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated and the account rendered based upon such method as the Treasurer considers to be fair and equitable.
- (2) Where it has been determined by the City that the meter is not recording the consumption of a utility, the City, with reasonable notice to the customer, must be allowed to enter the premises to replace the meter.

TESTING OR CALIBRATION OF DISPUTED METERS

- 18 (1) A customer who disputes a meter reading shall give written notice to the City. Following receipt of written notice:
- (a)² DELETED
 - (b) a water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Director. In the event that the meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense of such test or calibration shall be borne by the customer in the amount designated in Schedule "A".

¹ 3215/B-2005

² 3215/D-2000

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- (2) In the event that the said meter is found not accurate within the said limits it shall forthwith be repaired or be replaced by one that is accurate and the expense thereof shall be borne by the City.
- (3) In the event that a meter is found not to be accurate within the aforesaid limits then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted to fully take into account such error. Unless an examination of past meter readings or other information discloses the time at which such an error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is the lesser. The amount so determined shall be deemed accepted by the customer and the City as settlement in full of all claims on account of the inaccuracy of such meter.

PART 7

METER READING

METER READS

- 19 (1) The customer shall permit the City to perform meter reading using automated monitoring equipment.
- (2) The City shall endeavour to read the meters of non-residential customers once every month and to read the meters of residential customers once every two months, or at such other intervals as are reasonable and practicable under the circumstances. If the City cannot gain access safely to read the meter as aforesaid, the consumption of the utility shall be estimated upon such basis as the Treasurer considers to be fair and equitable and the account rendered in accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, the City may discontinue any or all utility services supplied to the premises until such time as the City is able to obtain an actual meter reading.
- (3) The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.

ADDITIONAL METER READS

- 20¹ When a customer requests a meter reading at a time other than the regular scheduled time for meter reading, the customer may be assessed a fee as set forth in Schedule "A" for such reading. Provided, however, if upon such reading, it appears that the previous billed meter reading is incorrect, no service charge shall be required.

PART 8**SERVICE CALLS****SERVICE CHARGE**

- 21² When a customer requests that the City attend at their premises with respect to any matter relating to the supply of utility services or the servicing of the same, and for any reason whatsoever the City is unable to enter the said premises, or if the call is for failure of service not attributable to the City utility service, the customer shall pay a fee as set forth in Schedule "A".

AFTER HOURS CALLS

- 22³ Notwithstanding anything herein provided, if a meter is required to be installed or connected, or should a utility service be required to be disconnected or reconnected, or should a service call requested, be required after 4:00 p.m. or before 7:30 a.m., Monday through Friday, or on a Saturday, Sunday, or statutory or civic holiday, the customer shall pay a fee as set forth in Schedule "A".

¹ 3215/B-2005

² 3215/C-2000 (Rate Effective March 20, 2000), 3215/A-2001 (Rate Effective March 15, 2001), 3215/A-2002 (Rate Effective March 15, 2002), 3215/A-2003 (Rate Effective March 3, 2003), 3215/A-2005 (Rate Effective March 1, 2005), 3215/B-2005

³ 3215/A-2003 (Rate Effective March 3, 2003), 3215/A-2004 (Rate Effective March 1, 2004), 3215/A-2005 (Rate Effective March 1, 2005), 3215/B-2005

DISCONNECTION

- 23¹ Where a service call is made at the owner's request, for whatever reason, for the purpose of discontinuing a utility service, pursuant to sections 35, 36 and 37 of this bylaw, a disconnection service charge as set forth in Schedule "A" may be assessed and added to the owner's account.

RECONNECTION

- 24² Where a service call is made for the purpose of restoring services to the customer's account where utility services were previously discontinued pursuant to Sections 35, 36 or 37 of this bylaw, a reconnection service charge as set forth in Schedule A may be assessed and added to the customer's account.

PART 9**UTILITY ACCOUNTS****PAYMENT OF UTILITY ACCOUNTS**

- 25 All rates and charges payable hereunder shall be paid to the City within the time prescribed by this bylaw.
- 26 The entire utility account is due and payable when rendered and if not paid on or before the due date stated on the utility bill is deemed to be in arrears. Failure to receive a utility bill does not relieve the customer of liability to pay the same.
- 27 A customer who has not paid the full utility account rendered on or before the due date stated in the utility account may have the supply of all or any utility services discontinued without notice and such service will not be reinstated until all arrears and charges owed to the City are paid.

¹ 3215/B-2005

² 3215/A-2010

LATE PAYMENT PENALTY

- 28¹ (1) When the customer pays the utility account as rendered after the due date stated in the account, or such due date as may be approved by the Treasurer, such customer shall pay a penalty of 1.5% per month on the outstanding overdue balance. Payments must be received by the City on or before the due date in order for the customer to avoid the penalty. Payments made at a financial institution must be received by the City on or before the due date in order for the customer to avoid the penalty.
- (2) For greater certainty, a customer is obliged to pay for utilities when the bill is rendered and it is a breach of the agreement to supply utilities for the customer to pay late. The late payment penalty is not to be construed as permission for the customer to pay late but is rather a penalty for breaching the terms of the utility service agreement.

NOVELTY PAYMENT METHODS

- 29 The City may refuse to accept payment on a customer's account when payment by cheques is drawn on a form other than a bank cheque form. In the event the City accepts a payment by a cheque drawn on any other form, the customer shall be liable for and pay to the City all charges and costs incurred to process the cheque. The City will follow the Bank of Canada rules and regulations of currency acceptance limitations.

INTERIM ACCOUNT

- 30 In any case in which the City has rendered an account based upon an estimate of utility consumption, the City shall, upon reading the meter in respect of which the estimate was made, render an account for such utility service since the time the meter was last read by the City, after crediting all amounts received from the customer in respect of such estimated accounts.
- 31 Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.

¹ 3215/C-99, 3215/B-2005

ENFORCEMENT

- 32¹ The Treasurer is authorized to collect all accounts owing to The City under this bylaw, by taking any of the measures a municipality is authorized to take under the *Municipal Government Act, RSA 2000, Chap M-26*. In addition, the Treasurer may instruct the addition to the tax roll for a parcel of land of unpaid charges referred to in Section 42 of the *Municipal Government Act, RSA 2000, Chap M-26* for a municipal utility service provided to the parcel by the municipal public utility that are owing by the owner of the parcel.

APPEALS

- 33² Notwithstanding any other provision of this bylaw or the Rate Schedules forming part hereof, any customer who feels himself aggrieved in respect of rates charged to that customer under this bylaw on the grounds that such rates are unfair, unreasonable or discriminatory may, appeal such rates to the Red Deer Appeal & Review Board, by a notice specifying the grounds of the complaint submitted in accordance with the provisions outlined in the Committees Bylaw.

PART 10**TERMINATION****TERMINATION BY CUSTOMER**

- 34 Upon notification by the customer to the City to terminate the customer's contract, the City shall, when deemed necessary, obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

TERMINATION BY CITY

¹ 3215/D-99, 3215/A-2004

² 3215/A-2009

35¹ When the premises to which utility service is provided become vacant and no new application for service has been made, the City may terminate the contract and, in lieu of disconnecting the service, open a new utility account in the name of the owner. A fee set forth in Schedule "A" will be billed to the property owner to open the account. Nothing herein shall prevent the owner from requesting that the City disconnect such utility service provided the owner pays the service charge prescribed herein.

36 The City may discontinue the supply of all utility services for any of the following reasons:

- (a) non-payment of any utility accounts; or
- (b) inability of the City to obtain access to a residential premises to read any meter for a period of six months, or to a non-residential premises to read any meter for a period of three months; or
- (c) failure by, or refusal of, a customer to comply with any provision of this bylaw; or
- (d) failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder; or
- (e) at the owner's request to have services discontinued; or
- (f) in any other case provided for in this bylaw;

and in such event the City, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.

37 The Director is hereby authorized and directed to enter upon and in any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of a utility to that property, or for the purpose of supplying a utility to that property.

SERVICE KILL

¹ 3215/B-2005

- 38 No permit for the demolition or removal of a building shall be issued by the City nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the City the cost of disconnecting the utility service in the amount required under this bylaw under Schedule 'A', and such utility services have been disconnected. Notwithstanding the foregoing, the Director may, in circumstances which the Director considers appropriate, permit the service to remain connected to the utility service line or main.

PART 11

WATER UTILITY

DEFINITIONS

- 39 In this part and in the Schedules attached thereto:

"City Service" or "City Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the water main to the service valve;

"Combined Service" shall mean the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection;

"Fire Line" shall mean a pipe intended solely for the purpose of providing a supply of water for fire protection purpose.

¹"Low-flow Plumbing Fixtures" are toilets with a usage not exceeding 6.0 litres (1.6 US gallons) per flush; single flush urinals with a usage not exceeding 3.8 litres (1.0 US gallons) per flush; shower head fixtures with a flow rate not exceeding 9.5 litres (2.5 US gallons) per minute; and lavatory basin faucets and kitchen sink faucets with a flow rate not exceeding 8.3 litres (2.2 US gallons) per minute.

"Private Service" or "Private Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to a meter;

"Remote Reading Device" shall mean a device which is connected to a water meter by the City and provides a duplicate reading of the water

¹ 3215/B-2008

consumed, which may be monitored from the exterior of a building.

"Service or Service Pipe" shall mean a pipe used or intended to be used for supplying water which extends from the water main to a meter;

"Service Valve" shall mean the valve on a City Service pipe;

"Shut Off" shall mean an interruption in, or discontinuance of, the supply of water;

"Sprinkling" shall mean the distribution of water to the surface or sub-surface of lawns, gardens, street or other areas situated outside the buildings by pipes, hoses, sprinklers or any other method and includes the washing of motor vehicles and the exterior of buildings;

"Water main" shall mean those pipes installed by the City in streets for the conveyance of water throughout the City to which service pipes may be connected;

"Water Utility" shall mean the system of water works owned and operated by the City and all accessories and appurtenances thereto.

WATER SERVICE LEVY AND BILLING RATES

Rate Payable

- 40 (1) The City hereby levies, and the customer shall pay, for all water supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "A" attached to and forming part of this bylaw.
- (2) The Director shall determine which rate contained in Schedule "A" shall apply to any particular customer.
- (3) The rate payable by a customer as set out in Schedule "A" of this bylaw for all water supplied shall be determined by reference to the reading of the meter supplied to each customer.
- (4) Where a remote reading device is installed in addition to the main water meter, the main meter shall be the official reading.

Exceptions

- 41 All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of water service, and as a condition of such services, make payment of the following sums of money to the City, namely:
- (a) a sum equal to the off-site water charges based on the rate in force as of the date of the water connections established under the Off-Site Services Bylaw for the Golden West subdivision area, and
 - (b) the estimated cost of the construction of small diameter water main and hydrants and all appurtenances thereto, constructed along and in 65th Avenue between 67th Street and 64th Avenue, distributed on the assessable frontage along 65th Avenue and pro-rated to the Owner based on the frontage of the Owner's land as it related to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the water service to the Owner's property.

CONNECTION TO PUBLIC WATER SUPPLY

- 42¹ Within one year after a public water supply becomes available, the owner of every building situated on land abutting on any street in which there is a water main shall at the owner's expense connect such building to the water system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.
- 43²
- (a) At such time as the owner connects to the water main, the owner shall also open a utility account and make payment of all application fees and deposits that may be required under this bylaw.
 - (b) The owner of a parcel of land in respect of which no Offsite Levy for Water or Wastewater has been paid to The City, shall, in addition to the fees otherwise specified in this Bylaw, pay a connection fee as follows:
 - (i) in the case of a residential parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for Water and Wastewater service, multiplied by the actual area of the parcel or 0.12 ha, whichever is less.

¹ 3215/A-2009

² 3215/B-2011

- (ii) where such a residential parcel is subsequently subdivided and a new Water or Wastewater service connection is required for the subdivided parcel, the owner shall pay a separate connection fee for each parcel subdivided, in an amount equal to the current per hectare Offsite Levy charge for Water and Wastewater service, multiplied by the actual area of the unsubdivided parcel less the area set out in subsection (i) above;
 - (iii) in the case of a multi-family or non-residential parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for Water and Wastewater service, calculated on the area of the parcel in question.
- (c) The connection fee specified in subsection (b) above shall not apply to any parcel in respect of which The City has otherwise received or made arrangements to receive payment of an equivalent amount.

44¹

The Director of Development Services shall have the discretion to extend the period of time within which the connection to the Water Main and Wastewater Sewer must be made for such period of time as the Director considers is reasonable and subject to review every 5 years or less, provided that such extension of time is consistent with City policies and Council direction, and also provided that the failure to connect:

- (a) will not jeopardize the health or safety of the occupants of the buildings or of other City residents;
- (b) will not adversely affect the integrity or operation of those utilities; and
- (c) will not present an undue risk of damage to property or the environment.

45²

A person who has been directed to connect their building to the water system shall have the right to appeal the direction to the Red Deer Appeal & Review Board by a notice submitted within 14 days of the date that the direction to connect has been served, in accordance with the provisions outlined in the Committee Bylaw. On hearing such appeal, the Board may vary, suspend or rescind such direction on such terms as it deems

¹ 3215/A-2009, 3215/B-2011

² 3215/A-2009

appropriate.

- (1)¹ No person may connect to the water system until such time as a local improvement tax bylaw has been passed in respect of the cost of construction of the water supply works (including carrying charges) to serve the land owned or occupied by that person, or until such person has made other arrangements satisfactory to the City to pay that person's proportionate share of those costs."

ADMINISTRATION OF WATER SUPPLY

- 46 The Director may shut off water for any customer for any reason which, in the opinion of the Director, necessitates such shutting off, provided that the Director shall, if in the Director's opinion it is reasonably practicable to do so, give notice of such shutting off.
- 47 The City does not guarantee the pressure nor the continuous supply of water and the City reserves the right at any and all times without notice to change operating water pressures and to shut off water and the City, its officers, employees or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.
- 48 Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply pressure or quality of water required for their use.
- 49 The City may as a condition to the supply of water inspect the premises of a customer who applies to the City for such supply in order to determine if it is advisable to supply water to such customer.
- 50 The City may, with the permission of the customer, inspect the premises of the customer in order to do any tests on water piping or fixtures belonging to such customer so as to determine if this bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of water to that customer may be shut off.
- 51 The Director may at such times and for such lengths of time as the Director considers necessary or advisable regulate, restrict or prohibit the

¹ 3215/A-2009

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use of water for use other than human consumption. The Director may cause the water supply to any customer who causes, permits or allows consumption or sprinkling in contravention of any such regulation, restriction or prohibition to be shut off until such customer undertakes to abide by and comply with such regulation, restriction or prohibition.

RESTRICTION OF WATER SUPPLY

Restricted Use of City Facilities

- 52 No customer shall operate, use, interfere with, obstruct or impede access to the water utility or any portion thereof in any manner not expressly permitted by this bylaw, in default of which, the Director may cause the water being supplied to such customer to be shut off until such customer complies with all of the provisions of this bylaw.

Wastage

- 53 (1) No customer shall cause, permit or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from private service pipe, a faulty plumbing system or otherwise.
- (2) Notwithstanding the foregoing, the Director may under such condition as the Director may consider reasonable allow a customer to discharge water so that it runs waste or useless if such customer's water service would otherwise be susceptible to freezing.

¹Requirement to Use Low Flow Plumbing Fixtures

- (3) ¹ Any person installing plumbing fixtures for any new construction or renovation project that requires a plumbing permit for a residential, commercial, industrial, or institutional structure shall install only Low-flow Plumbing Fixtures.
- (4) ¹Notwithstanding anything contained in this bylaw, the requirements set out in Section 53(3) shall not be interpreted to:
- (a) prevent the installation of more than one valve in a shower stall or lavatory; or

¹ 3215/B-2008

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- (b) include any shower head or faucet unit installed solely for safety / emergency purposes, which may include, but is not limited to, emergency safety showers and face / eye wash stations.”

USE OF WATER

54 (1) No customer shall:

- (a) lend or sell water;
- (b) give away or permit water to be taken;
- (c) use or apply any water to the use or benefit of others or to any other than the customer's own use and benefit;
- (d) increase the usage of water beyond that agreed upon with the City;
or
- (e)¹ extract or remove any water from any hydrant within the City.

²without first obtaining written permission from the Director for such removal or use and subject to such reasonable conditions as the Director may impose with respect to the quantity, price and times of withdrawal of the water so used.

(2) During such summer months as the City Manager may designate by Notice published in a newspaper in the City,

- (a) No customer shall use, permit, suffer or allow to be used, any water supplied to any premises, the numerical designation of which (not including the street designation) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number;
- (b) No customer shall use, permit, suffer or allow to be used any water supplied to any premises, the numerical designation of which ends in an even number (exclusive of the street designation) for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number;

¹ 3215/B-2002

² 3215/B-2002

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- (c) Watering as defined in subsections (a) and (b) shall be done only with a hand held hose.
- (3) During such period as the City by Notice published in a newspaper may designate, no customer shall use, permit, suffer or allow to be used, any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.

INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 55 (1) Any customer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening up and excavating of a street shall, prior to such opening up and excavating, deposit with the Treasurer the costs thereof as estimated by the Director, or sign a work order, agreeing to pay such costs, at the discretion of the Director.
- (2) In the event that such failure or interruption was caused by the City service, providing that the service is a new service or has been used in the preceding twelve (12) months, the customer shall not be liable for such costs and any deposit paid shall be refunded.
- (3) In the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the customer and the said deposit shall be applied thereto; any excess shall be refunded to the customer and any deficiency shall be collected in the same manner as water rates.

NOISE AND PRESSURE SURGES

- 56 No customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the customer's water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the Director, result in annoyance or damage to other customers or to the water utility.

CONTAMINATION

- 57 No customer shall cause, permit or allow to be or remain connected to the customer's water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the water utility or any other harmful or deleterious liquid or substance to enter

the water utility. The Director may cause the water supply to any customer contravening the provisions of this section to be shut off provided that the Director shall, if the Director considers it practicable so to do, give notice to such customer prior to such water supply being shut off. The water supply to such customer shall not be restored until such customer has paid to the City all costs associated with the shutting off of the water supply, the cleanup of contamination and the remedying of the customer's default under this section.

WATER METERS

Installation Responsibility

- 58 (1) Water meters supplied by the City being 2 inches (50 millimetres) in size or smaller shall be installed by the City with no direct charge to the customer.
- (2) Water meters supplied by the City being larger than 2 inches (50 millimetres) in size shall be installed by and at the expense of the customer.

Subsidiary Meter

- 59 A customer may, for their own benefit, install a water meter between the meter supplied by the City and the point of use of the water supply provided that the City shall not maintain such meter, nor shall such meter be read by the City.

Installation

- 60 A customer shall make provision for the installation of a water meter to the satisfaction of the Director and when required shall install a properly valved bypass.
- 61 Unless the Director otherwise approves, the City shall not be obligated to supply more than one water meter for any one building. In the event additional water meters are approved, a separate curb stop will be required for each additional water meter.
- 62 Notwithstanding Section 61 , the City shall supply a separate water meter for each of the two semi-detached dwelling units contained within a duplex residential building. A separate curb stop will be required for each water

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meter.

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Any customer:

- (a) whose water is not metered, or
- (b) whose meter is not positioned to the satisfaction of the Director,

shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the customer.

Meter Chamber

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When in the opinion of the Director, the building or other premises intended to be supplied with water are too far from the City service to conveniently install a meter in such building or premises, or if a number of buildings are to be so supplied or for any other reason in the opinion of the Director, then the customer shall, at the customer's sole cost, construct and maintain a container for a meter and such container shall in all respects including location, construction size, access and otherwise howsoever be satisfactory to the Director.

Meter Size

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The size of the meters shall be determined as follows:

- (a) If the internal diameter of the private service is 1 inch (25 millimetres) or less, a 5/8 inch (16 millimetre) meter shall be used; or
- (b) If the internal diameter of the private service exceeds 1 inch (25 millimetres), the size of the meter shall be one size smaller than the size of the private service; or
- (c) If the private service is combined service the internal diameter of the private service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

Bypasses

- 66 Any customer having a water meter 2 inches (50 millimetres) in size or larger shall at the customer's own expense construct and maintain a properly valved bypass satisfactory to the Director which bypass shall be sealed by the City and shall be opened by the customer only in case of emergency. The customer shall notify the City within 24 hours after the seal on the bypass is broken, failing which the Director may cause the water supply to such customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

Meter Valving

- 67 Any customer having a meter smaller than 2 inches (50 millimetres) in size shall, at the customer's sole cost and expense, supply and maintain valves on both sides of and within 12 inches (300 millimetres) of the meter.

SERVICES AND SERVICING

- 68 All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the Building Code and any bylaws of the City applicable thereto.

Number and Depth of Services

- 69 Unless the Director otherwise approves,
- (a) there shall not be more than one private service to any building;
 - (b) a private service shall be buried to a depth of at least 9 feet (2.7 metres).

Fire Protection Service

- 70 (1) A water line which provides combined domestic service and fire line service shall not be installed without the prior approval of the Fire Chief of

the Red Deer Emergency Services Department.

- (2) A fire line shall be used only for fire protection purposes and the Director shall determine whether or not a meter shall be affixed to such fire line. If the Director requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Director at the sole cost and expense of the customer.

- 71 No trees, shrubs or plant material shall be planted within 3 feet (1 metre) of a fire hydrant. In addition, no tree branches or plant material shall be allowed to encroach within 2 feet (0.7 metres) of a hydrant.

Temporary Water Service

- 72 Any persons requiring a temporary water supply in the course of construction shall make application therefore to the Director and shall pay therefore the sums required by Schedule "A".

Thawing Services

- 73 The cost of thawing a frozen service shall be borne as follows:
- (a) If the private service or the plumbing system connected thereto is frozen, as determined by the Director, by the customer;
 - (b) If the City service is frozen as a result of the negligence of the customer, as determined by the Director, by the customer;
 - (c) If the City service is frozen for any other reason, as determined by the Director, by the City.
- 74 If the Director is of the opinion that a private service or plumbing system has frozen without any negligence on the part of the customer or any other person for whose negligence the customer is responsible, the Director may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15th to May 15th.
- 75 The City shall not thaw a private service or plumbing system unless the customer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the City for any such

damage whatsoever except damage caused by the negligence of the City.

Winter Installation

- 76 The cost payable by the customer for installing a service between November 15th of any year and May 15th of the following year unless designated otherwise by the Director shall be increased by the amount designated in the said Schedule "A".

Service Size

- 77 The size of the service required for residential purposes shall be determined in accordance with the Building Code, provided that the City shall not install a service having a size smaller than 1 inch.

Boilers

- 78 In any case where a steam boiler or equipment of a nature similar to that of a steam boiler is supplied directly from a service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

Requested Water Shut Off

- 79 If a customer requires the supply of water to be shut off for their own purposes, the customer shall pay therefore the amount specified in the said Schedule "A".

Cross Connections and Backflow Prevention

- 80 No customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- 81 If a condition is found to exist which is contrary to Section 80, the Inspections and Licensing Manager may issue such order or orders to the customer as may be required to obtain compliance with Section 80.

- 82 Notwithstanding anything herein contained, where in the opinion of the Inspections and Licensing Manager, the configuration of any water connection which creates a high risk of contamination to the water system, the customer, upon being given notice by the Inspections and Licensing Manager, shall install on their water service an approved cross connection control device, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.
- 83 All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Inspections and Licensing Manager by personnel approved by the Inspections and Licensing Manager to carry out such tests to demonstrate that the device is in good working condition. The customer shall submit a report on a form approved by the Inspections and Licensing Manager on any or all tests performed on a cross connection control device within thirty (30) days of a test and a record card issued by the Inspections and Licensing Manager shall be displayed on or adjacent to the cross connection control device. The tester shall record thereon the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self employed) or the name of the testers employer and the tester's license number.
- 84 When the results of a test referred to in Section 83 of this bylaw show that a cross connection device is not in good working condition, the customer shall, when so directed by the Inspections and Licensing Manager, make repairs or replace the device within ninety-six (96) hours. If the customer fails to comply with the direction given, the City may shut off the water service or water services.
- 85 (1) If a customer fails to have a cross connection control device tested, the Inspections and Licensing Manager may notify the customer that the cross connection control device must be tested within ninety-six (96) hours of the customer receiving the notice.
- (2) If a customer fails to have a cross connection control device tested within the time provided in Section 83, the Inspections and Licensing Manager may cause the water service or water services to be terminated until the cross connection control device has been tested and approved as required by Section 83 of this .
- 86 No person shall turn on a water service valve to provide water to the occupants of any newly renovated, constructed, or reconstructed

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premises until the plumbing system in such premises has been inspected for cross connections and approved by the Inspections and Licensing Manager.

- 87 No persons other than those who have achieved journeyman or "Certificate of Competency" in the cross connection control program of Alberta may conduct the tests of cross connection control devices, except with special permission from the authority having jurisdiction.
- 88 If the customer to whom the Inspections and Licensing Manager has issued an order fails to comply with that order, the Licensing Manager may:
- (a) Give notice to the customer to correct the fault at the customer's expense within a specified time period and, if the notice is not complied with, the Inspections and Licensing Manager may then shut off the water service or services; or
 - (b) Shut off the water service or services without prior notice.

PART 12

WASTEWATER UTILITY

DEFINITIONS

- 89 In this part:

"Backflow Valve" shall mean a device or a method to prevent backflow;

"B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in parts per million by weight;

"Building Drain" shall mean that part of the lowest horizontal piping which receives the discharge from soil waste or other drainage pipes within a building and conducts it to the building sewer beginning 1 metre outside the building wall;

"Building Sewer" shall mean that part of a wastewater drainage system outside a building commencing at a point 1 metre from the outer face of the wall of the building and connecting the building drain to the sanitary sewer or place of disposal of wastewater;

"Cleanout" shall mean a pipe fitting that has a removable cap or plug and

is so constructed that it will permit pipe cleaning;

"C.O.D." (denoting Chemical Oxygen Demand) shall mean the oxygen equivalent of organic matter and related empirically to B.O.D.";

"Combined Sewer" shall mean a sewer which carries sanitary wastewater and storm water;

¹"Dangerous Goods" shall mean dangerous goods as defined in the Dangerous Goods Transportation and Handling Act, RSA 2000, Chap D-4;

"Grease and Oil" shall mean any material recovered as a substance soluble in trichlorotrifluorethane and may also include sulphur, organic dyes and chlorophyll, using the "Standard Methods" for the examination of water and wastewater from the latest editions of American Public Health Association, American Water Works Association, and American Water Pollution Control Federation;

"Hydrocarbons" shall mean compounds made up of only carbon and hydrogen;

"Industrial Wastes" shall mean liquid wastes from industrial processes, such as dairies, breweries, packing plants and similar processes;

"Lime Slurry and Residues" shall mean a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre;

"Natural Outlet" shall mean any naturally occurring outlet into a water course, pond, ditch, lake, or other body of surface or groundwater not constructed by any person;

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ion in grams per litre of solution and denotes alkalinity or acidity;

"Phosphates" shall mean a chemical salt classified as orthophosphates, condensed phosphates and poly-phosphates;

"Polluted Wastes" and "Polluted Water" are materials or water that are contaminated with wastes in excess of that permitted in this bylaw;

"Sanitary Sewer" shall mean a sewer located on public property which is

¹ 3215/A-2004

designated by the Director to carry wastewater only;

"Sewer" shall mean a pipe or conduit for carrying wastewater;

"Sewerage Works" shall mean all sewers and facilities for collecting, pumping, treating, and disposing of wastewater;

¹"Solid Waste" shall mean wastes from the preparation, cooking, and dispensing of foods, and from the handling, storage, and sale of produce;

²"Solid Waste Disposal Unit" shall mean any device, garborator, equipment, or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating solid waste to enable the same to be introduced into a public sewer;

"Storm Sewer or Storm Drain" shall mean a pipe or conduit which is designated by the Director to carry storm, surface drainage, and groundwaters only;

"Suspended Solids" shall mean solids that either float on the surface of, or be in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering;

"Wastewater" shall mean a combination of the water carried wastes from all buildings in the City and without limiting the generality of the foregoing, including residences, business buildings, institutions, and industrial establishments;

"Wastewater Treatment Plant" shall mean any facility used for treating wastewater, and without restricting the generality of the foregoing shall include a wastewater disposal system;

"Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SEWERAGE SERVICE LEVY AND BILLING RATES

Rate Payable

90 The City hereby levies a sewerage charge on all persons occupying property connected with the City sewerage works based on volume of

¹ 3215/A-2004

² 3215/A-2004

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wastewater contributed by the customer, to be paid monthly as determined by the Director computed on the rates set forth in Schedule "B" attached hereto and forming part of this bylaw.

Exceptions

- 91 (1) Notwithstanding the provisions of this bylaw, the Director shall have the right to make special agreements on terms fixed by the Director with certain industries or others to whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of wastewater to the City's sewerage works.
- (2) All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of sanitary sewer services, and as a condition of such services, make payment of the following sums of money to the City, namely:
- (a) a sum equal to the off-site sewer levy based on the rate in force as of the date of sewer connections established under the Off-Site Levies Bylaw for the Golden West Subdivision area, and
 - (b) The estimated cost of the construction of sanitary sewers and manholes and all appurtenances thereto, constructed along and in 65 Avenue between 67 Street and 64 Avenue, distributed on the assessable frontage along 65 Avenue and pro-rated to the owner based on the frontage of the owner's land as it relates to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the sewer service to the owner's property.

USE OF SANITARY SEWERS REQUIRED

- 92 (1) No person shall place, deposit, or permit to be deposited in any manner upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, or other waste, or dangerous goods.
- (2) No person shall discharge from any natural outlet within the City or to any area under the jurisdiction of the City, any wastewater, industrial waste,

dangerous goods, or polluted waters, except where suitable pre-treatment is within the provisions of this bylaw.

- (3)¹ Within one year after sewer service becomes available, the owner of every building situated on land abutting on any street in which there is a sewer main shall at their own expense install toilet facilities and connect the building to the sewer system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.
- (4)² Notwithstanding the foregoing, the Director shall have discretion to extend the period of time within which the connection to the sanitary main must be made up to a maximum of two years after a sewer service becomes available.
- (5)³ A person who has been directed to connect their building to the sewer system shall have the right to appeal the direction to the Red Deer Appeal & Review Board by a notice submitted within 14 days of the date that the direction to connect has been served, in accordance with the provisions outlined in the Committees Bylaw. On hearing such appeal, the Board may vary, suspend or rescind such direction on such terms as it deems appropriate.
- (6) Except as permitted by this bylaw or The Building Code, no person shall construct or maintain in the City any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of wastewater.
 - (6.1)⁴ At such time as the owner connects to the sanitary main, the owner shall also open a utility account and pay all application fees and deposits that may be required under this bylaw.
 - (6.2)⁵ The owner of a parcel of land in respect of which no Offsite Levy for Water or Wastewater has been paid to The City, shall, in addition to the fees otherwise specified in this Bylaw, pay a connection fee at the time of opening the utility account as follows:
 - (a) in the case of a residential parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for Water and

¹ 3215/A-2009

² 3215/A-2009

³ 3215/A-2009

⁴ 3215/A-2009

⁵ 3215/B-2011

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Wastewater service, multiplied by the actual area of the parcel or 0.12 ha, whichever is less.

- (b) where such a residential parcel is subsequently subdivided and a new Water or Wastewater service connection is required for the subdivided parcel, the owner shall pay a separate connection fee for each subdivided parcel, in an amount equal to the current per hectare Offsite Levy charge for Water and Wastewater service, multiplied by the actual unsubdivided parcel less the area set out in sub-section (i) above;
 - (c) in the case of a multi-family or non-residential parcel, a fee in an amount equal to the current per hectare Offsite Levy charge for Water and Wastewater service, calculated on the area of the parcel in question.
- 6.3¹ The connection fee specified in subsection (6.2) above shall not apply to any parcel in respect of which the City has otherwise received or made arrangements or receive payment of an equivalent amount.
- (6.4)² No person may connect to the sewer system until such time as a local improvement tax bylaw has been passed in respect of the cost of construction of the sewer supply works (including carrying charges) to serve the land owned or occupied by that person, or until such person has made other arrangements satisfactory to the City to pay that person's proportionate share of those costs.

CLEANOUTS

- (7) A building sewer that is connected to a sanitary sewer shall be equipped with a main cleanout with a minimum diameter of 4 in. (100 mm) and a building sewer that is connected to a storm sewer shall be equipped with a main cleanout with a minimum diameter of 3 in. (75 mm), each located not more than 80 ft. (25 m) from property line. The main cleanout shall be located as close as practical to the point where the sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (7 feet or 2 metres) for effective rodding and cleaning. The building sewer from cleanout to property line is to be as

¹ 3215/B-2011

² 3215/A-2009, 3215/B-2011

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straight as possible. A maximum of one 45° bend is permitted for the cleanout and a maximum of one additional 45° bend may be used between the cleanout and property line. Total bends shall not exceed 90°.

BACKFLOW VALVES

- (8) Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved flow valve.

TREES AND ROOTS

- (9) No deep rooting trees (without limiting the generality of the foregoing, including willow, poplar and elm) shall be planted over building sewer lines on private property. If it is determined that roots are entering the sewage works from trees upon private property, the trees may be removed by the City at the owner's expense.

PRIVATE WASTEWATER DISPOSAL

- 93 Where a sanitary sewer is not available for connection as required under the provisions of Section 92(3), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the bylaw, The Building Code, and such additional requirements as may be imposed by the Director.
- 94 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.
- 95 After the owner has connected to the sewer system as required by Section 92(3), the owner shall, within 60 days of the date of connection to the sewer system, empty any septic tanks, cesspools and similar private wastewater disposal facilities and shall fill them with fill dirt or other suitable material.

BUILDING SEWERS AND CONNECTIONS

- 96 Any person desiring to connect their premises with a sanitary or storm sewer shall sign and file with the City a written application on a form

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approved by the Director for a permit to make such connection. The permit application shall be supplemented by any plans, specifications, or other information deemed necessary in the opinion of the Director.

- 97 No person shall uncover, make any connections with or opening into, use, alter, or disturb any sanitary sewer or appurtenances thereof, unless authorized by the Director.
- 98 All building sewers when approved shall be constructed by municipal forces or municipal contractors from the sanitary sewer to the property line.
- 99 All building sewers on private property shall be constructed by the owners' forces to the requirements of this and of The Building Code.
- 100 The City shall maintain the building sewer from the sanitary sewer to the property line at the expense of the City; from the property line to the building connection such sewer shall be maintained by the property owner at their own expense.
- 101 When any sewer connection is abandoned, the owner of the property shall effectively block up the connection at a suitable location within their property so as to prevent wastewater backing up into the soil, or dirt from being washed into the sewer.
- 102 No weeping tile system shall be connected to any building sewer or sanitary sewer unless approved in writing by the Director.
- 103 Where the groundwater table, seasonally adjusted, is within 6.7 feet (2.1 metres) of the top of the footing of any residence constructed after the passage of this , such residence must have a weeping tile system connected to a storm sewer where a storm sewer is available, or upon permission being granted by the Director, connected to the sanitary sewer.

USE OF PUBLIC SEWERS

- 104 No person shall discharge, or cause to be discharged, storm water, surface water, groundwater, roof run-off, subsurface drainage, or cooling water, from any industrial process to any sanitary sewer; provided that the Director may, on application, authorize such discharge where in the Director's opinion exceptional conditions prevent compliance with the foregoing provisions.

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- 105 No person shall deposit or permit the deposit of a deleterious substance, as defined by the Director, of any type in the storm sewers of the City of Red Deer.
- 106 No person shall discharge storm water or natural water to any sewer except a storm sewer, or to a natural outlet approved by the Director.
- 107 (1) No person shall discharge, cause, or permit to be discharged into any sanitary sewer any:
- (a) dangerous goods;
 - (b) ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or other solid or viscous substance capable of causing obstruction, or other interference with, the operation of the sewerage works;
 - (c)
 - (i) paunch manure or intestinal contents from horses, cattle, sheep or swine;
 - (ii) animal hooves, toenails, or bone scraps;
 - (iii) animal intestines or stomach casing;
 - (iv) bones;
 - (v) hog bristles;
 - (vi) hides or parts thereof;
 - (vii) animal fat or flesh, in particular larger than will pass through a 6 millimetre screen;
 - (viii) horse, cattle, sheep or swine manure;
 - (ix) poultry entrails, heads, feet, feathers, or eggshells;
 - (x) fleshings and hair resulting from tanning operations;
 - (xi) blood;
 - (d) waters or wastes having pH lower than 5.5 or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, biological wastewater treatment

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processes, and personnel of, the sewerage works;

- (e) Wastewater containing substances in concentrations exceeding the following:

Antimony	1.0 mg/L
Arsenic	1.0 mg/L
Barium	3.0 mg/L
Boron	1.0 mg/L
Cadmium	0.05 mg/L
Chromium	1.0 mg/L
Chlorinated Hydrocarbons	0.02 mg/L
Copper	0.5 mg/L
Cyanide	1.0 mg/L
Lead	1.0 mg/L
Manganese	1.0 mg/L
Mercury	0.1 mg/L
Nickel	0.5 mg/L
Total Pesticides	0.1 mg/L
Phenolic Compounds	0.1 mg/L
Selenium	1.0 mg/L
Silver	1.0 mg/L
Sulphide	1.0 mg/L
Zinc	1.0 mg/L

- (f) Wastewater which contains more than:

Suspended Solids	1000 mg/L
B.O.D.	1000 mg/L
C.O.D.	2000 mg/L
Oil and Grease	500 mg/L
Hydrocarbons	100 mg/L
Phosphates	100 mg/L

- (g) lime slurry and residues;

- (h) any substance which, in the opinion of the Director,

- (i) is or may become harmful to any recipient water course or sewerage system or part thereof;
- (ii) may interfere with the proper operation of the sewerage system;
- (iii) may impair or interfere with any wastewater treatment

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process; or

(iv) may become a hazard to persons, property, or animals.

(2) The Director may cause samples of wastewater to be taken to determine the content thereof and, notwithstanding the provisions of Section 107(1)(f), where any person has discharged, caused, or permitted to be discharged into any sanitary sewer any:

(a) Suspended solids which exceed 200 mg/L; or

(b) B.O.D. which exceed 200 mg/L; or

(c) Oil and grease which exceeds 100 mg/L;

then such person shall pay rates for treatment for such substances as set forth in Schedule "B" hereof. Where the discharges of substances do not exceed the amount specified in this subsection, then such person shall pay only the volume rate for discharge of wastewater.

108 (1) Grease, oil, and sand interceptions or filters shall be provided on private property for all restaurants, garages, petroleum service stations, vehicle and equipment washing establishments.

(2) Interceptors will be required for other types of businesses when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients.

(3) All interceptors shall be of a type and capacity approved by the Director and shall be so located as to be readily and easily accessible for cleaning and inspection and shall be maintained by the owner at the owner's expense in continuously efficient operation at all times.

(4) Interceptors shall not be required for private residences.

109 Should any blockage, either wholly or in part, of the sewerage works be caused by reason of failure, omission, or neglect of a customer, or owner of property, to comply strictly with the provisions of this bylaw, the customer or owner shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay the City for all costs of clearing such blockage as determined pursuant to Schedule "A" and for

any other amount for which the City may be held legally liable because of such blockage.

- 110 Any person who contravenes any of the provisions of Section 107(1) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up and removing any of the materials listed in Section 107(1) and removing and cleaning up a contamination resulting from the discharging of any such materials into a sanitary sewer, and for any other amount for which the City may be held legally liable because of such contamination.
- 111 No municipality or person shall discharge or cause to be discharged into any sewer or sanitary sewer, wastewater, or industrial waste in a greater volume than 100,000 cu. ft. (9,300 cubic metres) per month without first obtaining written consent from the Director, but no such consent shall be given by the Director until:
- (a) an application in writing for permission to discharge industrial waste or wastewater into a sewer within or entering the City system is delivered to the Director, and
 - (b) the Director has been provided with the chemical and physical analysis, quantity and rate of discharge of wastewater or industrial waste to be so discharged, and any other detailed information that the Director may require, including all pertinent information relating to any pre-treatment before discharge.
- 112 (1) The Director may require the person making application to discharge wastewater to provide, at their own expense, such preliminary treatment as may be necessary to change the characteristics of the industrial waste or wastewater to the standards required under the provisions of this bylaw.
- (2) Where preliminary treatment facilities are provided for any industrial waste or wastewater, they shall be maintained continuously in satisfactory and effective operation by the customer at the customer's own expense.
- 113 (1) The installation of a manhole in a wastewater service connection will be required in accordance with the wastewater manhole requirement of the "Design Guidelines" of the Engineering Department.
- (2) Notwithstanding the above, when required by the Director, the installation of a manhole in a wastewater service connection to an industrial, commercial, or other development will be required:

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- (a) to facilitate the clearing of blockages where, in the opinion of the Director, the risk of sewer blockage is high;
 - (b) for observation, sampling, and measurement of the waste of premises served by a wastewater service connection carrying industrial waste.
- (3) Without limiting the generality of the foregoing, manholes will be required or, but not limited to:
 - (a) Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, painting shops.
 - (b) Commercial - Shopping centres, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries.
 - (c) Other - Residential dwellings over 6 units, apartment over 6 units, institutions, hospitals, dental labs, funeral homes, churches, schools.
- (4) Such manholes may be constructed by the City, at cost to the applicant for wastewater services, at the service connection to the sanitary main or such manhole may be constructed at the applicants expense, on property/easement line in accordance with plans approved by the Director and shall be maintained by the applicant so as to be safe and accessible at all times.

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All measurements, tests, and analysis of the characteristics of industrial waste, wastewater or water to which reference is made in this bylaw shall be determined in accordance with the "Standard Methods and Practices for the Examination of Water and Sewage" of the American Public Health Association, and shall be determined from suitable samples taken at the control manhole provided for in Section 113. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sanitary sewer to the point at which the sewer connection enters the sanitary sewer.

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PART 13**ELECTRIC, LIGHT AND POWER UTILITY****DEFINITIONS**

115 ¹	DELETED
116 ²	DELETED
117 ³	DELETED
118 ⁴	DELETED
119 ⁵	DELETED
120 ⁶	DELETED
121 ⁷	DELETED
122 ⁸	DELETED

¹ 3215/D-2000

² 3215/D-2000

³ 3215/D-2000

⁴ 3215/D-2000

⁵ 3215/D-2000

⁶ 3215/D-2000

⁷ 3215/D-2000

⁸ 3215/D-2000

PART 14**¹WASTE MANAGEMENT UTILITY****DEFINITIONS**

¹²³² In this part and in the schedules related to this part, the following words shall have the following meanings:

³“Container” shall mean a container for solid waste which is designed to be emptied by a front loading Solid Waste Vehicle;

⁴“Contractor” shall mean the person who or the Corporation which is under contract with the City to collect solid waste from residential properties and haul it to the City’s Landfill site through the Solid Waste portion of the Residential Recycling and Solid Waste/Yard Waste Collection and Composting Services Contract or other applicable agreements entered into between the City and the Contractor.;

“Recycling Contractor” shall mean the person who is under contract with the City through the Residential Recycling Contract or other applicable agreements entered into between the City and the Recycling Contractor.

⁵“Dangerous Goods” shall have the meaning set out from time to time in the Dangerous Goods Transportation and Handling Act, R.S.A. 2000, Ch. D-4 as amended, and the regulations thereunder;

“Disposal Grounds” shall mean the landfill site operated under the authority of the City from time to time;

⁶“Hazardous Waste” shall have the meaning set out from time to time in the Environmental Protection and Enhancement Act, R.S.A. 2000, Ch. E 12 as amended, and the regulations thereunder;

⁷“Receptacle” shall mean a receptacle for solid waste other than a container as defined herein and includes a garbage can and garbage bags;

¹ 3215/A-2004

² 3215/B-99

³ 3215/A-2004

⁴ 3215/A-2004

⁵ 3215/A-2004

⁶ 3215/A-2004

⁷ 3215/A-2004

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¹“Solid Waste” shall mean discarded material or waste or any kind which is permitted to be disposed of at the City Landfill site.

²“Solid Waste Tag” shall mean a sticker purchased from The City to be used to identify units of solid waste in excess of the basic residential solid waste collection service.

³“Special Waste” shall mean waste which requires special disposal treatment at the Disposal Grounds but does not include solid waste, hazardous waste or dangerous goods.

⁴“Unit of Solid Waste” shall mean a garbage bag up to 660 mm by 914 mm, or a garbage can up to 100 litres in volume, and shall not weigh more than 25 kg.

“Vacant Residential Lands” shall mean is a residential parcel of land without a building ready for occupancy.

ESTABLISHMENT AND CONTRACTING

124 ⁵The City hereby establishes the solid waste utility system for the collection, removal and disposal of all solid waste and special waste in the City.

125 (1)⁶ Except as provided in this part or by any agreement entered into between the City and the contractor, no person other than the contractor shall directly or indirectly remove or dispose of solid waste collected within the boundaries of the City.

(2)⁷ Notwithstanding the foregoing, the contractor shall not have any exclusive right to collect, remove and dispose of the following types of solid waste:

- (a) residential large household goods;
- (b) solid waste in rolloff containers of a capacity of 20 cubic yards or greater;
- (c) solid waste produced by large scale commercial compactors of a capacity of 20 cubic yards or greater;

¹ 3215/A-2004

² 3215/A-2004

³ 3215/A-2004

⁴ 3215/A-2004

⁵ 3215/A-2004

⁶ 3215/A-2004

⁷ 3215/A-2004

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- (d) waste produced in the process of constructing, altering or repairing a building;
- (e) any waste not accepted at the City Landfill; and
- (f) those items suitable for recycling or reuse.

126 Except as provided in this part or by any agreement entered into between the City and the Recycling Contractor , no person other than the Recycling Contractor shall directly or indirectly remove or dispose of recyclable material from the Residential Recycling Program collected within the boundaries of the City.

¹SOLID WASTE SERVICE CHARGES AND BILLING RATES

- 127² (1) The City hereby levies and the customer shall pay for solid waste services provided the amounts and charges provided for in this bylaw and in Schedule "D" attached hereto.
- (2) For greater certainty, all customers shall pay the City for basic solid waste services notwithstanding any contract such customer may have for additional or special solid waste services. The City shall not be responsible to bill or to collect fees for additional or special solid waste services.
- (3) Where service is provided for part of a billing period, the rate shown under Schedule "D" for such service shall be prorated and charged for the portion of the period the service is provided.
- (4) No charges shall be levied or collected in respect of residential lands with no improvements.

¹ 3215/A-2004

² 3215-A-2004

¹ADMINISTRATION OF SOLID WASTE COLLECTION, REMOVAL AND DISPOSAL SERVICE

128² The Director shall:

- (a) supervise the collection, removal and disposal or recycling of solid waste, yard waste, and recyclables under this bylaw and under any contract entered into by the City;
- (b) require the owner of a property to install a lid on a garbage container when, in the Director's opinion, there is a problem with the containment of solid waste which could be resolved by the installation of a lid;
- (c) decide what does or does not constitute solid waste or special waste which shall be collected and removed under this bylaw, and
- (d) determine which of the rates set out in Schedule "D" applies to a particular customer in light of the quantity or volume of solid waste produced by that customer.

³USE OF THE SOLID WASTE SERVICE AND DISPOSAL GROUNDS

- 129⁴ (1) No material shall be considered to be "solid waste" within the meaning of this bylaw unless and until the owner of the same shall have placed it in a receptacle or container for collection.
- (2) All solid waste shall be removed to and disposed of in the Disposal Grounds subject to the regulations established by the City therefor and no person shall deposit or dispose of solid waste at any location in the City except the Disposal Grounds.
- (3)⁵ A person shall not use or permit to be used any vehicle or trailer for the conveyance or storage of waste unless such vehicle or trailer is fitted with a cover capable of preventing the dropping, spilling or blowing off of waste while it is being stored in or transported by the vehicle. Such unsecured loads will be charged a surcharge at the Disposal Grounds as outlined in Schedule "D" and/or may be subject to a penalty.

¹ 3215/A-2004

² 3215/A-2004

³ 3215/A-2004

⁴ 3215/A-2004

⁵ 3215/A-2002

- 130¹ (1) No owner or occupant of land shall permit solid waste to accumulate loosely on such land.
- (2) An owner or occupant of land shall ensure that any solid waste produced from such land is held in receptacles or containers in good condition adequate to contain the accumulation of solid waste originating from such lands between collection times.
- (3) Solid Waste receptacles shall be placed as near as practicable to the lane abutting the lands upon which the same are situated so as to be easily accessible to the persons required by this bylaw or any contract pursuant hereto to handle the same, or if a lane does not abut such lands, or for any other reason the placement required by this section is impractical, such receptacles shall be placed in such manner as the Director directs.
- 131² When a building is constructed so that its exterior wall abuts the lane or the lane setback and no alternate location is provided on the site accessible to the lane, a space within the building, accessible to the lane, shall be provided of sufficient dimensions to contain all solid waste between periods of collection to the satisfaction of the Director.
- 132 (1)³ Notwithstanding any other provisions of this bylaw, a receptacle containing solid waste shall be sufficiently strong to hold the weight of solid waste contained therein without breaking and shall not exceed:
- (a) 25 kilograms (55 pounds) in weight;
 - (b) 1.2 metres (4 feet) in length; or
 - (c) 100 litres (3.6 cubic feet) in volume.
- (2) The City and its contractor are not required to handle, collect or remove a receptacle, or the contents of a receptacle, which does not comply with Section 132 (1) of this bylaw.
- (3)⁴ All owners or occupants of land shall remove and dispose of all solid waste originating on their lands or premises which are not collected, removed and disposed of pursuant to this bylaw, and in default of their so doing, the City may remove and dispose of such solid waste at the expense of such owners or

¹ 3215/A-2004

² 3215/A-2004

³ 3215/A-2004

⁴ 3215/A-2004

occupants and the owners or occupants shall make payment of such expenses on demand.

- (4) A person shall not put out or permit to be put out animal feces or any other manure type waste unless packaged separately from other waste in a securely tied double plastic bag free of punctures, tears and leaks.
 - (5) No person shall dispose of any waste in a receptacle or container owned or leased by another person without the express written consent of the owner of the receptacle or container.
 - (6)¹ The basic residential solid waste collection service outlined in Schedule "D" Item 3 shall consist of the weekly collection of a maximum of 5 units of solid waste per residential customer unless otherwise directed by the Environmental Services Manager. Units of solid waste in excess of the basic residential solid waste collection service will be picked up if a solid waste tag, purchased from The City, is attached to the waste for disposal.
- 133 (1)² The owner or occupant of residential lands or premises may remove the solid waste therefrom at their own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of this liability to pay to the City the rate levied under this bylaw for removing such solid waste.
- (2)³ The owner or occupant of multi-family residential lands or premises must have hand pick-up or container collection of solid waste at least once per week. If using hand pick-up for multi-family residential lands or premises, the owner must ensure that all solid waste is neatly contained in garbage cans between collection times. The joint use or sharing of containers or receptacles between multi-family residential lands or premises, for the collection and disposal of solid waste, shall not be permitted except with the prior written permission of the Environmental Services Manager.
- (3)⁴ The owner or occupant of non-residential lands or premises may remove their own solid waste at their own cost and expense by employing the services of their own workers or employees, but such owner or occupant shall not contract such work out to any party other than the contractor, except for the removal of the types of solid waste listed in Section 125(2).

¹ 3215/B-99, 3215/A-2004, 3215/A-2006

² 3215/A-2004, 3215/A-2006

³ 3215/A-2002, 3215/A-2004

⁴ 3215/A-2004

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- (4)¹ Any person who breaches the provisions of subsection (3) hereof, in addition to their liability to be prosecuted for an offence under this bylaw, shall be liable for and make payment to the City of the fees and charges for removal and disposal of solid waste which such person would have had to pay had such person used the services of the contractor for such purpose.
- (5)² This section does not apply to removal of solid waste from the Michener Centre.

HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL WASTE

- 134 (1) The owner or occupant of land which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this bylaw and any regulations of the Governments of Alberta and Canada.
- (2) The owner or occupant of any lands from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- (3)³ No person shall deposit or mix with any solid waste for collection in the solid waste service or delivery to the Disposal Grounds any dangerous goods or hazardous waste.
- (4)⁴ No person shall place, or cause to be placed, any special waste into the solid waste service or Disposal Grounds without obtaining permission from the Director and making payment of the disposal charge specified in Schedule "D".
- (5) Any person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Grounds or any other site in the City and shall make payment of the same to the City on demand.

¹ 3215/A-2004

² 3215/A-2004

³ 3215/A-2004

⁴ 3215/A-2004

BURNING

- 135¹ Except as provided in the City's Fire Permit Bylaw no persons shall burn or attempt to burn any solid waste outside of a building in any area of the City.

MISCELLANEOUS

- 136 (1)² Notwithstanding anything in this bylaw, no person shall deposit any solid waste or refuse at the Disposal Grounds which does not originate from within the boundaries of the City except with the prior written permission of the Environmental Services Manager or under the authority of a contract with the City.
- (2) The penalty for a breach of this section shall be:
- (a) in the case of a first offence, a fine of not less than \$50.00 and not more than \$100.00 and in default of payment thereof to a term of imprisonment for not more than 5 days;
 - (b) in the case of a second offence, a fine of not less than \$150.00 and not more than \$250.00 and in default of payment thereof to a term of imprisonment for not more than 15 days; and
 - (c) in the case of a third and any subsequent offence, a fine of \$500.00 and in default of payment thereof to a term of imprisonment for not more than 90 days, or to both fine and imprisonment.

PART 15**POWER AND AUTHORITY OF INSPECTORS**

- 137 The Director, any manager of a utility appointed by the Director in charge of administering each utility, the Inspections and Licensing Manager and other duly authorized employees of the City and contractors or agents appointed by the City, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission, or neglect respecting any utility upon the customer's premises, or discloses any defect in the location, construction, design or maintenance

¹ 3215/A-2004

² 3215/A-2004, 3215/A-2006

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of any facility or any connection therefrom to the utility service, the person making such inspection shall, in writing, notify the customer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Director. Such person shall within the time limited rectify such cause of complaint stated in the notice.

- 138 Any person violating any provision of this bylaw may be served by the City with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or such additional time as determined by the Director. Such person shall, within the time stated in such notice, permanently cease all violations.

PART 16

OFFENCES AND PENALTIES

- 139 Any person who:
- (a) breaches Section 92(1), 92(2), 107, or 134 of this bylaw; or
 - (b) fails to act in compliance and accordance with any notice given to him under this bylaw;
- shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than \$500.00 and not more than \$2,500.00, plus court costs and in default of payment of the penalty and costs, to a term of imprisonment not exceeding 6 months.
- 140 The penalty for a breach of Section 129(3) shall be as follows:
- (a) for a first offence, a fine of \$50.00 and, in default of payment, 5 days imprisonment;
 - (b) for a second offence, a fine of \$150.00 and, in default of payment, 15 days imprisonment;
 - (c) for a third or subsequent offence, a fine of \$500.00 and, in default of payment, imprisonment for a period of 60 days.
- 141 Except as provided for in Sections 139 and 140 of this bylaw, , any person who breaches or contravenes any other provision of this bylaw is guilty of an offence and is liable to a specified penalty of \$110.00.

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- 142 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, they may serve upon such person an offence ticket allowing the payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence.

PART 17**EFFECTIVE DATES**

- 143 This bylaw shall come into effect on December 1, 1998
- 144 Bylaw No. 2960/88 is hereby repealed effective December 1, 1998.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this 5 day of October A.D. 1998.

"G. D. Surkan"

"Kelly Kloss"

MAYOR

CITY CLERK

SCHEDULE A - WATER AND MISCELLANEOUS RATES
SCHEDULE B - WASTEWATER RATES
SCHEDULE C - DELETED (EFFECTIVE JANUARY 1, 2001)
SCHEDULE D - GARBAGE RATES

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SCHEDULE "A"¹**Effective for all consumption, estimated or actual, on or after March 1, 2011****UTILITY BILLING FEES**

1	Application fee for utility billing	\$15.00
2	Installation of more than one meter	\$21.00/meter
3	Requested meter reading	\$21.00
4	Service call during regular hours	\$54.00
5	Service call after regular hours	\$150.00
6	Disconnection service charge	\$54.00
7	Reconnection service charge	\$54.00
8	Non-application fee (open a new account in owner's name)	\$30.00

**MISCELLANEOUS WATER AND
WASTEWATER RATES**

1	New service connection:		
		From Main In Street	From Main In Lane
	(a) Basic charge for 1" (25 mm) water and 6" (150 mm) sanitary	\$7,185.00	\$6,000.00
	(b) Basic charge for 1" (25 mm) water	\$6,145.00	\$4,845.00
	(c) Basic charge for 6" (150 mm) sanitary sewer	\$6,145.00	\$4,845.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

(d) Basic charge for 4" (100 mm) storm sewer	\$6,145.00	\$4,845.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$7,430.00	\$6,140.00
(f) Dual service upon approval	\$8,240.00	N/A
(g) Water service renewal upon approval	\$7,085.00	N/A

Extra charge for:

Larger water service:

1.5" (38 mm)	\$ 275.00
2" (50 mm)	\$ 750.00
4" (100 mm)	\$3,255.00
6" (150 mm)	\$4,025.00
8" (200 mm)	\$5,295.00
10" (250 mm)	\$6,550.00
12" (300 mm)	\$8,450.00

Larger sanitary or storm sewer:

8" 200 mm Ribbed DR35	\$225.00 \$300.00
10" (250 mm) Ribbed DR35	\$320.00 \$480.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

	12" (300 mm)	
	Ribbed	\$440.00
	DR35	\$690.00
	15" (375 mm)	
	Ribbed	\$ 640.00
	DR35	\$1,005.00
	18" (450 mm)	
	Ribbed	\$1,015.00
	DR35	\$1,450.00
	24" (600 mm)	
	Ribbed	\$1,715.00
2	Disconnection of service (water kill)	
	up to 50 mm in size	\$2,665.00
	up to 50 mm in size, same dig at time of basic service	\$1,155.00
	over 50 mm in size	\$4,465.00
3	Additional fee for winter construction of service (Nov. 15 – May 15)	
	Lane	\$1,545.00
	Street	\$2,330.00
4	Other Charges	
	Construction of manhole to 3.1 metres in depth at time of service	\$3,745.00
	(a) Additional cost per vertical metre in excess of 3.1 metres in depth	\$510.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3214/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

Inspection Chamber at time of service	\$2,170.00
Fire Hydrant and Valve Installation at time of service	\$5,985.00
Cutting and replacing pavement:	
(a) Single or double service 3" (75 mm) and under	\$2,890.00
(b) Single or double service over 3" (75 mm)	\$2,670.00
(c) Triple service 3" (75 mm) and under	\$3,815.00
(d) Triple service over 3" (75 mm)	\$4,275.00
(e) For service kill 3" (75 mm) and under	\$1,855.00
(f) For service kill over 3" (75 mm)	\$1,985.00
(g) For water service renewal	\$1,460.00
(h) Additional asphalt repair costs for excavations in excess of 4 metres deep (per additional meter of depth)	\$1,000.00
Replacing sidewalks:	
(a) Single or double service residential	\$2,850.00
(b) Single or double service commercial	\$4,420.00
(c) Triple service residential	\$3,150.00
(d) Triple service commercial	\$4,620.00
(e) Additional Sidewalk repair costs for excavations in excess of 4 metres deep (per location)	\$650.00
Replacing curb only:	
(a) Single or double service	\$1,680.00
(b) Triple or dual service	\$1,874.00
(c) Additional Curb repair costs for excavations In excess of 4 metres deep (per location)	\$450.00
Landscaping Repairs (boulevard area)	\$ 200.00
Landscaping Repairs (utility lot/reserve)	\$ 575.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

5	Turn water off or on for repairs or line testing	
	(a) during regular working hours	\$54.00
	(b) after regular working hours	\$150.00
6	Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 115 cubic feet (10 cubic metres) consumption. (Consumption in excess of 115 cubic feet (10 cubic meters) will be billed at current water consumption rate)	\$80.00 (plus monthly meter charge)
7	Meter Test	\$90.00
8	Repairs to water meters	at cost
9	Thawing water service	at cost
10	Repair to damaged standpipe	at cost
11	Private fire hydrant maintenance	<i>Cost per inspection</i>
	(a) Routine Hydrant inspection (Apr 15 – Sept 30)	\$40.00/hydrant
	(b) Winter Hydrant inspection (Oct 1 – Apr. 14)	\$75.00/hydrant
	(c) Damage evaluation	\$65.00/hydrant
	(d) Paint	\$75.00/hydrant

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

12	Bulk Water	
	Use of designated fire hydrant to obtain water	\$75.00 per permit plus water consumption
13	Clearing plugged sewer	
	(a) During regular working hours	\$120.00
	(b) After regular working hours	\$250.00
14	Televise sewer lines	
	(a) Service (regular hours only)	\$185.00
	(b) Mains (regular hours only)	at cost

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "A"¹

WATER RATES

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$0.743 for each cubic metre of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	\$19.60
3/4" (19 mm)	\$31.38
1" (25 mm)	\$57.12
1½ " (38 mm)	\$133.34
2" (50 mm)	\$321.91
3" (75 mm)	\$543.51
4" (100 mm)	\$1,150.60
6" (150 mm)	\$2,156.13
8" (200 mm)	\$3,810.21

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "B"¹**Effective for all rates, estimated or actual, on or after March 1, 2011****WASTEWATER RATES**

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$37.91 per month.
- 2 Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay at the rate of \$1.529 per cubic metre of wastewater calculated in the manner herein set forth with a minimum of \$37.91 per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on \$1.152 per cubic metre
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D.: \$0.84 per kg

Suspended Solids: \$0.91 per kg

Grease: \$0.26 per kg

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "B"¹

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.
- 5 Disposal at Liquid Waste Station and FOG Station (Fats, Oils and Grease):
- | | |
|--------------------|---------------|
| Single axle load | \$32.29 |
| Tandem axle load | \$53.84 |
| Multi-axle load | \$137.59 |
| Passenger Vehicles | \$61.82/month |

Note: See Schedule "A" for Miscellaneous Wastewater Rates

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "D"¹

Effective for all rates, on or after March 1, 2011

SCHEDULE OF SOLID WASTE COLLECTION RATES

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate			
	1.5 m ³ (2 yd ³)	2.3 m ³ (3 yd ³)	3.1 m ³ (4 yd ³)	4.6 m ³ (6 yd ³)
<u>Service on Demand:</u>				
Container rental	10.19	12.73	15.28	17.83
Lift charge	11.28	16.92	22.56	33.85
<u>Scheduled Service:</u>				
1 lift per month	11.28	16.92	22.56	33.85
1 lift every 2 weeks	24.37	36.56	48.74	73.10
1 lift per week	48.85	73.28	97.70	146.55
2 lifts per week	97.70	146.55	195.41	293.10
3 lifts per week	146.55	219.83	293.10	439.65
4 lifts per week	195.41	293.10	390.81	586.22
5 lifts per week	244.26	366.38	488.51	732.77
6 lifts per week	293.10	439.65	586.22	879.32
Extra lift for scheduled service	11.28	16.92	22.56	33.85

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "D"¹
SCHEDULE OF SOLID WASTE COLLECTION RATES

Charges for special container services in addition to the above rates will be as follows:

RATES PER CONTAINER

Standard Lid

No charge

Castors on Containers

\$ 17.83 per month

2. Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick- Up
	1	2	3	4	5	6	
$\leq 0.4 \text{ m}^3$ ($\leq .5 \text{ yd}^3$)	23.63	47.26	70.89	94.52	118.15	141.78	5.46
$> 0.4 - 0.8 \text{ m}^3$ ($\geq 5-1 \text{ yd}^3$)	23.63	47.26	70.89	94.52	118.15	141.78	5.46
$.765 > 0.8 - 1.5 \text{ m}^3$ ($\geq 1-2 \text{ yd}^3$)	47.26	94.52	141.78	189.04	236.30	283.56	10.92
$\geq 1.5 - 2.3 \text{ m}^3$ ($\geq 2-3 \text{ yd}^3$)	70.90	141.80	212.70	283.61	354.51	425.41	16.37
$> 2.3 - 3.1 \text{ m}^3$ ($\geq 3-4 \text{ yd}^3$)	94.53	189.06	283.59	378.13	472.66	567.19	21.83
$> 3.1 - 3.8 \text{ m}^3$ ($\geq 4-5 \text{ yd}^3$)	118.16	236.32	354.48	472.64	590.81	708.97	27.29
$> 3.8 - 4.6 \text{ m}^3$ ($\geq 5-6 \text{ yd}^3$)	141.79	283.58	425.37	567.16	708.95	850.75	32.75
$> 4.6 - 5.3 \text{ m}^3$ ($\geq 6-7 \text{ yd}^3$)	165.42	330.84	496.26	661.68	827.10	992.52	38.20

Note: 0.383 m^3 ($1/2 \text{ yd}^3$) is approximately equal to 3 units (bags or cans) of garbage

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "D"¹***SCHEDULE OF SOLID WASTE COLLECTION RATES***

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or a dwelling unit in a multiple family building or multiple family development, the charge for basic residential collection shall be \$11.70 per month per dwelling unit for the collection of a maximum of 5 units of solid waste per week year round and once a week collection of yard waste for six months per year. The charge for solid waste tags for units in excess of the basic residential collection service shall be \$1.00 per garbage tag.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" or "R63" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$5.65 per month per dwelling unit.
- (b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$4.00 per month per dwelling unit.
5. Disposal Grounds Rates for Acceptance of Solid Waste and Refuse

	<i>Description</i>	<i>Rate</i>
(1)	Residents hauling residential refuse from their own residences	\$60.00 per metric tonne
(2)	Private companies or commercial haulers with commercial or residential refuse haulers	\$60.00 per metric tonne
(3)	Demolition, concrete, asphalt and tree rubble	\$60.00 per metric tonne
(4)	Special Waste	\$80.00 per metric tonne
(5)	Asbestos	\$80.00 per metric tonne

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2009 (Effective March 1, 2009), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

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SCHEDULE "D"¹

SCHEDULE OF SOLID WASTE COLLECTION RATES

<i>Description</i>	<i>Rate</i>
(6) When fractional metric tonnes are delivered, the rate charged for the same shall be determined by pro-rating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$7.00 shall apply for items 5 (1), 5 (2), 5 (3), 5 (4), and a minimum charge of \$80.00 ² shall apply for item 5 (5).	
(7) Cover Material as defined in The City of Red Deer Waste Management Facility Disposal Guidelines	No Charge
(8) A surcharge of \$20.00 per load will be applied to unsecured loads as outlined in section 129 (3)	

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008), 3215/A-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)

² 3215/B-2009 (Effective March 23, 2009), 3215/B-2010 (Effective March 1, 2010), 3215/A-2011 (Effective March 1, 2011)



Council Meeting of January 9, 2012

ATTACHMENT "B"

DOCUMENT STATUS: Public

REFERS TO: Comments Received from the Public
Regarding Secondary Suites Licensing
Bylaw 3475/2011

RESPONSES FROM CITIZENS

IN FAVOUR

OF THE

SECONDARY SUITES
LICENSING BYLAW 3475/2011



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Kenneth Baltimore

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

3934 - 37 Ave, Red Deer T4N 2T2 Phone #: 403-347-5005

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Having purchased a duplex with
an unregistered secondary suite, I am
very much in favour of this by-law.
The secondary suite is now registered
(28 Abbott Ave). but I will give you some
examples of how the suite was developed

First the main bedroom had a window
that was so small it would have been
difficult to put a child through. The
second bedroom had no window
whatsoever.

The electrical wiring was deplorable

Your comments are important!

(over)



Public Comments
Development Authority

When we took down the ceiling we found two instances of live wire hanging without any cover. Very few of the electrical boxes had retainers for the wire to the boxes.

One electrical line was run from the furnace room thirty feet inside metal furnace ducting. There were several junction boxes above the ceiling.

There was hanging ceiling in half the suite and an improperly enclosed furnace room.

There were no smoke alarms and no safety railing on the stairway.

Ken Battimore

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

Subject: FW: secondary suites

From: jack and annette [mailto:
Sent: December 28, 2011 11:47 AM
To: Legislative Services
Subject: secondary suites

Hello and a Happy New Year.

We will be away the day of this meeting but wish to express a few concerns for thought.

We own rentals but no secondary suites as yet. We totally agree to the bylaw to have the suites legalized as we have seen some very unsafe suites in the past so thank-you for that.

The question we have is what would licensing really do (yes, we read your reasons in the article) except put another expense onto those renting these suites?.. the Landlords will have to pass those expenses on.

Its seems that you would already have these suites in your system, so don't see how a licence would help.

The people renting suites are usually those that can't afford more or those trying to save to get ahead.

We in the past few months have been looking at property and have seen a number with so called mother-in-law suites that have no paperwork or any thing attached for probability of licensing, so what would stop homeowners from getting more of these kind of suites in Red Deer to keep "suites" again more affordable. I think there are fines for this but this doesn't seem to be a deterrent for now,

So the way it looks with this licensing plan that the honest landlords will be dealt with a bill to pass on to their clients and the others will carry on as usual.

Is there any way you can deal with this to have the secondary suite issue cleared up totally, and have a handle on all suites and then try to have a follow-up system that would not include an expense.

Thank-you for listening

Jack and Annette Wyntjes

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

RESPONSES FROM CITIZENS

OPPOSED

TO THE

SECONDARY SUITE LICENSING
BYLAW 3475/2011

Cheryl Jarvis

November 29, 2011

Letter to City Council
City Hall
Red Deer

And so the poor beleaguered secondary suite owners are once again the target of the City of Red Deer. It's just a lucky thing I read the paper now and then or I would have no idea that the City is planning to charge secondary suite owners an annual licence fee in order to operate their suite(s). The city in it's wisdom of all things legal did not even pre-notify the secondary suite owners that this was in the works, or perhaps more of us than 1 would have been present at Council Meeting or by letter to OBJECT!!!

I am formally objecting to this ridiculous fee. I have already had to spend \$500 to apply for a legal suite and be battered by the Municipal Planning Commission, then I had to pay yet another \$75 to appeal a decision made to hard coat a driveway (not part of the original requirements but tossed in by one or two Commission members). Yes I won that appal but the City did not offer to repay my \$75. Then it was upwards of \$10,000 for renovations to upgrade one old suite in one old house. NOW you want more, and not just more but an annual inspection which could cause the suite to be closed at a moment's notice if some little thing is not right - so what about the Tennant(s)?

I strongly feel that the City of Red Deer has had enough of my cash in the last 2 years. Now my property is worth more and my taxes will rise accordingly plus whatever ridiculous increase you add this year!! My streets do not get fixed and there are cracks and potholes all over the place. My taxes are paying for utilities and new pavement in brand new subdivisions while my own street is left falling apart.

I feel as though you are gouging me and further penalizing me for what??? In the end, the bill goes to the home owner and not all of us have 10 or more revenue properties, just 1 puny house and 1 small suite, owned by 1 nearly retired person who is struggling to make ends meet in this economy.

Please find some wealthy revenue property owners to pick on - I do not fall into that category!

Yours truly

Cheryl Jarvis

Subject: FW: Proposed business license bylaw to be read in council today - For January 9, 2012 Council Agenda

Attachments: Letter addressing proposed license for secondary suites.docx

From: Gail Barc

c]

Sent: November 28, 2011 8:43 AM

To: Morris Flewwelling; Tara Veer; Paul Harris; Lynne Mulder; Frank Wong; Dianne Wyntjes; Cindy Jefferies; Chris Stephan; Buck Buchanan; Joyce Boon

Subject: Proposed business license bylaw to be read in council today

Sirs/Madams:

Please find attached a letter detailing our concerns regarding the proposed bylaw no. 3475/2011.

Gail Baron

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Richard and Gail Baron

November 27, 2011

City of Red Deer
4914 48 Ave
Red Deer, AB T4N 3T4

Attention: Mayor; Councilors; Manager, Inspections and Licensing

Re: Proposed Bylaw 3475-2011

Dear Sir/Madam:

As taxpayers and landlords here in Red Deer we find this proposed bylaw to be both discriminatory and punitive. This proposed business license is another tax grab from those responsible persons who have complied with the requirements for permitting secondary suites.

Why only secondary suites? Why not require all individuals or corporations who have rental property, from a single room, several rooms ie. rooming house, a suite, or an apartment building require a license to have rental property in the city? Other municipalities, ie. Bonnyville, require a single business license for anyone owning rental property.

Requiring a license for each property is punitive increasing costs which are passed on to the tenants. Suites provide supplementary housing working towards alleviating urban sprawl and homelessness. It is evident these issues are being paid lip service.

The entire issue of suites started as a result of citizen complaints that were not addressed and bylaws that were not enforced. This business license does not address those landlords who have not legalized their suites nor deal with their tenants in regards to safety, noise, parking, property upkeep, etc.

We provide our tenants with our contact information from the get go. We see the displaying of the contact information in the suite as a violation of our privacy. If the city requires our contact information, it has been readily provided for the application, the occupancy permit, property taxes and utilities.

We ask you to reconsider this license, either not proceeding with this additional tax, or, at the very least making it fairer by imposing it on all individuals or corporations who operate rental accommodation in the city.

Thank you for your consideration,

Richard and Gail Baron

Subject: FW: Suite legalization - Secondary Suites - January 9 2012

From: Nancy Brandv a]
Sent: December 08, 2011 11:10 AM
To: Dianne Wyntjes; Buck Buchanan; Chris Stephan; Cindy Jefferies; Frank Wong; Lynne Mulder; Paul Harris; Tara Veer; MayorMailbox
Cc: Lily Elie; Harold Line; todd wyatt; Griff Bartlett; Jason Sc m; Brian Paul; Bev Burt
Subject: Suite legalization

Dear Councillor

I am an owner of properties in Red Deer that have recently been approved with legal suites and also manage units for other investors with legal suites. I will be attending the meeting on January 9th 2012 to dispute the attempt to charge a business tax on the people who have Legally registered and complied with the Cities requests for the following reasons.

1. We have already paid fees associated with legalizing the suites (\$500.00) and at that time there was no mention of this ever requiring a license as we paid and covered all expenses for the permits and have already received them.
2. We have complied with every requirement by the city's request for off street parking, neighbourhood issues and the Fire Departments concerns and have had all the inspections completed to have our properties brought up to full code and deemed safe for any occupant.
3. We are cooperating with the city, paying for all of the expenses associated to the work involved. The people that are consuming the city and fire departments time are the ones that never complied and now have illegal suites. All of us had to pay between \$4000.00 - \$10,000.00 to have the work done for legalizing suites and to bring them up to code and an additional \$500.00 for payments to the city to cover their expenses for time and management of the process.
4. The one area that the city is not looking at is how the owner of these properties is assisting the city with the housing issues and that people need housing for under \$1000/M. If there is a business tax involved, it won't be the owner covering this, **the rental incomes** will be going up and it will **directly impact** the already **struggling tenants**.
5. To state that owners need to pay in some way is not taking into consideration that we already do. Owners of rental units are providing these numbers in their annual incomes that are reported yearly when they file taxes. We have to pay larger

- property taxes for having a finished basement, we have had to pay for the suites to be completed, we have to pay for the increased insurance on these homes. We pay and pay and pay and all because we are wanting to be upfront and honest about these properties. But instead of being recognized for what we have done we are now being penalized again.
6. The people who don't pay are the ones who are now operating illegal suites. They didn't have to pay for the application and permits, didn't have to pay for the work, didn't have to pay more insurance and their property taxes are probably still the same. For them to pay a mere \$1000 penalty is not a compensating figure and not a large enough fine to have them stop operating these units. If the fines are less than the cost, why would anyone want to legalize, we would have been better to keep operating illegally and save ourselves the thousands of dollars it has taken to legalize all of them. You are setting an example that the underground market for suites is the way to go.
 7. This is unfair practice to only go after people with basement suites as there are a huge amount of single family homes that are rentals as well and there is no way to monitor and regulate them, but if basement suites have to pay then you will have to insist every single unit that is a rental will have to pay and before one is billed all have to be billed.
 8. To state there is cost to mail out to the neighbourhood is repetitive to what the city has already done. The neighbours would not need to be notified as they already have been with the mail outs while in the legalization process, if the neighbours had concerns they would have attended the meeting where we were approved or not approved by City Council.
 9. The downturn in the real estate market have brought rents down by about 10- 20%, but taxes still go up and costs still go up so a large amount of the people that own rental are barely making a profit, if anything, most are covering the expenses out of their on back pockets. This is one more item that they never budgeted for, just like the years prior when we bought units with suites and were never notified that this legalization process was being considered by the city. I hear it all the time, that landlords are greedy and they make so much money and how tenants are lining their back pockets. But if you were to get down to the true costs to operate a rental property in a down market there are no one's pockets being made greener just desperation to find a hidden hole with some extra funds.
 10. I am asking for the City to consider that the basement suites are a small percent of the rental market in Red Deer and if they are going to pick on the small guy than they must consider all rentals and justify how they will be going after all rentals in the city of Red Deer.

Nancy Brandvold

Subject: FW: Suite legalization - for January 9 2011 Council Meeting

From: Brian Paul

Sent: December 08, 2011 12:23 PM

To: Dianne Wyntjes; Buck Buchanan; Chris Stephan; Cindy Jefferies; Frank Wong; Lynne Mulder; Paul Harris; Tara Veer; MayorMailbox

Cc: Nancy Realtystore

Subject: Suite legalization

Hello,

I have recently spent in excess of \$25,000 to legalize a suite located in Westgate. I am appalled that the Council wants to penalize us good citizens who have done the right thing to improve our city in terms of making safe, comfortable, clean, reliable housing to a segment of our population that cannot afford housing above the 750 in rent that I am currently charging my tenants, by way of more taxes.

I have paid for permits, Fire Inspections, Electrical Inspections, and a whole host of other related costs in order to ensure SAFE reliable housing for a family that requires affordable housing.

I feel that I have done the right thing as a citizen to help alleviate a major housing problem that our city has, and instead of being recognized it is the exact opposite with this existing proposal to pile on more taxes.

I am now in the process of deciding what to do about another property I own, and out of principal will wait to see whether the Council will join in to encourage our citizens to create safe, reliable housing, or will you encourage the status quo when it comes to illegal unsafe suites.

It will be the unfortunate people in our community that can only afford low cost housing that will lose out if the city does not get behind people like me who want to provide a quality standard of housing.

I would like the City to reconsider this regressive policy to penalize people that are doing the right thing, and rather encourage policies to make living spaces for all of our citizens regardless of economic status, to have safe, reliable housing.

Please send the right message by rescinding the proposed added tax for individuals who have done (and paid extensively) everything asked of them, and recognize the efforts of individuals as myself who are contributing to a better Red Deer!

Sincerely,

Brian Paul

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: Suite legalization - For January 9, 2012 Council Meeting

From: Jason Scott [mailto:jason.scott@reddeer.ca]

Sent: December 12, 2011 11:44 AM

To: Dianne Wyntjes; Buck Buchanan; Chris Stephan; Cindy Jefferies; Frank Wong; Lynne Mulder; Paul Harris; Tara Veer; MayorMailbox

Subject: RE: Suite legalization

Honourable Councillors

I would like to place my support behind Nancy Brandvold as my representative at your hearing on January 9th, 2012. I have undergone the upgrade process required by the City of Red Deer on two properties, resulting in improved safety for my tenants and my neighbours. I have spent significant resources throughout this process and see the proposed fees as a penalty to the landlords like myself who step up and took part in the legitimization process. If you feel there is need for resources to fund this process I believe you should look at penalizing the individuals who choose to not legalize and appreciate those of us who have embraced the legitimate suite process.

I ask you to also consider we are providing a service to lower income individuals and if there is a annual fee this will have to be passed on to the tenants which will not make living or working in Red Deer more affordable.

Thank you for your time.

JASON SCOTT

From: Nancy Brandvold [mailto:nancy.brandvold@reddeer.ca]

Sent: December-08-11 10:10 AM

To: dianne.wyntjes@reddeer.ca; buck.buchanan@reddeer.ca; chris.stephan@reddeer.ca; cindy.jefferies@reddeer.ca; frank.wong@reddeer.ca; lynne.mulder@reddeer.ca; paul.harris@reddeer.ca; tara.veer@reddeer.ca; mayor@reddeer.ca

Cc: Lily Elie; Harold Line; todd wyatt; Griff Bartlett; Jason Scott; Brian Paul; Bev Burt

Subject: Suite legalization

Dear Councillor

I am an owner of properties in Red Deer that have recently been approved with legal suites and also manage units for other investors with legal suites. I will be attending the meeting on January 9th 2012 to dispute the attempt to charge a business tax on the people who have Legally registered and complied with the Cities requests for the following reasons.

1. We have already paid fees associated with legalizing the suites (\$500.00) and at that time there was no mention of this ever requiring a license as we paid and covered all expenses for the permits and have already received them.
2. We have complied with every requirement by the city's request for off street parking, neighbourhood issues and the Fire

Departments concerns and have had all the inspections completed to have our properties brought up to full code and deemed safe for any occupant.

3. We are cooperating with the city, paying for all of the expenses associated to the work involved. The people that are consuming the city and fire departments time are the ones that never complied and now have illegal suites. All of us had to pay between \$4000.00 - \$10,000.00 to have the work done for legalizing suites and to bring them up to code and an additional \$500.00 for payments to the city to cover their expenses for time and management of the process.
4. The one area that the city is not looking at is how the owner of these properties is assisting the city with the housing issues and that people need housing for under \$1000/M. If there is a business tax involved, it won't be the owner covering this, **the rental incomes** will be going up and it will **directly impact** the already **struggling tenants**.
5. To state that owners need to pay in some way is not taking into consideration that we already do. Owners of rental units are providing these numbers in their annual incomes that are reported yearly when they file taxes. We have to pay larger property taxes for having a finished basement, we have had to pay for the suites to be completed, we have to pay for the increased insurance on these homes. We pay and pay and pay and all because we are wanting to be upfront and honest about these properties. But instead of being recognized for what we have done we are now being penalized again.
6. The people who don't pay are the ones who are now operating illegal suites. They didn't have to pay for the application and permits, didn't have to pay for the work, didn't have to pay more insurance and their property taxes are probably still the same. For them to pay a mere \$1000 penalty is not a compensating figure and not a large enough fine to have them stop operating these units. If the fines are less than the cost, why would anyone want to legalize, we would have been better to keep operating illegally and save ourselves the thousands of dollars it has taken to legalize all of them. You are setting an example that the underground market for suites is the way to go.
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9. The downturn in the real estate market have brought rents down by about 10- 20%, but taxes still go up and costs still go up so a large amount

of the people that own rental are barely making a profit, if anything, most are covering the expenses out of their on back pockets. This is one more item that they never budgeted for, just like the years prior when we bought units with suites and were never notified that this legalization process was being considered by the city. I hear it all the time, that landlords are greedy and they make so much money and how tenants are lining their back pockets. But if you were to get down to the true costs to operate a rental property in a down market there are no one's pockets being made greener just desperation to find a hidden hole with some extra funds.

10. I am asking for the City to consider that the basement suites are a small percent of the rental market in Red Deer and if they are going to pick on the small guy than they must consider all rentals and justify how they will be going after all rentals in the city of Red Deer.

Nancy Brandvold

a

After Hour Emergencies: "Loss of heat, total loss of electricity, plumbing leaks, loss of water, or sewage stoppage, roof leak, loss of security and any situation that endangers the occupant or home".

[This message has been scanned for security content threats and viruses.]

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Subject: FW: Secondary Suite Licensing Bylaw

From: Nancy Brandvold

Sent: December 20, 2011 7:35 PM

To: Dianne Wyntjes; Buck Buchanan; Chris Stephan; Cindy Jefferies; Frank Wong; Lynne Mulder; Paul Harris; Tara Veer; MayorMailbox

Subject: Secondary Suite Licensing Bylaw

Secondary Suite Licensing

I want to first thank you for the time you have been taking to read the concerns of many owners of secondary Suites. We have been working with the city up until now and wish to carry on doing so but request serious consideration over the following concerns;

1. We agree 100% that all basement suites need to meet the safety codes that have been set out and put in place to assure the safety of everyone residing at that address.
2. We do not agree that this should be a business license and fees should be applied.
3. We support a permit that states that address has an approved legal suite should be posted in an area of the property easily accessible to any maintenance or legal authorities to assure the unit is legal.
4. We do not support that the owners personal information should be posted on these permits. Not all tenants are good tenants and if we provide them all of our personal information we would be placing our families and neighbours at risk. As a landlord I provide a phone number and box number as per the Landlord and Tenants act and this is so they would not be able to confront me or my children if they are angered by notices or an eviction. To place all of our personal information clearly is a safety risk and is not required with the Landlord and Tenants by laws. I have had many angry tenants that did not agree with my rules and many damaged properties because of this, it is not fair to now cause my family a safety risk my posting all of our names and numbers for them to contact anytime.
5. We agree that a Property Management company would be sufficient for information as they are assigned and hired by the owner, there would be no need to have both owner and property manager. Property Managers are hired by owners to handle and negotiate all tenants issues as they are skilled and trained and choose not to have any contact with the tenants.
6. We agree that inspections should be done and permitted at any time and especially on illegal suites. There are many suites in the city that have been given notice to inspect and change the doors and items to make it not look like a suite and then the moment the inspector walks out the door its turned back into a separate suite. We feel that the units that have been inspected and have illegal suites or suites not approved by the city be inspected once/yr. to assure that they are not renting them as separate suites. But only as surprise inspections.
7. We do not agree that a 7 days written notice for any suspension is adequate as that is not enough time to follow up if the person may be away for a short period of time. This would clearly state that no one may leave Red Deer in case there was an issue that comes up.
8. \$100.00/day fee for people who are liable for an offence. Does this apply to the basement suites that never came forward and is this \$100.00/day from September 2010 when all licensing was to be done?

I see so much efforts with this moving forward and penalizing unit owners that have done the right thing. WE have paid the \$500.00 to register our suites, we have paid thousands of dollars to bring them

up to code, we have worked with the city and had the homes fully inspected and approved, we have allowed the community to have input on the suite and state if they are in support or not and with all of this we are now being asked to register each home, advertise all of our personal information for anyone to see and do anything with to pay and pay and pay and in return we get what? No thank you for assisting the city in their low income housing issues? No consideration or break in the personal funds it took to do this? We also have put a lot of time and effort into creating these units and the only way we will end up being compensated is to raise rents for the already hard to do tenants that seem to feel \$800/m including utilities is too high. Take a look at minimum wage, what does that really leave someone to afford for food and shelter. They can't do it.

I am firm when I say there are other properties the city needs to focus their attention too and appropriate penalties need to be put in place for and all units that are not legal? Currently, when a basement suite is found to be operating illegally what is the penalty and how are you assuring that this is no longer being used as a suite?

I also manage properties with legal suites and refuse to manage any that are not.

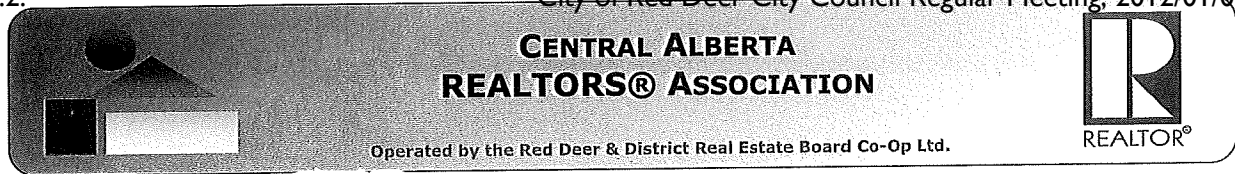
Nancy Brandvold

General Manager

After Hour Emergencies: "Loss of heat, total loss of electricity, plumbing leaks, loss of water, or sewage stoppage, roof leak, loss of security and any situation that endangers the occupant or home".

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December 6, 2011

Mayor Morris Flewwelling & Members City Council
The City of Red Deer
Box 5008
Red Deer, AB, Canada
T4N 3T4

**SUBJECT: SECONDARY SUITE LICENSING BYLAW
ANNUAL LICENSE FEE FOR OWNERS OF SECONDARY SUITES**

Dear Mayor Flewwelling & Members of City Council:

There has been much debate surrounding the imposition of an annual fee for secondary suites located in single family homes in Red Deer. REALTORS® represent the homeowners of residential dwellings with secondary suites. They have heard them say that they are opposed to an annual license fee and are convinced the annual fee is not fair to them.

As the President of the Central Alberta Realtors® Association, I represent 580 + REALTORS®, 300 who list and sell homes in Red Deer. We believe that by imposing an annual license fee to the homeowners with secondary suites will have a negative impact on housing affordability for the homeowners and for the people occupying the secondary suites. These are typically individuals and families who have lower than average incomes. Secondary suites are a cost-effective mechanism for increasing the supply of affordable rental housing without necessitating substantial city government investment.

City council maintains that annual fees for secondary suites are justified because of the higher cost burden on the city's infrastructure. They assume that homes with secondary suites consume twice the amount of city services that homes without secondary suites.

Council approved changes to the Land Use Bylaw in regards to Secondary Suites on December 14, 2009. From that Bylaw, Inspections and Licensing will maintain records of all homes with a secondary suite occupancy permits. Penalties are in place for a homeowner who allows tenants to occupy a suite without permits or homeowners who apply for permits but do not comply with the conditions of the permit.

The proposed bylaw states that one purpose is for tracking of suites and maintaining of records. If the new bylaw (December 14th Secondary Suite Bylaw) is designed to maintain records of all homes with secondary suites why would they need an existing annual licensing fee to do that as well?

According to a ¹ study conducted by Canada Mortgage and Housing (CMHC), on average, the secondary suite consumed less than one and half times the amount of municipal services versus a single home. Since the 1960's there has been a decline in neighbourhood population density, attributable to a number of factors: the aging of population; a reduction in the number of children in your families; and, the

¹ The Impact of Municipal User Fees on Secondary Suites-CMHC 2001

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Mayor Morris Flewelling & Members City Council

**SECONDARY SUITE LICENSING BYLAW
ANNUAL LICENSE FEE FOR OWNERS OF SECONDARY SUITES**

shrinking of household size as families mature and children leave home. While the demand for housing continues to grow, the average number of people per household has steadily declined, resulting in significant changes in housing need and housing demand. The market must respond to the needs of smaller and often, less affluent households, single-person households, and single-parent families, childless couples, elderly and retired households and shared-accommodation households. For homeowners, the additional income from secondary suites offers significant advantages:

- Encourages and enables homeowners to invest in their homes, contributing to the maintenance and revitalization of existing neighbourhoods;
- Subsidizes mortgages and maintenance costs for first-time buyers;
- Assists elderly homeowners to remain in their homes longer with support for home maintenance

Secondary suites also offer multiple benefits for the city:

- Increasing home value which generates higher property tax revenue
- Creating a more adaptable city that is better able to meet the housing and social needs of different demographic groups

I realize and appreciate that it is the decision of the City Council to determine whether to implement the annual license fee for secondary suites, and the extent to which Council wishes to encourage homeowners to have secondary suites as a way to meet affordable housing.

The Central Alberta Realtors® Association is recommending to City Council that the proposed annual license fee for secondary suites not be implemented. However, in the event City Council moves forward with implementing the annual license fee, the fee amount should be fair and reasonable, reflecting both service usage and the actual cost to the City.

Yours truly,

CENTRAL ALBERTA REALTORS® ASSOCIATION



**PATRICK GALESLOOT
2011 PRESIDENT**

pg/nm

Subject: FW: Re secondary suites licence

Attachments: Re secondary suites licence.doc

From: Dale Reil [mailto:reil@reddeer.ca]

Sent: December 14, 2011 11:36 AM

To: Tara Veer; Lynne Mulder; Frank Wong; Dianne Wyntjes; Cindy Jefferies; Chris Stephan; Buck Buchanan; Paul Harris; Jordan Furness; Legislative Services

Subject: Fw: Re secondary suites licence

Please find attached comments on secondary suite bylaw

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Re: Secondary Suite Licensing

I am in favor of secondary suite licensing but have concerns why the city is not including single family rental property in the license requirements. For the following reasons:

There are a number of illegal secondary suites that have not come forward that are still being rented out. These suites do not meet the new fire or building code. Because the kitchens do not have to be removed the owner can rent them out in the future unless the city has the means to track them (by licensing single family rentals).

There are also number of properties in Red Deer with kitchen facilities in the basement which are not rented out, that could be sold in the future with the new owner saying they are just renting out the house, then later renting out the basement suite too. By licensing these single family rentals you would be able to stop this from happening.

There are investors owned houses being rented out by the room which do not meet the fire code. (Alberta Building Code A-1.4.1.2. (1))

It is not fair to the owners of secondary suites that have come forward and spent thousands of dollars to upgrade their property to the new codes if the city is not going to actively seek out these illegal unsafe substandard suites.

Single family rentals cause the same problems for the neighbors as secondary suite properties, when the owners do not regularly check on their property to make sure that the yards are being maintained, weeds are controlled and the sidewalks are cleaned and the homes, out building and fences are maintained.

It has been my experience when people are required to have a license it makes them more accountable.

Presently the City does not have any means other then by complaints to go after theses unsafe properties. If theses properties were licensed they would have the means to track and inspect these properties ensuring that they are safe. After all, I thought this process was about Safe alternative housing.

Dale Reid

Subject: FW: business tax on secondary suites

From: Harold Lin [mailto:harold.lin@reddeer.ca]
Sent: December 15, 2011 2:09 PM
To: MayorMailbox
Subject: business tax on secondary suites

Dear Mr. Mayor

I am an owner of properties in Red Deer that have recently been approved with legal suites. I will be attending the meeting on January 9th 2012 to dispute the attempt to charge a business tax on the people who have legally registered and complied with the Cities requests for the following reasons:

1. We have already paid fees associated with legalizing the suites (\$500.00) and at that time there was no mention of this ever requiring a license as we paid and covered all expenses for the permits and have already received them.
2. We have complied with every requirement by the city's request for off street parking, neighbourhood issues and the Fire Departments concerns and have had all the inspections completed to have our properties brought up to full code and deemed safe for any occupant. Now that the properties have been brought up to proper codes, nothing can happen to change that. The egress windows cannot be made smaller, nor can the stairs or parking. Any suggestion that the properties will need to be reinspected is ridiculous.
3. We are cooperating with the city, paying for all of the expenses associated to the work involved. All of us had to pay between \$4000.00 - \$10,000.00 to have the work done for legalizing suites and to bring them up to code and an additional \$500.00 for payments to the city to cover their expenses for time and management of the process. We have done our best to prove that we are good civic citizens by complying with all the bylaws, requirements and building codes. Now we are being punished for our forthrightness.
4. The one area that the city is not looking at is how the owner of these properties is assisting the city with the housing issues and that people need housing for under \$1000 per month. I and my colleagues provide a valuable service and do our best to provide clean, affordable housing for people coming to work and live in Red Deer.
5. To state that owners need to pay in some way is not taking into consideration that we already do. Owners of rental units are providing these numbers in their annual incomes that are reported yearly when they file taxes. We have to pay larger property taxes for having a finished basement, we have had to pay for the suites to be completed, we have to pay for the increased insurance on these homes. We pay and pay and pay and all because we are wanting to be upfront and honest about these properties. But instead of being recognized for what we have done we are now being penalized again.
6. The people who don't pay are the ones who are now operating illegal suites. They didn't have to pay for the application and permits, didn't have to pay for the work, didn't have to pay more insurance and their property taxes are probably still the same. For them to pay a mere \$1000 penalty is not a compensating figure and not a large enough fine to have them stop

operating these units. If the fines are less than the cost, why would anyone want to legalize, we would have been better to keep operating illegally and save ourselves the thousands of dollars it has taken to legalize all of them. You are setting an example that the underground market for suites is the way to go.

7. This is unfair practice to only go after people with basement suites as there are a huge amount of single family homes that are rentals as well and there is no way to monitor and regulate them. Why are legally suited basements being unfairly targeted? Is there an increase in the hazard to tenants? Are these suites causing an unbalanced increase to the use of emergency services? I think not.

8. To state there is cost to mail out to the neighbourhood is repetitive to what the city has already done. The neighbours would not need to be notified as they already have been with the mail outs while in the legalization process, if the neighbours had concerns they would have attended the meeting where we were approved or not approved by City Council.

9. The downturn in the real estate market have brought rents down by about 10- 20%, but taxes still go up and costs still go up so a large amount of the people that own rental are barely making a profit, if anything, most are covering the expenses out of their on back pockets. This is one more item that they never budgeted for, just like the years prior when we bought units with suites and were never notified that this legalization process was being considered by the city. I hear it all the time, that landlords are greedy and they make so much money and how tenants are lining their back pockets. But if you were to get down to the true costs to operate a rental property in a down market there are no one's pockets being made greener just desperation to find a hidden hole with some extra funds.

Therefore, I am asking for the City to consider that the basement suites are a small percent of the rental market in Red Deer and any licencing fee is just onerous abuse on property owners who have been upfront and honest with the city of Red Deer and done their best to comply with the cities regulations. Please review this discussion and vote against the licencing fee proposed.

sincerely
Harold Line

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Subject: FW: Secondary Suite Proposed Bylaw

Begin forwarded message:

From: Harold Line
Date: 16 December, 2011 8:49:15 AM MST
To: Dianne Wyntjes <Dianne.Wyntjes@reddeer.ca>
Subject: Re: Secondary Suite Proposed Bylaw

Good morning, Dianne
Thanks for your reply. As for your question, I am opposed to ANY sort of licensing fee. I don't feel it serves any purpose and once started, it becomes a slippery slope and will only increase over time. The program to have these suites legalized is complete and was, I believe, successful. Let's leave it at that.

sincerely
Harold Line

On Thu, Dec 15, 2011 at 10:58 PM, Dianne Wyntjes
<Dianne.Wyntjes@reddeer.ca> wrote:
Hello Harold,

Thank you for sharing your thoughts on the proposed bylaw. I hope you have also sent the message to my colleague Councillors.

If you've been following the issue, you know that I voted against first reading.

I have been receiving many thoughts on the proposal with high majority in opposition. Some citizens believe there should be a nominal fee. Would you be in support of a smaller fee or are you totally opposed to any license fee?

I also believe as you have indicated below, we should be going after the non compliance suites with adequate and appropriate enforcement. Thank you for being a responsible owner who is complying.

I also understand that our Licensing and Inspections staff are reviewing the feedback on the proposed bylaw.

It will be an interesting debate in January.

Again, thank you for taking the time to share your position and perspective. And for providing appropriate housing options within our community.

Regards,

Dianne Wyntjes
Councillor - City of Red Deer

On 2011-12-15, at 2:03 PM, "Harold Line"

> wrote:

to Dianne Wyntjes

Dear Councillor

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3. We are cooperating with the city, paying for all of the expenses associated to the work involved. All of us had to pay between \$4000.00 - \$10,000.00 to have the work done for legalizing suites and to bring them up to code and an additional \$500.00 for payments to the city to cover their expenses for time and management of the process. We have done our best to prove that we are good civic citizens by complying with all the bylaws, requirements and building codes. Now we are being punished for our forthrightness.
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sincerely
Harold Line

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Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Dawn Mills for KAM Management 1999 Inc.

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Completely unnecessary!!! Do you think you are going to raise more money than this costs to administer? I don't live in Red Deer any longer but when I did from 1984-1999 Red Deer seemed like a sensible place with sensible government that didn't waste time & money with frivolous by-laws. This by-law penalizes landlords & ultimately makes it harder & less affordable for tenants to find a place to live & maintain an affordable lifestyle.

Your comments are important!

over



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

BRIAN PAUL

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

AS Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I have recently spent in excess of \$25,000.00 to
legalize this home at .. I am appalled
that the Council wants to penalize us good citizens who
have done the right thing to improve our city in terms of
making safe, comfortable, clean, and reliable housing to a segment
of our population that cannot afford housing above the \$750
in rent that I am currently charging my tenants - (by way
of added taxes). This suite legalization process is in the early stage,
so please encourage, not discourage people to do the same as I have
done
I have paid for permits, fire inspections, Electrical inspections &
a whole host of other related costs in order to ensure safe reliable
housing for a family that requires affordable housing.

Your comments are important! the ci do other inspections are required,
the city knows where my legal suite is - and other rental
units in the city are being asked to pay more taxes!
the ones that need to be inspected regularly are
the illegal ones not mine!!



Public Comments
Development Authority

I feel I have done my part as a citizen to help alleviate a major housing problem that our city has, & instead of being recognized for that - it is the complete opposite by way of this proposal to pile on more tax.

I am now in the process of deciding what to do about another property with a partner, and in convincing him he responded that out of principal he would wait to see whether the council will join in to encourage the process or discourage it.

It is the less fortunate people that will benefit (or not) if the City does not get behind the project with good policy!

I would like the city to reconsider such regressive policy that only hinders a movement to instill real change, and rather encourage policy to make living spaces for all of our citizens regardless of economic status for safe, affordable housing.

For the City I believe it's a win win, in that a problem is being solved at little cost to tax payers. Moreover please send the right message and rescind the proposed added tax for individuals who have done everything asked of them (and paid extensively). Please recognize these

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

efforts by people who are contributing to a better Red Deer!

Sincerely

BRIAN PAUL



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Tyler Heck

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

My home does not contain a "Secondary Suite"
It is an Up/Down Duplex, each unit is equal to the
other. There is nothing secondary about them. This
is just another tax grab by the city, to steal money
from it's poor citizens.

Regards

Tyler Heck

Your comments are important!

over



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Ben Blades

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

- I adamantly oppose
This is unconstitutional! My tenants
have the right to personal life choices.
- a) If it is a health & safety issue. My
tenants can file a grievance with
Public health agency.
- b) Unsightly property is between
renter and landlord ~ with the
land owner being ultimately responsible
to the city. Which already has a byl
- c) businesses or business activity is
already under another bylaw with the

Your comments are important! City.

over →



Public Comments
Development Authority

This bylaw is a gross misuse of the city's resources. Home centers, apartment centers, mobile home centers, do not have a bylaw in which the owners pay a "licensing fee" that allows the city to enter their premises at any time.

I will be at the City Council meeting to oppose this bylaw.

Ben Blodet

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Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Fax to 403-346-6195

Please Print

Contact Information:

Name (required):

Rachelle Andre

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Owners of secondary suites have responded to the tight rental market by putting these suites in their homes. This increases their costs significantly. All suites should pass inspections continuously but extra costs will be passed onto renters. Many renters of these suites are low income and already struggling. As a landlord, I have a lot of financial responsibility by having a suite. This extra cost will have to be passed on, I feel that I have no choice.

RAndre.

Your comments are important!

over

Christine Kenzie

Subject: FW: Comments on Proposed Secondary Suite Licensing Bylaw

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

From: Donna Grose
Sent: December 18, 2011 9:10 PM
To: Legislative Services
Subject: Re: Comments on Proposed Secondary Suite Licensing Bylaw

Dear City Council Members,

I am shocked and outraged that city council is even entertaining the idea of this bylaw! I feel that since the secondary suite bylaw has been instituted it has been just one money grab after another.

First, there was the \$500.00 application/development fee, which in my opinion was excessive. Then there was the work that needed to be done in order to meet safety regulations, which again, I believe some of which were excessive. For example the sprinkler that I had to install in my furnace room. However, I complied with all of these because I do feel that safety is very important so I continued on with the process. Then my city utilities doubled! This is completely discriminatory to increase this rate based solely on having a secondary suite. Should not waste water be based on the metered amount of water used? If I exceed my 5 bag or blue box weekly amount of garbage then by all means charge me for the excess, but to automatically double my fees simply because I have a secondary suite is outrageous and unnecessary. And now the city wants me to pay a yearly fee equivalent to a home business license!! Incredible.

The reasoning given is 'to track and monitor active secondary suites.' What exactly needs to be tracked and monitored? In section 24, under 'Inspections', it states that a 'Designated Officer' can enter the property to do an inspection. This inspection has already been done in the development portion of the application. Does the city plan on yearly inspections? I am concerned that this is going to be another bait and switch by the city, in order to continue implementing more and more conditions upon those of us who have already met all the requirements of the development permit and have already received our occupancy permits.

A second reason for this bylaw is supposedly for 'preventing unauthorized suites to remain.' I fail to see how the city is going to achieve this with this new bylaw. Someone who is applying for a secondary suite will expect and allow this 'Designated Officer' or fire inspector to enter their property to do an inspection, but anyone with an illegal suite is certainly not going to. Even an R.C.M.P. officer cannot enter a private residence without permission unless they have a warrant to do so. If putting in a bylaw was all that it took to enter a private residence don't you think the police would have done that a long time ago? Is council so naive as to believe that this bylaw will induce owners of an illegal suite to comply with it and allow an inspection? Without this proof that someone has an illegal and/or unsafe suite, complaints and suspicions are not enough to impose fines on these owners.

I would also like to know if the city plans to require all apartments, multi-family dwellings and income property (IE. homes not occupied by the owner) to have this license. These properties should also be required to 'ensure the health, safety and welfare of any person, to protect people or property, and control and abate nuisances'.

In closing I would like to say that I do believe it's important to try and stop all the illegal and unsafe suites we have here in Red Deer. When I was looking for my current home, I was looking for somewhere that I could put in a legal suite and made a point of knowing the requirements so that I could find somewhere that I would be able to make comply with the regulations. During this process I saw a lot of homes, many of which had suites that were atrocious and completely unsafe and unhealthy. I wouldn't let an animal live in some of these, let alone a person, so I understand the need for regulation. However, I feel that the city is continually penalizing those that are complying and trying to do the right thing with their secondary suites, while pushing the illegal suite owners further into the shadows. After all, why would they come forward and incur all these additional expenses and also have to claim their income, when they can just remain unaccountable and keep all the money in their own pockets? Perhaps a better tact for the city to take would be to educate tenants on the risks of renting illegal suites and come up with some incentives for owners and landlords to comply with the secondary suite bylaw. Then maybe more would come forward and apply.

I did not put a suite in my home to make extra money, but just to enable me to afford to own a home at all. I'm sure many others with secondary suites are in the same situation. Everyone is always saying that Red Deer needs more rental property. In fact, I just heard on the news last week that the amount of available rentals is down quite a bit from this time last year. Why doesn't the city try to help those of us who are trying to provide safe, healthy, affordable places instead of continuing to make it more difficult and less and less feasible?

I hope that the council members see the injustice of this proposed bylaw and vote not to continue with it. Thank you for your time and deliberation on this matter.

Sincerely,
Donna Grose

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Christine Kenzie

Subject: FW: Secondary suite bylaw

From: Bernie & Ian Wood
Sent: December 18, 2011 7:07 PM
To: Legislative Services
Subject: Secondary suite bylaw

To Whom It May Concern
Re: secondary suite bylaw

I hope you reconsider this bylaw as I believe it appears to tax people that are least able to afford it. Most people living in secondary suites do so out of necessity. These suites are the most affordable in Red Deer. The license fee along with increased charges for garbage and sewer, will push the rent up \$20 to \$30 per month. I also believe that this will be the only rental accommodation that requires a license for an individual suite. The bylaw seems to run contrary to the need for more affordable housing. The vacancy rate is falling, rents will be rising, the different levels of government will subsidize even more low cost housing, and all this could be avoided by increasing the number of secondary suites. I don't think an eight page bylaw regulating suites that have been in existence for over 50 years is a good use of anyone's time. This bylaw seems to punish the almost 500 suite residents that live in legal suites, and will eventually stop most new suite development. The costs and time involved have become too high to allow for suite development in most older areas of Red Deer.

A couple of conditions such as posting the license appears to be just silly and building parking stalls for people that cannot afford to buy a car indicate to me this bylaw is a little out of touch with the reality of secondary suites. If the overall plan was to outlaw suites, why were we not told of all these charges before the process started.

I would appreciate a reply at your soonest convenience

Ian Wood

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: Proposed Secondary Suite Licensing Bylaw Comment
Attachments: Proposed Licensing Sec Suites.pdf

From: Ernst Marsig
Sent: December 17, 2011 2:20 PM
To: Legislative Services
Subject: Proposed Secondary Suite Licensing Bylaw Comment

Please see attached letter commenting on the proposed bylaw.

Have a GREAT day!

Ernst Marsig



"Helping investors who lack the time and proximity to Canada's top growth markets to capitalize on carefully selected properties."

[This message has been scanned for security content threats and viruses.]

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City of Red Deer
c/o Legislative Services
4914-48 Ave. Box 5008
Red Deer, AB, T4N 3T4

VIA Email: legislativeservices@reddeer.ca

December 17, 2011

RE Proposed Secondary Suite Licensing Bylaw

Dear Sirs,

We reviewed this bylaw mailed to our address on December 14, 2011 and find many inconsistencies and problems in its proposed form:

The proposed bylaw is not necessary and not enforceable, it duplicates or contradicts existing legislation, it lacks clarity and definitions, it does not resolve its intent, it infringes on human rights by creating a second class citizen, the "secondary suite occupant", and it will cost the tax payer unnecessary money. It is an attempt of elected councilors to demonstrate to their constituents that they are taking action, while it would only require to enforce the existing bylaws, standards, and regulations to provide safe and peaceful habitation for the citizens.

I am not a lawyer, but the following points raise immediate concerns:

Page 1:

WHEREAS section point (a): the safety, health and welfare... There is already existing legislation and this bylaw will create duplication, uncertainty of interpretation, ambiguity, and unenforceability. Furthermore the safety... of people has nothing to do with Secondary Suites, it is a matter of building and housing standards per se.

Section point (b): Nuisances, unsightly property: has nothing to do with Secondary Suites, it is a matter of human behaviour, regardless where the offending person lives.

Section point (c) Business activities are regulated in the zoning bylaws and don't need additional legislation.

Page 3

Point 6. "An owner shall not operate..." All my secondary suites have a occupancy permit which permits to operate,... rent the suite.

Point 8 (b): Registering all names of owners, shareholders, officers etc. is completely impractical. Many holding companies have multiple shareholders, some of them may be overseas, and shares may be bought and sold frequently. Imagine changing the shareholder information from 1500 shareholders? The intent of this rule would be to have a contact person who can act on behalf of the owning company. All other information is not required.

Point 8 (c): Similar to point 8 (b): Only one contact person with authority would be required.

Page 4

Point 9 (b) "any applicable Additional Fee". This needs to be specified and exact rules and schedules elaborated. At current this leaves complete liberty to charge any fee at will.

Point 12: A license fee for \$165.00 is excessive, yet it will not cover the expenses occurred by the city for administering this bylaw. The licensing should be at no charge for Secondary Suites that have an occupancy permit. Fees should be charged for non compliance with the existing bylaws and standards. Charging \$165 would automatically make every lease in Red Deer more expensive. It is the socially less fortunate who cannot afford a full house, who live in Secondary Suites. They would get penalized with rent increases.

Point 16: Term of License: There is no justification for an annual renewal of the license. Once the Suite meets standards there are no substantial changes. The most frequent change would be a change in occupants and the City should be careful in implying they are licensing occupants.

Page 5

Point 19 License on Terms and Conditions.

(a) and (b) Secondary Suites that do not meet health and safety standards would not receive an occupancy permit. This is regulated elsewhere and this bylaw will only create duplication, contradiction, confusion, rendering it unenforceable.

(c) Licensing to control and abate nuisances is effectively creating a second class citizen as it suggests that occupants and/or owners of secondary suites are creating nuisances that need regulations while occupants of main suites would not create nuisances. While many secondary suite occupants may be socially underprivileged they cannot be branded as a class of people who create a nuisance to other people. We advise the city to be very careful when they try to single out a group of people based on their living circumstances instead of their behaviour. There are bylaws in place that allow for enforcement of nuisances regardless of living arrangement.

Traffic and Parking issues are being dealt with existing bylaws and don't need this bylaw.

Page 6

Point (22): Owner to appoint an agent who resides within the City to serve as the owner's agent: This is too tight. Many agents may live 5 minutes outside the City borders in the surrounding communities and would be excluded from these provisions.

Point (23) If an agent moves from Red Deer to Blackfalds, the City cannot force them to cease working in his position. These guidelines are not enforceable.

Point (c) “contrary to the public interest” needs clear definition. An occupant of a secondary suite is a member of the public and has a strong interest in affordable living space. Surrounding homeowners will be against. We won the appeal for Occupancy Permit for 35 Armstrong Close, where neighboring homeowners spoke up against tenants at this address. This was a dispute about personalities and financial status. The tenants however have a right to live there “contrary to the interest of the neighbors”.

(d) “protection of the health or safety of any Person” There are numerous codes, laws, by-laws in effect which are fully enforceable. This licensing bylaw will only create confusion and double standards.

Page 7

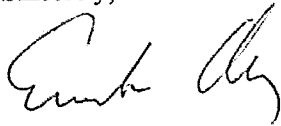
Point 30 (a): “7 days written notice” is too short. Postal delivery for registered mail within usually takes longer, especially over the weekend and holidays. The License Holder has no change to reply timely or to craft and file an appeal and have it returned by registered mail to Red Deer all within 7 days.

Page 8

Point (36): “A license ... may not be transferred”. This needs clarification: If a tenant moves out, is a new license required? If the property is sold, is a new license required? A change of occupancy or of ownership of a property does not change the condition of the property. This passage should be eliminated.

We would kindly ask you to review the existing legislation and focus on enforcing this legislation instead of creating another costly document that will not solve issues, but create only new ones.

Sincerely,



Ernst Marsig
President

Subject: FW: Comments on Proposed Secondary suite Licensing Bylaw

From: Brian Johnson
Sent: December 16, 2011 6:55 PM
To: Legislative Services
Subject: Comments on Proposed Secondary suite Licensing Bylaw

Brian Johnson

To: City of Red Deer
C/O Legislative Services
P.O.Box 5008
Red Deer, AB T4N 3T4

Thank you for giving me, a landlord who owns 3 conforming secondary suites in Red Deer, the opportunity to speak to the proposed Secondary suite Licensing bylaw.

I am very disappointed the city is considering the licensing secondary suites for several reasons.

When this process was initiated 2 years ago there was no indication given that there would be further costs or licensing associated with upgrading these suites.

I was led to believe that once I had met all of the requirements I would have no additional costs or concerns regarding inspections or future requirements. This was a major factor in my decision to spend a significant amount of money to upgrade my suites to the current conforming standards versus selling the houses as is and getting out of this business. I spent over \$12000 dollars and significant time and energy to upgrade my 3 suites with drywalling utility rooms, basement ceilings, core cutting new larger windows in the bedrooms, and adding interconnected fire alarms. I have not raised my rents as I have good tenants, it is not their fault that the suites were non-conforming and most of my improvements made no cosmetic difference to their suites.

If there is an additional licensing fee, then I will pass this cost on to my renters as it is an annual expense and I am frustrated with continually absorbing all these unexpected costs.

What will happen next year, will the fee go up with inflation? Will the city discover it costs more to administer this bylaw and raise fees another \$40? It is not fair to those compliant landlords who have spent the time and money to meet the cities requirements. I believe your energy should be spent going after the 100's of non-conforming suites that still operate in this city.

I believe this bylaw discriminates against secondary suite owners. Do owners of multiplexes or duplexes, or townhomes that are rented also pay an annual licensing fee? Do conforming secondary suites have more complaints or safety concerns than duplexes, 4-plexes or rented townhomes? Do basement suites In other Alberta cities also pay for an annual license? I believe the answer to the above questions is no. I already pay property taxes on all of these properties, they are generating revenue for the city and I am providing a service to this city with affordable housing. Why would you punish me, a compliant landlord, for this?

Are there not other avenues to explore that do not involve the administrative cost and beaurocracy of this proposed bylaw? All of these conforming suites are on file, a quick visit by an inspector should resolve any questions or concerns about any suites.

Occupancy permits that can be revoked if there are issues of safety involved.

Secondary suites are intended to offer choices to our citizens, not tax or discriminate against the landlords.

Sincerely

Brian Johnson

Brian Johnson

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Rosa Benavides

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I don't think it is right because that
you ben charging me for license. Because
we did this basement suit for my son
to live in it because he is going to
college and it is not fair that I have
me to pay and it was approved for the
city of Red Deer.
Thank you very much for your attention
Rosa Benavides

Your comments are important!

over



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Jim Browner & Patricia Browner

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I am not opposed to the city charging for a business licence to keep landlords legal and up to code. I do however have a problem with the price of the licence. If indeed the city charges \$165.00 per year.

This seems a little unfair as a regular home business also pays \$165.00 per year for a licence and they can earn hundreds of thousands of dollars in revenue. Our secondary suite income is \$600.00 per month, \$7200.00 per year. Most city basement suites perhaps receive \$600-\$800 per month. It seems like an extortionate tax for such

Your comments are important!

over



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Rita and Terry Hoehne

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #: _____

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

This is very disappointing for us! We bought this property off my parents estate as my were trying to be responsible citizens and look to ways of not being a burden to our children and society because our mutual funds etc. were going backwards. We have a cute little, newly renovated suite that we want to comply with all the City of R.D. rules and regulations. Now we will have to pay \$16500 every year to have a "license". It does not seem to matter that local apartment buildings have bed bugs or don't recarpet

Your comments are important!

over



Public Comments
Development Authority

after 10 years, etc. but our little suite needs a "license".

Why do you not consider it public domain like a church, school, etc. and tell the owners that they may get inspected every year? If you get any complaints then you make a visit to see what is happening. If the suite has been authorized by the City of Red Deer, inspected and approved, you would think that your office knows what is happening in each suite when it comes to codes, heating, plumbing, etc.

This community is beginning to make rules for rules. We are all for organization and nice rental properties in quiet neighborhoods, but like Europe we will soon have so many rules, licenses, etc. that we will no longer be user friendly. We know as well as you do that there are some "not so nice" rental places in Red Deer and we don't want to

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

see peoples lives endangered because of where they live. If you comply with the inspection and bylaws to have a legal suite you should not need a license because you have done your part and complied

Remember all this it is very difficult these days to find good renters who will stay a long time!



Public Comments
Development Authority

Notification of: Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

MICHAEL DAVEY

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

THIS BYLAW WILL DO NOTHING TO PREVENT
UNAUTHORIZED SUITES

YOUR PROPOSED ANNUAL FEE IS UNREASONABLE

THIS BYLAW DISCRIMINATES AGAINST HOME OWNERS
WITH SECONDARY SUITES.

A HOME OWNER CAN RENT OUT THE WHOLE
HOUSE AND HAVE NO FEES,

A PERSON OWNING A MULTI FAMILY DWELLING
SUCH AS A DUPLEX, FOURPLEX OR APARTMENT

BUILDINGS PAY NO FEES FOR EXISTENCE

BUT COUNCIL DESIRES TO LICENSE AND GOVERN SECONDARY SUITES
BUT NEGLECTS ALL OTHER FORM OF RENTAL
PROPERTY

Your comments are important!

THIS LICENCE BYLAW IS A BUSINESS - LICENCE
REGIME FOR SUITE LANDLORDS THAT COUNCILS
HAVE REJECTED IN OTHER JURISDICTIONS

over →



Public Comments
Development Authority

ALL SECONDARY SUITES IN RED DEER THAT
HAVE BEEN APPROVED ARE THE SAFEST
HOMES IN THE CITY. DUE TO THE
FACT THAT THE WHOLE HOUSE HAS
TO BE BROUGHT UP TO THE HIGHEST
STANDARDS THAT ALL OTHER PROPERTIES
RENTAL OR NOT, ARE NOT REQUIRED
TO MEET LICENSING OR SAFETY
CODE REQUIREMENTS

OTHER CITIES RECOGNIZE THE NEED
FOR LOWER RENTAL HOUSING, AND
THAT IS WHY SECONDARY SUITES ARE
NEEDED, AND ACTUALLY HAVE
DISCUSSED SECONDARY SUITE SUBSIDIES
TO HELP LAND OWNERS DEVELOPE
THESE SUITES.

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

Christine Kenzie

Subject: FW: proposed secondary suite licensing bylaw

Attachments: scan0001.jpg

From:

Sent: December 19, 2011 12:15 PM

To: Legislative Services

Subject: proposed secondary suite licensing bylaw

attached comments

[This message has been scanned for security content threats and viruses.]

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Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required): ROD DAND CAROL DAND

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #: _____

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Requiring all secondary suites to be registered was only partially successful. There are many secondary suites not complying. Only the complying landlords are paying the costs

We do not agree with the new proposed bylaw.

Your comments are important!

over



Public Comments
Development Authority

Notification of: Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Stacy Jussila

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

We already paid more for the lot, the home and insurance in order to have an existing secondary suite. As an original owner of an up/down duplex I got no gov't grants etc... These properties were sold to meet a need for more housing & to make owning a home more affordable to those with "mortgage helpers". This defeats the purpose of a mortgage helper.

It is just another cash grab for the city!! House prices went down, taxes went up every year & now you want to charge a fee!

Your comments are important!

over

Gord Ing

19/12/11

To: City of Red Deer
c/o Legislative Services
P.O. Box 5008
Red Deer, AB
T4N-3T4

Dear Sir/Madame:

Upon reading the proposed secondary suite licensing bylaw, I immediately felt that the annual fee of \$165.00 per suite is excessive and punitive. Having spent over 2 years and \$22,000.00 in upgrades to four basement suites and going through the necessary processes to make them comply, I feel this fee is blatantly unfair and unjust to compliant landlords.

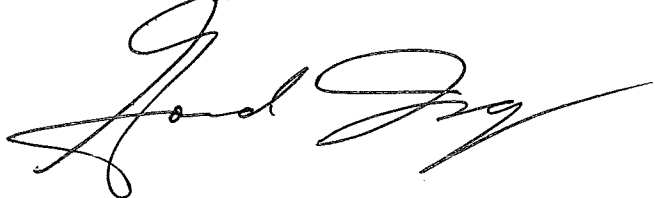
After calling the cities of Calgary, Edmonton and Lethbridge, I learned that none of these municipalities have secondary suite licensing fees. Calgary charges owners of apartment buildings that have 3 or more units an annual fee of \$146.00.

If owners of compliant residential properties are expected to apply, register, and pay an annual fee, then why not multi-family, apartment and commercial property owners as well?

I am a partner in a commercial building in Red Deer with 5 tenants. Every year the city sends out an annual property tenant report with a deadline to be submitted. This is filled out, sent back with information on the tenant, lease info, and rental amounts etc. Why can't this process be applied to owners of secondary suites? The city already has information on all approved basement suites in its data base. Why send out an inspector when it has already met the stringent Alberta Fire Code regulations and city criterias?

If this proposed bylaw is passed without serious modification and elimination of the annual fee, I, as the owner, unfortunately will not be paying it. My tenant, who is a lower income earner, will have to absorb this in the form of a rental increase.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gord Ing', with a stylized, flowing script.

Gord Ing

Subject: FW: Secondary Suite Licensing Bylaw

From: Brian Thomson
Sent: December 19, 2011 3:42 PM
To: Legislative Services
Subject: Secondary Suite Licensing Bylaw

INSPECTIONS AND LICENSING

Dear Joyce.

I just arrived home from a mission trip to Rwanda and Kenya to see the letter asking for our comments. I phoned Bev at the City of Red Deer and with the short amount of time left to comment, she suggested that I email

I want to state strongly that I am NOT IN FAVOR of additional charges to people who are trying to comply already with a LONG list of demands for secondary suites. With all the present changes and demands from the city, we are having to pay \$1000's of dollars of renovations that most of them I and many others feel are unjustified - like many Trade people like plumbers and electricians and carpenters have NO idea why some of Secondary suite demands are being put in place. So to have another fee penalizing owners of secondary suites to me is crazy and just a opportunity for the city to try to get more money.

Please register my complaint and I hope this bylaw is overturned!!

Brian Thomson

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: Secondary Suite Licensing

Attachments: CCF12202011_00000.jpg

From: Robert Jamieson

Sent: December 20, 2011 10:35 AM

To: Legislative Services

Subject: Secondary Suite Licensing

[This message has been scanned for security content threats and viruses.]

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Public Comments
Development Authority

Notification of: Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required): Robert Jamieson

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #: _____

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Once an owner has applied, been approved, has building permits, completes work, has inspections, and occupancy permit.

Why should there be a yearly fee (\$165.-)? The suite is in compliance and doesn't need to be inspected yearly!

And the threat of fines being imposed of \$1000.- OR \$100.00 per day!

Wow - I TOTALLY DISAGREE TO THIS

Your comments are important!

over

A handwritten signature, likely of Robert Jamieson, written in black ink.

Subject: FW: Comments on Proposed Secondary Suite Licensing Bylaw

From: Mark & Jennica Taylor

Sent: December 19, 2011 8:31 PM

To: Legislative Services

Subject: Re: Comments on Proposed Secondary Suite Licensing Bylaw

Upon receipt of the proposed secondary suite licensing bylaw, I have compiled my comments below for consideration. While I agree with the intent of the bylaw, I have some concerns with how it is proposed to be implemented.

Purpose Statement as provided by the city:

The purpose of this bylaw is to track and monitor active secondary suites. It would allow administration to determine ownership, ensure that the suite remained active, to prevent unauthorized suites to remain, and to allow new applications to be considered for approval when existing suites have been removed.

- 1.) How the bylaw will accomplish the purpose is somewhat unclear. The city already has the means to accomplish many parts of the purpose set out in the bylaw. Also, some purpose statements are concerning.
 - a. **Tracking and monitoring:**
 - i. Approved suite sites have been reviewed and approved by the Municipal Planning Commission (MPC). I don't think that further monitoring is necessary as will be discussed further below. If the city believes it requires further monitoring, perhaps it could be accomplished in a different (less formal and free) manner than a regulated registration process such as an additional questionnaire for secondary suite owners when taxes are paid, etc.
 - b. **Determining ownership:**
 - i. This is already on record at Alberta Land Titles. It would seem that the city should want the detailed information not on file at land titles for all rentals, not just secondary suites.
 - c. **Ensuring that the suite remains active:**
 - i. It isn't a concern of the city if the suite remains active or not. The land use bylaw states a variety of permitted and discretionary uses for different zoning. If a property has been zoned as approved (or given discretionary approval) for secondary suite, then that simply allows the owner to construct a suite. It does not, and should not require that they construct a suite and keep it active.
 - d. **Preventing unauthorized suites to remain:**
 - i. This statement in itself seems good for a legal suite owner, but how it is enforced concerns me. To my understanding, the city simply relies on complaints to shut down "illegal" suites. If this bylaw is passed, what does the city intend to do to "prevent unauthorized suites to remain?" I would expect that if this bylaw passes and legitimate suite owners have properly registered their suites for the fee that the city would actively patrol and shut down all unregistered suites rather than just rely on complaints. I am concerned that this would be difficult to accomplish in practice.
 - e. **Allow new applications to be considered for approval when existing suites have been removed:**
 - i. In principal, I don't like this statement. It implies that inspections and

licencing have the power to modify the land use bylaw and decisions that the MPC have made. As a practical example, I currently have a home with a suite, but if my family grows, and I need the extra space, Inspections & Licensing would potentially take the suite approval away, potentially allowing another to be constructed in my neighbourhood. If my family later shrinks, and I want to re-use my suite, there is a potential that inspections and licensing wouldn't allow this due to the "extra" suite in-use in the neighbourhood. As stated earlier, permitted use, or discretionary secondary suite approval allows that the suite can be constructed and occupied, not that it must be. I understand in principle that permanently inactive suites shouldn't restrict the opportunities for other owners in the neighbourhood, but there should be a method to run this through MPC channels rather than inspections and licensing. Changing land use designations for suites is a complex issue requiring further evaluation.

2.) Additional Questions/Comments:

- a. What level of increased level of service can be expected of the city (that it isn't already obligated under current legislation to provide) by secondary suite owners by paying the proposed \$165 fee? This can't just be a cash grab.
- b. The registration process seems like a hassle (especially for owners of many suites). If the bylaw is implemented, is there a way the process electronic and as painless as possible? For renewals would it be possible to simply update existing information as opposed to filling out the entire application again? If the bylaw is implemented, would it be possible to have suite inspections conducted during evenings and on weekends to accommodate owners with regular work hours (after all, suite owners are paying extra money, enhanced service is expected.)?

Please acknowledge receipt of these comments. If you wish to discuss them further, please contact me. Thank you for considering my input.

Respectfully,

Mark Taylor

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

City Of Red Deer

In response to your current letter regarding implementing a bylaw that requires a fee in order to monitor and record all possible secondary suite activity there are a number of unaccounted variables that are being forgotten to be addressed. The purpose of the secondary suites as stated under Red Deer bylaw is to help ease the affordable housing crisis allow more homes to be within easy reach of the general public. If the bylaw is passed and a fee is imposed, the landlords who are currently already being stretched for money by current property taxes, fees, and utilities along with the current economic situation will not benefit the community as intended and have a severe impact on Red Deer's housing market. Since the secondary suite's primary purpose is to lower the cost and improve availability of affordable housing in central Alberta the bylaw fee will be undermine this primary goal. Most of the tenants living in Secondary and Primary suites are low-income households. If the fees are imposed they will be passed onto the tenants in 2012 to accommodate the extra cost in owning a secondary suite as a landlord. This will not only undermine the goal of the secondary suites but will also cause more housing problems later on. Another possible solution is that the landlords absorb the fee directly however; that cannot be done since we have already reduced rent to avoid vacant properties, and the fee would only cause us more economic problems eventually leading us to completely shutting down the secondary suite or not paying the fee. As well the landlords have also paid a substantial amount of money (many in the six figure realm) in order to meet the stringent regulations and requirements for approval of the secondary suites. With the added fees, the suites would not be profitable or fair to those landlords who have made the effort to meet the cities requirement. This is also not fair to the tenants who need the basement suite and who devoted resources, time and money not to mention the inconvenience in meeting the cities requirements due to the work required. It is insult to even consider paying more and the decision needs to be heavily reconsidered due Red Deer's Special case, public income and the target market of the secondary suites.

Thanks you for your consideration in the Matter,

Sincerely,


Bhupinder Singh



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

DONALD EASTON

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #: _____

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I feel the Secondary Suite Licensing Bylaw
is UNNECESSARY because:

1. Administration already knows who owns the property
(tax roll & occupancy permit)
2. The secondary suite bylaw addresses the issue
of ~~the~~ unauthorized suites.
3. Administration will know if a suite is removed
because owner would naturally apply for a
decrease in garbage and recycling fees.
4. Section 542 of the MGA provides for an officer
to enter private property to inspect for violations
of the secondary suite bylaw.

Your comments are important!

over



Public Comments
Development Authority

5. When I applied for the ~~sewage~~ secondary suite I was told if approved, approval remains with the home but was not told it had to remain active or be lost.

6. Rental income is normally classified as passive income not business income. Most businesses in Red Deer are operated out of rented premises, it is my understanding that the owners of these properties are not required to have a business license.

When I applied for my secondary suite, I was told that an occupancy permit was all that was needed before renting it out. Now just 6 months later council wants to change that and make the permit a completely useless piece of paper on a stand alone basis. Had I been told this was just the first step in a ongoing series of fees, I probably would not have applied for a secondary suite.

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

Subject: FW: Secondary Suite Licensing Bylaw

From: P Hankins
Sent: December 20, 2011 12:46 PM
To: Legislative Services
Subject: Secondary Suite Licensing Bylaw

Dear Sir / Madam:

I have a city-approved secondary suite and would like to comment on the proposed secondary suite licensing bylaw.

Having just gone through the process of upgrading my secondary suite to meet city requirements, I think it is useful for the city to ensure that requirements are maintained in an ongoing basis.

People who have gone to the expense and trouble of ensuring their secondary suites meet the city's requirements are providing needed housing in Red Deer. However, to now charge them an additional fee seems unfair.

If licenses are to be issued, I think that anyone who has gone through the process in meeting the new requirements, say in the last two years, should be given a license and not have to apply and pay for the license. The city would have records of who has had their suites approved.

It cost me \$500 (to the city) for the secondary suite application process, and, in my case, several thousand dollars to upgrade my suite. Please do not add additional expense / fees to someone who is wanting to comply with requirements.

Another concern I have is that I live near Penhold and regularly stop at my secondary suite for property maintenance, snow clearing, lawn mowing, etc. Paragraph 22 of the proposed bylaw says that because my address is not in the city, I need to appoint a Property Manager or someone who resides within the city. This seems unreasonable. Why not have the owner on file as your primary contact, with another contact listed as well? This other contact, whether or not they live in Red Deer, can be available to act on behalf of the owner.

Sincerely,

Paul Hankins

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GORD & GER KLOOTWYK

December 20, 2011
City of Red Deer
% Legislative Services
P.O. Box 5008
2nd floor 4914 48 Ave
Red Deer, Alberta T4N 3T4

City of Red Deer Council,

We are writing this letter in response to a letter dated on December 8 regarding the proposed secondary suite licensing bylaw which we received in the mail on December 12. My wife and I are owners of a secondary suite which has passed all of the secondary suite requirements. As landlords we feel that it is important to provide a safe affordable living accommodation for our tenants. To ensure that our suites conformed, we paid an application fee for secondary suite approval, and the inspection fee (which was unexpected but we went along with the fee). The cost of the upgrades and the fees cost thousands of dollars. Not only did we absorb those costs, the cost of city utilities went up and we now pay double for wastewater, recycling and garbage pick up. We pay double for our two tenants, one living upstairs and one downstairs in legal suites. It is my understanding that our property taxes also went up because of the legal secondary suite designation. We are bringing this to your attention to prove that we did not get a free ride to our secondary suite designation.

It is our opinion that this proposed Secondary Suite licensing bylaw is discriminatory in nature and unnecessary. To our knowledge no other residential rental accommodation in the city of Red Deer requires a license. If the City wishes to be fair in this regard, all rental accommodations in apartments, condos and single family dwellings should also be subject to these licensing requirements. After all, the City has an interest in knowing how many rental suites are out in the community, where they are and who owns them. Older single family rental homes now present a higher life safety hazard to tenants because they only have to conform to the building code of when the home was built (basement bedrooms with no windows or windows that do not conform to egress standards). These homes do not offer the same standard of safety as a recently passed secondary suite home does.

The Secondary Suite Licensing bylaw penalizes landlords that provide safe legal low cost living accommodations to their tenants. The goal of council is to ensure that they provide an environment that encourages landlords to have safe legal suites that are also affordable. Any further increases will be passed on to the tenants, increasing their rent. The rental market does not need to have another fee added to it, in order to provide safe, low cost housing. Suites that do not conform or are unsafe will be reported by educated neighbors or tenants who know that all secondary suites need to be approved by the City of Red Deer.

It is our hope that council will find another revenue source in these challenging financial times.

Sincerely yours,

Gord & Ger Klootwyk



Subject: FW: Comments on Proposed Secondary Suite Licensing By-law
Attachments: rd_20111221081930.pdf

From: Close, Er.
Sent: December 21, 2011 9:05 AM
To: Legislative Services
Subject: Comments on Proposed Secondary Suite Licensing By-law

Please see my attached comments.

Erin Close

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2011/12/21



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Erin Close

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

License Fee: would be great to reduce the fee to say \$65 or a lower
renewal fee, or even incentives for License Holders that maintain
excellent properties

The posting of a license which may contain personal landlord info is not great --
if a minimal of landlord info on posted license would be good. The
tenant can also take it if posted in the suite

Explain "20." more fully?

22 - Owner's Agent w/in City Limit may not be feasible, especially for
those who rent to family -

35 - If a suite is not approved, you will likely have to give the
tenant 90 days notice -- how do you propose a landlord
cease operation w/out really disrupting the tenant?

Your comments are important!

over

36 - How will this work if property is sold? Would be good to
complete the year!

What is in place for suites that are currently approved?
No grandparenting? How do you know you will get your initial license?



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Zhuang Zhi Chen

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I have concern on the display requirements under this bylaw.
If the License shall be displayed inside the entrance to
the Secondary Suite, it might get loss easily. Quite
often, the tenants live in a suite less than 12 months.
When the tenants moved out, they might take the License
with them. The Owner or Property Manager has no control
on that.

The License is issued to the Owner not to the tenants.
I would suggest the Owner keeps the License.

Your comments are important!

over

Subject: FW: Secondary Suites in Red Deer

From: COREEN EVAN [mailto:coreen.evans@cityofreddeer.ca]
Sent: December 21, 2011 2:41 PM
To: Legislative Services
Subject: Secondary Suites in Red Deer

The City of Red Deer needs control over this issue. Illegal secondary suites are a hazard not only to the people who reside in them but to the residents who live above them and the other homes owners surrounding them. There are fire issues ie: have the suites been properly insulated and firewalls put in place to protect both tenants?? The homes are close enough as it is when there is a fire there could not only be loss of homes but loss of life with the population unable to get out of the dangerous situation

.Is there sufficient parking for the residents and their neighbours. In the new high density residential neighbourhoods the city has allowed, there is barely enough room for home owners and their families to park safely let alone tenants in a secondary suites. One such suite by my home is across from a 54 suite apartment and there are many times people are parked on corners causing dangerous driving conditions and in winter this is compounded. Many people have cut their yards in half to allow for parking, this I have seen.

The City needs to know of EVERY secondary suite and they all need to meet code and be licensed. Just because a subdivision is put on the drawing board and the city gives a percentage of allowable secondary suites does not mean that once the neighbourhood fills up that it is still feasible that this will fit into the existing framework of the new existing neighbourhood as it stands.

Many factors influence this. Number of members of households, how many vehicals they own themselves, if they park on the street and have allowed themselves parking in the rear of their homes and if they have a front or rear drive garage with any form of driveway.

So there is more at stake here than just allowing a secondary suite. The density of the human and canine population should also come into effect as well, noise, barking dogs and partying all cause stress for neighbours and when you add all these people together things happen so I think secondary suites are a bad idea and if allowed, when not City regulated and By Law enforced will be a huge headache for the neighbours who live in the situation not the people tucked away on the City Hall building.

Coreen Evans
[mailto:coreen.evans@cityofreddeer.ca]

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: Suite Licensing

From: Erin Zubot [mailto:erin.zubot@reddeer.ab.ca]
Sent: December 21, 2011 2:47 PM
To: Legislative Services
Subject: Suite Licensing

Hello there,

I received the letter concerning the proposed licensing bylaw recently and do have some comments. I do not understand the reasons behind this bylaw, and it feels like a cash grab for the City. If the landowner has been through the trouble to apply to have their secondary suite legalized, they are obviously using the suite and I imagine the City could keep track of suites that way without asking for additional fees. The land owner will surely pass on the cost of these fees, along with the costs associated with their application (management time) every year, onto the renter. This will serve to make these legal secondary suites even less affordable, whereas I thought the purpose of these suites being legalized was to add safe and affordable housing to Red Deer. This Bylaw seems to counteract this purpose. I think the City has already done what is needed to be done to make sure that secondary suites are safe. After going through the hassle and trouble of legalizing my suite, I thought I was done and could rent my suite for years to come without any more trouble or cost related to the City permitting and licensing, and I am disappointed to hear that the City is thinking of going ahead with this. It is discouraging and I think that all the hoops that you have to go through with a suite will discourage owners from having them, which will ultimately hurt the renter, with higher rent and/or a lower availability of affordable housing. I also believe that the City will incur additional costs in chasing down owners who do not comply, and those costs are ultimately passed on to the taxpayer.

I do feel that the legalizing of suites that the City has already put in place is sufficient to ensure that the renter is protected and that suites are safe, and I agree with what has been done so far. This licensing bylaw does nothing to further this end and ultimately hurts the renter by increasing rent prices.

Erin Zubot

Sent from my iPad

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2011/12/21

Subject: FW: Comments on Proposed Secondary Suite Licensing Bylaw

Importance: High

From: Carrie White

Sent: December 21, 2011 2:36 PM

To: Legislative Services

Cc: .ca'; Carrie White

Subject: Comments on Proposed Secondary Suite Licensing Bylaw

Importance: High

To Inspections & Licensing Department ~

As a Secondary Suite Owner, I received your December 8, 2011 letter regarding this proposed bylaw. My comments/concerns are as follows:

- **\$165 per year** to keep a license valid is a plain and simple TAX GRAB. The rationale would have to also be applied to anyone that owns a rental unit (not just secondary suites) to be fair and equitable. I would very much appreciate a break-down of how this number was reached and what the generated revenue would cover (other than more unnecessary work for your "Administration").
- Under Inspections section, reference is made to a "Designated Officer"; however this is not described under Definitions. Who appoints the Designated Officer? There needs to be clarification added under Definitions.
- Your cover letter states, "*the purpose of the bylaw is to track and monitor active secondary suites*". Has this not been done all along to track applicants who completed the process, received final inspection approval, etc? If not, SHAME on the City of Red Deer for creating a Secondary Suite process and not thinking it would be helpful to TRACK the outcomes!
- If this is just not an additional way for the City to generate funds (see the first bullet), why not make it a token amount of \$10/year (just enough to cover an annual mail-out, similar to my fellow dog owners who get a reminder each year about licensing) to ensure City records are up to date. Or perhaps change of ownership information can be gleaned from Land Titles; you folks do communicate, right?
- My understanding is that the City already has a nuisance bylaw, correct? If so, why is that issue covered separately in this bylaw for secondary suites? If there are problems, under what bylaw would they be addressed?
- As for ensuring health & safety and/or to protect people & property, these issues can be dealt with through the Safer Communities and Neighbourhoods (SCAN) Act, which allows Albertans to take back their neighbourhoods by reporting problem residences and buildings. Operated by special sheriff's units with the Department of the Solicitor-General SCAN promotes community safety by targeting/investigating properties that negatively affect the health, safety or security of one or more persons in a neighbourhood; and/or interfere with the peaceful enjoyment of one or more properties in a community or neighbourhood. Refer to http://www.solgps.alberta.ca/safe_communities/scan/Pages/SCAN.aspx

Please confirm by return email that these comments have been received and will be put forward to City Council on January 9, 2012.

Respectfully submitted by:

Carrie J. & Dominic B. WHITE

This communication is intended for the use of the recipient to which it is addressed, and may contain

2011/12/21

Subject: FW: Proposed Secondary Suite Licensing Bylaw

Attachments: Comments on Licensing Bylaw.pdf

From: Al & Ginny Kennedy a]

Sent: December 21, 2011 2:25 PM

To: Legislative Services

Subject: Proposed Secondary Suite Licensing Bylaw

Please find attached a letter detailing my comments and concerns with the proposed Secondary Suite Licensing bylaw.

<<...>>

Thank you

Al Kennedy

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

December 20, 2011

City of Red Deer
Legislative Services
PO Box 5008
2nd Floor, 4914 – 48th Avenue
Red Deer, AB
T4N 3T4

To the Mayor, Council and Administration of the City of Red Deer:

Re: Comments on Proposed Secondary Suite Licensing Bylaw

I would urge you to re-consider, and preferably cancel this bylaw, as it is clearly biased against the owners, and more importantly, the residents of *legal* secondary suites in the City of Red Deer. I do not believe that any other form of rental accommodation within the City is subject to a fee (tax) of \$165.00 per annum *per dwelling unit*; to single out secondary suites for such a measure seems patently unfair.

I have specific comments relative to the bylaw that I will expand upon later in this letter, but first I would like to reinforce with you that secondary suites are the epitome of affordable housing – as a general observation, secondary suites are less costly to the renter than any other form of equivalent accommodation. The City of Red Deer is on record in many forums as supporting and encouraging the development of affordable housing, and identifying secondary suites as key component of that initiative. For example:

Secondary Suite Implementation Plan (2009) “Key Messages”:

- Affordable housing is a major concern for Red Deer and many communities in Alberta and Canada. We must ensure there are affordable options for residents living in Red Deer and new residents coming to Red Deer and **secondary suites are one way to achieve that**
- **Secondary suites are a sustainable, affordable option for increased housing stock** and we want to ensure they are safe, available and accepted by our community.

Land Use Bylaw, Section 4.7 (9):

(9.1) The purpose of this section is to regulate Secondary Suites as defined by this Bylaw. Secondary Suites are intended to provide integrated residential uses secondary to primary Dwelling Units in residential neighbourhoods in order to:

- (a) **Create more supply and choice in the range of housing options;**
- (b) Create Dwelling Units that meet applicable fire and building codes;
- (c) **Create more affordable home ownership and rental accommodation;** and
- (d) Provide opportunity for increasing neighbourhood populations and densities.

Ladies and Gentlemen to be frank, the proposed Secondary Suite Licensing Bylaw does nothing to further these objectives; it will, in fact, serve as an impediment to the creation and development of a larger inventory of this type of affordable housing in the City of

Red Deer. As noted above, the imposition of a Licensing Fee (which I am sure you recognize will be passed on to the Tenants/Residents) will only serve to make secondary suites less affordable with no associated benefits.

Please keep in mind that secondary suites for which the owners have gone through the process of receiving a development permit and an occupancy permit have already been inspected by City officials to ensure compliance with both the Land Use Bylaw and the Alberta Fire/Safety Code. The issuance of a License under this bylaw will therefore neither make the property safer nor more compliant; it will simply increase the cost to the tenant.

Specifically to the contents of the proposed bylaw:

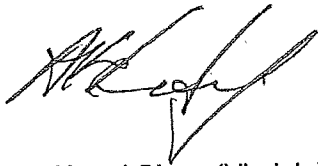
- The final portion of the preamble states that Council deems it desirable to "license, regulate and govern Secondary Suites for the purposes of health and safety, nuisance control and the protection of property".
 - It would be my observation that the City already has bylaws in place that regulate and govern health, safety, nuisances, and property protection, therefore this bylaw would appear to be unnecessary except as a vehicle to collect a license fee (tax) of \$165.00 per annum from the approximately 500 dwelling units in the City that have been through the process of acquiring approvals and occupancy permits under the secondary suite provisions of the Land Use Bylaw.
 - As I have noted earlier, it is my belief that other forms of rental accommodation in the City, which represent literally thousands of dwelling units, are not subject to similar fees.
- Clause 17 requires that the License shall be displayed in a prominent location inside the secondary suite.
 - I would suggest that it is totally inappropriate for the City to dictate to the resident(s) of the suite they must have the License hanging on the wall of the residence. This is these tenants home in every sense of the word – it would seem incredibly insulting, insensitive and potentially prejudicial for the City to mandate displaying the License.
 - And for what purpose?
- Clauses 22 and 23 mandate that there must be a resident of the City of Red Deer associated with each secondary suite, as owner, agent, property manager, etc.
 - I wonder if you even have the legal authority to make such a demand.
 - Again I would ask for what purpose?

In closing, I would offer the observation that the City purports to believe that secondary suites are an integral part of the affordable housing initiatives that are in place. Many of your actions and comments, however, would seem to indicate a different agenda. Too many times over the past couple of years I have heard a City official (both elected and administration) being quoted in the local media using terms like "shut them down" when referring to secondary suites. Similar terminology appears in several internal City briefing documents that I have been able to access through your web site, and is also alluded to in the letter that accompanied the copy of the bylaw mailed to owners of properties that contain *legal* secondary suites.

As it stands today, this bylaw will apply to approximately 500 properties in the City of Red Deer that contain legal, (i.e. LUB and Fire Code compliant) secondary suites. It will do nothing to address safety/health/security/nuisance/traffic/parking issues that may exist at the thousands of other non-owner-occupied (rental) accommodations that exist within the City, e.g. "illegal" secondary suites, single family homes, duplexes, 4-plexes, townhouses, apartments, etc.

I would again urge you to reconsider this bylaw and devote your energies to addressing the real, existing problems in the City and to avoid simply imposing a tax on responsible property owners (and ultimately their tenants) who have expended considerable time and money to ensure that their property complies with the Land Use Bylaw and Provincial Safety Codes.

Thank you.

A handwritten signature in black ink, appearing to read 'Al and Ginny', with a stylized flourish at the end.

Al and Ginny (Virginia) Kennedy

Subject: FW: Red Deer Suite Licensing Bylaw

From: [redacted]@reddeer.net
Sent: December 21, 2011 2:23 PM
To: Legislative Services
Subject: Red Deer Suite Licensing Bylaw

----- Forwarded message -----

From: Brian Vanderkley
Date: Dec 21, 2011
Subject: FW: Red Deer Suite Licensing Bylaw
To:

Hello

I am opposed to this new form of control the City of Red Deer is trying to impose.

Many of us have jumped through all the hoops laid out in the beginning of this, only to have the rules continuously change and more rules added with more costs that get passed down to the tenants who are usually lower income.

My question is, what's next? Double the taxes maybe? You have already added extra on the utility bill that we pay every month if the suite is rented or not. Now you want to charge us a \$165.00 per year fee, which started out at \$110.00, and where will it end up in a year or two? \$200.00 or more?

Regarding the annual inspection; you were just in all the places with in the last year, what has changed? This is an intrusion of the tenants privacy and a cost involved to the owner with paperwork and time spent with the Inspector.

As to posting the owners information in a "PROMINENT LOCATION" in the entrance of the suit, that is private information that the tenant has already put on the lease agreement and the city has it on record. I do not want this information displayed for the tenant's visitors or anyone else to see as I believe this is in violation of the privacy laws. This is not required in any other rental situation, so why is it in this case?

Eventually investors will put their money elsewhere with the constant changing/inventing of rules and the ever increasing money grab. Those forced to rent lower income units will be the ones who suffer the most as they simply can't afford to keep up with all the increases forced upon them.

Since this is going to be pushed through regardless of the owners concerns, you might want to consider lowering the fees and or doing an inspection every 2nd or 3rd year and drop posting the license.

I can't see this benefiting anyone except the city coffers.

2011/12/21

Try and keep in mind why this overall program came about and that was to provide SAFE lower cost rental units. The more red tape equals fewer legal units and higher rent.

Regards,
Brian Vanderkley

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City of Red Deer
c/o Legislative Services
P.O. Box 5008
2nd Floor, 4914 48 Ave
Red Deer, AB T4N 3T4
legislativeservices@reddeer.ca

December 21, 2011

Re: Proposed Secondary Suite Licensing Bylaw

Dear Sir or Madam,

We are firmly against this proposed bylaw as we feel it is discriminatory to a segment of landlords, is duplicating a permit system the City already has in place, and will still not deal with currently operating illegal and unsafe secondary suites.

Discrimination Against a Segment of Landlords

Secondary suites make up a valuable portion of the rental market, often allowing young families an affordable suburban accommodation, and the property owners providing them should not be segregated from other types of rental properties. The proposed bylaw would revoke the license of a secondary suite that is not conforming with the provision of the bylaw, and a financial penalty would be imposed if the licensee kept operating. If this bylaw were to pass, it would only serve the same logic that all rental units should meet the same licensing requirements and should be inspected to meet safety, fire and building code regulations. This would include identifying which single family homes are in fact occupied by tenants, which semi-detached homes are occupied by tenants, which condo apartments or condo townhouses are occupied by tenants. However, it would be far more logical to license the operator rather than the tool. At this time it is not even a requirement for landlords to have a business license to operate rental properties. Requiring individual portions of individual properties to be licensed makes no more sense than to require a construction company to license some of its equipment, but not all.

If the issue is around insufficient parking, then there should be some registry system for anyone that needs to park their vehicles on the street, home owner or renter. If the issue is around unsightly yards, then the same measure should be imposed, regardless of ownership. Requiring all landlords to be licensed would give the City access to far more information regarding all types of rental properties, and the connections to address safety concerns, curb appeal, and negative behaviour issues.

Duplicating the Permit System

According to the City's own document, "Secondary Suites: Adding a Suite to Your Home" it is stated that the Inspections and Licensing Department "will maintain records of all homes with a secondary suite occupancy permit". The answer to question 2 of the "Q & A Backgrounder – Secondary Suites" states that the City has 881 secondary suites, of which 250 have been inspected but it is not known if they are still active.

Contrary to this information, the Implementation Report under section Status of Secondary Suites states

The secondary suite report done in July 2008 by Western Management Consultants indicates there are over 850 secondary suites identified in the Tax and Assessment department records.

Council should be aware that Inspections and Licensing has no record of these suites and

therefore they have not been inspected and they may not meet zoning or fire code regulations.

Yet the Inspections and Licensing department has sent letters to registered property owners who have a secondary suite. Clearly the City already has records of where secondary suites are located. Would it be less work to coordinate the Tax and Assessment department with the Inspections and Licensing department, or to create a whole new system.

If these property owners have made it known that their building has a secondary suite, they would likely be as forthcoming about its current status. For commercial properties, an annual report must be completed with tenant and lease details; following a similar system for secondary suites would keep the City in the know, and again this would be easily coordinated if landlords were licensed or registered.

Dealing with Illegal and Unsafe Secondary Suites

Referring again to the "Q & A Backgrounder – Secondary Suites", under Question 2 it is stated

Knowledge of existing illegal secondary suites is usually gained by way of complaint to the Inspections and Licensing department.

In the City of Calgary, there was a fatal house fire where tenants were trapped in an illegal and clearly unsafe secondary suite. Any municipality has equal obligation to all its citizens, whether they be home owners or renters. Educating tenants on what to look for to make sure their living accommodations are safe, and an extra effort on the part of the City to seek out illegal basement suites should be the real focus of this change to secondary suite management. It would be far less effort for the City to review what secondary suites are available for rent through classified ads like the Red Deer Advocate or Kijiji and verify if they are approved units, than to create a whole new monitoring system of already

complying units. If only 250 out of 881 suites have been inspected then it will be no more beneficial to have another list of suites that the City is not investigating for satisfactory safety, fire and building code obligations. Western Management Consultants online poll shows that 71% of those surveyed feel that it is the City of Red Deer's responsibility to ensure all secondary suites meet specific standards for size and safety.

In summary, the Implementation Report from April 2009 states where the issue lies:

Over the years many illegal secondary suites have also been built without development permit application or approval.

These units will no more be identified by a new licensing process than they have to date.

Encouragement of citizens to report unsafe living conditions, and the due process to see them eliminated is what is truly needed to provide a better city for all.

Sincerely,

Maggie Best
Rental Manager for
Phil & Sue Neufeld
Tyler Neufeld
Trevor Neufeld

Subject: FW: secondary suites

From: Dorothy Grainger
Sent: December 21, 2011 11:17 AM
To: Legislative Services
Subject: secondary suites

Proposed Secondary Suite Licensing Bylaw

D. Grainger

Comments:

I moved to Red Deer from Victoria four years ago - I had a legal secondary suite there and the licensing fee was only \$100 per year. I have no idea how you people ever came up with the unusual figure of \$165 per year. Seems to me to be just another cash grab to do nothing more than paper work.

What I find really offensive is the extra billing I get on my Water Bill each month. I am billed double for residential wastewater, garbage pickup and recycling bluebox which is another \$35+ per billing. I have a one bedroom suite with one tenant. I don't know how that justifies an extra cost of \$35+ when at the most between the two of us we put out a maximum of four garbage bags per month. Just another cash grab. They didn't do that in Victoria either.

D. Grainger

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: licencing fee

From: Gari
Sent: December 21, 2011 10:54 AM
To: Legislative Services
Subject: licencing fee

To whom it may concern;

I think this is a very dirty move by the City of Red Deer. You get people to spend sometimes thousands of dollars to comply with your regulations only to then hit them with more fees. All forms of governments talk the big talk how we need affordable housing, spend tens of thousands if not hundreds of thousands on studies to create affordable housing and then hit the people that actually create this type of housing with more fees. Does the municipal government not think this will not be passed on to the end user? The people that need this type of housing!!!!

Garth Dushanek

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: legal suites levies

From: Kevin [mailto:kevin@uniqueelevations.com]
Sent: December 21, 2011 1:21 PM
To: Legislative Services
Subject: legal suites levies

To whom it may concern;

I THOUGHT WE WE'RE TRYING TO CREATE AFFORDABLE HOUSEING FOR PEOPLE THAT NEED IT, NOT A CASH COW FOR THE CITY OF RED DEER. I THINK THIS IS A VERY UNDERHANDED MOVE BUY THE CITY AND SHOULD NEVER GET SECOND OR THIRD READING. IN MOST CASES THIS WILL GET PASSED ON TO THE END USER, AS MANY OF US CREATED MANY AFFORDABLE HOUSING UNITS AS I DID AND NOW WE'RE GETTING PENILIZED. Not a popular idea sorry.

Kevin Dushanek

President



Built Green™ Builder of the Year 2010

Please consider the environment before printing this email.



[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Subject: FW: Secondary Suite Licensing Bylaw

Attachments: Dear Councillors.pdf

From: Heather Brand

Sent: December 21, 2011 1:34 PM

To: Legislative Services

Subject: Secondary Suite Licensing Bylaw

Please see attachment.

Heather Brandt

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Dear Councillors and Administration,

Thank you for discussing the proposed secondary suite licensing bylaw and providing the opportunity to respond. I have been following the secondary suite topic for over two years and I recognize the effort, time, and stress this process has incurred. The process was overdue, and I salute Council and Administration for taking on the challenge so that we can resolve the majority of issues that have dogged for city for decades. It is a complex issue, and the complexity increases with deeper understanding of the problem.

I understand that suited properties have existed in Red Deer for many decades. Some were permitted uses, some became nonconforming with zoning changes and a disputed 6 month vacancy rule; and some were built without proper permits for family, friends, or tenants. A small number of these suites have been long term thorns for city administration as the suites refused to remain shut down. Unfortunately the moratorium paralleled the beginning of a perfect economic storm. Massive economic growth, record low unemployment figures, labour shortages, increased wages and real estate prices, and miniscule vacancy rates caused by a large influx of workers. While the moratorium did not allow for suite closures, it did not directly affect the enforcement of the community standards bylaw which was the source of many complaints (indirectly by labour shortages and strained resources caused by high population growth). After considerable time, effort, and expense from all sides, Red Deer has over 450 discretionary suites and we confirmed the existence of a number of legal non-conforming suites.

Approved suites are now a legal (discretionary) land use. Council has decided that the suites have a place within the city. It is fair to understand that the City cannot change past decisions/circumstances, but we must extend that benefit to the owners of approved suites. As we consider of issue of licensing let's consider both sides to have a clean slate.

A license could be useful if the information is current, accurate, accessible, used for enforcement purposes; and if the fee is consistent across the category. As approved suites have already have obtained a development permit and an occupancy certificate and the required advertising has already occurred, I suggest that the \$55 category for this business license is appropriate. It will cover administration costs, add a minimal cost to the tenant's rent, yet allows for pertinent data to be collected.

If there must be a comparison with the category than contains the home office license fee, then please attach the license (and hence the fee) to the business/owner. Past concerns seem to indicate the lack of owner-led action in regards to the property care or the tenant behavior. Attaching the licence and fee to the owner will correct this issue. As the information required for the license has been recently submitted, the number of properties owned by each individual is known, and that owners will be required to apply for the license within a defined period (before June 2012). Collect a fee necessary to cover the cost to track and monitor, collect the cost of enforcement through the fines and revisit the issue in 1-2 years to study the data. Hold a discussion about of complaints received, illegal suites identified, suites shut down, and licenses lapsed or revoked.

Enforcement is the measure of usefulness of any bylaw. Without it, illegal suites will flourish and reproduce and we'll face the same predicament in ten years' time. Councillors, please discuss the viability of enforcing the collection of fines, removal of tenants, and how this bylaw will be any more effective than the Community Standards Bylaw in regards to property upkeep.

As a holder of a permitted home office license (no sign, no traffic, little need to monitor), I am concerned when I became aware of different fee categories, I feel that I am subsidizing other budgetary considerations and don't wish to do the same with this license. I attempted to compare our business license bylaw and fees with other Alberta municipalities, but couldn't locate it on the website and a fees list was not easily available from Inspections and Licensing.

The majority of the applications came from owners who reside in Red Deer (52%) or Central Alberta (15%). The owner occupied suites are at least 20% and will likely increase as there will be many more approved suites available. Please encourage the responsible owners to remain.

Sincerely,

Heather Brandt

Secondary Suite Applications Jan 2010-Sept 2010 (as of Dec 7, 2011)**485 applications considered by MPC or Development Officer:**

57 denied by MPC (unknown number appealed and approved by SDAB)
1 considered to be legal nonconforming
427 approved

485 total applications, Location of owner:

253 (52.1%)	Red Deer (physical) addresses
75 (15.4%)	Central Alberta (Red Deer County, Blackfalds, Benalto, Bentley, Carstairs, Clive, Delburne, Didsbury, Eckville, Lacombe, Penhold, Pine Lake, Rimbey, Sylvan Lake)
37 (7.6%)	Local Management Companies
35 (7.2%)	Other Alberta (Calgary, Canmore, Edmonton, Fort McMurray, Grande Prairie)
18 (3.7%)	Ontario
14 (2.9%)	Home Building Companies
11 (2.3%)	British Columbia
41 (8.5%)	Unknown, approved by Development Officer (unable to confirm residence)

MPC denials 57/485 (11.7%), Location of owner:

26/253	Red Deer
14/75	Central Alberta
7/35	Other Alberta
3/37	Management Company
3/18	Ontario
2/11	British Columbia
2/14	Home Building Company

Duplex suite applications 56/485 (11.5%):

23/56 denied by MPC

New suite applications 44/485 (9%):

3/44 denied by MPC

MPC applications, Owner occupied:

95/485 (19.6%) applications
87/427 (20.4%), approved applications
(likely higher as a portion of 41/427 approvals by development officer are owner occupied)



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

LINDA MCKAY

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

see attached - two pages.

Your comments are important!

over

....., Red Deer, Alberta

21 December 2011

Land title held by Linda McKay

Comments on Proposed Secondary Suite Licensing Bylaw:

Secondary Suite Nightmare!

The Secondary Suite legislation and bylaws have consumed my energy, time and money since June 1, 2010. It has been emotional and trying to say the least. Until I went through the process, I did not have any idea of the impact this legislation would have on my tenants, my family, my friends and me. And it is not ending. Now the city wants to add an annual fee and licensing process. I have spent many hours trying to determine how to address the proposed bylaw and write a response. What really needs to be said so the council can make an informed decision on the matter before them? I also find it stressful and frustrating that the Inspections and Licensing Department write a letter December 8, 2011. I, a secondary suite owner, receive the letter on December 15. Now I have 7 days to respond and oh by the way the deadline is only 4 days away from Christmas.

I agree with the Editorial of John Stewart in the Red Deer Advocate on November 30, 2011. **"It is ... important that the city deal with all landlords fairly- whether they operate secondary suites in their basements or own and manage a 20 unit apartment complex"**. To this I would also add that the city needs to deal with all landlords **equally**. One suite, one license: 20 suites, 20 licenses. In the editorial John also says: "It...now seems that the city's previous efforts to control and constrict secondary suites- regulations were introduced in late 2009- were part of a larger plan". Is this proposed bylaw yet another step towards an even larger plan? Secondary suite owners have paid up to \$500.00 to obtain Occupancy Permits plus any costs associated in meeting the bylaw and fire code. Now they may need to pay \$165.00 annually for a License. What is next in line with an attached fee? The dollars are adding up. Further, the editorial states; "they (the 450 legal secondary suites) should expect to be inspected- and shut down when necessary, for the protection of tenants". Is there a process in place where the 20 suite apartment complexes, etcetera, are subject to inspection and closure as needed?

I agree with councilors Tara Veer and Dianne Wyntjes (from an article written by Laura Tester for the Red Deer Advocate November 29, 2011) that **\$ 165.00 per suite annually is too much**. All the costs beginning levied against secondary suites are making it more difficult for landlords to offer affordable housing and for them to still bring in a little extra money. The margin between costs and affordable rents are becoming non existent. This \$165.00 is to cover what costs? There is no statement in the bylaw as to how often inspections will occur. The first inspection of secondary suites in the past 40 years or more has just occurred. It would seem reasonable then that suites be inspected every 5 years and licenses be issued for the same time period. This would lessen the costs and work load to the City. Annually, the status of the secondary suite could be reported as no change or changes made in these areas. Possibly an administration fee of \$42.00 annually or \$3.50 per month could be charged if a fee was required. This article also has a statement: "He's (Chris Stephen) also opposed to the bylaw because of the unreasonableness of the enforcement provision with regards to landlord and tenant relationships". In Alberta the **Residential Tenancies Act** regulates the renting of basement suites and it **states that notice to end a monthly tenancy is three months**. A seven day eviction notice is not allowable as it contravenes the RTA. Immediate eviction should only occur if there is imminent and immediate danger to people or property.

Item #5 of proposed bylaw: ""If an Applicant ...meets all the requirements of this bylaw the manager may grant a license...with or without conditions". If all the requirements of the bylaw are met what reasons could there be for the license not to be granted. If all the requirements of the bylaw are met, what other condition could be added to the license?

Item #8 of proposed bylaw: "An owner...to obtain a License...by submitting an application ...from time to time" conflicts with the bylaw # 16 stating ; "A License...shall expire twelve months after the date on which it was issued." Item 8- (g) and (h) are redundant as this information has already been submitted when the occupancy permit was applied for.

Item #9(b)-What other possible Additional fee may be required at the time of application or renewal?

Item #15 states : "that no license shall be issued or renewed unless:

(a) the use ... is permitted ...with City's land use bylaw (b) ...complies with all applicable provincial and federal legislation and any codes or regulations there under; (c)... compliance with the City's Community Standards bylaw. **What exactly does all this mean?**

As a home owner I reviewed the proposed secondary suite bylaws and the provincial fire regulations and building code before I applied for the Occupancy Permit. Until I was in the middle of trying to met the standards, I had no idea the extent to which the standards affected and impacted the not just the secondary suite but the house as well. How is a home owner to know and understand all the regulations that may impact them? We do not have access to staff to read and interpret regulations and lawyers to consult. It is usually when it affects us directly or someone has breeched the regulation do we even become aware of the implications of the rules we are subjected to these days. I would think if an Occupancy Permit is issued all these regulations would be met. If not, the regulation needs further clarification.

Item # 17, "...the License shall be displayed in a prominent location..."and also the landlord must have the Occupancy Permit posted in a Conspicuous Place". Smoke Alarm Inspection, Testing & Maintenance Records are to be kept and signed by Tenants as well as Tenant copy of Maintenance and Testing of Smoke Alarms is to be distributed. The red tape and paper trail to have a Secondary Suite is getting deeper.

Item # 25: ...notice to the registered owner **or** occupant... should read

... notice to the registered owner **and** occupant... As a owner I should be notified of all inspections.

Item # 28 (b) and (c). If the application meets all the requirements, why are 28(b) and (c) needed?

Item # 31- will there be a cost to the owner for an appeal process? A 7 day window is too short a time span for a resident owner to meet this detailed requirement. One secondary suite will not provide sufficient income for an owner to live. It is unrealistic to think that all other parts of owner's lives stop to allow the owner to compile and possibly seek counsel within 7 days. In a later statement, the appeal Board has 30 days not 7 days to render a decision.

The entire process around secondary suite is full of semantics. Basement suites are now secondary suites even though the provincial Residential Tenancies Act applies to the renting of a self-contained house, a self contained apartment and a self contained basement suite. The RTA uses the terms landlord and tenant. The proposed bylaw wants to use the words owner and occupant. By June 30th 2010 we had to apply for an Occupancy or development permit with a fee, the proposed bylaw has us applying for a Licensing permit with a fee. The Secondary suite bylaw # 3357/Z-2009 uses terms dwelling unit and detached dwelling unit. It is very confusing and difficult to follow and interpret exactly what each word means in any given regulation. I consider my home to be a single family dwelling with a basement suite. The inspection and Licensing department calls my home a single family dwelling with a secondary suite. The fire department refers to two suites in the building. The Red Deer utilizes department calls me a multiple residential and increased my fees accordingly. Another money grab my friends call it.

I am on a fixed disability income. I live in my own home. To help make ends meet I rent my basement suite to a senior on supplement (low income). The suite is affordable, renting for \$400.00 per month. I began the permit application process the June 1, 2010, receiving my permit Mar 1, 2011. After many discussions and hurdles the fire code was met to a cost of about \$4000.00, equaling about a year's worth of rent. I submitted my Occupancy application with the fee of \$200.00. Later I learned I did not have to pay the fee as the suite is long term standing and would be grandfathered once the current fire code was met, but I would not and did not get my \$200.00 fee returned. Another money grab my friends called it.

In closing, I do not believe that this proposed bylaw should receive second and third reading in its present form. There are many areas that need clarification. The bylaw is discriminatory and adds a burden to resident low income owners with secondary suites and low income tenants.

Respectfully submitted by Linda McKay (Owner)





Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

LINDA MCKAY

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

See attached two sheets.

Your comments are important!

over

.....le, Red Deer, Alberta
 Land title held by Olga McKay and Linda McKay
Comments on Proposed Secondary Suite Licensing Bylaw:

21 December 2011

The proposed "Secondary Suite Licensing Bylaw" states the Municipal Government Act gives Municipalities authority to pass bylaws respecting (a) the safety, health and welfare of people and the protection of people and property; (b) nuisances, including unsightly property; (c) businesses, business activities and persons engaged in business. Further in 19: License on Terms and Conditions...conditions may be imposed on the following grounds: (a) to ensure the health, safety and welfare of any person; (b) to protect people or property; or (c) to control and abate nuisances. If this is the true intent of this bylaw, **why is the proposed bylaw aimed only at secondary suites and their occupants? Are not the occupants of other rental properties entitled to the same protection** or is this really only a money grab?

If this bylaw is passed, **to be fair to all landlords and tenants it must be applied to all residential rental units** which would include rental of houses, duplexes, condominiums, four-plexes, eight-plexes and all apartment buildings, etcetera.

Item 12 of the proposed bylaw, states the fee for a License or renewal ... be \$165.00. Again if the bylaw is applied fairly, **the bylaw also needs to be applied equally**. If an owner resides in a house and has one suite occupied, one license is required. If an owner does not reside in a house and has two suites occupied, then two licenses are required. If an owner has 20 suites occupied then 20 licenses are required, etcetera.

Municipalities may make bylaws in respect to business. Red Deer bylaws levee license fees for what they define as home occupations. We often hear that the middle class is shrinking; there are more people getting poorer and poorer. Is this because our governments solve problems or perceived problems with rules and more rules which usually have some form of service fee or tax attached? It appears that these rules and fees have the greatest impact on the middle class. There seems to be no legal means of increasing ones monetary flow as all levels of government want a share of the money and little is actually left in the hands of a person trying to make ends meet in this economy.

In developing the 2009 bylaw for secondary suites, it was stated that the city could not discriminate between houses with resident owners with secondary suites and houses with no resident owner and two areas being rented. Is not a house with no resident owner and two areas rented not a **revenue house and therefore a business?** Is the resident home owner now the one being discriminated against with this bylaw?

The house at this address has a basement suite which was built when the house was built, meeting the codes of the times. An 80 year old low income senior (owner) resides in the house. A low income male rents the suite for \$ 400.00 per month. This suite was grandfathered but was required to meet the current fire codes. The cost for this senior to made the mandatory changes cost about \$ 4000.00, equaling most of a year's rental income. With the permit other costs have been added. The utility waste water- residential, the garbage- residential and the recycling blue box has doubled, \$10.00 per month needs to be set aside to replace smoke alarms in 10 years and \$10.00 per month needs to be set aside to have the back flow value checked yearly (the senior has extensive environmental allergies so fire

sprinklers were installed in the basement). These costs are all associated with the City of Red Deer's bylaw No. 3357/Z of 2009, pertaining to what are now called secondary suites. Now the City of Red Deer wants to add an annual fee and licensing process. If passed, another \$ 13.75 per month will be added to operate the suite. **Who should absorb this \$70.00 per month increase in costs: the low income senior or the low income tenant? If I was in business, I know who would be absorbing the costs associated with these bylaws.**

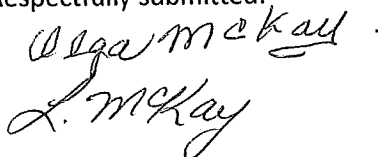
We are constantly hearing that the City of Red Deer and the provincial and federal governments want affordable housing options and want to help seniors remain in their own homes. Are the current and proposed bylaws regarding secondary suites counter productive to the above stated desires of all levels of government? This senior is not making a living from the rental of the basement suite; it only affords her a little more money to help her remain in her home. If this suite was closed, a low income male would lose a choice in where he wants to live. During the process to obtain a permit for this house, the tenant was served an eviction notice as the owners were not certain the required changes could be made at a reasonable cost. The initial cost for the basement sprinklers as required by the fire code was \$10000.00 which did not include the costs for the other changes needed. This was a very stressful time for both the owner and the tenant. The tenant was unable to find accommodations that met his needs or matched his current conditions and he did not want to move.

The city would have lost an affordable housing unit if the senior (owner) was unable to meet the costs of the changes. This affordable housing would also have been lost if the senior did not have the support of family to go through the many hurdles necessary to obtain an Occupancy Permit. The application process was started June 1, 2010 and the permit was finally obtained September 14, 2011.

How many housing suites were lost in the city due to the costs or inability or desire of landlords to meet the bylaws? How many seniors chose to close suites? How many of these suites were affordable housing? **What is affordable housing?** A senior on supplement receives \$ 1267.41 per month, an individual on AISH receives \$ 1188.00 per month. Budgeting 1/3 of the income for accommodation, rent would be \$ 422.47 and \$380.00 per month. How many units in the city are safe, protected and affordable?

Is the city really interested in the **health and safety of all tenants** or is the **bottom line really increased money flow** which is often very creativity disguised by our government in terms of services or protection needed by the public. These services then have a cost or fee levied? In closing, it seems that the proposed bylaw is discriminatory and will add a financial burden to low income seniors and could well decrease choices for low income people and decrease the number of affordable living units in the city. Is this the intent of the city?

Respectfully submitted:



Olga McKay and Linda McKay.
Secondary Suite Owners.



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

EDITH STEELE

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

lic for legal basement suites \$165.00 MAR of 2012

How much in MARCH 2013?

Cost to legalize suite - 4 to \$5000. (rewire smoke alarms
redo parking space, hand rails, permit fees, drywall forance room etc

The inspector's were very nice about my suite, its
really just a sleeping room & not always used.

Frank Wong say's \$750.00 is the average rent, most
of the suite's are used for low income suites, college
students, my kids stayed in mine. Serval I know rent
for \$450. \$550 utilities included.

How about apartment's (\$1100.00 per month) rental room's
will they be required to have a lic. too? If not, why not?

Your comments are important!

over



Public Comments
Development Authority

Fine's of 1000⁰⁰ & 100 per day if the lic is not paid,
sounds like a very unreasonable tatie to me.
Et seem's to me the people that own, the houses
with the suites, should have some say, Suites
mean seniors can stay in their own home's longer.
Recession seems to mean more increase to the top.
I feel our tax dollar's should be carefully accounted
for, as a tax payer I like to see results for my
dollar, ways of cutting cost & not increase.
Diane Wyntjes is right.

I feel it's wrong of the city to impose this
lic on these small suite's, just because we applied &
legalized them, these are older houses, now needing
more repairs & it already been costly.

At least increase in the downtown's, we have the
choose of not going downtown, which has really changed
since the bar came in.

(A thought maybe meter's should be in effect from
1PM till the bars close, more revenue coming in.)

Personal information is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914 - 48 Ave, Red Deer, AB 403-342-8132.

City Council Red Deer

Regards to the recent approval of a licensing bylaw that would require owners of secondary suites that are new, existing or recently approved to license their suites which I believe is like adding insult to injury. The Red Deer bylaw states that the purpose of secondary suite is to provide a affordable form of housing. The City Council need to realize that the landlords devoted their time and paid substantial amount of money just to meet the city requirements for an approval of secondary suite. Besides, the current property tax and utilities for the maintenance of the suite and volatile economic situation does not leave much room for the landlords to even think about having secondary suites. The Red Deer bylaw wants to create secondary suite to help make the ownership of a house affordable for young families or for older homeowners empty nesters but implementing licensing fee for secondary suite undermines all that. On one hand, bylaw wants to create affordable housing for low income families. On the second hand, the city council is imposing fees and forgetting what the consequence going to be. The landlords had to pass the fees over to the tenants, which again undermines the situation that city wanted to root out to make it affordable, so its like going in circle. I would like to know why the landlords have to bear all the cost for building, operating and maintenance of secondary suite and city council of Red Deer do not stop and think about the landlords. I believe the owners of secondary suite who being an honest and good citizen of the country came forward applied for secondary suite permit and opened there wallet so that they can meet the city regulations and requirements for a secondary suite are being treated like third class citizen. The Purpose of the bylaw "is to track and monitor active secondary suites" I believe City of Red Deer already have the record of how many suites are approved so the reason for this bylaw does not make much sense to me. I hope the City Council looks through the landlords perspective as well in making a sound decision.

Malkit Singh
Malkit Singh, Sarjit Kaur and Mandeep Singh

THE CITY OF RED DEER
Legislative & Administrative Services

RECEIVED	
TIME	240pm
DATE	21 DEC 2011
BY	<i>[Signature]</i>

FAX 403-346-6195



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

PHILOMENA MAIER

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

JUST ANOTHER TAX GRAB, PENALIZING
SECONDARY SUITE OWNERS WILL NOT PREVENT
UNAUTHORIZED SUITES FROM BEING ACTIVE.
LAND OWNERS WHO RENT A WHOLE
HOUSE WITH SUITES IN THEM TO ONE
FAMILY DO NOT HAVE TO REGISTER, WE
THE LANDLORDS HAVE SPENT \$10,000.00
OR MORE TO UPGRADE THESE HOMES
SO THAT SAFE SECONDARY SUITES COULD BE
OBTAINED, THERE IS NOT ANY NEW
HOMES BEING BUILT THAT HAVE TO
MEET THE REGULATIONS THAT GOVERN

Your comments are important!

over

2



Public Comments
Development Authority

THE SECONDARY SUITES, THE REASON
THERE IS A DEMAND FOR SECONDARY
SUITES IS BECAUSE THEY PROVIDE
SAFE AFFORDABLE HOUSING. IF SECONDARY
SUITE OWNERS MUST PAY A BUSINESS
TAX, THEN EVERY RENTAL UNIT
REGARDLESS WHETHER ITS A DUPLEX,
FOURPLEX, APARTMENT BUILDING OR
JUST A SINGLE FAMILY HOME
WITH A BED, BATHROOM, FRIDGE
TOASTER OVEN ^{IN THE BASEMENT} WILL HAVE TO PAY
AS WELL. THE CITY OF RED DEER
WANTS TO TAX THE SAFEST LIVING
QUARTERS THERE IS, AND IGNORE
THE REST. IF I DECIDE TO
SHUT MY SUITE DOWN FOR A TIME
FOR WHATEVER REASON, IT IS NON
OF YOUR (CITY OF RED DEER) BUSINESS!

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Subject: FW: secondary suites

From: Teresa Kutyn.
Sent: December 21, 2011 4:20 PM
To: Legislative Services
Cc: kutynec@aol.com
Subject: secondary suites

Comments about the proposed by-law:

Two years back the City of Red Deer wanted all owners of homes with secondary suites to register them with city so they could be up to "safety code". This process was a lengthy and costly, but for most landlords we complied with the city and paid our fees and upgraded our suites to get them registered, so that as the City of Red Deer, wanted them to be safe for all tenants. Understandably most people did the process and paid and paid for them to be registered. But now they want a license, for what purpose? The By-law they propose is already covered by other by-laws in the book, this to me is a cash grab for the city!!! We should have been given previous notice about this proposed by-law before it got to the first reading..I believe that all landlords/owners are complying to the rules and regulations and you are punishing the good not the bad. The city wants affordable housing but it is getting harder to do this when they always have there hand out...

We had to upgrade our suites...Cost

We had to register our suites...Cost

Now you want licenses....Cost

City charges more for taxes....Cost

We cannot charge more for legal suites....Cost

Why aren't you charging licencing fees for apartments then, or duplexes, or rented homes?

Why doesn't the City of Red Deer use their resources on catching the illegal suites instead of going after the law abiding ones!!

Thank You

Teresa Kutynec

[This message has been scanned for security content threats and viruses.]

[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]



Public Comments
Development Authority

Notification of: Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

PEBBY BIRSE LOUGH

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

See attached letter.

Your comments are important!

over

Comments to Proposed Secondary Suite Licensing By-law

As the owner of a home with a secondary suite approved in November, 2011, I am interested in the new Secondary Suite By-law being recommended by the City of Red Deer. Thank you for the opportunity to provide comments and feedback. I have a few questions, in addition to providing some feedback on my rental suite.

According to the Inspections and Licensing Department, the secondary suite permitting process within the Land Use Bylaw has been ongoing since December 14, 2009. Since that time:

- 495 secondary suites have been considered by the Development Authority
- 410 have been approved
- 40 are still in queue
- 45 have been denied

It is my understanding that the process for secondary suite permitting process within the Land Use Bylaw was initiated for two purposes:

- To provide affordable housing options for Red Deer citizens, and
- To ensure that secondary suites provided safe housing conditions.

My questions are:

- What effects has the secondary suite permitting process had on the availability of safe, affordable suites in the City? Has it increased the stock of affordable rental units? How have average rental costs changed due to this process?
- What are the City's estimates of the number of unauthorized suites being offered for rent?
- **What action is the City taking, and at whose expense, to "prevent unauthorized suites to remain", ensuring safety and respecting the investment of homeowners who have complied with the secondary suite regulations?**

My points are:

- There doesn't seem to be a routine process to investigate the rental of potential non-authorized suites, except on a complaints basis
- It cost homeowners a substantial amount to meet permitting by-laws which may take multiple years to recoup from rental income.
 - Mine cost \$10,000, which is likely on the lower end of the scale.
 - From my conversations with other home owners, many required renovations of older homes were in the \$20,000 to \$30,000 price range.
 - In one way or another, these costs will generally be passed on to tenants.

- Based on my net rental income from my tax records, it will take at least 6 years for the rental income to pay for the expenses required by the permitting process.
- Prior to renovations, I rented my suite unfurnished for \$575/month. In November, my tenant of six years moved out, and, based on renovation costs, current operating expenses, and the rental market, I had to increase the rent for a newly renovated, partially furnished suite to \$650/month.
- When I picked up my Occupancy Permit in November, I was informed that I would be charged for an additional garbage and recycling fee, an additional approximately \$240/year.
- And now, I learn of proposals for an additional licensing fee of \$160/year.
- Together, these new fees amount to \$400/year, or \$2,400 for the six years I've estimated to break even on the costs of renovations in relation to rental income. These new fees, if approved, would add another year and a half to my break-even point.

Here is a brief story of my affordable secondary suite and the permitting process:

- I purchased my home as a single parent in the [redacted] neighbourhood in October 2000, with specific interest in its existing one-bedroom secondary suite, and the knowledge that I could offer it for rent, depending on changing family and financial needs.
- Over 8 years, I have had four tenants, and have kept the rent (including utilities) affordable, from \$200/month for my son's transition to his own home, to \$475 in 2005 for a tradesman on an apprenticeship program, which gradually increased to \$575 in 2011.
- After the City introduced the secondary suite permitting process, I tried to research the costs and benefits for my property.
 - I carefully looked at the financial pros and cons, but it was an uncertain science. City staff could not say how the licensed suite might benefit my property value or resale advantages.
 - It wasn't until I had paid approximately \$500 to the City for two permits that I received a list of requirements to estimate the costs.
 - As well, the process changed as it evolved, which may require potential additional expenses to homeowners, such as building additional parking pads and sidewalks from parking to the entrance doors.
 - Estimated costs varied by contractor. One said he could not rectify the head space problem at the foot of the stairs without raising the house six inches. (I shuddered to think of the cost, which he didn't estimate.) An experienced

contractor later corrected the problem for \$500. One estimate for the drywall work for suite ceilings and laundry room was double that of another.

- I have spent approximately \$10,000 on this process. I was told on the first pre-inspection, if I didn't go through the process, I could still rent to my tenant, but would have to remove a door and/or a wall between the two units. While I am committed to safety and affordability, have I just paid \$10,000 to maintain a door?
- I appreciated information provided by the Fire Inspector with suggestions on alternative ways to meet the requirements, names of experienced contractors, and time flexibility. I would have been unable to make the \$10,000 investment in three months, but needed to schedule the work out over a longer period. It was a long and somewhat stressful time, and I invested a lot of "sweat equity" as well as paying for the contractors' expenses. I was delighted to receive approval on his first inspection after my work was completed.

A few examples from the community regarding affordability and safety:

- **AFFORDABILITY:** One friend who rented the main floor of a two apartment home said that his landlord found it would cost \$30,000 to renovate. Instead, he evicted the downstairs tenant, and wanted my friend to pay double to rent the whole house.
- **AFFORDABILITY:** Providing affordable housing has two sides, providing affordable housing to the home-owner while providing affordable housing to the tenant. For those on fixed income, including some individuals, families and retired folks who want to provide and live in affordable housing, the costs of the permitting process have made this option unaffordable and out of reach.
- **SAFETY:** My census representative spoke of having to enumerate people living in crowded and unsafe rental suites, where she had to walk through one person's suite to the door of another.

Peggy Birse Lough, Dec. 21, 2011

Subject: FW: Secondary Suites

From: David Stafford-Mayer
Sent: December 21, 2011 6:46 PM
To: Legislative Services
Subject: Secondary Suites

This comes across as just another money grab by the city. This will result in a reduced amount of available secondary suites for people, including students, looking for affordable living accommodations. In addition, Land lords will pass the expenses on to the renters and the cost of living will go up in these already fiscally tight times. Inflation is rising on everyday expenses such as food and gas, while the average income has stayed the same.



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

August YASINSKI

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

Hi To whom it may concern.

property TAXES 2010 2,654.52

property TAXES - 2010 - 2,475.99

178.53 increase TAXES fee

165.00 Licensing fee.

343.53 Plus water +
Garage + Sewer
fee!!

Your comments are important!

over

Public Comments
Development Authority

So in short. my taxes will increase
12 to 15% est. on this home!!
OK is that fair! I ~~received~~ ^{received} a
2% raise from my company this yrs.
OK this is not fair!! But I have
to live with it!! my renter is
~~paying~~ paying 690⁰⁰ per month that
includes TAXES, water, sew, garbage
TV cable, ~~INTER~~ and power and
gas. If you would like to keep
rent down we NEED to work
together. If not life will go on!!

THANK YOU

August YASWSKI OWNER.

P.S. OK there should be an increase, but
be fair about it!!

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Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

LISE BETTAC

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I AM NOT IMPRESSED WITH THE NEW BY LAW AS I BELIEVE THE ISSUES CONCERNING COUNCIL CAN BE HANDLED WITH THE PROCESS ALREADY IN PLACE. AS I UNDERSTAND THE LICENSE IS DUE TO THE FACT THAT SECONDARY SUITES ARE FOR REVENUE. MANY DWELLINGS THAT DON'T HAVE SECONDARY SUITES ARE RENTED OUT FOR REVENUE, AS WELL AS MULTI-FAMILY BUILDINGS. IF COUNCIL INSISTS ON CHARGING FOR LICENSES, ALL REVENUE PROPERTIES SHOULD BE TREATED, INSPECTED AND CHARGED EQUALLY. ALSO, WHAT IS THE "NORM" AT OTHER MUNICIPALITIES?

Your comments are important!

over



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Robert Troy WATSON

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #:

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

To much work needs to be done to make
it a standard secondary suite so I filled out
papers back in Sept - to make it a single
family dwelling.

Thanks,

Rob Watson

Your comments are important!

over

The City of Red Deer

December 5, 2011

To: Joyce Boon: Insp + Licence 2nd Ftr.

Name:

Charlie McPherson

Phone Number:

E-mail Address:

"A licence for their suite"

Do not agree with this proposal:

Already pay in the form of taxes + fee - application fee

The purpose of the bylaw is to "track" etc

The city already has all the owners information on your Computer
you already know: ownership
active or not
authorized or not

Your stated reasons for the new bylaw are vague and redundant.

Any personal information on this form is collected under the authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act for the purpose of evaluating the application to redesignate Aspen Ridge Public K-8 School Site to a K-12 Francophone School. If you have any questions regarding the collection, use and protection of this information, please contact the Director of the Planning Services division located on the third floor of City Hall, 4914 - 48th Avenue, Red Deer, Alberta 403-342-8190.

Please return the comment sheet, by **December 20, 2011**, to:

Haley Mountstephen, RPP, MCIP
Senior Planner
P.O. Box 5008
Red Deer, AB T4N 3T4
Ph: 403-406-8700
Fax: 403-342-8200
Email: haley.mountstephen@reddeer.ca



Christine Kenzie

Subject: FW: Secondary suite licensing bylaw

From: Glenn Lasiuta
Sent: December 23, 2011 9:36 PM
To: Legislative Services
Subject: Secondary suite licensing bylaw

Dear sirs,

In response to the proposed Secondary Suite Licensing Bylaw, I have a few concerns. While I can appreciate what I believe to be the intent of this bylaw, which is to improve the conditions of existing suites in meeting fire and health safety code, I feel the approach and system is flawed.

The act of suiting existing properties is/was beneficial two-fold: the investor has the ability to earn a better profit and manage this asset more efficiently. The tenant has a wider selection of affordable housing to choose from. Creating such a large barrier to entry to the average honest investor, as well as the professional investor, with an arbitrary license fee is completely irrational in my opinion. How did the \$165 come about? Why not \$50 and one license per person/business (as with a normal business license), not per property?

Speaking with several investors who have gone through the secondary suite application process to meet compliance, they have indicated to me that the set of standards varied with each individual. Basically, there was no real consistency and the compliance was left to the individual judgment of the officer performing inspections. As well, a line of practicality/common sense was crossed. For example, have you ever had to encapsulate your entire furnace room in drywall? How do you leave water shutoff access? Damage from leaking tubs upstairs? Why would you sacrifice valuable parking space to appease a 'landscaping percentage' rule? Etc..

Also, I feel the 'doubling' up on utility rates for secondary suite owners is nothing more than a cash grab. Is this REALLY necessary?

You would probably agree with me that, had you owned investment property yourself (perhaps, and hopefully you do), these new rules would have you reconsidering creating more affordable housing (read: secondary suites). This is a business, and as with any business providing a product and service, the end goal is to create profit. If the cost of producing/providing said services/products increases, it is safe to assume the cost of the product/service is also going to increase, along with diminishing the supply. Didn't the Mayor himself state that he wished to 'end homelessness' and create more affordable housing? So in effect, what this new bylaw will potentially do is increase rents and lower the supply of affordable housing.

I strongly encourage you to rethink the approach to this matter. Thank you for your time.

Sincerely,

Glenn Lasiuta

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2011/12/28



Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required): MARTIN PETERS.

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #: _____

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

I object to the new bylaw and will address the reasons given for the bylaw in your cover letter

(1) DETERMINE OWNERSHIP. the city already tracks suites thru the ~~approval~~ approval process and the city knows the ownership of real estate.

(2) ENSURE that the suite REMAINED ACTIVE - Except as discussed in item #4 below is it really that important if a suite remains active, ^{or not} and after the expense to get suites thru the recent approval process it is unlikely a suite would no longer be used.

(3) PREVENT UNAUTHORIZED SUITES TO REMAIN - This bylaw does nothing regarding unauthorized suites and the

Your comments are important!

over



Public Comments
Development Authority

city already has mechanisms in place to shut down unauthorized suites.

(4) ALLOW NEW APPLICANTS TO BE CONSIDERED FOR APPROVAL WHEN EXISTING SUITES HAVE BEEN REMOVED

Back to a previous point that it would be rare that an existing suite would be removed and why not find a mechanism for the neighborhoods that exceed the cap and manage that small group of suites.

Regarding the mechanisms of the bylaw as proposed, I object to the posting of the owners ^{or manager} and/or address in the suite, sometimes this rental business is a dangerous business (last month we required a court ordered bailiff to remove a tenant). If addresses are posted then everyone will use a post box and the city is pushing contact away, not closer. With post boxes the 7 day notice periods are not fair.

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Public Comments
Development Authority

Notification of:

Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required):

Wayne Anderson

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

In regards to your new proposed bylaw for Secondary suits in the city of Red Deer: Section 22 (Owners Agent). It says that if the registered Owner does not live within the City of Red Deer that he shall appoint a person who resides within the City of Red Deer to serve as the owners agent.

I personally do not live in the City of Red Deer but I can be at my place of residence and when called upon Drive to my Secondary suite in Red Deer in under 30 minutes

Like most people that live in the bedroom communities just outside of Red Deer, I do my shopping in Red Deer, my bank is in Red Deer, my Doctor and

Your comments are important!

over



Public Comments
Development Authority

Dentist are in Red Deer and I have worked in Red Deer for more than 17 years

It would be a huge cost to an owner who only has one or two secondary suits to hire someone to act as the owners agent and also the owner can represent the secondary suit way better than any agent could.

Could I please ask that this section of the new proposed bylaw be reviewed and maybe consider allowing the registered owner of the secondary suite to reside up to 30 minutes outside of the City of Red Deer without having to hire an agent

Thanks

Wayne Anderson

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Public Comments
Development Authority

Notification of: Proposed Secondary Suite Licensing Bylaw

Please Print

Contact Information:

Name (required): LINDA L. LEE & L. DANIEL LEE

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

ITEM 36 - " A LICENSE PURSUANT TO THIS BYLAW MAY NOT
BE TRANSFERRED "

The license, once obtained, should stay
with the suite - not the owner. If I sell
my home, I want to be able to tell a
prospective buyer that the secondary suite
is legal and approved by the City. If I
have paid my license fee, then that
credit must transfer to a new owner.

Your comments are important!

over



Public Comments
Development Authority

ATTN: Jake Boon

Notification of:

Proposed Secondary Suite Licensing Bylaw

Fax 403 346-6195

Please Print

Contact Information:

Name (required):

Dawn Kai Kitt

Mailing Address & Postal Code (optional: will allow administration to respond to you if necessary):

Phone #

Your contact information allows administration to respond if needed. When disclosing public comments, The City will endeavour to disclose on the author's name, unless there is a legislative, privacy or public reason to disclose more or less information.

Comments:

① Do not disagree that there are many positives to the licensing of revenue properties. However, this proposed policy should apply then to "ALL" revenue properties, not to secondary suites alone.

② The Cities efforts to "clean up" secondary suites with both public safety and community considerations in mind is appropriate. However, similar bylaws should also apply to stand alone revenue properties such as duplexes, townhome "single" family homes which maybe located immediately next door to a potentially "licensed" property with a secondary suites. These revenue properties may have safety

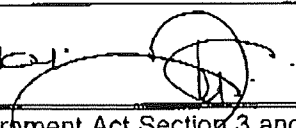
Your comments are important!

Concerns, house numerous individuals, and take up or not offer sufficient off street parking as well, but by not requiring their owners to abide by similar bylaws is biased, therefore fails to treat all residential property owners or tenants equally.



Public Comments
Development Authority

③ Finally, as significant financial investment is required to meet bylaws to establish "New" Secondary properties, property owners should be commended / encourage to proceed with their efforts / desire to offer alternate housing options for city residents. As the traditional family model is no longer the norm, utilizing our Cities' Square footage to its maximum is the very minimum of being "good stewards," and Secondary suite properties offer one solution to achieve higher density housing in a VERY esthetic manner. Again, an annual fee that is proposed to only secondary suites maybe enough to discourage others to move forward with such efforts or the financial investment; is property taxation not adequate? Simply ask for annual volunteer of property status if stats are necessary as noted in letter of Dec 8, 2011

Thank you: 

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Subject: FW: Secondary Suite Licensing Bylaw

Attachments: Letter to the City of Red Deer re Secondary Suite Licensing 28 Dec 2011.docx

From: Heather Branc

Sent: December 28, 2011 2:34 PM

To: MayorMailbox

Subject: Secondary Suite Licensing Bylaw

Dear Mayor Flewwelling,

Please take a moment to read the attachment. I understand that the Secondary Suite Licensing Bylaw is moving to 2nd reading in the next Council Meeting. The attachment outlines some thoughts and concerns regarding the proposed bylaw. Please consider my letter as you deliberate the bylaw.

Sincerely,

Dieter Brandt

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[The City of Red Deer I.T. Services asks that you please consider the environment before printing this e-mail.]

Dieter Brandt

28 December 2011

City of Red Deer
4914-48 Ave
Red Deer, AB, T4N 3T4

Attention: Mayor & City Councillors,

Re: Proposed Secondary Suite Licensing Bylaw 3475-2011

Dear Sir/Madam:

I am a long time citizen of the City of Red Deer. I live here with my wife and family. Along with our careers, my wife and I are real estate investors. We are in the business of providing living accommodations to renters. We have a few properties, some of them suited, and work hard to meet the needs of our tenants and provide them with safe, acceptable and affordable housing. While we are actively involved in what happens with the upkeep of the properties, we have employed Hearthstone Property Management as managers so that tenants are always able to reach someone should a need arise. We have spent a lot of time and money ensuring our suites are as safe as they can be. It is in my best interests that my voice be heard before the proposed bylaw is passed. It is also in my best interests and that of all other citizens of Red Deer that the City actually enforces the bylaws it has and is creating.

As you approach the second and possibly third reading of the proposed bylaw, I would like you to consider some of my thoughts and also concerns. To begin, I would like to commend the City for taking on the task of bringing order and safety to the secondary suite industry in Red Deer. Many of the cities in Alberta have yet to move on this endeavour and are looking to you to mark the way. As I understand it, there are two main reasons to embrace this move: one, safety for all tenants, and two, densification so that city infrastructure is more efficiently used thereby saving money for the taxpayers.

The City already has all the health and safety guidelines and laws from the Province of Alberta along with the new Fire Code of 2006 at its disposal. Having secondary suite owners go through an application process for the Secondary Suite Land Use Bylaw was an additional way to ensure that suites were safe and allowed the City to ensure its bylaw requirements were met. All of this is good. Citizens are hopefully safer as a result. But this is only good if the suites comply and the owners come forth and go

through the process. The City estimated that there were approximately 850 unregulated suited homes in Red Deer when this process began. To date, and I have to guess, approximately 500 – 600 homes have been put through the process. Where are the remaining 30% or so of these homes? The Secondary Suite Land Use Bylaw that was enacted for this process has a section for enforcement but, to my knowledge, enforcement to close down non-conforming suites is not occurring. Regulation without enforcement is pointless. Law abiding owners have come forth but others have not because they either think that they remain anonymous (which in the current flow of information seems impossible) or they don't believe the City has the desire and/or wherewithal to actually enforce the bylaw. We will have to wait and see. The next move goes to the City.

Now the City is going through the process of creating a bylaw to license the use of the suites. I see the motivation behind this bylaw being one or a combination of the following:

- 1) Regulate the suite
- 2) Regulate the owner
- 3) Regulate the occupant

If regulating the suite is the purpose then the Secondary Suite Licensing Bylaw is simply bureaucratic repetition. The Secondary Suite Land Use Bylaw already ensures the suite is safe and meets other city requirements which I'm assuming would be the sole purpose of regulating a suite.

If the purpose is to regulate the owner, then each owner should be issued a business license in which they would register all the properties in their portfolio. Some on Council have intimated that they don't consider the offer of suites for rent a business. What else would it be? A service or product is offered at a price. That is a business! Business owners are required to get one license for their business, not a license for every unit they own. Does a car rental agency get a separate business license from the City for every vehicle it rents out? There should be a single license per owner be it one, three, ten or more units! Most owners, as you can see by the multitude that freely came forward to abide by the aforementioned Secondary Suite Land Use Bylaw, want to follow the law and want to provide safe rental accommodations for tenants.

If regulating the occupant is the motivation, I beg you to be careful. City bylaws cannot override the Canadian Constitution. Unfortunately, I heard that one or more of the Councillors would like to publicly mark all houses with secondary suites. This concerns me greatly. People who live in suited houses do so for many reasons; possibly because they want to be in a stand-alone house and don't need or want the entire space or because they want to live in a stand-alone house and cannot afford the entire space on their own. Numerous other possibilities exist. These people are not lesser citizens as some members of our city seem to think. They have a right to privacy. Marking their houses with a secondary suite license or plaque reminds me of my Social Studies history lessons where the Star of David was used to mark houses and businesses. This type of regulation is not acceptable, ever!

Once this bylaw is passed, whatever the final form may be, I hope the City spends at least as much time in enforcement as it has spent in the creation of the regulation. The credibility of the City of Red Deer is at stake. Regulation without enforcement only restricts law abiding citizens while others do as they choose.

I realize licensing is necessary in order to maintain some control so that owners can be contacted should the need arise. As in any business, owners change. This can be done with a single business license for each owner listing the properties in their portfolios. The properties have already been regulated and don't need to be individually regulated again.

Sincerely,

Dieter Brandt

Subject: FW: Secondary Suite

From: Ursula Patterson
Sent: December 28, 2011 3:23 PM
To: Legislative Services
Subject: Secondary Suite

Dear Council,

Typically the purpose of having a secondary suite is to provide extra revenue or mortgage support to people who are looking to buy a house. I am a 29 year old single female who recently purchased my first home. The reason I chose this house was because it showed the potential of having a legal secondary suite... or so I thought. The "suite" was compliant with all fire and building code requirements. I was also pleased that it had 4 off street parking stalls in the back, which would reduce vehicle congestion on the roadway. So I contacted the Inspections & Licensing department to put in an application to legalize the potential suite. Unfortunately, to my dismay, I was told my house would never be granted permission due to its zoning. My lot is zoned (R1N). The "N" means my lot is "narrow". I was informed that an (R1) lot, which meets the zoning requirement, is 12 meters wide, whereas my (R1N) lot falls short of this at 11.6 meters. As you can imagine, I was very frustrated to learn that the only thing standing in my way to having a legal suite was 40 centimeters!

I completely support the Government of Alberta's implementation of revised safety codes to ensure the safe construction and maintenance of secondary suites. However, Red Deer's Council appears to have lost sight of the original intent of the new provincial standards, which focuses primarily on SAFETY. It seems that instead they approve bylaws which restrict based on generic technicalities, and financially punishes the honest.

An acquaintance of mine recently went through the grueling and expensive process of bringing her suite up to code, after which she was charged a ridiculous \$400 application fee by the City of Red Deer. She's an honest person so all this seemed worth it to her if it meant complying with City Bylaw, until the following months. The taxes on her home were reassessed higher. She was issued two monthly garbage bills, instead of one. And as if that wasn't enough, City Council is now considering punishing her yet again by requiring all owners to obtain and pay even MORE money for a license each year? Explain to me this? What is the difference between a dwelling with a family of 4, or a dwelling with 1 owner and 3 renters? 1 plus 3 still equals 4, so why the extra garbage bills? She is now wishing she hadn't bothered doing the right thing, because at the end of the day, the extra income she was counting on will be going towards permits, taxes, and fees.

City Council is naïve in thinking that this bylaw will actually prevent unauthorized suites to remain. As I can see so far, all the City of Red Deer has done is penalize honest citizens who are attempting to finance their mortgage during economic hardships.

Since being rejected to legalize my suite based on a zoning restriction, I've realized that it was probably a blessing in disguise. Instead of fully developing my suite, I will find mortgage subsidy by means of roommates, which do not fall under any governing body. As a result, rather than supporting City administration by paying these unacceptable fees, more money will stay in my pocket and go towards my mortgage, which was the whole point to begin with.

Ursula Patterson

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Subject: FW: Secondary Suite Licensing Bylaw

Importance: High

From: Mike and Deb Meagher

Sent: December 29, 2011 6:04 PM

To: Legislative Services

Subject: Secondary Suite Licensing Bylaw

Importance: High

With regard to the purpose stated of the bylaw 1. "to track and monitor active secondary suites"-- the City of RD already has this information from the applications made for legalized suites.

2. "determine ownership" -- the City of Red Deer has this information from property taxes.

3. "prevent unauthorized suites to remain" The City of RD will never have all secondary suites registered legally. The only suites you are going to track are the ones, like ours, who have already applied to have a legal suite. Now as a consequence of our honesty, we will be penalized the cost of a license and according to your proposed bylaw-in item 20- further costs may be accrued at the City's discretion.

We have paid to have our secondary suite registered, inspected and we've complied to the inspector's requests for changes and upgrades for safety and to meet the standards of the secondary suite registry. As a result of following the City of Red Deer rules for legalizing secondary suites we are now facing more costs because now the rules are changing. Perhaps those of us with legalized suites could be grandfathered and new applications, who would have the knowledge of the license fee upfront, would pay when they register their suite.

My fear is that the City of Red Deer is again driving the illegal suites underground. People will not get the suites registered if they think it is going to cost even more. Where does this end- are you going to have duplexes licensed if the owner is living on one side and renting the other side out???

4. "allow new applications to be considered for approval when existing suites have been removed." --a suite is registered as a legal suite with the City, if it is removed the owner would inform the City of the removal, then consideration would be given to other applications in that neighborhood.

I'm sorry, the reasons given for this bylaw do not make sense to me...you already have the information you say you are striving to attain. Those of us with legal suites follow the rules, why should we be penalized for doing so??

Thank you for the opportunity to respond to the proposed bylaw. I hope Council considers the serious consequences that passing this bylaw may bring such as more illegal suites that are not up to the safety requirements. Please consider voting against this proposed bylaw.

Sincerely,
Debra Meagher

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Subject: FW: Proposed Secondary Suite Licensing Bylaw

From: Bryn Kulmatycki
Sent: January 2, 2012 9:09 PM
To: Legislative Services
Subject: Proposed Secondary Suite Licensing Bylaw

1. There does not seem to be a definition of what constitutes a secondary suite or suite. For example, is a single rented bedroom a suite? Is a duplex a secondary suite, etc. If these terms are defined elsewhere in civic legislation then perhaps reference could be made to that. Alternatively the provision in the Land Use Bylaw that defines them should be quoted in the preamble or something.

2. Regarding Section 22, it is unrealistic to expect non-resident landlords to have somebody local identified as a contact. This would mean hiring a property manager for if somebody had a single unit. A property manager in Red Deer costs an additional 10% - 11% of your annual gross, plus extra charges for specific services. This is a very expensive by-law, not to mention the proposed annual fee by the City. Section 22 seems to be an attempt at addressing other issues related to communication that could be handled differently. Also, does this mean somebody living in Blackfalds would need to pay a property manager in Red Deer. This is quite unreasonable.

2. The fee is excessive, especially if it is annual. There is not much money to be made in secondary suites even without an annual tax. How is this justified? What costs would the city have to experience to justify such a high "annual" fee for just registration of a unit? It is unlikely that the City will visit each unit unless there is a complaint, and if there is, then the landlord who is not in compliance should be assessed the full costs of such an inspection, enforcement, etc. Individuals who break the law should be levied the full costs instead of everybody sharing in those costs. Why should I have to pay for somebody else's misuse of the by-law.

3. Section 20 is unreasonable. These other fees need to be defined. As the bylaw is currently written the enforcement of Section 20 is at the whim of the inspector. Also, under Section 31 there is no appeal for any decision made under Section 20, yet under Section 33 there is a \$1000 fine for offending. This appears to be conviction based on the whim of a civil servant with no appeal process to dispute it.

Micheal Kulmatycki

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Subject: FW: Secondary Suite Licensing Bylaw

From: Denise Bedford
Sent: January 2, 2012 7:03 PM
To: Legislative Services
Cc: Grace Higgins
Subject: Secondary Suite Licensing Bylaw

We would like to express our opposition to the proposed Bylaw with respect to the licensing of secondary suites. The proposed fee seems rather excessive and unnecessary. We understand the importance of tracking and monitoring suites but considering the cost to develop a suite to code, then adding on a yearly fee, it is too much. In our case, there are young adults (with disabilities) living in the home where the approved suite is and to tag on more expenses is not fair. (Their income is already limited) Why not a more nominal fee of \$25 for a yearly license (as a suggestion).

Thank you.

Denise Bedford

Grace Higgins

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Subject: FW: secondary suites

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

From: Shawna JG [mailto:shawna.jg@cityofreddeer.ca]
Sent: January 2, 2012 6:14 PM
To: Legislative Services
Subject: secondary suites

I do not know why after registering a secondary suite and having it approved as a legal suite by the city why we would need to continue to pay a fee each year? Secondary suites provide low income housing to people in low occupancy areas. This fee will eventually be passed on to the tenants, people who will find this additional fee a true burden. This appears to be a simple money grab by the city and sadly they are grabbing the money from one of our poorest segments.

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Cheryl Jarvis

Red Deer

December 29, 2011

Letter to City Council
City Hall
Red Deer

And so the poor beleaguered secondary suite owners are once again the target of the City of Red Deer. I wish to thank you for letting me know what this fee really represents. I received your letter of notification only after my first letter was left at the Mayor's office. Surely the need to track secondary suite owners would be negated by all the applications put forth to City Hall in the past 2 years by some honest citizens so that we could 'PAY' to apply to have our suite(s) legalized, then 'PAY' again to renovate and fix so the suites could be made legal and be registered with the City of Red Deer. There must be records in Inspections and Licensing which give the City all the information it needs regarding the legal secondary suite locations and the names of their owners.

Why must there be an annual fee paid? My pockets are no deeper than they were when the City caused me the need to pay out upwards of \$10,000 to make my suite worthy of a legal Occupancy Permit. I understand the need for the suites to be up to code and legal, but I do not see the need to continue paying and paying to keep it that way. The honest suite owner should be trusted to maintain the home and perhaps an inspection every 3 years could be arranged. I feel that I pay too much in taxes already and I am sure they will be going up again this year. The legal and registered suite in my home (also my personal dwelling) has increased the value of my home and hence the City now has the perfect reason to charge more taxes.

Not only will they charge more taxes but an automatic increase on the utility bill is the Happy Christmas gift of the City of Red Deer to me. Over the complete time I have owned this home I have never needed extra recycling or garbage pickup. My own garbage and that of the tenant has been placed at the curb each and every week and there was 1 blue box and we stayed well within the 5 bag limit for garbage. I fail to understand why this must be an automatic increase - should there not be a choice if it is really not needed? Apparently there is no choice and so an additional almost \$20.00 is added each month for garbage and recycling services I(we) do NOT need - that adds up to \$240.00 a year folks.

I am formally objecting to this annual registration fee and the additional utility charge. An annual inspection could cause the suite to be closed at a moment's notice if some little thing is not right - so what about the Tennant(s)? Do they have no rights either? I strongly feel that the City of Red Deer has had enough of my cash in the last 2 years. My taxes only seem to benefit other areas of the City. My streets do not get fixed and there are cracks and potholes all over the place.

2.

I feel as though you are gouging me and further penalizing me as a suite owner for what? In the end, the bill goes to the home owner and not all of us have 10 or more revenue properties. I just have 1 old house and 1 small suite, owned by 1 nearly retired person who is struggling to make ends meet in this economy. Go ahead and take your fees for this and that from all the wealthy revenue property owners who live and get richer from the suite income.

I do not fall into the same category and I do not know the meaning of wealth!

Yours truly

A handwritten signature in cursive script that reads "Cheryl Jarvis". The signature is written in dark ink and is positioned to the right of the typed name.

Cheryl Jarvis