



## City Council Meeting Agenda

Monday, November 9, 2020 – Council Chambers, City Hall

|                    |                    |
|--------------------|--------------------|
| Call to Order:     | 1:30 PM            |
| Recess:            | 5:00 PM to 6:00 PM |
| Public Hearing(s): | 6:00 PM            |

### **1. In Camera Meeting (to last approximately 1 hour)**

#### **1.1. Motion to In Camera**

1.1.a. Major Event Strategy and Destination Development - FOIP 24(1)(a)  
Advice from Officials

#### **1.2. Motion to Revert to Open Meeting**

### **2. Minutes**

2.1. Confirmation of the Minutes of the October 26, 2020 Organizational Meeting  
(Pages 3 – 16)

2.2. Confirmation of the Minutes of the October 26, 2020 Council Meeting  
(Pages 17 – 26)

2.3. Confirmation of the Minutes of the October 27, 2020 Special Council Meeting  
(Pages 27 – 30)

2.4. Confirmation of the Minutes of the November 2, 2020 Special Council Meeting  
(Pages 31 – 33)

### **3. Points of Interest**

### **4. Reports**

4.1. Lane Closure Review: Vincent Close / Voisin Close  
(Pages 34 – 38)

## **5. Bylaws**

### **5.1. Vehicle for Hire Bylaw 3644/2020**

(Pages 39 – 117)

#### **5.1.a. Consideration of First Reading of the Bylaw**

### **5.2. Public Art Review –Committees Bylaw Amendment – Bylaw 3576/B-2020**

(Pages 118 – 139)

#### **5.2.a. Consideration of Second Reading of the Bylaw**

#### **5.2.b. Consideration of Third Reading of the Bylaw**

## **6. Public Hearings**

### **6.1. Lancaster/ Vanier East NASP 3217/C-2020 and Land Use Bylaw Amendment 3357/S-2020: RIN to RIG**

(Pages 140 – 166)

#### **6.1.a. Consideration of Second Reading of Bylaw 3217/C-2020**

#### **6.1.b. Consideration of Third Reading of Bylaw 3217/C-2020**

#### **6.1.c. Consideration of Second Reading of Bylaw 3357/S-2020**

#### **6.1.d. Consideration of Third Reading of Bylaw 3357/S-2020**

## **7. Adjournment**



## **UNAPPROVED – MINUTES**

### **of the Red Deer City Council Organizational Meeting held on, Monday, October 26, 2020 commenced at 1:30 PM**

**Present:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Tanya Handley  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes  
City Manager, Allan Seabrooke  
City Clerk, Frieda McDougall  
Deputy City Clerk, Samantha Rodwell

**Present (via teleconference):**

General Manager Community Services, Sarah Tittermore  
General Manager Corporate and Employee Services, Lisa Perkins  
General Manager Development & Protective Services, Tara Lodewyk  
Deputy General Manager Development & Protective Services, Ken McMullen



## I. IN CAMERA MEETING

### I.1. Motion to In Camera

Moved by Councillor Ken Johnston, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Monday, October 26, 2020 at 1:33 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Citizen Representatives Appointments to Committees / External Boards/Societies – FOIP 17(1) Disclosure harmful to personal privacy, FOIP 24(1)(a) Advice from officials

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

#### I.1.a. Citizen Representatives Appointments to Committees / External Boards/Societies - FOIP 17(1) Disclosure harmful to personal privacy, FOIP 24(1)(a) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Manager Allan Seabrooke, City Clerk Frieda McDougall, Deputy City Clerk Samantha Rodwell, General Manager Community Services Sarah Tittlemore, General Manager Corporate and Employee Services Lisa Perkins, General Manager Development and Protective Services Tara Lodewyk, Deputy General Manager Development and Protective Services Ken McMullen



**1.2. Motion to Revert to Open Meeting**

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer agrees to enter into an Open meeting of Council on Monday, October 26, 2020 at 2:02 p.m.

**2. REPORTS****2.1. Deputy Mayor Appointments**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby approves the following Deputy Mayor appointments for January 2021 to December 2021 presented to Council on Monday, October 26, 2020 as follows:

| <b>January 2021 - December 2021<br/>DEPUTY MAYORS</b> |                     |
|---|---------------------|
| January 2021  | Councillor Johnston |
| February 2021   | Councillor Lee      |
| March 2021  | Councillor Wong     |
| April 2021  | Councillor Wyntjes  |
| May 2021  | Councillor Buchanan |
| June 2021   | Councillor Dawe     |
| July 2021   | Councillor Handley  |
| August 2021   | Councillor Higham   |
| September 2021  | Councillor Johnston |
| October 2021  | Councillor Lee      |



City Council Organizational Meeting Minutes  
UNAPPROVED - Monday, October 26, 2020

*\*until the Swearing In Ceremony 2021*

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

## 2.2. Ratification of Council Member Appointments to Committees

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby approves the Mayor and Councillor appointments for 2020 - 2021 to various boards, committees, commissions and societies as per Appendix "A", attached and as presented to Council on Monday, October 26, 2020 with the following amendments:

- Adding Councillor Buchanan to the Parkland Airshed Management Zone (PAMZ)
- Removing Red Deer & District Chamber of Commerce



### 2020-2021 COUNCIL REPRESENTATION ON COMMITTEES & SOCIETIES

**X = Member**  
**A = Alternate**  
**Appendix "A"**

|  | Mayor<br>Veer | Councillor<br>Buchanan | Councillor<br>Dawe | Councillor<br>Handley | Councillor<br>Higham | Councillor<br>Johnston | Councillor<br>Lee | Councillor<br>Wong | Councillor<br>Wyntjes |
|--|---------------|------------------------|--------------------|-----------------------|----------------------|------------------------|-------------------|--------------------|-----------------------|
|--|---------------|------------------------|--------------------|-----------------------|----------------------|------------------------|-------------------|--------------------|-----------------------|

| COUNCIL COMMITTEES                  |          |          |          |          |          |          |          |          |          |
|-------------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Audit Committee                     | <b>X</b> |          | <b>X</b> | <b>X</b> |          | <b>X</b> |          |          |          |
| Community Housing Advisory Board    |          |          |          |          |          | <b>X</b> |          | <b>X</b> |          |
| Emergency Advisory Committee        | <b>X</b> | <b>A</b> | <b>X</b> | <b>X</b> | <b>A</b> | <b>A</b> | <b>A</b> | <b>A</b> | <b>A</b> |
| Governance & Policy Committee (GPC) | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> | <b>X</b> |
| Municipal Planning Commission (MPC) | <b>X</b> | <b>X</b> |          |          | <b>X</b> |          | <b>A</b> |          |          |
| Nomination Committee                |          | <b>X</b> | <b>X</b> | <b>X</b> |          |          |          |          |          |

| COMMUNITY COMMITTEES (SOCIETIES)                          |  |  |  |          |  |          |          |          |          |
|---|--|--|--|----------|--|----------|----------|----------|----------|
| Bridges Community Living                                  |  |  |  |          |  |          | <b>X</b> |          |          |
| Downtown Business Association of Red Deer (DBA)           |  |  |  |          |  | <b>X</b> |          |          |          |
| Library Board   |  |  |  |          |  |          |          |          | <b>X</b> |
| Queen Elizabeth II Scholarship Awards Selection Committee |  |  |  |          |  |          |          | <b>X</b> |          |
| Red Deer College Arts Centre Advisory Committee           |  |  |  | <b>X</b> |  |          |          |          |          |



### 2020-2021 COUNCIL REPRESENTATION ON COMMITTEES & SOCIETIES

**X = Member**  
**A = Alternate**  
**Appendix "A"**

|   | Mayor<br>Veer | Councillor<br>Buchanan | Councillor<br>Dawe | Councillor<br>Handley | Councillor<br>Higham | Councillor<br>Johnston | Councillor<br>Lee | Councillor<br>Wong | Councillor<br>Wyntjes |
|---|---------------|------------------------|--------------------|-----------------------|----------------------|------------------------|-------------------|--------------------|-----------------------|
| Red Deer Museum & Art<br>Gallery Board (MAG)                        |               | <b>X</b>               |                    |                       |                      |                        |                   |                    |                       |
| Red Deer Native Friendship<br>Society Joint Committee -<br>Assoahum | <b>X</b>      |                        |                    |                       |                      |                        |                   | <b>X</b>           |                       |
| River Bend Golf and Recreation<br>Society                           |               |                        |                    | <b>X</b>              |                      |                        |                   |                    |                       |
| Tourism Red Deer Board  |               |                        |                    |                       |                      |                        |                   | <b>X</b>           |                       |
| Urban Aboriginal Voices Society<br>(UAVS)                           | <b>X</b>      |                        |                    |                       | <b>X</b>             |                        | <b>X</b>          |                    |                       |
| Waskasoo Environmental<br>Education Society Board<br>(WEES)         |               |                        |                    |                       |                      | <b>X</b>               |                   |                    |                       |

### REGIONAL COMMITTEES

|  |  |          |  |  |  |  |  |          |  |
|--|--|----------|--|--|--|--|--|----------|--|
| Central Alberta Economic<br>Partnership (CAEP) Board |  | <b>X</b> |  |  |  |  |  |          |  |
| Central Alberta Regional Trail<br>Society (CARTS)    |  |          |  |  |  |  |  | <b>X</b> |  |



### 2020-2021 COUNCIL REPRESENTATION ON COMMITTEES & SOCIETIES

**X = Member**  
**A = Alternate**  
**Appendix "A"**

|  | Mayor<br>Veer | Councillor<br>Buchanan | Councillor<br>Dawe | Councillor<br>Handley | Councillor<br>Higham | Councillor<br>Johnston | Councillor<br>Lee | Councillor<br>Wong | Councillor<br>Wyntjes |
|--|---------------|------------------------|--------------------|-----------------------|----------------------|------------------------|-------------------|--------------------|-----------------------|
| City/County Intermunicipal<br>Collaboration Framework (ICF)<br>Working Group | <b>X</b>      |                        |                    |                       | <b>X</b>             |                        | <b>X</b>          |                    |                       |
| Parkland Airshed Management<br>Zone (PAMZ)                                   |               | <b>X</b>               |                    |                       |                      |                        |                   |                    |                       |
| Red Deer & District Family and<br>Community Support Services<br>Board        |               |                        | <b>X</b>           |                       | <b>X</b>             |                        |                   |                    |                       |
| Red Deer Regional Municipal<br>Users Group (RDRMUG)                          |               |                        |                    |                       |                      |                        |                   |                    | <b>X</b>              |
| Red Deer River Watershed<br>Alliance Board (RDRWA)                           |               |                        |                    |                       |                      |                        |                   |                    | <b>X</b>              |

### EXTERNAL APPOINTMENTS – PROVINCIAL / FEDERAL BOARDS AND COMMITTEES

|  |          |          |  |  |  |  |          |  |          |
|--|----------|----------|--|--|--|--|----------|--|----------|
| AUMA Board of Directors                                |          |          |  |  |  |  |          |  |          |
| AUMA Committees  |          | <b>X</b> |  |  |  |  |          |  | <b>X</b> |
| Inter City Forum on Social<br>Policy                   |          |          |  |  |  |  |          |  | <b>X</b> |
| FCM Board of Directors                                 |          |          |  |  |  |  |          |  |          |
| FCM Committees   |          |          |  |  |  |  | <b>X</b> |  |          |
| Mid-Sized Cities Mayors' Caucus<br>Executive Committee | <b>X</b> |          |  |  |  |  |          |  |          |



| <b>AD HOC SUPPORT TO MAYOR'S OFFICE AS NEEDED ON ADVOCACY FILES</b> |  |  |  |  |          |          |          |  |          |
|---|--|--|--|--|----------|----------|----------|--|----------|
| Ambulance Dispatch Advocacy   |  |  |  |  | <b>X</b> |          |          |  |          |
| Housing Advocacy  |  |  |  |  |          |          | <b>X</b> |  |          |
| Red Deer University Advocacy  |  |  |  |  |          |          |          |  | <b>X</b> |
| Red Deer Regional Hospital Advocacy                                 |  |  |  |  |          | <b>X</b> |          |  |          |



**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3. 2020/2021 – Citizen Representative Appointments to Committees, Quasi Judicial Boards and External Boards and Societies**

**2.3.a. Community Housing Advisory Board**

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Community Housing Advisory Board for the terms to expire as follows:

|                  |   |
|------------------|---|
| Janis Carscadden | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022)                            |
| Danielle Crocker | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022)                            |
| David Hardy      | Citizen Representative, to fill an unexpired term<br>(term to expire at the Organizational Meeting of 2021) |
| Richard Lemke    | Citizen Representative<br>(term to expire at the Organizational Meeting of 2021)                            |
| Linda Ophus      | Aboriginal Representative<br>(term to expire at the Organization Meeting of 2022)                           |
| Wanda Seifried   | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022)                            |

**2.3.b. Intermunicipal Subdivision and Development Appeal Board**

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Intermunicipal Subdivision & Development Appeal Board for the terms to expire as follows:



Garfield Marks

Citizen Representative (alternate)  
(term to expire at the Organizational Meeting of 2023)

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Lawrence Lee

MOTION CARRIED

### 2.3.c. Library Board (with sub-committees)

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Library Board for the terms to expire as follows:

Nancy Batty                      Citizen Representative  
(term to expire at the Organizational Meeting of 2023)

David Murphy                      Citizen Representative  
(term to expire at the Organizational Meeting of 2023)

Brian Quigg                      Citizen Representative  
(term to expire at the Organizational Meeting of 2023)

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

### 2.3.d. Municipal Planning Commission

Moved by Councillor Ken Johnston, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Municipal Planning Commission for the terms to expire as follows:





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|-------------------|--|
| Troy Corsiatto    | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022) |
| Linda Cullen-Saik | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022) |

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3.e. Red Deer Appeal and Review Board / Red Deer Subdivision and Development Appeal Board**

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Red Deer Appeal & Review Board / Red Deer Subdivision & Development Appeal Board for the terms to expire as follows:

|                 |  |
|-----------------|--|
| Richard Boerger | Citizen Representative (alternate)<br>(term to expire at the Organizational Meeting of 2023) |
| Carol Mah       | Citizen Representative<br>(term to expire at the Organizational Meeting of 2023)             |

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3.f. Red Deer and District Family and Community Support Services Board**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Red Deer & District Family & Community Support Services Board for the terms to expire as follows:



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|               |  |
|---------------|--|
| Gordon Thomas | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022) |
|---------------|--|

|               |  |
|---------------|--|
| Milt Williams | Citizen Representative<br>(term to expire at the Organizational Meeting of 2022) |
|---------------|--|

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3.g. Red Deer Regional Airport Authority Board (with sub-committees)**

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the Red Deer Regional Airport Authority Board for the terms to expire as follows:

|                |  |
|----------------|--|
| John Mackenzie | Citizen Representative<br>(term to expire at the Organizational Meeting of 2024) |
|----------------|--|

|                   |  |
|-------------------|--|
| Shannon Wyzykoski | Citizen Representative<br>(term to expire at the Organizational Meeting of 2021) |
|-------------------|--|

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.3.h. River Bend Golf and Recreation Society Board (with sub-committees)**

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby appoints the following to serve on the River Bend Golf and Recreation Society for the terms to expire as follows:



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|                  |   |
|------------------|---|
| Harvey Bellanger | Citizen Representative<br>(term to expire at the Organizational Meeting of 2023)                            |
| Curtis Hegge     | Citizen Representative<br>(term to expire at the Organizational Meeting of 2023)                            |
| Jim Robertson    | Citizen Representative<br>(term to expire at the Organizational Meeting of 2023)                            |
| Linda Rowe       | Citizen Representative, to fill an unexpired term<br>(term to expire at the Organizational Meeting of 2022) |

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.4. Appointment of the Intermunicipal Subdivision & Development Appeal Board (ISDAB) Chairperson**

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the report from Legislative Services dated October 26, 2020 re: Appointment of the Intermunicipal Subdivision and Development Appeal Board (ISDAB) Chairperson), hereby agrees to the appointment of Don Sibbald as Chairperson of the Intermunicipal Subdivision & Development Appeal Board for a three year term (to expire at the 2023 Organizational Meeting).

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**2.5. Ratification of Red Deer Downtown Business Association Board of Director Appointments**

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston



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Resolved that Council of The City of Red Deer having considered the report from Legislative Services, dated October 26, 2020 re: Ratification of Red Deer Downtown Business Association Board of Director Appointments, hereby ratifies the appointment of the following four members of the Red Deer Downtown Business Association Board of Directors for a term of January 1, 2021 – December 31, 2023

|                 |                     |
|-----------------|---------------------|
| Brett Mauthe    | Servus Credit Union |
| Matthew Mowbrey | Vesta Law           |
| Jean Cadorette  | Bistro on Gaetz     |
| Shawn Frank     | Chapman Riebeek     |

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

### 3. ADJOURNMENT

Moved by Councillor Ken Johnston, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, October 26, 2020 Regular Council Meeting of Red Deer City Council at 2:13 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

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MAYOR

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CITY CLERK



## **UNAPPROVED - MINUTES**

**of the Red Deer City Council Regular Meeting  
held on, Monday, October 26, 2020  
commenced at 1:30 PM**

**Present:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Tanya Handley  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes  
City Manager, Allan Seabrooke  
City Clerk, Frieda McDougall  
Deputy City Clerk, Samantha Rodwell  
Corporate Meeting Administrator, Amber Senuk

**Present (via teleconference):**  
General Manager Community Services, Sarah Tittlemore  
General Manager Corporate and Employee Services, Lisa Perkins  
General Manager Development & Protective Services, Tara Lodewyk  
Deputy General Manager Development & Protective Services, Ken McMullen  
Senior Planner, Christi Fidek



## **I. MINUTES**

### **I.1. Confirmation of the Minutes of the October 13, 2020 Council Meeting**

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby approves the Minutes of the October 13, 2020 Regular Council Meeting as transcribed.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

## **2. PRESENTATIONS**

### **2.1. Alberta Law Enforcement Response Team (ALERT)**

Superintendent Duane Lakusta with Alberta Law Enforcement Response Team presented this item.

## **3. REPORTS**

### **3.1. Community Development Grants**

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer having considered the report from the General Manager Leadership Team dated October 26, 2020 re: Community Development Grants hereby approves Phase 1 & 2 as presented, authorizing Administration to continue to review the Community Development Grant programs to align processes with the goal of reducing duplication, increasing accountability and reporting, and standardizing applications, adjudication, and authority as appropriate.



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**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

### 3.2. Red Deer Policing Priorities – 2020-2022

Superintendent Gerald Grobmeier presented this item.

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the report from Development & Protective Services dated October 26, 2020 re: Red Deer Policing Priorities – 2020 – 2022 hereby adopts the following as the policing priorities for the 2020-2022 Red Deer Policing Plan (RDPP):

Priority 1 – Crime Reduction – Property and Drugs

Priority 2 – Public Safety - Dynamic Enforcement

Priority 3 – Community Relations – Responsive and Visible

**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan

MOTION CARRIED

### 3.3. Request to set Special Council Meeting

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated October 26, 2020, re: Request to set a Special Council Meeting hereby agrees that an Special Council Meeting will be held on Monday, November 2, 2020 at 1:00 p.m. online, to discuss the Westerner Exposition Association Financial Sustainability.



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**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**4. BYLAWS**

**4.1. 2021 Municipal General Election**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

SECOND READING: That Bylaw 3655/2020 (The Election Bylaw to establish rules for the conduct of elections in accordance with requirements of the Local Authorities Election Act) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3655/2020 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**4.2. Emergency Services Fees and Charges Bylaw Amendment 3586/A-2020**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes





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**FIRST READING:** That Bylaw 3586/A-2020 (an amendment to the Emergency Services Fees and Charges Bylaw to replace Schedule C to represent the fee for issuing a storage tank registration certificate) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

**SECOND READING:** That Bylaw 3586/A-2020 be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that with the unanimous consent of Council members present, Bylaw 3586/A-2020 be presented for third reading.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

**THIRD READING:** That Bylaw 3586/A-2020 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham,



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Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**4.3. Public Art Review**

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Public Art Review -Committees Bylaw Amendment – Bylaw 3576/B-2020.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION TO LIFT FROM THE TABLE CARRIED

Council recessed at 5:17 p.m. and reconvened at 6:00 p.m.

**5. PUBLIC HEARINGS**

**5.1. Land Use Bylaw Amendment 3357/N-2020 - Rezoning II Industrial (Business Service) District to C4 Commercial (Major Arterial) District - 2404 Gaetz Avenue**

Mayor Tara Veer declared open the Public Hearing for Bylaw 3357/N-2020, an amendment to the Land Use Bylaw to rezone 2404 Gaetz Avenue from II Industrial (Business Service) District to C4 Commercial (Major Arterial) District to better align with the surround land use zoning along Gaetz Avenue. As no one else was present to speak to the bylaw Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

**SECOND READING:** That Bylaw 3357/N-2020 (an amendment to the Land Use Bylaw to rezone 2404 Gaetz Avenue from II Industrial (Business Service) District to C4 Commercial (Major Arterial) District to better align with the surrounding land use zoning along Gaetz Avenue) be read a second time.



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**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

THIRD READING: That Bylaw 3357/N-2020 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**6. BYLAWS - continued**

**6.1. Public Art Review**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks and Culture dated October 26, 2020 re: Public Art Review hereby approves the revised Council Policy EL-D-2.7 Public Art.

The following motion to amend was introduced.

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to amend Council Policy EL-D-2.7 by deleting the amount “\$500,000” and replacing it with the amount “\$1,000,000” throughout all of Section 5.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong



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**OPPOSED:** Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Ken Johnston, Councillor Dianne Wyntjes

MOTION TO AMEND CARRIED

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

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong

**OPPOSED:** Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Ken Johnston, Councillor Dianne Wyntjes

MOTION CARRIED

**6.1.a. Consideration of First Reading of the Bylaw**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

FIRST READING: That Bylaw 3576/B-2020 (an amendment to the Committees Bylaw to make revisions to the sections related to Public Art) be read a first time, as amended,

The following motions to amend were introduced.

Moved by Councillor Dianne Wyntjes, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3576/B-2020 by adding to Section 65(1), the following subsection (g):

- The Public Art Commission may consider community engagement and/or have the artist engage with the community for commissioned Public Art projects.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION TO AMEND CARRIED

Moved by Councillor Vesna Higham



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Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3576/B-2020 by:

- Section 3 delete the word “adjudicate” and replace with the word “review”

As there was no seconder, the motion died on the floor.

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3576/B-2020 by:

- Section 64(2)(a) – deleting the words “Public Art is connected to spaces and opportunities that develop a dedication to place in our community.”

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION TO AMEND CARRIED

First Reading, as amended was then back on the floor.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Vesna Higham

MOTION CARRIED

## 7. ADJOURNMENT

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, October 26, 2020 Regular Council Meeting of Red Deer City Council at 7:26 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes



City Council Regular Meeting Minutes  
UNAPPROVED - Monday, October 26, 2020

MOTION CARRIED

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MAYOR

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CITY CLERK



## **UNAPPROVED - MINUTES**

### **of the Red Deer City Council Special Meeting held on, Tuesday, October 27, 2020 commenced at 1:00 PM**

**Present:** Mayor Tara Veer (left at 1:04 p.m.)  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Tanya Handley  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes  
City Manager, Allan Seabrooke  
City Clerk, Frieda McDougall  
Corporate Meeting Administrator, Amber Senuk  
Corporate Meeting Support, Jennifer Hankey

**Present (via teleconference):**

General Manager Community Services, Sarah Tittlemore  
General Manager Corporate and Employee Services, Lisa Perkins  
General Manager Development & Protective Services, Tara Lodewyk  
Deputy General Manager Development & Protective Services, Ken McMullen  
Engineering Services Manager, Konrad Dunbar  
Parks Planning Coordinator, Jolene Tejkl  
Transportation Engineer, Russ Watts  
Senior Planner, Christi Fidek

**I. PUBLIC HEARINGS****I.1. Municipal Development Plan Amendment Bylaw 3404/B-2020 and  
East Hill Major Area Structure Plan Amendment Bylaw 3499/A-2020  
- Molly Banister Drive Protected Alignment**

Mayor Veer declared a pecuniary interest as she has a residence adjacent to this area and is potentially impacted by the matter. Mayor Veer left the meeting at 1:04 p.m. and did not return. Deputy Mayor Michael Dawe assumed the Chair.

Council recessed at 2:48 p.m. and reconvened at 3:00 p.m.

Deputy Mayor Michael Dawe declared open the joint Public Hearing for Bylaw 3404/B-2020, an amendment to the Municipal Development Plan to remove the protected roadway alignment (extension of Molly Banister Drive to 40 Avenue) that runs through NE 4-38-27-4 and Bylaw 3499/A-2020, an amendment to the East Hill Major Area Structure Plan to remove the protected roadway alignment (extension of Molly Banister Drive to 40 Avenue) that runs through NE-4-38-27-4. Mr. Tony Blake, Mr. Myron Chilibeck, Mr. Cory Litzenberger, Ms. Rhondo Wood, Ms. Carol McIntyre, Ms. Virginia Lewis, Mr. Paul Vallee, Mr. Bob Mills, Ms. Lorna Watkinson-Zimmer, Ms. Robin Larsen, Ms. Linda Cassidy, Mr. Vernon Cey, Mr. Garfield Marks, Mr. Brian Stackhouse, Mr. Tony Morris, Mr. Craig Curtis, Mr. Richard McDonnell, Ms. Elizabeth Hagel, Mr. Rod Trentham, Ms. Sherry Scheunert, Ms. Sabrina Lynn, Ms. Lorne Doktor, Ms. Roy Vandersluis, Ms. Joanne Curdict, Mr. Larry Cunningham, Mr. Jason Chilibeck, Mr. Jack Hetherington, Mr. Daniel Jerusalemiec, Mr. Guy Pelletier spoke to this item:

Council recessed at 6:30 p.m. and reconvened at 7:01 p.m.

The City Clerk read into the record email submissions from Dr. Walter and Dr. Gail Hogarth and Ms. Cheryl Harris. Mr. Garnet Mantie and Mr. Craig Webber spoke to this item. As no one else was present to speak to the bylaws, Deputy Mayor Michael Dawe declared the joint Public Hearing closed.

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to vary Procedure Bylaw 3356/2006 and provide Council up to 10 additional minutes of debate time.

**IN FAVOUR:** Deputy Mayor Michael Dawe, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes





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**ABSENT:** Mayor Tara Veer

**MOTION CARRIED**

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

**SECOND READING:** That Bylaw 3404/B-2020 (an amendment to the Municipal Development Plan to remove the protected roadway alignment (extension of Molly Banister Drive to 40 Avenue) that runs through NE 4-38-27-4) be read a second time.

**IN FAVOUR:** Deputy Mayor Michael Dawe, Councillor Ken Johnston, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong

**ABSENT:** Mayor Tara Veer

**MOTION DEFEATED**

Moved by Councillor Frank Wong, seconded by Councillor Michael Dawe

**SECOND READING:** That Bylaw 3499/A-2020 (an amendment to the East Hill Major Area Structure Plan to remove the protected roadway alignment (extension of Molly Banister Drive to 40 Avenue) that runs through NE 4-38-27-4 and to also remove the future emergency services facility and the collector road that is located in the same quarter section) be read a second time.

**IN FAVOUR:** Deputy Mayor Michael Dawe, Councillor Ken Johnston, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Frank Wong

**ABSENT:** Mayor Tara Veer

**MOTION DEFEATED**



City Council Special Meeting Minutes  
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**2. ADJOURNMENT**

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Tuesday, October 27, 2020 Special Council Meeting of Red Deer City Council at 8:36 p.m.

**IN FAVOUR:** Deputy Mayor Michael Dawe, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Mayor Tara Veer

MOTION CARRIED

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MAYOR

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CITY CLERK



## **UNAPPROVED - MINUTES**

**of the Red Deer City Council Special Meeting  
held on, Monday, November 2, 2020  
commenced at 1:00 PM**

**Present:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Michael Dawe  
Councillor Vesna Higham  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Frank Wong  
Councillor Dianne Wyntjes  
City Manager, Allan Seabrooke  
Deputy City Clerk, Samantha Rodwell  
Corporate Meeting Administrator, Amber Senuk

**Present (via teleconference):**  
Councillor Tanya Handley  
General Manager Community Services, Sarah Tittermore  
General Manager Corporate and Employee Services, Lisa Perkins



## I. REPORTS

### I.1. Westerner Exposition Association Financial Sustainability

Mr. Darren Liviniuk and Mr. Jeremy Webster with Deloitte presented this item. Mr. Mike Olesen and Ms. Janice Wing with Westerner Park also presented this item.

Councillor Lawrence Lee left Council Chambers at 2:39 p.m. and joined the meeting via teleconference at 2:39 p.m.

Council recessed at 3:10 p.m. and reconvened at 3:26 p.m.

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer having considered the report from the City Manager dated November 2, 2020 re: Westerner Exposition Association Financial Sustainability hereby approves the following:

1. Receive the Deloitte Financial Sustainability Report as information,
2. Authorize the City Manager to initiate discussions with the Westerner Exhibition Association to evaluate the feasibility of and process required, to implement the recommendations outlined in the Report,
3. That the City Manager continue to update Council on a regular basis on Westerner Exhibition Association, and
4. That the City Manager work with the Westerner Exhibition Association to update Council on the status of the derivative contract and its associated risks and liabilities going forward.

**IN FAVOUR:** Mayor Tara Veer, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:** Councillor Buck Buchanan

MOTION CARRIED



City Council Special Meeting Minutes  
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**2. ADJOURNMENT**

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, November 2, 2020 Special Council Meeting of Red Deer City Council at 4:05 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

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MAYOR

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CITY CLERK



November 9, 2020

## Lane Closure Review (Vincent Close / Voisin Close)

Prepared by: Konrad Dunbar, Engineering Services Manager  
Department: Engineering Services

### Report Summary & Recommendation

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Following several requests for a lane closure from residents in Vincent CI due to shortcutting through the laneway by residents of Voisin CI, Council directed Administration to close the South-West portion of the lane. This still allowed for access to the rear of the lots for all homeowners and discouraged shortcutting. Council also asked Administration to review the effectiveness of this closure after one year and bring these results back to Council.

Although the current usage of the lane is only 8 Vehicles Per Day (vpd), down from the 2014 count of 150 vpd, it is unknown how much effect COVID-19 has on these low volumes, therefore Administration recommends the following:

- Administration regularly visit the location to continue monitoring and reviewing traffic volumes of this lane for one year.
- Administration will bring the Vincent and Voisin Close partial lane closure back to Council in the event traffic volumes increase beyond 50 vpd which would indicate shortcutting.

### Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated November 9, 2020 re: Lane Closure Review (Vincent Close /Voisin Close) hereby directs Administration to:

- regularly visit the location to continue monitoring and reviewing traffic volumes of this lane for one year; and
- Bring the Vincent and Voisin Close partial lane closure back to Council in the event traffic volumes increase beyond 50 VP which would indicate shortcutting.



## Report Details

### Background

Following several requests for a lane closure from residents in Vincent CI who had witnessed a large number of vehicles using the alley to shortcut between Voisin and Vincent, Council closed a portion of the rear lane connecting Vincent and Voisin Close in October of 2019. At that time, Council requested that Administration review the lane after one year to evaluate the effectiveness of the partial closure and explore alternative traffic calming measures should they be required.



### Discussion

Currently, the lane between Vincent Close and Voisin Close continues to offer residents of Voisin Close a quicker access to 22 St and 30 ave (see figure #1 in Appendix A). While the Traffic Safety Act, Use of Highway and Rules of the Road Regulation, does not prohibit the use of the lane for shortcutting, the current use of the lane is in contradiction with the Traffic Safety Act's definition and the City of Red Deer's Design guidelines

#### Red Deer's Design Guideline Excerpt:

#### 6. ROADWAYS – C ROADWAY CHARACTERISTICS

##### 7. Lanes

Lanes provide access to the rear yard of residential, commercial, and/or industrial lots. Lanes are not intended to carry through traffic. The lane layout should not encourage shortcutting by vehicles between roadways.



## **Alberta Traffic Safety Act**

### **Interpretation**

**I(1)** In this Act,

- (a) “alley” means a narrow highway intended chiefly to give access to the rear of buildings and parcels of land;

## **Dialogue**

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Prior to the partial closure of the South-West lane access, the following actions were performed/observed:

- Oct 2014 -Traffic Count
  - Estimated 150 vpd (vehicles per day)
- Oct 2015
  - “NO THRU TRAFFIC” and “ALLEY ACCESS ONLY” signs were installed
- Sept 2016 -Traffic Count
  - Estimated 79 vpd
- Sept 2016
  - Signs were updated to “DO NOT ENTER”, “EXCEPT ALLY RESIDENTS AND SERVICE VEHICLES”, and “VIOLATORS WILL BE TICKETED”.
- January 2018 - Traffic Count
  - Estimated 66 vpd
- Review of the traffic counts above found that an excess of 90% of the vehicles were shortcutting.
- Oct 2019
  - South-West lane access closure following Council Resolution

As part of the October 2019 Council Resolution, Administration was directed to review the closure after one year and report back with any further concerns and or recommendations.

## **Analysis**

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As part of the further review requested by Council, Administration performed the following actions:

- May 2020 - Traffic Count
  - Estimated Daily Total: 17 vpd
- May 2020
  - Relocation of the “DO NOT ENTER”, “EXCEPT ALLY RESIDENTS AND SERVICE VEHICLES”, and “VIOLATORS WILL BE TICKETED” signs to the North entrance.
- June 2020 Traffic Count





- Estimated Daily Total: 11 vpd
- Oct 2020 Traffic Count
  - Estimated Daily Total: 8 vpd

It is the opinion of Administration that traffic volume reductions due to COVID-19 still have not returned to normal so the above traffic counts may be considered lower than normal.

### **Summary**

Due to the various changes with signage and the partial lane closure the Daily Traffic Volumes have decreased since 2014 from approximately 150 vpd to 8 vpd. As mentioned above Administration has recorded an overall decreased traffic volume throughout the city due to COVID-19, however not enough information is available to provide an accurate estimate on the impact for residential traffic patterns.

### **Recommendation**

Due to the uncertainty of COVID-19 on traffic patterns within residential areas Administration recommends the following for the rear lane between Vincent Close and Voisin Close:

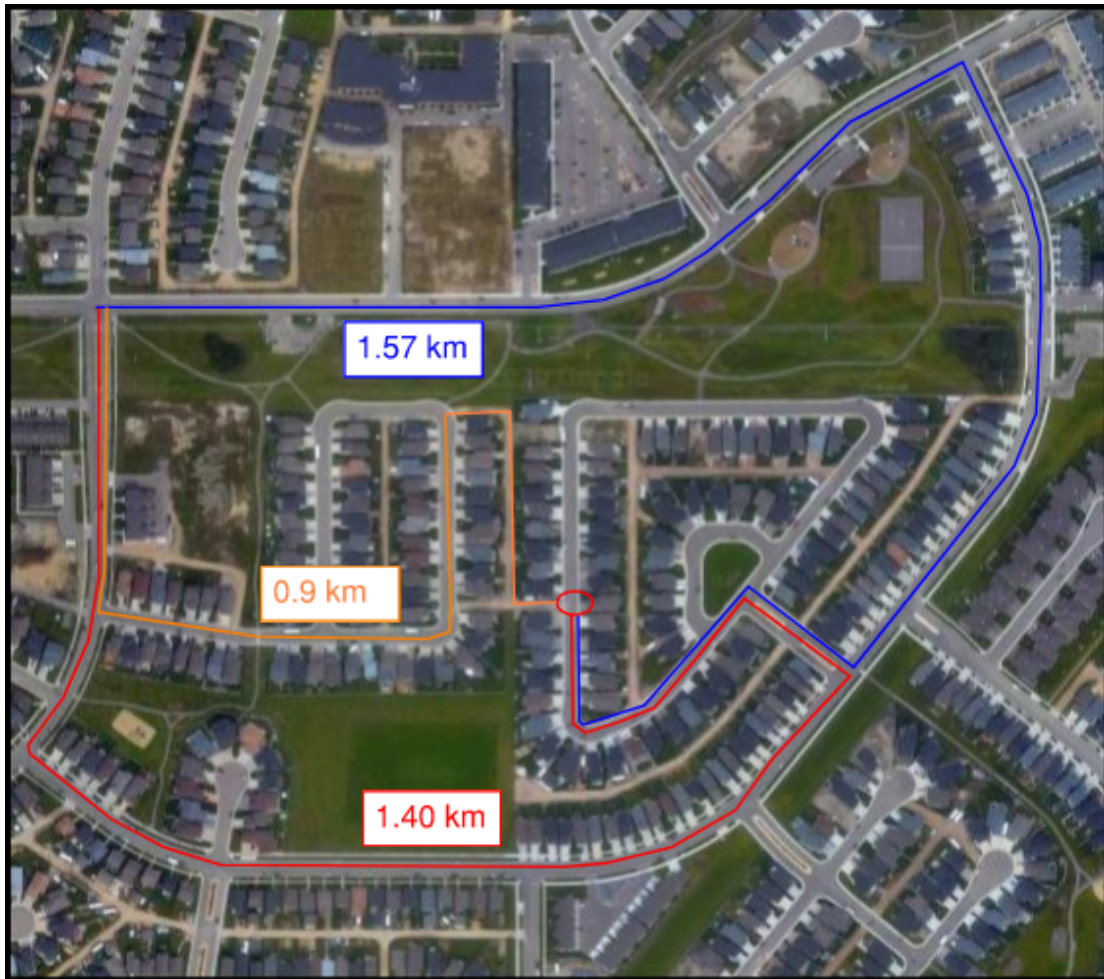
- Administration to regularly visit the location to continue monitoring and reviewing traffic volumes of this lane for one year.
- Administration to bring the Vincent and Voisin Close partial lane closure back to Council in the event traffic volumes increase beyond 50 vpd which would indicate that shortcutting was again happening.



## Appendix A:

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**Figure 1: Location**



**DATE:** November 10, 2020

**TO:** Konrad Dunbar, Engineering Services Manager

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Lane Closure Review: Vincent Close / Voisin Close

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**Reference Report:**

Engineering Services, dated November 9, 2020.

**Resolution:**

At the Monday, November 9, 2020 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated November 9, 2020 re: Lane Closure Review (Vincent Close /Voisin Close) hereby directs Administration to:

- regularly visit the location to continue monitoring and reviewing traffic volumes of this lane for one year; and
- Bring the Vincent and Voisin Close partial lane closure back to Council in the event traffic volumes increase beyond 50 VP which would indicate shortcutting

**Report back to Council:**

Yes.

**Comments/Further Action:**

Administration to report back in one year or earlier if traffic volumes increase beyond 50 VP.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Development & Protective Services  
Corporate Meeting Administrator



November 9, 2020

## Vehicle for Hire Bylaw

Prepared by: Erin Stuart, Inspections & Licensing Manager & Amy Fengstad, Parking & Licensing Supervisor  
Department: Inspections & Licensing

### Report Summary & Recommendation

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City Council passed a resolution on January 6, 2020 providing direction for the draft *Vehicle for Hire Bylaw*. Administration was directed to bring back a bylaw regulating licensing for all Vehicles for Hire in accordance with the principles endorsed, and included the following:

- Exploration of separate regulations for full time and part time drivers including, but not limited to, one mechanical inspection annually.
- Lowering Transportation Network Company fees and reviewing the fee structure in general.
- Endorsement of the principles and concepts presented on January 6, 2020.

The draft *Vehicle for Hire Bylaw* No. 3644/2020 is presented to Council for consideration of first reading. Following adoption of the bylaw, Administration will review within 2 years for the bylaw's effectiveness and draft adjustments, if necessary.

### Proposed Resolution

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That Bylaw 3644/2020 be read a first time. If first reading is given, this bylaw will come back for second and third readings at the Monday, November 23, 2020 Council Meeting.

### Rationale for Recommendation

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- 1) **The existing bylaws are out of date and not all encompassing.** The Vehicles for Hire industry has evolved over the years, and the bylaws have not had significant updates since their adoption.
- 2) **The principles were identified by stakeholders through the public participation process.** A number of public participation activities were conducted and the principles align with the feedback/comments received by stakeholders.
- 3) **The principles align with future steps for regional collaboration.** Following the discussion on principles, Administration will inform regional partners of the outcome. Regional partners indicated an interest in collaboration, identifying that the City of Red Deer has a more unique situation and bylaw needs.



## Background

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At the Council meeting on January 6, 2020, the following Vehicles for Hire Principles and Concepts were endorsed:

1. The principles of safety, customer service, equity, balancing the needs, and cost/opportunity for income.
2. The concepts in support of the principles:
  - a. The inclusion of Taxis, Accessible Taxis, Transportation Network Companies, Limousines and Designated Driver Services.
  - b. Criminal Record Checks and follow up Vulnerable Sector Checks, where warranted, are required annually for all Vehicle for Hire drivers.
  - c. Transportation Network Companies will require Vehicle, Driver and Broker licences to be consistent with the existing industry.
  - d. The cap on the number of Taxi plates remains in place for two years, with the introduction of 5 plates available for Independent Driver for Hire or new Brokerages. A review will take place following the two years.
  - e. A requirement for all brokers to have at least one Accessible Taxi operational per every 20 Taxis in the fleet.
  - f. The removal of regulations on Taxi vehicle colour and rates, with the exception of including a minimum rate to be charged.
  - g. July 1, 2020 implementation date for the full bylaw.
  - h. Inclusion of two (2) mechanical inspections per year.
  - i. Clarification of Driver requirements and included all industry types.
  - j. Simplified bylaw with duplication removed to make it easier to understand.
  - k. Flexibility built in to address items like model age of Vehicles for Hire and discretionary items.
  - l. Mitigation of enforcement challenges for Independent Driver Owners with inclusion of a corresponding fee to reflect extra demands on time.
  - m. Explore separate regulations for full time and part time drivers including, but not limited to, one mechanical inspection annually, lowering TNC Fees and reviewing fee structure in general.
3. Establishing mechanisms for safety data reporting and oversight.
4. Follow up on Regional Approach and options to remove regulatory barriers for Rides for Hire in our region.
5. Advocate to the Provincial Government requesting an update on the learnings related to the review of TNCs, including oversight and the lack of provincial fee.

## Analysis

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When Administration looked at options to align with the principles and concepts approved by Council, some of the details were modified to support effective implementation. Maintaining safety, customer service, equity, balancing the needs and cost/opportunity for income as the primary drivers, Administration's proposed bylaw differs from the supported principles in the following ways, which are then detailed below:

1. Implementation date was deferred to September 1, 2021 to allow time to prepare processes and documentation to roll out the approved bylaw.
2. Changes related to full time and part time options.
3. Reviewed fee structures and adoption of a grid system for Brokerages.
4. Removed the licensing component for vehicles, but maintain vehicle safety criteria with audit functions built in.

The remaining principles and concepts have been implemented in the draft bylaw. Appendix F summarizes major changes between the existing bylaw and the proposed bylaw.

### **Full Time and Part Time Options**

As directed by Council, Administration explored options to reflect full time versus part time drivers.

Administration considers full time drivers as Taxi drivers and part time drivers as Transportation Network Company drivers and Limousine drivers. Despite the fact there may be Taxi drivers who choose to work only part time, attempting to administer and enforce the bylaw based on the number of hours worked per week would be very complicated and time consuming.

The following are included within the draft bylaw for Council's deliberation:

1. Reduction of mechanical inspections to one per year for TNCs and Limousines.
2. Removal of the compliance inspection for all Vehicles for Hire.
3. Inclusion of the Brokerage Licence and Vehicle for Hire Driver Licence, along with corresponding fees.
4. Creation of a 6 month short term Vehicle for Hire Driver Licence.
5. Removal of the Vehicle for Hire Licence, which was for the vehicle itself. Becomes an audit function for review.
6. Change in the fee structure to reflect the number of vehicles in a brokerage.

### **Incorporation of Principles and Concepts**

In addition to the full time and part time options, the proposed bylaw also incorporates the approved principles and concepts in the following ways:

1. Removal of a vehicle licence, with only licensing for Brokerages and all drivers.
2. Removal of regulations of vehicle colors





3. Maintain the requirements for Brokerage contact information, top lights and Brokerage symbol on all vehicles.
4. An increase in the number of Taxi plates and Accessible Taxi plates in the first year of implementation.
5. Removal of vehicle plates for Limousines.
6. Removal of regulations on rates charged with only a minimum rate specified, required to clearly post rates prior in the vehicles or on the app.
7. Included all Vehicle for Hire types (Taxi, Accessible Taxi, Designated Drivers, Limousines, Transportation Network Companies)
8. Clearly laid out Criminal Record/Vulnerable Sector Check requirements and acceptable level of demerits on driver abstracts.
9. Model year of vehicles changed to 10 years for Taxi's, TNC; 15 years for Limousines; with opportunity for review and consideration of older vehicles.
10. Implementation date of September 1, 2021.

### **Feedback from Industry**

Administration received additional feedback from the Taxi industry and other Rides For Hire on our principle changes for the draft bylaw and the fee structure.

Uber provided feedback that the challenge for them would still be licensing the individual drivers. This is based on the operating costs associated and that the changes do not align with their model. Their comments were that they currently do not operate in a Canadian market where drivers have to pay an upfront fee. From Administration's perspective, the requirement for driver licenses is a mandatory need and is strongly supported from a safety perspective. Following the implementation of Criminal Record Checks for the Taxi industry in 2018, Administration identified the process is effective for ensuring safe drivers are transporting the public. This level of safety check for all Vehicles for Hire is considered ideal.

Uber would like us to model the Edmonton structure as it works well with their operational model. They licence the brokerage but not the individual vehicles. This makes it easier for Uber as drivers are added and removed on a regular basis. There is higher turnover as most do this as a part time job. Several of the suggestions made by Uber have been incorporated into the draft bylaw. These suggestions include but are not limited to:

- Modified scale for acceptable demerits on Driver's abstracts,
- Removed the mandatory requirement for defensive driving course and have that only applied with driver need,
- Clarified that supply cap is for available Taxi plates,
- Added language to allow for leased vehicles and not just owned vehicles, and
- Updated language that TNC's do not dispatch drivers, they act as intermediaries who connect drivers and passengers.



Administration also met with the Taxi Brokerages, outlining changes to the bylaw for the full time and part time options. They were supportive of our proposed changes to accommodate full time and part time options. They also agreed with the idea of a 6-month short-term licence.

Administration met with the TNC called Lyft, who is currently operating in Ontario and Vancouver and they are exploring Alberta as a province to expand operations. They were provided the highlights of the draft bylaw for Vehicles for Hire. Overall, they had no issues with the proposed bylaw.

A letter was received from MADD Canada, indicating support of the rideshare services in the City of Red Deer as another option to reduce impaired driving. There is concern that imposing additional regulations on the Transportation Network Companies will limit or remove rideshare services from Red Deer.

All feedback received since the January 6<sup>th</sup> Council meeting is included in Appendix D.

### Fee Review

Administration reviewed the Taxi and TNC structures for the municipalities requested by Council. The summary is as follows:

| Municipality                             | TNC Brokerage Licence   | TNC Driver Licence | TNC Vehicle Licence | Taxi Brokerages  | Taxi Driver Licence   | Taxi Vehicle Licence              |
|--|---|--------------------|---------------------|--|---|-----------------------------------|
| <b>Lethbridge</b>                        | Business Licence. Non-resident \$774.00 per year                  | Not Licenced       | Not Licenced        | Business Licence. Resident \$193.00 per year; Non-Resident \$774.00 per year | Taxi Operators Licence \$65.00 per year                             | Not Licenced                      |
| <b>St. Albert</b>                        | Business Licence In Town- \$140.76 per year; Out of Town \$682.38 | Not Licenced       | Not Licenced        | Business Licence In Town- \$140.76 per year; Out of Town \$682.38            | Not Licenced- Unless independent, then Business Licence fees apply. | Not Licenced                      |
| <b>Sherwood Park (Strathcona County)</b> | Not Licenced  | Not Licenced       | Not Licenced        | Not Licenced   | Driver's Permit \$50.00 per year                                    | Vehicle Permits \$450.00 per year |





|                   |  |   |              |   |  |                                   |
|-------------------|--|---|--------------|---|--|-----------------------------------|
| <b>Calgary*</b>   | TNC Licence \$1824; OR could select combined Grid. *See below. | \$229*with the flat fee. Not required with the Combined option below. | Not Licenced | Brokerage Licence \$1824 per year   | Driver's Licence \$141 per year                        | Taxi Plate Licence \$912 per year |
| <b>Edmonton**</b> | TNC Licence **See below Grid.                                  | Not Licenced  | Not Licenced | Dispatch Licence<br>1-50 \$1,036 plus \$50/Vehicle<br><br>51+ \$1,036 plus \$50/Vehicle plus per trip fee of \$0.30 | Driver's Licence \$63 for one year; \$104 for two year | Vehicle Licence \$415 per year    |

| <b>*City of Calgary Combined TNC/TN Driver Licence Fee Option</b>  |   |
|--|---|
| <b>Number of Transportation Network Drivers at time of renewal</b> | <b>Administration Fee</b>   |
| 1-100  | \$5,000 plus \$15 for each TNC Driver authorized to use the app and \$0.20 per trip.  |
| 101-1000   | \$15,000 plus \$15 for each TNC Driver authorized to use the app and \$0.20 per trip. |
| 1001-3000  | \$30,000 plus \$15 for each TNC Driver authorized to use the app and \$0.20 per trip. |
| 3001 or more   | \$50,000 plus \$15 for each TNC Driver authorized to use the app and \$0.20 per trip. |

| <b>**City of Edmonton TNC Dispatch Fees</b>                        |  |
|--|--|
| <b>Number of Transportation Network Drivers at time of renewal</b> | <b>Administration Fee</b>                              |
| 1-15   | \$3,048 plus \$50/Vehicle                              |
| 16-50  | \$10,160 plus \$50/Vehicle                             |
| 51+  | \$20,320 plus \$50/Vehicle plus per Trip fee of \$0.30 |

### **Fee Structure – Proposed City of Red Deer**

Based on the review of the above municipalities, Administration proposes a fee structure similar to Calgary, Edmonton and Airdrie. This structure is a grid system for the Brokerages, bases



their annual fee on the total number of vehicles in their fleet at the time of licensing. The proposed fees for the City of Red Deer *Vehicle for Hire Bylaw* are:

| Licence Fee Types             | Current Fees | % Subsidization | Proposed Fees | % Subsidization |
|-------------------------------|--------------|-----------------|---------------|-----------------|
| <b>VFH Driver</b>             | \$48.00      | 82.29%          | \$100.00      | 63.10%          |
|                               |              |                 |               |                 |
| <b>VFH Broker</b>             | \$261.30     | 31.47%          |               |                 |
| <b>1-15 Vehicles</b>          |              |                 | \$380.00      | 48.09%          |
| <b>16-50 Vehicles</b>         |              |                 | \$1,000.00    | 68.77%          |
| <b>51+ Vehicles</b>           |              |                 | \$2,500.00    | 66.48%          |
|                               |              |                 |               |                 |
| <b>VFH Independent Broker</b> | \$261.30     | 31.47%          | \$380.00      | 0.33%           |
|                               |              |                 |               |                 |
| <b>VFH Vehicle</b>            | \$53.50      | 80.01%          | N/A           | N/A             |

What the fee adjustment means for the Brokerages is a net change in favor of the businesses of \$2,148.30. The Brokerages have approximately 82 vehicles in one fleet. Under the previous model, this would cost  $\$53.50 \times 82 \text{ vehicles} = \$4,387$  plus the Brokerage fee of \$261.30 for a grand total of \$4,648.30. Under the proposed grid model, the total cost for 82 vehicles is \$2,500. This results in savings of \$2,148.30 for a Brokerage with 82 vehicles.

Another example would be a Brokerage with 25 vehicles. Under the previous model this would cost  $\$53.50 \times 25 \text{ vehicles} = \$1,337.50$  plus the Brokerage fee of \$261.30 for a grand total of \$1,598.80. Under the proposed grid model, the total cost for 50 vehicles is \$1,000.00. This results in savings of \$598.80.

Council does have the ability to modify the subsidization rates for these.

### Assumptions for Fee Calculations

In the proposed fees, Administration made some assumptions to determine what the costs would be for the Brokerage License grid. These were:

1. Audits would be on 25% of the fleet.
2. Assumed the mid-point of each range for fleet levels for 1-15 and 16-50.
3. For the 51+ category, the costs is based on the fleet totals for the existing Brokerages (163) divided by the two Brokerages and calculated at the 25%.
4. Each calculation was multiplied by \$366, which is the full cost to process one vehicle application.
5. The market averages were based on Alberta municipalities with a similar structure, being Calgary, Edmonton and Airdrie.



### **Safety Data Reporting and Oversight**

Administration has built into the draft bylaw tools and reporting requirements for the data that needs to be submitted to City of Red Deer. This data, as well as licensing details would be required by Brokerages on demand and the licensing information build the database for tracking and reporting purposes.

### **Regional Approach**

Once the City of Red Deer has adopted the *Vehicle for Hire Bylaw*, Administration will reconnect with our partners in surrounding municipalities. We are exploring the option of creating an “Inter-Community Vehicle for Hire Bylaw” that would formalize the adoption of the City of Red Deer *Vehicle for Hire Bylaw* with participating municipalities where there is interest. The City of Nanaimo has this in place for business licensing with several surrounding municipalities and is an excellent model that could be applied here. The City of Red Deer would explore the options of what licence administration, fees and charges and enforcement would look like with participating municipalities in our region. This work will start after the formal adoption of the *Vehicle for Hire Bylaw*.

### **Summary**

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If Council should proceed with first reading of *Bylaw 3644/2020*, consideration of second and third readings of the bylaw would occur on November 23, 2020. Unlike a municipality’s land use bylaw, which requires a legislated public hearing, a licensing related bylaw does not require a public hearing.

Following second and third readings of the bylaw, two bylaws would be repealed due to the consolidation identified above in the report. These bylaws are the *Taxi Bylaw* and the *Limousine and Sedan Bylaw*. Council Policy 6115-C: Taxi Business Fees and Metered Fare Rates must also be repealed (Appendix E).

Administration, at that time would, commence the process of informing Brokerage owners and the Vehicle for Hire industry of the changes to the bylaw outlining the new and updated requirements. The bylaw is proposed to be effective September 1, 2021; this date provides a notification period for industry to prepare in alignment with the annual renewal date moving forward. For Administration, this date will allow time to complete the changes to our systems and processes, and to appropriately prepare for the enforcement side of the new bylaw.

In summary, Administration recommends that Council adopt the *Vehicles for Hire Bylaw*. The proposed bylaw combines of full time and part time options and the principles and concepts approved by Council. The bylaw maintains the cornerstone principles of safety, customer service, equity, balancing the needs and cost and opportunity for income that were identified throughout the consultation and development processes. Administration feels this bylaw is the best balance for Red Deer to allow opportunity for new business structures like the Transportation Network Companies but also allow greater flexibility for the taxi and limousine



companies' to make more of their own business decisions all while maintaining the regulations for safety and fairness across the industry. The proposed bylaw is not exactly like any other municipalities *Vehicle for Hire Bylaw* however, after reviewing many bylaws and talking with those municipalities, industry and public, Administration has created the Red Deer model to balance the needs in our market.



### **Appendices**

- Appendix A: *Vehicle for Hire* Bylaw No. 3644/2020
- Appendix B: November 25, 2019 Council Package for Vehicles for Hire (includes Taxi industry feedback)
- Appendix C: January 6, 2020 Council Package for Unified Licensing Pros and Cons
- Appendix D: Additional feedback from Uber, Taxi, MADD and Industry
- Appendix E: Council Policy 6115-C: Taxi Business Fees and Metered Fare Rates
- Appendix F: Table Summarizing Major Changes - VFH Bylaw (3644/2020) compared to Taxi Bylaw (3282/2001)

**BYLAW NO. 3644/2020****A BYLAW TO ESTABLISH A SYSTEM OF LICENSING AND REGULATING OF VEHICLES FOR HIRE AND DESIGNATED DRIVER SERVICES**

**WHEREAS**, pursuant to section 7 and 8 of the *Municipal Government Act*, R.S.A 2000, c.M-26, a council may pass bylaws for municipal purposes respecting:

- (i) the safety, health and welfare of people and the protection of people and property;
- (ii) transport and transportation systems;
- (iii) licences, permits and approvals;
- (iv) businesses, business activities and persons engaged in business; and
- (v) the enforcement of bylaws;

**AND WHEREAS**, Council considers it necessary and desirable to regulate drivers, vehicles for hire, brokers and designated driver services for the purposes of health and safety and consumer protection to ensure a quality service is available to the travelling public in the City of Red Deer;

**AND WHEREAS**, Council does not wish to specify many of the fees, rates, fares, tariffs or charges that may be charged for the hire of vehicles under this bylaw in order to foster a level playing field and competitive environment that will benefit consumers;

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

**PART I – DEFINITIONS AND APPLICATION****Short Title**

- 1** This bylaw shall be called the “Vehicle for Hire Bylaw”.

**Definitions**

- 2** Unless defined in Section 3, words used in this bylaw have the same meaning as defined in the *Traffic Safety Act* and its regulations.

- 3** In this bylaw:

- (a) **“Accessible Taxi”** means a Taxi that is equipped to provide transportation services to persons using a mobility aid and has been approved by the City Manager as an accessible taxi;
- (b) **“App” or “Mobile App”** means a software program residing on a mobile phone or other digital electronic device which performs one or more of the following functions:

- (i) allows a person to identify the locations of available Vehicles for Hire and allows a Driver of a Vehicle for Hire to identify the location of a person who is seeking the services of a Vehicle for Hire;
  - (ii) allows a person to request a Vehicle for Hire via the mobile phone or other digital electronic device;
  - (iii) allows a Driver of a Vehicle for Hire to receive a request from a potential passenger; and
  - (iv) allows for the payment of Vehicle for Hire service through electronic means.
- (c) **“Brokerage”** means a business that is licensed to conduct operations that include:
  - (i) administering Taxi, and/or Limousine fleets with more than two vehicles; and
  - (ii) receives telephone or radio calls from prospective passengers and directs a person Operating a Vehicle for Hire to attend at the passenger’s location; or
  - (iii) offers or operates any part of a mobile App or other electronic service, including a transportation network, that receives requests for transportation services from prospective passengers and connects such requests to a person Operating a Vehicle for Hire; or
  - (iv) dispatches Designated Drivers to provide Designated Driver Service to another individual in any manner, including any person offering or licensing a mobile App, website, or other technology that connects passengers with Designated Drivers or is held out as being for the purpose of connecting Passengers with Designated Drivers; or
  - (v) accepts calls for contracts for services of Limousines;but does not include an Independent Driver Operator.
- (d) **“Brokerage Licence”** means a Licence issued pursuant to this bylaw authorizing the Licensee to operate a Brokerage;
- (d) **“Bylaw Enforcement Officer”** means a bylaw enforcement officer appointed by the City, or a peace officer;
- (e) **“Designated Driver”** means a person who operates a vehicle owned by another person for the purposes of providing Designated Driver Services;
- (f) **“Designated Driver Service”** means the transportation of a registered vehicle owner or an individual in lawful possession of the registered owner’s vehicle and his or her passengers for compensation, where the registered vehicle owner or the individual in lawful possession of the vehicle is unable to operate it;

- (g) **“Dispatch”** means the service provided by a Brokerage to connect passengers to Drivers, and includes;
  - (i) a general dispatch;
  - (ii) a Taxi and Accessible Taxi dispatch; and
  - (iii) a Transportation Network Company dispatch.
- (h) **“Driver”** means a person who holds a valid Driver for Hire Licence;
- (i) **“Driver for Hire Licence”** means a Licence issued pursuant to this bylaw authorizing the Licensee to operate a Vehicle for Hire (of the type identified in the Licence) or authorizing the Licensee as a Designated Driver, within the City;
- (j) **“Drop-Rate”** means a flat rate that is the minimum charge for using a taxi or accessible taxi service. This is the cost the customer pays if traveling less than 92 meters.
- (k) **“Electronic Payment System”** means a system by which a passenger may pay a fare by an immediate electronic withdrawal from the passenger’s bank account or charge to the passenger’s credit card account;
- (l) **“Independent Driver Owner”** means a person who owns and operates a Vehicle(s) for Hire as the primary driver and who is not affiliated with or dispatched by a Brokerage;
- (m) **“Licence”** means any Licence issued under this bylaw;
- (n) **“Licensed Mechanic”** means a person holding a valid Alberta Journeyman Certificate as an automotive service technician or heavy duty mechanic issued pursuant to the *Apprenticeship and Industry Training Act* or an Interprovincial Red Seal certification recognized by Alberta Industry and Training;
- (o) **“Licensee”** means a person named on a valid Licence issued pursuant to this bylaw;
- (p) **“Limousine”** is not restricted to stretched vehicles, but means a luxury Vehicle for Hire that provides Pre-arranged Services only;
- (q) **“Mechanical Inspection Certificate”** means a mechanical inspection certificate issued in writing by a Licensed Mechanic pursuant to this bylaw certifying that the vehicle is mechanically fit to be operated as a Vehicle for Hire;
- (r) **“Municipal Tag”** means a tag issued by the City pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a person with the opportunity to pay an amount to the City in lieu of prosecution for the offence;



- (s) **“Officer”** means a Bylaw Enforcement Officer, a Peace Officer or a member of the R.C.M.P.
- (t) **“Peace Officer”** means an Officer appointed under the *Peace Officer Act*;
- (u) **“Pre-arranged Service”** means transportation services provided by a Vehicle for Hire that are arranged, booked, scheduled, or requested by the passenger in advance of the Vehicle for Hire arriving at the passenger’s location and includes Designated Driver Service;
- (v) **“Street Hailing”** means offering, soliciting, or accepting offers to provide transportation service, or providing transportation service, to passengers that is not pre-arranged but occurs through a verbal action, such as calling out, yelling or whistling and/or a physical action such as raising one’s hand or arm;
- (w) **“Taxi”** means a Vehicle for Hire that provides transportation service to passengers as requested by the passenger for a fee that is based on time and distance travelled and includes but is not limited to a vehicle for which a valid Taxi Licence Plate has been issued, but does not include a Transportation Network Automobile;
- (x) **“Taxi Licence Plate”** means the City identification plate issued under this bylaw for attachment to a Taxi or Accessible Taxi;
- (y) **“Taxi Meter”** means a device or App residing on a mobile phone or other digital electronic device which is used to compute and display the fee or fare payable for services provided by a Taxi or Accessible Taxi;
- (z) **“Transportation Network Company”, “Transportation Network Vehicle”** and **“Transportation Network Driver”** have the meaning given in the *Transportation Network Companies Regulation (Alberta)*;
- (aa) **“Vehicle for Hire”** means a vehicle used or offered for the transportation of at least one passenger in return for compensation from any place within the City to a destination either within or outside of the City, and includes but is not limited to:
  - (i) an Accessible Taxi;
  - (ii) a Limousine;
  - (iii) a Taxi; and
  - (iv) a Transportation Network Automobile;but does not include any vehicle or class of vehicle exempted by this bylaw or by the City Manager.

- (bb) **“Vehicle for Hire Inspection Station”** means a Brokerage approved by the City Manager or a business that holds a Commercial Vehicle Inspection Station Licence issued by Alberta Transportation and is approved by the City Manager to conduct inspections for the purpose of this bylaw; and
- (cc) **“Violation Ticket”** has the meaning given to it in the *Provincial Offences Procedure Act* (Alberta).

### **Application and Exemptions**

**4** This bylaw applies to the operation of Vehicles for Hire and Designated Driver Services.

**5** This bylaw does not apply to:

- (a) a vehicle that is part of a transit system operated by a municipality or an intermunicipal bus service;
- (b) a school bus used to convey students to and from school;
- (c) an emergency vehicle;
- (d) a funeral hearse;
- (e) a courtesy vehicle in association with a vehicle repair shop where a customer is driven to a predetermined destination;
- (f) any service where the passenger is driven without a fee, or compensation of any sort, in his or her own vehicle;
- (g) a vehicle used for carpooling where the only compensation is a reimbursement for out of pocket expenses directly related to the transportation;
- (h) a vehicle carrying passengers who pay a fare or fee for the service where the passenger is picked up outside the city; or
- (i) a vehicle used in providing care to clients who require personal assistance with activities of daily living where:
  - (i) the arrangement and provision of that transportation is not the primary business of the person providing the service; and
  - (ii) no compensation is directly charged or collected for the provision of the transportation portion of the service being provided.

## **PART 2 – LICENSING PROVISIONS**

### **Required Licences**

**6** The following vehicles require a Taxi Licence Plate issued under this bylaw:

- (a) A Taxi; and
- (b) An Accessible Taxi.

**7** The following persons require a Driver for Hire Licence under this bylaw:

- (a) Taxi Drivers;
- (b) Accessible Taxi Drivers;
- (c) Limousine Drivers;
- (d) Designated Drivers; and
- (e) Transportation Network Drivers.

**8** The following Brokerages require a Brokerage Licence under this bylaw:

- (a) Taxi Brokerages;
- (b) Brokerages for Limousines;
- (c) Brokerages for Designated Driver operations; and
- (d) Transportation Network Brokerages.

### **Display of Information**

**9** No person may drive, cause or permit the driving of vehicle regulated under this Bylaw unless the following information is displayed in a prominent location:

- (a) for a Taxi or Accessible Taxi:
  - (i) the Taxi License Plate displayed on the vehicle in a manner visible to passengers from the exterior of the vehicle;
  - (ii) the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers; and
  - (iii) the Brokerage name and contact information displayed on the exterior of the vehicle;
- (b) for a Transportation Network Vehicle:

- (i) there must be no equipment or markings in or on the vehicle that identify the vehicle as a Taxi or Accessible Taxi, including the words “Taxi”, or “Cab” or a top light or meter;
  - (ii) the information required to be provided under 9(a)(ii) may be made available to passengers electronically through a mobile App used by the Brokerage for that Vehicle for Hire; and
  - (iii) the Transportation Network Company name they are affiliated with, prominently displayed on or in a manner visible to passengers from the exterior of the vehicle.
- (c) for a Limousine:
  - (i) the Driver for Hire Licence for the person driving the vehicle, displayed on the interior of the vehicle in a manner visible to passengers; and
  - (ii) the Brokerage name and contact information displayed on the exterior of the vehicle.
- (d) for a Designated Driver’s vehicle:
  - (i) the Driver for Hire Licence for the person driving the passenger’s vehicle; and
  - (ii) the Brokerage name and contact information on or visible from the exterior.

**Application Requirements**

**10** A person who wishes to apply as an Independent Driver Owner for a Driver for Hire Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule “A” of this bylaw;
- (c) proof of a valid and subsisting Class 1, 2, or 4 Alberta operator’s licence as referred to in the *Operator Licensing and Vehicle Control Regulation* (AR 320/2002), that is not an interim operator’s permit, issued to the applicant;
- (d) a five (5) year abstract of the applicant’s driving record issued by the Province of Alberta Registrar of Motor Vehicle Services dated within 60 days of the application;
- (e) a police information check, and where there are positive results on the police information check, a vulnerable sector search, both dated within 180 days of the application, issued for the applicant;

- (f) if the applicant may drive an Accessible Taxi at any time, proof of successful completion of an Accessible Taxi Driver training program acceptable to the City Manager;
- (g) a photograph of the applicant's face for incorporation into the Driver for Hire Licence, in a form acceptable to the City Manager;
- (h) an address to which documents may be served or delivered to the applicant; and
- (i) anything else that the City Manager may reasonably require to process the application.

**II** A person who wishes to apply for a Driver for Hire Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule "A" of this bylaw;
- (c) proof of a valid and subsisting Class 1, 2, or 4 Alberta operator's licence as referred to in the *Operator Licensing and Vehicle Control Regulation* (AR 320/2002), that is not an interim operator's permit, issued to the applicant;
- (d) a five (5) year abstract of the applicant's driving record issued by the Province of Alberta Registrar of Motor Vehicle Services dated within 60 days of the application, unless otherwise directed;
- (e) a police information check and where there are positive results on the police information check, a vulnerable sector search, both dated within 180 days of the application, issued for the applicant;
- (f) the name of the Brokerage that the applicant is affiliated with, unless the applicant is applying as an Independent Driver Owner;
- (g) if the applicant may drive an Accessible Taxi at any time, proof of successful completion of an Accessible Taxi Driver training program acceptable to the City Manager;
- (h) if the applicant is applying to be a Transportation Network Driver, authorization from the Transportation Network Company to be a Transportation Network Driver for that Transportation Network Company;
- (i) a photograph of the applicant's face for incorporation into the Driver for Hire Licence, in a form acceptable to the City Manager;
- (j) an address to which documents may be served or delivered to the applicant; and

- (k) anything else that the City Manager may reasonably require to process the application.

**12** A person who wishes to apply for a Brokerage Licence must provide all of the following to the City Manager:

- (a) a completed application in the form prescribed by the City Manager;
- (b) the fees prescribed by Schedule “A” of this bylaw;
- (c) all Brokerages administering Taxi fleets must have at least one (1) Accessible Taxi available for Dispatch per 20 Taxis in the fleet;
- (d) if the applicant is applying for a Brokerage Licence for Taxis, proof, in a form satisfactory to the City Manager, that the applicant will provide Brokerage operations for at least three (3) Taxis;
- (e) if the applicant is applying for a Brokerage Licence for a Transportation Network Company, proof, in a form satisfactory to the City Manager, that the person has a valid approval granted by the Registrar pursuant to the *Transportation Network Companies Regulation* (Alberta) to operate as a Transportation Network Company; and
- (f) any other information the City Manager may reasonably require to process the application.

**Expiry Dates**

- 13** Unless otherwise cancelled, suspended or terminated, every Licence issued under this bylaw shall expire on August 30 of every year.

**Property of the City**

- 14** Every Licence or Taxi Licence Plate issued under this bylaw remains at all times the sole property of the City and the person in possession of a Licence that is expired, suspended or terminated shall immediately return it to the City Manager.

**Transfer**

- 15** A Brokerage or Driver for Hire Licence issued under this bylaw is not transferrable.
- (a) In the event of a Brokerage Business sale, a Person who wants to sell their Brokerage shall apply in writing for the transfer to the City Manager and the application shall be in the form and contain the information specified by the City Manager.
  - (b) Upon receipt of an application for transfer, the City Manager shall either approve or refuse the transfer.

- (i) If approved, the transferor shall immediately present the Taxi Licence Plates and all Vehicle for Hire documentation related to the transfer to the City Manager for processing into the name of the transferee.
- (ii) The Purchaser of the existing Brokerage Business must:
  - (A) Apply for a new Brokerage Licence;
  - (B) Provide the required Brokerage application details as listed under section 12.

- 16** A Taxi Licence Plate is not transferable, but may be used by the Brokerage to which it has been issued for any vehicle within that Brokerage's fleet.

### **Replacement**

- 17** The City Manager may replace a Licence upon payment of the fee prescribed by Schedule "A" if:
- (a) the Licence is damaged and it has been returned to the City Manager; or
  - (b) the Licence is lost or stolen and the City Manager is satisfied that the theft or loss has been reported to the police.

### **Duty to Inform**

- 18** In respect of a Vehicle for Hire, the owner must immediately notify the City Manager if, at any time:
- (a) the provincial registration certificate, insurance policy, or the agreement with a Brokerage related to the vehicle expires or is suspended or cancelled; or
  - (b) the vehicle is stolen.
- 19** In respect of Driver for Hire Licences, the Licensee must immediately notify the City Manager if any information contained in the police information check or vulnerable sector search that was provided under Section 11 changes and must provide an updated police information check and/or vulnerable sector search, as applicable, immediately.
- 20** In respect of Driver for Hire Licences, the Licensee must immediately notify the Brokerage and the City Manager if he or she is convicted of a traffic violation, which will result in demerit points or convictions in excess of those listed in Section 34(c).
- 21** Upon receipt of the updated information, the City Manager may suspend, cancel or impose conditions on the Driver for Hire Licence to address the information in the updated check or search.

- 22** If, at any time during the term of a Driver for Hire Licence, the Licensee's provincial operator's licence expires or is suspended or cancelled, the Licensee must immediately notify the City Manager.
- 23** A Taxi Brokerage shall notify the City Manager immediately, in writing, if it ceases operations or is otherwise unable to provide Dispatch services or accept calls for contracts for the service of the minimum number of Vehicles for Hire indicated on the Brokerage Licence.
- 24** A Brokerage shall notify the City Manager immediately if the Brokerage has grounds to believe that any Driver for Hire is unfit to drive a Vehicle for Hire, or has been charged or convicted of an offence related to personal safety or the unlawful operation of a motor vehicle.

### **Automatic Suspension and Cancellation**

- 25** If a Driver for Hire's provincial vehicle registration certificate, insurance policy, or agreement with a Brokerage is suspended, cancelled, or expires at any time during the term of the licence, or if the vehicle is stolen, the Driver for Hire Licence is deemed to be immediately suspended without prior notice to the Driver for Hire.
- 26** If a Licensee's provincial operator's licence expires or is suspended or cancelled at any time during the term of a Driver for Hire Licence, the Driver for Hire Licence is deemed to be immediately suspended without prior notice to the Licensee.
- 27** If a Licensee is convicted of an offence listed in Section 28 at any time during the term of a Driver for Hire Licence, the Driver for Hire Licence is deemed to be immediately cancelled without prior notice to the Licensee.

### **Police Information Check Requirements**

- 28** No Driver for Hire Licence shall be issued if, within 10 years preceding the date of the application, the person was convicted of any of the following offences under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada):
- (a) any offence of a violent nature, including firearms and weapons offences;
  - (b) any offence involving sexual assault, sexual exploitation, sexual interference, procuring or invitation to sexual touching;
  - (c) trafficking;
  - (d) any offence involving fraud or fraudulent transactions, conspiracy to defraud, the use of false pretenses, bribery, extortion or theft; or
  - (e) any criminal offence relating to the unlawful operation of a vehicle.



- 29** If, when applying for a Driver for Hire Licence, an applicant's police information check or vulnerable sector check reveals a pending charge for any offence described in Section 28, the City Manager may issue the Driver for Hire Licence with conditions including, but not limited to, conditions that specifically address a pending charge.

### **Insurance**

- 30** Every Driver of a Vehicle for Hire and every Vehicle for Hire must be covered at all times by either:
- (a) a vehicle liability policy that complies with the *Insurance Act*, RSA 2000, c I-3 and provides coverage of not less than the limits prescribed in the *Commercial Vehicle Certificate and Insurance Regulation* (AR 314/2002); or
  - (b) a vehicle liability policy or a Transportation Network Automobile insurance policy that complies with the *Insurance Act*, RSA 2000, c I-3 and the *Transportation Network Companies Regulation* (AR 100/2016), and provides coverage of not less than the limits prescribed in the *Transportation Network Companies Regulation*.
- 31** The insurance required by Section 30 may be satisfied by a valid insurance policy/certificate held by:
- (a) a Brokerage that holds a valid Brokerage Licence, provided that the Brokerage Licensee is a named insured on the policy or the affiliate of a named insured on the policy;
  - (b) the Driver of a Vehicle for Hire;
  - (c) the owner of the Vehicle for Hire; or
  - (d) any combination of the persons listed in subsections 31 (a)-(c).
- 32** Upon the request of the City Manager or a Bylaw Enforcement Officer, a person listed in Section 31 (a)-(c) must provide a complete copy of the insurance certificate and policy.
- 33** In a prosecution for a contravention of this bylaw pertaining to insurance required by this Section, the onus of proving that a valid insurance policy exists is on the person alleging the sufficiency of the insurance policy on the balance of probabilities.

## **PART 3 - LICENCE REVIEWS AND APPEALS**

### **Licence Review**

- 34** The City Manager may refuse, suspend or cancel a Licence, and may impose any terms or conditions on a Licence for any of the following reasons:
- (a) the applicant, Licensee or vehicle that is the subject of the Licence does not or no longer meets the requirements of this bylaw;

- (b) the applicant or Licensee has been convicted of a criminal or provincial offence not listed in Section 28 and the City Manager reasonably believes that it is in the public interest to do so;
- (c) the five year driver record for the applicant or Licensee has more than eight (8) demerit points or a single major conviction on the abstract (major being four (4) demerits points or more); more than three (3) minor convictions (minor being three (3) demerit points or less);
- (d) the applicant or Licensee:
  - (i) furnishes false information or misrepresents any fact or circumstance to the City Manager or a Bylaw Enforcement Officer;
  - (ii) refuses to provide any information required under this bylaw to the City Manager or a Bylaw Enforcement Officer;
  - (iii) fails to pay a fine imposed by a court for a contravention of this bylaw; or
  - (iv) fails to pay any fee required by this bylaw.

**Notice of Decision**

**35** If a decision is made to refuse, suspend or cancel a Licence, or to impose conditions on a Licence other than conditions automatically imposed by this bylaw, the City Manager shall:

- (a) notify the applicant or Licensee of the decision in writing;
- (b) if the decision is to refuse, suspend or cancel a Licence, give reasons for the refusal, suspension or cancellation and notify the applicant or Licensee of their right to appeal; and
- (c) if conditions are imposed on a Licence, notify the applicant or Licensee of their right to appeal.

**36** The City Manager must provide written notice of a decision to suspend or cancel a Driver for Hire Licence to the Brokerage that provides Dispatch services for that driver.

**Appeal**

**37** A person:

- (a) who has been refused the issuance of a Licence;
- (b) whose Licence has been suspended or cancelled; or
- (c) whose Licence is made subject to conditions, other than conditions automatically imposed by this bylaw;

may appeal to the Red Deer Appeal and Review Board in accordance with the relevant procedures as outlined in The Appeal Boards Bylaw.

**38** A person may not appeal:

- (a) a refusal to issue a Licence if the reason for the refusal is the failure to pay any fee, fine or to provide any required information under this bylaw; or
- (b) any condition, suspension or cancellation that is imposed automatically by the provisions of this bylaw.

**39** A person who has been refused, suspended or cancelled by the City Manager or the Red Deer Appeal and Review Board is prohibited from re-applying for a Licence for a period of 6 months.

## **PART 4 – VEHICLE PROVISIONS**

### **Vehicle Requirements for Taxis**

**40** A vehicle shall not be operated as a Taxi unless that vehicle:

- (a) has at least four (4) doors;
- (b) is not more than ten (10) model years old, except as otherwise approved by the City Manager;
- (c) has a seating capacity for at least four (4) adults, including the Driver, with all seats constructed by the manufacturer and unaltered;
- (d) has a top light approved by the City Manager which is connected in such a manner so as to be illuminated when the Taxi is available for hire and turned off when the Taxi is not available for hire;
- (e) is equipped with a Taxi Meter which is illuminated and allows the fare to be easily read by passengers in any seat of the vehicle;
- (f) is equipped with an Electronic Payment System;
- (g) displays the rates, fare and any surcharge(s) that may be charged for the hire of the Taxi, in a manner and in a form with content specified by the City Manager;
- (h) displays the name, trade name or trademark, and phone number of the Brokerage or Independent Driver Owner with which the Taxi is affiliated, in a manner approved by the City Manager;
- (i) has a valid provincial Class I-55 registration certificate; and
- (j) has been issued a valid Mechanical Inspection Certificate.

**Vehicle Requirements for Accessible Taxis**

**41** A vehicle shall not be operated as an Accessible Taxi unless the vehicle:

- (a) meets all of the requirements for a Taxi prescribed in Section 40;
- (b) has been designed and manufactured or converted for the purpose of transporting persons who use mobility aids;
- (c) meets federal regulations and the Canada Standards Association standards D409-02, "Motor Vehicles for the Transportation of persons with Physical Disabilities" and Z605-03, "Mobility Aid Securement and Occupant Restraint (MASOR) Systems for Motor Vehicle Standards"; and
- (d) is equipped to provide service to persons using mobility aides.

**Vehicle Requirements for Limousines**

**42** A vehicle shall not be operated as a Limousine unless the vehicle:

- (a) is a stretch or luxury sedan or sport utility vehicle containing a Limousine package interior; or
- (b) is a bus or motor coach containing a Limousine package interior; or
- (c) is any other specialty vehicle that is approved by the City Manager;
- (d) is not more than fifteen (15) model years old, except as otherwise approved by the City Manager;
- (e) has a valid provincial Class I-55 registration certificate; and
- (f) has been issued a valid Mechanical Inspection Certificate.

**Vehicle Requirements for Transportation Network Vehicles**

**43** A vehicle shall not be operated as a Transportation Network Vehicle unless the vehicle:

- (a) has at least four (4) doors;
- (b) is not more than ten (10) model years old, unless approved by the City Manager;
- (c) has a seating capacity for at least four (4) adults, including the Driver with all seats constructed by the manufacturer and unaltered;
- (d) displays the name, tradename or trademark of the Transportation Network Vehicle is affiliated with while in service and accepting passengers, in a manner approved by the City Manager;

- (e) proof, in a form satisfactory to the City Manager, that the applicant is the registered owner the vehicle to be driven while providing Vehicle for Hire Services, or has written permission of the registered owner;
- (f) has a valid provincial Class I-55 registration certificate; and
- (g) has been issued a valid Mechanical Inspection Certificate.

## **PART 5 – OPERATING PROVISIONS**

### **Street Hailing**

- 44** Only a person operating a Taxi or an Accessible Taxi may engage in Street Hailing.
- 45** For greater certainty, neither a Designated Driver, nor person driving a Limousine or Transportation Network Automobile may stop for or pick up someone who is Street Hailing at any time and may only provide Pre-arranged Service that has been dispatched by a Brokerage.

### **Driver Obligations**

- 46** A Driver shall:
- (a) have in the Vehicle for Hire at all times:
    - (i) a valid and subsisting Driver for Hire Licence issued to the Driver;
    - (ii) a valid and subsisting Mechanical Inspection Certificate for the vehicle; and
    - (iii) if the vehicle is a Limousine, a written record of the current contract at all times while under hire;
  - (b) take the most economical route to the passenger's destination unless otherwise requested or directed by the passenger;
  - (c) maintain a record of each trip in the manner prescribed by the City Manager;
  - (d) immediately after delivery of a passenger, inspect the vehicle to determine whether the passenger has left any property in the Vehicle for Hire;
  - (e) charge a fare that complies with the rates set by the Brokerage or the Independent Driver Owner and posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager;
  - (f) when requested to do so, supply a passenger with a receipt or printout containing the following information:
    - (i) Amount of fare;
    - (ii) Rate used;

- (iii) Driver for Hire Licence number; and
- (iv) Time and date of trip.

**Driver Conduct**

**47** A Driver shall not do any of the following while providing services under this bylaw:

- (a) smoke, vape or use any tobacco or other product at any time;
- (b) request payment of any fares, rates or benefits not established by the Brokerage or the Independent Driver Owner, or pre-arranged via the mobile app, and posted in the Vehicle for Hire, or electronically available, in accordance with the requirements of this bylaw and the directions of the City Manager;
- (c) hold, or manipulate a cellular telephone or other hand-held electronic device or wireless electronic device, whether in hands-free mode or not, while transporting a passenger;
- (d) collect any fare or give any change while the vehicle is in motion; or
- (e) permit anything to be placed or remain in the vehicle in such a position as to obstruct the Driver's vision.

**Refusal of Service**

**48** A Driver shall not refuse a request for service from a person except if:

- (a) the Vehicle for Hire is not in service;
- (b) the person is indebted to the Independent Driver Operator or Brokerage with which the Vehicle for Hire is affiliated;
- (c) the person requests that the Driver carry an animal in the Vehicle for Hire other than a service animal assisting a person with a disability;
- (d) the person requests the Driver to carry any passengers or baggage which the Vehicle for Hire is incapable of carrying;
- (e) the person insists on smoking in the Vehicle for Hire;
- (f) the person insists on undertaking or participating in any illegal activity in the Vehicle for Hire; or
- (g) the Driver:
  - (i) believes there is danger to their personal safety or of serious harm to property; and
  - (ii) such belief is reasonable in the circumstances.

- 49** The mere fact that a person is disabled or accompanied by a service animal does not form the basis for a reasonable belief as referred to in Section 48(g).

## **PART 6 - OPERATING AS A DESIGNATED DRIVER**

### **Designated Driver Requirements**

- 50** Any person who operates a motor vehicle owned by another registered motor vehicle owner for the purposes of providing Designated Driving Services will ensure that:
- (a) the Designated Driver maintains an agreement with a Licensed Designated Driving Service;
  - (b) immediately prior to each occasion on which the Designated Driver proposes to operate a customer's motor vehicle, the Designated Driver shall have:
    - (i) reviewed the necessary documents to satisfy themselves that the motor vehicle has a valid registration and is insured under a contract for automobile insurance;
    - (ii) secured the registered motor vehicle owner's consent to operate the motor vehicle;
    - (iii) ensured that the number of individuals to be transported in the registered motor vehicle owner's motor vehicle does not exceed the number of available seatbelts and will otherwise be in compliance with applicable safety and highway traffic laws; and
    - (iv) struck an agreement with the registered motor vehicle owner respecting the Designated Driver's fee or other consideration for operating the motor vehicle;
  - (c) the Designated Driver maintain, for a minimum of three (3) months, a paper or electronic trip log respecting all Designated Driving Services provided pursuant to this bylaw.
- 51** The Designated Driver support vehicle is prohibited from conveying passengers with the exceptions of Designated Drivers.
- 52** The Designated Driver will have proof of appropriate liability insurance.

## **PART 7 – OPERATING AS A BROKERAGE OR INDEPENDENT DRIVER OWNER**

### **Brokerage Obligations**

- 53** A Brokerage shall ensure that each Vehicle for Hire affiliated with the Brokerage is in compliance with this bylaw and is operated in compliance with this bylaw.

**54** A Brokerage must not:

- (a) for Taxis and Accessible Taxis, Dispatch a Vehicle for Hire unless a valid Taxi Licence Plate has been issued for that vehicle; or
- (b) Dispatch or connect a rider to a Vehicle for Hire unless the person driving the Vehicle for Hire holds a valid Driver for Hire Licence.

**55** A Brokerage shall:

- (a) inform the City Manager, in writing, of all trade names used in connection with the Brokerage operations;
- (b) immediately notify the City Manager when a Vehicle for Hire becomes affiliated or ceases to be affiliated with the Brokerage;
- (c) maintain an up to date list of all Drivers who operate a Vehicle for Hire affiliated with the Brokerage and on demand, provide the City Manager with a copy of such list;
- (d) except for Brokerages for Limousine and Designated Driver Services, provide Dispatch services on a continuous basis, twenty-four (24) hours per day every day of the year;
  - (i) For Transportation Network Companies, continuous service would be provided through the Mobile App, even if there were no Drivers available at a certain time the Mobile App is active on a continuous basis.
- (e) post all bulletins issued by the City Manager in a place where Drivers can easily view them;
- (f) provide all Drivers affiliated with the Brokerage with training with respect to this bylaw, the use of the Taxi Meter, radio dispatch system, and other equipment used in Vehicle for Hire services including, in the case of Accessible Taxis, training in the use of specialized equipment used to transport persons with disabilities and their mobility aids as may be specified by the City Manager; and
- (g) not Dispatch any other Vehicle for Hire but those affiliated with the Brokerage.

**Taxi Brokerage Rates****56** A Taxi Brokerage shall:

- (a) maintain a minimum Drop-Rate of \$3.20 /92 metres for 2021, and shall not increase the Drop-Rate by more than the CPI increase each year;
- (b) establish the rates to be charged to passengers, including any applicable surcharges;



- (c) ensure that the rates set, including any surcharge, are posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager; and
- (d) not apply a surcharge for an Accessible Taxi;

**Transportation Network Company Brokerage Rates**

**57** A Transportation Network Company Brokerage shall:

- (a) advise the City Manager of the rates to be charged to passengers including any changes to such rates in the Vehicles and available through the Brokerage premises in a manner and location that is clearly visible to all Drivers and members of the public attending at the premises; and
- (b) disclose the fare to be charged to the passenger for the ride, prior to the passenger accepting the ride.

**Brokerage Records**

**58** A Brokerage shall maintain records of the following for at least two (2) years:

- (a) The names and Driver for Hire Licence numbers for every Driver for Hire affiliated with the Brokerage;
- (b) the date and time the Driver booked on and off duty;
- (c) the Vehicle for Hire used by the Driver;
- (d) the date and time and location details of each trip request;
- (e) booking records and contracts related to Limousine and Designated Driver Services.; and
- (f) records related to complaints and Brokerage operations.

**59** The Brokerage shall give the records noted in Section 58 to the City Manager or a Bylaw Enforcement Officer on demand.

**Independent Driver Owner Obligations**

**60** An Independent Driver Owner shall:

- (a) hold a valid Driver for Hire Licence;
- (b) be the owner of not more than two (2) Vehicle(s) for Hire;
- (c) ensure that they are knowledgeable in the use of the Taxi Meter, communications system, and other equipment used by the Independent Driver Owner in the

Vehicle for Hire services they provide including, in the case of an Accessible Taxi operated by an Independent Driver Owner, training in the use of specialized equipment used to transport persons with disabilities and their Mobility Aids as specified by the City Manager; and

- (d) not Dispatch any other Vehicle for Hire but the Vehicle(s) for Hire owned by Independent Driver Owner.

- 61** An Independent Driver Owner may cause or permit one other person to operate a Vehicle for Hire that is registered to the Independent Driver Owner, provided the other person meets all other requirements of this bylaw, including holding a valid Driver for Hire Licence.

### **Independent Driver Owner Rates**

- 62** An Independent Driver Owner shall:

- (a) maintain a minimum Drop-Rate of \$3.20 /92 metres for 2021 and shall not increase the Drop-Rate by more than the CPI increase each year;
- (b) establish the rates to be charged to passengers for the services provided by the Independent Driver Owner, including any applicable surcharges;
- (c) ensure that the rates set, including any surcharge, are posted in the Vehicle for Hire in accordance with the requirements of this bylaw and the directions of the City Manager;
- (d) in the event that the Vehicle for Hire operated by the Independent Driver Owner is an Accessible Taxi, not have a surcharge for the use of the Vehicle for Hire as an Accessible Taxi;
- (e) advise the City Manager of the rates to be charged to passengers including any changes to such rates; and
- (f) post the rates in the Independent Driver Owner's vehicle.

### **Independent Driver Owner Records**

- 63** An Independent Driver Owner shall keep the dispatch records and retain them for 90 days, which shall include:

- (a) the Independent Driver Owner's Driver for Hire Licence number;
- (b) the date and time of each trip request; and
- (c) agreements evidencing each Limousine trip, as applicable.

- 64** The Independent Driver Owner shall give the information noted in Section 63 to the City Manager or a Bylaw Enforcement Officer on demand.

**Complaints**

- 65** A Brokerage and Independent Driver Owner shall keep a list of all complaints received, which shall include:
- (a) the name, address and phone number of the complainant;
  - (b) the nature of the complaint; and
  - (c) the response provided to the complaint.
- 66** The Brokerage or Independent Driver Owner shall give the information referred to in Section 65 to the City Manager or a Bylaw Enforcement Officer on demand.

**PART 8 – INSPECTIONS****Requirement for Mechanical Inspection**

- 67** A person shall not operate, cause or permit the operation of a Vehicle for Hire unless a valid Mechanical Inspection Certificate has been issued for that Vehicle for Hire.
- 68** Every Taxi and Accessible Taxi shall be inspected at least every 6 months by a Licensed Mechanic at a Vehicle for Hire Inspection Station and additionally on demand of the City Manager or, if the vehicle is involved in an accident, within 14 days following every accident.
- 69** Every Transportation Network Automobile and Limousine shall be inspected at least every 12 months by a Licensed Mechanic at a Vehicle for Hire Inspection Station and additionally on demand of the City Manager or, if the vehicle is involved in an accident, within 14 days following every accident.
- 70** The owner of the Vehicle for Hire shall deliver the Mechanical Inspection Certificate to the City Manager upon request.

**Vehicle For Hire Inspection Stations**

- 71** The City Manager may approve:
- (a) a business that holds a Commercial Vehicle Inspection Station Licence issued by the province; or
  - (b) a Brokerage that employs a Journeyman Mechanic,
- to conduct mechanical inspections under this bylaw.
- 72** If the City Manager has reasonable grounds to believe that a Licensed Mechanic has improperly issued a Mechanical Inspection Certificate, the City Manager may refuse to accept the Mechanical Inspection Certificate, and may suspend or revoke the approval

given to the Vehicle for Hire Inspection Station, or the Brokerage Licence, where the Licensed Mechanic is employed.

**Prohibitions**

- 73** No person shall inspect a Vehicle for Hire or complete, in whole or in part, a Mechanical Inspection Certificate unless such person is a Licensed Mechanic employed by a Vehicle for Hire Inspection Station.
- 74** No person shall cause or permit a Vehicle for Hire to be inspected or a Mechanical Inspection Certificate to be completed, in whole or in part, unless the person inspecting the vehicle is a Licensed Mechanic employed by a Vehicle for Hire Inspection Station.
- 75** No person shall operate, cause or permit the operation of a Vehicle for Hire that has failed to pass the inspection set out in Sections 67, 68 and 69.
- 76** No person shall obstruct or interfere with any inspection that may be required or carried out pursuant to this bylaw.

**Requirement for Audit**

- 77** Every Vehicle for Hire may be inspected by the City Manager or a Bylaw Enforcement Officer to ensure it complies with this bylaw and the requirements established by the City Manager from time to time.
- 78** At the direction of the City Manager, the owner of a Vehicle for Hire shall provide the vehicle for inspection and any requested documentation at the time and location specified by the City Manager. The documents or copies of the documents required for this audit process must be produced by the Brokerage or Independent Driver Owner within 24 hours of a demand by a Bylaw Officer or the City Manager.

**PART 9 – NUMBER AND ALLOCATION OF TAXI LICENCE PLATES**

- 79** The maximum number of Taxi Licence Plates that may be issued each year under this bylaw shall not exceed:
  - (a) the number of Taxi Licence Plates issued as of December 31 in the immediately preceding year; or
  - (b) one Taxi Licence Plate per 750 persons of the city population based on the population of the City determined in the most recent census, whichever is greater; and;
  - (c) one Accessible Taxi Licence Plate per 15,000 persons of the city population based on the population of the city determined in the most recent census.

- 80** In addition to the above, five (5) more Taxi Licence Plates and two (2) more Accessible Taxi Licence Plates will be made available to Independent Owner Operators or a Taxi Brokerage in its first year of operation. The allocation of these plates will be a one-time increase in 2021 only.
- 81** Allocation of the additional Taxi Licence Plates shall be determined by a random draw conducted by the City Manager. Applicants for a Taxi Licence Plate must be eligible and meet all criteria under this bylaw to hold a Taxi Licence Plate or Accessible Taxi Licence Plate prior to entering their name in the draw. If there are any increases to the plate numbers based on the census, this will be determined and communicated by August of each year.

## **PART 10 – ADMINISTRATION AND ENFORCEMENT**

### **Authority of City Manager**

- 82** Without restricting any other power, duty or function granted by this bylaw, the City Manager may:
- (a) issue Licences under this bylaw and impose terms and conditions on Licences;
  - (b) carry out any inspections required to determine compliance with this bylaw;
  - (c) prescribe the minimum Drop-Rates to be charged;
  - (d) adjust the number of Taxi Licence Plates available every year by issuance of a bulletin;
  - (e) prescribe forms and procedures for the administration of this bylaw;
  - (f) prescribe the manner in which rates and Licences are to be displayed in and on Vehicles for Hire;
  - (g) prescribe equipment and maintenance standards for Vehicles for Hire that are not inconsistent with this bylaw;
  - (h) require the production of such documents as may be required to determine compliance with this bylaw;
  - (i) specify the requirements or acceptability of any program, course or test that an applicant must successfully complete to be proficient in:
    - (i) defensive driving techniques;
    - (ii) driver safety;
    - (iii) transportation of the disabled; and

- (iv) understanding this bylaw and any other laws governing the delivery of Vehicle for Hire services; and
- (j) specify or prohibit safety equipment or devices which may be placed in or on Vehicles for Hire.

**Bulletins**

- 83** Where the City Manager exercises any of the powers conferred in Section 82, the City Manager may cause a bulletin to be published in accordance with this section.
- 84** The City Manager shall publish bulletins by:
- (a) making a copy of the bulletin available for public viewing during normal business hours at the office of the Inspections and Licensing department and on the City's website; and
  - (b) delivering a copy of the bulletin to all Brokerages and Independent Driver Owners by one of the following methods:
    - (i) ordinary mail or hand delivery to the business address provided to the City Manager by the Licensee;
    - (ii) electronic mail transmission to the e-mail address provided to the City Manager by the Licensee; or
    - (iii) facsimile transmission to the fax number provided to the City Manager by the Licensee.
- 85** The City Manager may publish bulletins in respect of matters other than those set out in Section 84 where the City Manager believes it is in the interest of the Vehicle for Hire industry to be advised on those matters.

**Notice to Drivers**

- 86** Upon receipt of a bulletin, a Brokerage shall:
- (a) post the bulletin in a prominent location within the Brokerage premises, if the Brokerage maintains a physical office within the City; and
  - (b) provide a copy to all Drivers affiliated with the Brokerage by hand delivery or electronically making it available to the driver; and
  - (c) communicate over the Brokerage's dispatch system or transportation network, as applicable, that the bulletin has been published.

**Industry Obligation to Be Informed of Bulletins**

- 87** It is the obligation of each member of the Vehicle for Hire industry, including each Driver, to be informed of the contents of bulletins and industry members are deemed to be aware of all bulletins that are published in accordance with Sections 84 and 85.

### **Licence Seizures and Suspensions**

- 88** If an Officer has reasonable grounds to believe that a Vehicle for Hire does not meet the requirements of this bylaw the Bylaw Enforcement Officer may suspend and take possession of the Taxi, Accessible Taxi or Limousine Plate displayed on that vehicle.
- 89** If an Officer has reasonable grounds to believe that the holder of a Driver for Hire Licence has failed to comply with this bylaw the Bylaw Enforcement Officer may suspend and take possession of the Licensee's Driver for Hire Licence.
- 90** Any suspension of a Driver for Hire Licence by an Officer shall not exceed seventy-two hours.
- 91** Nothing in Sections 88 or 89 limits an Officer's powers to charge a person with an offence.

### **Obstruction**

- 92** A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

### **Offence**

- 93** A person who contravenes any provision of this bylaw is guilty of an offence.

### **Continuing Offence**

- 94** In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable, upon summary conviction, to a fine in an amount not less than that established by this bylaw for each such day.

### **Vicarious Liability**

- 95** For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person, if the act or omission occurred in the course of the employee's employment or in the course of the agent exercising the powers or performing the duties on behalf of the person under their agency relationship.

### **Corporations and Partnerships**

- 96** When a corporation commits an offence under this bylaw, any and every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- 97** If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence, or assented

to or acquiesced or participated in the act or omission that constitutes the offence, is guilty of the offence.

**Fines and Penalties**

- 98** The fine amounts set out in Schedule “B” are established for use on Municipal Tags and Violation Tickets if a voluntary payment option is offered.
- 99** The fine amount for any offence not listed in Schedule “B” is \$250.00.
- 100** If a person is guilty of a subsequent offence, the fine amounts established in Sections 98 and 99 are doubled.

**Municipal Tag**

- 101** A Municipal Tag may be issued by an Officer for any offence under this bylaw, in a form approved by the City Manager.
- 102** A Municipal Tag may be issued to a person:
- (a) either personally; or
  - (b) by mailing a copy to such person at their last known mailing address.

**Payment in Lieu of Prosecution**

- 103** A person who commits an offence may, if a Municipal Tag is issued for the offence, pay the fine amount established by this bylaw for the offence and if the full amount is paid on or before the required date, the person will not be prosecuted for the offence.

**Violation Tickets**

- 104** An Officer may issue a Violation Ticket in accordance with the Provincial Offences Procedure Act, to any person the Officer has reasonable and probable grounds to believe has contravened this bylaw.
- 105** If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) specify the fine amount established by this bylaw for the offence; or
  - (b) require a person to appear in court without the option of making a voluntary payment.

**Voluntary Payment**

- 106** A person who commits an offence may, if a Violation Ticket is issued specifying the fine amount, make a voluntary payment equal to the specified fine on or prior to the specified court date.

**Licensee Liable**



- 107** Where a vehicle displaying a Taxi, Accessible Taxi or Limousine Licence Plate is involved in a contravention of this bylaw, the Licensee named on the Plate is liable for the contravention unless the Licensee proves, on a balance of probabilities, that the vehicle was being operated without their consent, either express or implied.

## Proof of Licence

- 108** The onus of proving that a person has a valid Licence or certificate is on the person alleging the existence of the Licence or certificate on a balance of probabilities.

## Operating Without a Licence

- 109** In a prosecution for a contravention of this bylaw against a person operating without a Licence, proof of one transaction, offer of a transaction or advertisement is sufficient to establish that a person is operating as alleged.

## PART II – TRANSITIONAL

## Existing Licences

- 110** An existing licence, permit or approval issued under Bylaw 3282/2001, The Taxi Business Bylaw or Bylaw 3394/2007, The Limousine and Sedan Bylaw remains valid until the term of such licence, permit or approval expires or until it is replaced by a Licence, permit or approval issued pursuant to this bylaw.

## Transitional Provisions

- III** This bylaw shall come into effect on September 1, 2021.

## Repeal

- 112** On the day this bylaw comes into effect, Bylaw No. 3282/2001, The Taxi Bylaw and Bylaw No. 3394/2007, The Limousine and Sedan Bylaw are repealed.

**READ A FIRST TIME IN OPEN COUNCIL** this                      day of                      2020.

READ A SECOND TIME IN OPEN COUNCIL this                      day of                      2020.

READ A THIRD TIME IN OPEN COUNCIL this                      day of                      2020.

AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of                      2020.

MAYOR

CITY CLERK

## SCHEDULE "A"

### FEES AND CHARGES

1. The fees for Licences are:

| Description  | Reference  | Fee        |
|--|------------|------------|
| Application Fee for Independent Driver Owner Licence     | Section 10 | \$380.00   |
| Application Fee for a Driver for Hire Licence            | Section 11 | \$100.00   |
| Application Fee for a short term Driver for Hire Licence |            | \$60.00    |
| Application Fee for a Brokerage Licence with:            | Section 12 |            |
| 1-15 Vehicles  |            | \$380.00   |
| 16-50 Vehicles   |            | \$1,000.00 |
| 51+ Vehicles   |            | \$2,500.00 |
| Replacement of any Licence                               | Section 17 | \$35.00    |

2. Licence fees to be reviewed and adjusted each year, prior to the renewal process, based on the Consumer Price Index (CPI) of Alberta. Fees will be rounded to the nearest \$0.05.
3. Fees under this bylaw may be pro-rated on a monthly basis for each month from the date the licence is first issued until August 30 of that year, for any application that was not operating or Carried On prior to the licence being issued. In no case will the pro-rated fee be less than \$35.00.
4. Fees are non-refundable once paid.
5. Account changes / Updates will have a fee of \$35.00. This will apply for address changes or account status changes. Updates for email or phone number will have no fee applied.
6. Short term Driver for Hire Licences shall be issued effective September 1<sup>st</sup> and March 1<sup>st</sup> for 6 month periods only. Applications made after these dates shall not be prorated.

**SCHEDULE “B”**  
**FINES AND PENALTIES**

| <b>Section</b> | <b>Offence</b>  | <b>Fine</b> |
|----------------|---|-------------|
| 9              | Operating a Vehicle for Hire without displaying the appropriate information clearly and prominently in a location that is visible to all passengers                     | \$500.00    |
| 18 (a)         | Failure to notify City Manager if provincial registration, insurance or agreement with Brokerage is suspended or cancelled.   | \$500.00    |
| 18 (b)         | Failure to notify City Manager if the vehicle is stolen   | \$500.00    |
| 19             | Failure to notify City Manager of changes to Police Information Check and Vulnerable Sector Search  | \$500.00    |
| 20             | Failure to notify City Manager of Traffic Violations resulting in demerit points or convictions in excess of those listed in Section 34(c).                             | \$500.00    |
| 22             | Failure to notify City Manager Provincial Operator's license expired, suspended or cancelled  | \$1,000.00  |
| 23             | Failure to notify City Manager if the Taxi Brokerage ceases operations or is unable to provide dispatch services or accept calls as identified on the Brokerage Licence | \$500.00    |
| 30             | Operate a Vehicle for Hire without valid insurance as provided in the bylaw   | \$1,000.00  |
| 32             | Failure to provide a complete copy of insurance certificate and policy.   | \$500.00    |
| 40-43          | Operate a Vehicle for Hire contrary to Vehicle Requirements for corresponding type.   | \$500.00    |
| 44             | Unauthorized Street Hailing   | \$500.00    |
| 46             | Operating a Vehicle for Hire contrary to Driver Obligations   | \$1,000.00  |
| 47             | Driver operates Vehicle for Hire contrary to Driver Conduct   | \$1,000.00  |
| 48             | Refusal of request for service, except in accordance with bylaw   | \$500.00    |

| Section | Offence   | Fine       |
|---------|---|------------|
| 50-52   | Failure to meet Designated Driver obligations   | \$1,000.00 |
| 53-55   | Failure to meet Brokerage obligations   | \$1,000.00 |
| 56      | Failure for a Taxi Brokerage to ensure all rates including surcharges are posted in the Vehicles for hire in accordance with requirements of the bylaw              | \$500.00   |
| 57 (b)  | Failure for a Transportation Network Company Brokerage to disclose the fare to be charged to the passenger for the ride, prior to the passenger accepting the ride  | \$500.00   |
| 58      | Brokerage fail to keep records as per bylaw requirements  | \$500.00   |
| 60      | Failure to meet Independent Driver Owner obligations  | \$1,000.00 |
| 61      | Independent Driver Owner permits an unlicensed Person to Operate a Vehicle for Hire   | \$1,000.00 |
| 62      | Failure for an Independent Driver Owner to ensure all rates including surcharges are posted in the Vehicles for hire in accordance with requirements of the bylaw   | \$500.00   |
| 63      | Independent Driver Owner fail to keep records as per bylaw requirements   | \$500.00   |
| 67      | Cause/permit the operation of a Vehicle for Hire without a valid Mechanical Inspection Certificate  | \$1,000.00 |
| 68      | Failure to obtain an inspection twice a year by a Licensed Mechanic at a Vehicle for Hire Inspection Station for a Taxi or Accessible Taxi                          | \$1,000.00 |
| 69      | Failure to obtain an inspection once a year by a Licensed Mechanic at a Vehicle for Hire Inspection Station for a Transportation Network Automobiles and Limousines | \$1,000.00 |
| 70      | Failure to deliver the Mechanical Inspection Certificate to the City Manager upon request   | \$500.00   |
| 73      | Inspect a Vehicle for Hire or complete a Mechanical Inspection Certificate without a valid Licensed Mechanic employed by a Vehicle for Hire Inspection Station.     | \$500.00   |

| Section | Offence  | Fine       |
|---------|--|------------|
| 74      | Cause/permit an inspection for a Vehicle for Hire or completion of a Mechanical Inspection Certificate without a valid Licensed mechanic employed by a Vehicle for Hire Inspection Station | \$500.00   |
| 75      | Operate a Vehicle for Hire that has failed to pass the inspections   | \$1,000.00 |
| 76      | Obstruct/interfere with any inspection required/carried out pursuant to bylaw  | \$500.00   |
| 77      | Failure to provide the vehicle for inspection and the required documentation for Vehicle for Hire Audit at the time and location specified   | \$1,000.00 |
| 78      | Failure to provide the documents or copies of the documents for the audit within 24 hours of demand  | \$2,500.00 |
| 92      | Obstruct or hinder any person in pursuant to this bylaw.   | \$2,500.00 |



November 25, 2019

## Vehicle for Hire Bylaw Principles & Concepts

Prepared by: Erin Stuart, Inspections & Licensing Manager & Amy Fengstad, Parking & Licensing Supervisor  
Department: Inspections & Licensing

### Report Summary & Recommendation

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Administration embarked on a process to review existing bylaws related to Vehicles for Hire, and bring forward recommendations to meet the needs of stakeholders. The existing *Taxi Bylaw* No. 3282/2001 (Appendix A) was adopted in 2001 and the *Limousine and Sedan Bylaw* No. 3394/2007 (Appendix B) was adopted in 2007. Since then those bylaws have only had minor amendments and additions for licence expiry dates, vehicle model years and fee changes.

Through the public participation and technical review processes, Administration has identified 5 general principles; Safety, Customer Service, Equity, Balancing the Needs and Cost/Opportunity for Income.

The consideration process is staged for Council to consider overall principles and concepts today, prior to the detailed technical bylaw, which implements the overall direction.

Administration recommends that Council endorse the principles and concepts, directing Administration to bring forward a bylaw to implement the items identified in this report.

### Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated November 25, 2019 re: Vehicles for Hire Principles and Concepts hereby endorses the report as presented, and directs Administration to bring forward a bylaw on December 9, 2019 supporting those principles.

### Rationale for Recommendation

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- 1) **The existing bylaws are out of date and not all encompassing.** The Vehicles for Hire industry has evolved over the years, and the bylaws have not had significant updates since their adoption.
- 2) **The principles were identified by stakeholders through the public participation process.** A number of public participation activities were conducted and the principles align with the feedback/comments received by stakeholders.



- 3) The principles align with future steps for regional collaboration.** Following the discussion on principles, Administration will inform regional partners of the outcome. Regional partners indicated an interest in collaboration, identifying that the City of Red Deer has a more unique situation and bylaw needs.

## Background

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At the July 24, 2017 City Council meeting, the following resolution was passed, after consideration of the report presented to Council on Vehicles for Hire (Appendix C).

*Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated July 4, 2017 re: Vehicles for Hire hereby directs that Administration initiate a regional consultation process to explore the benefits of regional collaboration as it relates to vehicles for hire.*

The Vehicles for Hire industry has evolved over the last number of years, with the introduction of ride sharing services, such as Uber and Lyft, as well as changes to the way people live, work and play, to technology and the economy. These changes are not reflected in The City of Red Deer's existing regulations and/or Vehicles for Hire bylaws. As such, The City of Red Deer embarked on a project to explore options resulting in changing bylaws, processes and service delivery related to Vehicles for Hire.

The *Taxi Bylaw* was adopted over 18 years ago and the *Limousine and Sedan Bylaw* was adopted over 12 years ago, both of which have had few amendments. The amendments completed addressed expiry timeframes of the licences and fees, and the addition of regulations related to the age of the vehicles.

Due to the extensive changes proposed and the growth of the industry, Administration is proposing a complete new, consolidated bylaw to licence and regulate all Vehicles for Hire within the city, rather than amending the existing bylaws and creating new bylaws for unregulated types.

### *Existing Bylaws*

The bylaws as they exist are outdated and have several gaps.

First, the bylaws do not include all types of Vehicles for Hire, with a gap in the regulation of Transportation Network Companies (TNCs) and Designated Driver Services (DDS). A TNC is a business that connects passengers to drivers for pre-arranged transport exclusively through a transportation network (ie. digital platform, app, etc). A DDS is a business that transports a registered vehicle owner in their own vehicle when they are unable to operate the vehicle. Under these bylaws, The City of Red Deer does not have means to regulate these vehicles or drivers creating a lack of safety measures and consistency across the industry.



The existing bylaws are lacking the details around formalized driver requirements for annual Criminal Record Checks. In the absence of these details, Administration has created a department policy, although ideally these types of details should be included within the bylaw.

The current *Taxi Bylaw* sets regulations on the rates that can be charged, the colour of the vehicles, and the number of Taxis permitted to operate in the city. This is the most regulated industry in our Municipality. As the current bylaw stands, major business decisions are at the discretion of The City.

Finally, licensing requirements are contained in two different bylaws, or as is the case for TNCs and Designated Driver Services non-existent, which can make it difficult for application and navigation by citizens.

The combination and extent of these challenges identified a new bylaw was required.

## Analysis

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The process of reviewing the existing bylaws, determining the needs of all stakeholders, reviewing best practices, and drafting the bylaw has been an extensive process, broken down into the following stages:



### Defining the Problem

Through conducting the technical review of the existing bylaws, reviewing other municipalities' bylaws, and analyzing the consultation required, Administration determined the issue to be addressed is:

*How do we best ensure the sustainability, accessibility and safety of drivers and customers who use and operate vehicles for hire in Red Deer and the region, meeting the needs of vehicle for hire businesses, service providers and customers in a balanced way?*

### *Consultation Analysis*

This project followed a true public participation process, with a number of different activities included throughout to ensure stakeholders were included in the process. The consultation aimed to gauge people's needs and get their feedback about Vehicles for Hire in Red Deer and central Alberta, specifically as it pertains to a draft bylaw.

All public participation was conducted with the following goals in mind:

- Stakeholders and public feel their input was heard.





- Stakeholders and public feel they were involved in the process in a meaningful way.
- Stakeholders and public feel communication throughout the process was appropriate and effective.
- The quality and quantity of input from stakeholders and public was adequate to update the bylaw in a way that reflects community and regional needs.
- Administration feels they received information that helped develop and make informed, credible recommendations.
- City Council utilized the recommendations to make informed and effective decisions about Vehicles for Hire in Red Deer and the region.

#### *Review of Other Municipalities' Bylaws*

During the development of the proposed bylaw, Administration reviewed bylaws for a number of other municipalities across Canada, including the City of Edmonton, City of Calgary, City of Winnipeg, City of Medicine Hat and City of St. Albert, as well as the draft bylaw for the City of Grande Prairie.

These bylaws most closely align with the direction that Administration has proposed. The areas where The City of Red Deer would be unique are the deregulation of vehicle colour and open rates. The commonality in all bylaws is the inclusion of TNCs in the regulations to varying degrees. This is an approach for consistency in the industry.

#### *Review of Transportation Network Companies and Existing Law*

With the addition of TNCs being one of the impetuses that prompted this bylaw review, research was conducted into how they are regulated across the country, and current regulations within the Province of Alberta.

TNCs are regulated through Alberta Transportation (Appendix D). In these regulations, TNC drivers must have appropriate insurance coverage, a valid operator's licence and police information checks. The TNC must make these records available to a Peace Officer for review upon demand. It is up to the company to ensure these requirements are reviewed before allowing a driver to operate under their company.

Alberta Transportation structured regulations with the TNCs responsible for knowing their drivers and ensuring they meet the safety requirements. The Provincial rules were put in place to ensure there is consistency across the province for TNCs. In most cases, municipal requirements exceed what the province has implemented.

#### Gather Information

The second phase of the project focused on gathering as much information as possible about local and regional needs and preferences, identifying what type of information would be collected, timelines and the process to collect the information.

#### *Other Municipalities - Regional Approach*



Discussions with regional municipal partners identified the initial need to further explore the benefits and opportunities of a regional collaboration and what the collaboration could look like.

Based on these discussions, Administration brought forward a report with a request for direction on a regional consultation process for Vehicles for Hire. City Council passed a resolution, along with the respective Councils in Red Deer County, City of Lacombe, County of Lacombe, Town of Sylvan Lake, Town of Blackfalds and Town of Penhold to direct this process.

Regional partners were asked to partner and distribute the regional online survey through their respective municipal websites, and to submit a letter of intent related to their desire for a regional approach for Vehicles for Hire.

Overall, these municipalities support the development of a bylaw that can be utilized regionally; however, most indicated intent to adopt following City of Red Deer Council approval of the new bylaw. They acknowledged The City of Red Deer's current state and needs being quite different from those in other municipalities, related to population and items such as limits of the number of taxi plates.

Administration will notify regional partners of the resolution passed related to the principles, and again, following the adoption of the bylaw. At that point, they can then determine the option they wish to proceed with.

#### Establishing Decision Making Criteria

A large part of this phase included public participation activities for Administration to hear from stakeholders and the public and determine what mattered the most to them when it came to Vehicles for Hire in the city.

#### *Public Participation/Consultation*

An extensive amount of public participation was conducted to meet the need of an inclusive bylaw, and knowing the far-reaching impacts of the bylaw on the various stakeholder groups. Administration wanted to hear from the public, industry and other stakeholders, and several stages of public participation were completed from September 2017 to August 2019.

Public participation activities included cross municipal communication, regional survey, City Council workshops, Industry focus groups, ride-alongs and interviews.

The following themes or observations emerged on a continuous basis during all phases of public participation exercises:

- Safety
- Customer Service
- Equity
- Balancing the Needs



- Cost/Opportunity for Income

#### Develop Alternatives

With all of the information compiled through the initial phases of the project, Administration set out to develop a draft bylaw that met those needs identified through the stakeholder consultation, as well as operational needs and the principles endorsed by Council.

#### *Fees and Charges*

A full fees and charges review was completed as part of this project, in alignment with the Fees and Charges Council Policy (Appendix E). The review identified the full cost of processing the various types of applications is the same; therefore the fee structure should be simplified. Administration would propose fees for Vehicles for Hire, Drivers for Hire, Brokerages, and Independent Drivers for Hire, reflective of the full cost of processing and administering the bylaw, and are consistent for each type of licence (Appendix F).

| <b>Fees Type</b>                                       | <b>Previous Fees (2020 rates)</b> | <b>% Subsidization</b> | <b>New Fees</b> | <b>% Subsidization</b> |
|--|-----------------------------------|------------------------|-----------------|------------------------|
| VFH Driver Licence                                     | \$48.00                           | 80.92%                 | \$100.00        | 60.25%                 |
| VFH Vehicle Licence                                    | \$54.20                           | 79.75%                 | \$265.00        | 0.98%                  |
| VFH Broker Licence (includes Independent Driver Owner) | \$261.30                          | -5.31%                 | \$250.00        | -0.76%                 |

The largest increase would be in relation to the Vehicles for Hire licence. This is attributed to the cost to complete annual inspections, the collection and review of mechanical reports and vehicle documents, issuance of the annual licences, and administration of the applications.

In comparison to other similar municipalities, these fees would be in the mid-range level:

| <b>Municipality</b>  | <b>Driver Licence</b> | <b>Vehicle Licence</b> | <b>Broker Licence (includes TNC's)</b>     |
|----------------------|-----------------------|------------------------|--|
| City of Edmonton     | \$63.00               | \$415.00               | \$1036-\$20,320 (depending on Fleet size)  |
| City of Winnipeg     | \$70.00               | \$600.00               | \$2,000-\$50,000 (depending on Fleet size) |
| City of Medicine Hat | \$18.05               | \$90.95                | \$96.35                                    |
| City of Airdrie      | \$50.00               | \$50.00                | \$250.00 Resident                          |



|                        |          |          |                       |
|------------------------|----------|----------|-----------------------|
|                        |          |          | \$350.00 Non-Resident |
| City of Calgary        | \$141.00 | \$912.00 | \$1,824 .00           |
| City of Grande Prairie | \$105.00 | \$105.00 | \$210.00              |

#### *Proposed Bylaw*

The new bylaw was developed with the feedback from first round of consultation feedback in mind, and modified based on the final feedback from August 2019 (Appendix I). Principles remained as safety, customer service, equity, balancing needs and cost/opportunity for income. This was the foundations for the information presented today.

Administration would consolidate two existing bylaws, including the *Taxi Bylaw* and the *Limousine and Sedan Bylaw* into one bylaw to ensure consistency between regulations, and provide one comprehensive bylaw.

The most significant changes from the existing bylaws to a new bylaw would be:

1. The inclusion of Taxis, Accessible Taxis, TNCs, Limousines and DDS.
2. Criminal Record Checks are required annually for all Vehicle for Hire drivers.
3. TNCs will require Vehicle, Driver and Broker licences to be consistent with the existing industry.
4. The cap on the number of Taxi plates remains in place for two years, with the introduction of 5 plates available for Independent Driver for Hire or new Brokerages. A review will take place following the two years.
5. There will be a requirement for all brokers to have at least one Accessible Taxi operational per every 20 Taxis in the fleet.
6. The removal of regulations on Taxi vehicle colour and rates, with the exception of including a minimum rate to be charged.

These changes would remove the “red tape” for the industry and place business decisions back to the business. Generally, a new bylaw will move in a direction to be inclusive of the whole industry, as well as allowing flexibility for changes in technology, business models and other trends in business, while maintaining safety and availability for customers.

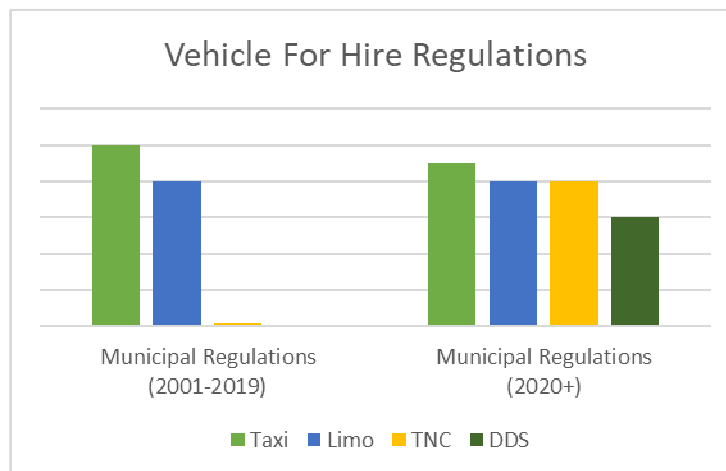
The new bylaw will be simplified by reducing unnecessary provisions specific to regulations that would be business decisions. Administration would maintain caps on the number of Taxi licences for two years, and introduce five (5) additional plates available to Independent Drivers for Hire or new Brokerages, to allow free market enterprise and remove barriers to entry into the industry. Following the two years, a review would be conducted to determine whether the limit on licences will remain or modifications are made to the bylaw.



Where Administration has determined further regulations are required, due to concerns for the safety of the public and drivers, or related to creating a balanced playing field for all Vehicles for Hire, those regulations will be proposed in the new bylaw.

One of the significant additions requested would be the requirement for TNCs and DDS to comply with requirements similar to those for Taxis and Limousines. Although TNCs are regulated by the Province, they are self-regulated in terms of review and enforcement on driver criteria from Criminal Record Searches. The Province does spot audits once per year currently, but not on a consistent basis. To ensure customer safety, TNCs will be included to the same extent as the rest of the industry.

To summarize, the current City regulations require Taxis to be regulated to a very high degree and Limousines and Sedans to be moderately regulated. TNCs and DDS are minimally regulated and only through Provincial regulations. The principles and concepts move in a direction of deregulating Taxis where items do not relate to safety, maintain Limousines and Sedans regulations, and increasing regulations for TNCs and DDS, so that despite the type of Vehicle for Hire the level of regulation is consistent. The following diagram demonstrates this:



### Evaluate Alternatives

The draft bylaw was circulated to stakeholders through online survey, focused letters, and a Taxi industry Q&A session. All feedback was analyzed and reviewed to integrate within the bylaw and help develop the final bylaw (Appendix G).

### *Feedback Response*

Key findings from the online survey identified the number of citizen/customer participants outweighed the number of industry. 92% of the total survey participants believe the draft bylaw fully or somewhat reflects the priorities they outlined during the initial phases of consultation with the remaining 8% indicating the opposite.



Taxi industry feedback specifically expressed concerns with this new bylaw. An industry meeting was held on August 7, 2019, where approximately 90 drivers, brokers and employees attended. The observations noted were concerns for the removal of caps on the number of Vehicle for Hire licences and the impact on their ability to earn a living, the removal of the regulated rates and the potential for undercutting of rates that may result, and concerns with the reduction in the number of vehicle inspections required per year (Appendix J).

Through the feedback, and seeing consistent priorities identified by both industry and customers, Administration revised the concepts to the version presented (Appendix H).

Some regulations would remain, as included within the first draft bylaw, to stay true to the original intent of the public and industry concerns. Safety, customer service and fairness and equity being the driver, also including provisions or removal of regulations to reduce the “red tape” for the industry and put the business decisions back on the business owners. This also encourages free enterprises and responsiveness for the demands of the market.

The key changes from consultation would include:

- a. July 1, 2020 implementation date for the full bylaw.
- b. Inclusion of two (2) mechanical inspections per year; initially reduced to one. Reduction to one (1) compliance inspection per year. There were significant concerns from industry with only one mechanical inspection.
- c. Clarification of Driver requirements and included all industry types.
- d. Simplified bylaw with duplication removed to make it easier to understand.
- e. Flexibility built in to address items like model age of Vehicles for Hire and discretionary items.
- f. Mitigation of enforcement challenges for Independent Driver Owners with inclusion of a corresponding fee to reflect extra demands on time.

#### Make a Decision

If Council should proceed with endorsing the principles and concepts included within this report, Administration would bring forward a bylaw on December 9, 2019 for Council's consideration.

Unlike a municipality's land use bylaw, which requires a legislated public hearing, a licensing related bylaw does not require a public hearing.



Appendices for this item can be found in the November 25, 2019 Council Agenda at [meeting.reddeer.ca](http://meeting.reddeer.ca)

## **Appendices**

- Appendix A: Existing *Taxi Bylaw* No. 3282/2001
- Appendix B: Existing *Limousine and Sedan Bylaw* No. 3394/2007
- Appendix C: Council Report – Vehicles for Hire July 4, 2017
- Appendix D: Province of Alberta: Transportation Network Company Regulations 100/2016
- Appendix E: Fees & Charges Council Policy
- Appendix F: Fees and Charges Summary for Vehicles for Hire Fees
- Appendix G: P2 Findings
- Appendix H: Summary of changes from consultation
- Appendix I: Public Consultation Feedback Received, August 2019
- Appendix J: Submission from Taxi Industry, August 2019



January 6, 2020

## Vehicle for Hire Bylaw – Unified Licensing Pros/Cons & Fee Review

Prepared by: Erin Stuart, Inspections & Licensing Manager & Amy Fengstad, Parking & Licensing Supervisor  
Department: Inspections & Licensing

### Report Summary & Recommendation

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City Council tabled consideration of the Vehicles for Hire principles and concepts at their regular Council meeting on November 25, 2019. Administration was asked to prepare a report that included additional information on:

- Unified Licensing Vehicles for Hire
- Unified Licensing Pros and Cons from Administration's Perspective
- Provincial Fees for Transportation Network Companies (TNCs)
- Fee Structures for Lethbridge, St. Albert and Sherwood Park
- Fee Structure Proposed for The City of Red Deer;

Unified licensing puts the City in more of an auditor role of checking that the regulations have been met after a driver has been operating. This is more reactive than ensuring up front that a driver meets the regulations prior to them accepting passengers. Unified licensing compromises safety principles therefore, Administration recommends Council direct Administration to bring forward a bylaw that incorporates the principles and concepts presented in the November 25, 2019 Council package (Appendix A).

### Proposed Resolution

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Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Vehicles for Hire Principles and Concepts.

Resolved that Council of The City of Red Deer having considered the reports from Inspections & Licensing, dated January 6, 2020 re: Vehicle for Hire Bylaw – Unified Licensing Pros/Cons & Fee Review and November 25, 2019 re: Vehicles for Hire Principles and Concepts, hereby endorses the following principles and concepts:

1. The principles of safety, customer service, equity, balancing the needs, and cost/opportunity for income.
2. The concepts in support of the principles:
  - a. The inclusion of Taxis, Accessible Taxis, TNCs, Limousines and DDS.





- b. Criminal Record Checks and follow up Vulnerable Sector Checks, where warranted, are required annually for all Vehicle for Hire drivers.
- c. TNCs will require Vehicle, Driver and Broker licences to be consistent with the existing industry.
- d. The cap on the number of Taxi plates remains in place for two years, with the introduction of 5 plates available for Independent Driver for Hire or new Brokerages. A review will take place following the two years.
- e. A requirement for all brokers to have at least one Accessible Taxi operational per every 20 Taxis in the fleet.
- f. The removal of regulations on Taxi vehicle colour and rates, with the exception of including a minimum rate to be charged.
- g. July 1, 2020 implementation date for the full bylaw.
- h. Inclusion of two (2) mechanical inspections per year.
- i. Clarification of Driver requirements and included all industry types.
- j. Simplified bylaw with duplication removed to make it easier to understand.
- k. Flexibility built in to address items like model age of Vehicles for Hire and discretionary items.
- l. Mitigation of enforcement challenges for Independent Driver Owners with inclusion of a corresponding fee to reflect extra demands on time.

Resolved that Council of The City of Red Deer having considered the reports from Inspections & Licensing, dated January 6, 2020 re: Vehicle for Hire Bylaw – Unified Licensing Pros/Cons & Fee Review and November 25, 2019 re: Vehicles for Hire Principles and Concepts, hereby directs Administration to bring back a bylaw Regulating Licensing for all Vehicles for Hire in accordance with the above noted principles.

## **Analysis**

---

### **Unified Licensing Vehicles for Hire**

Unified licensing is a form of self-regulation and is common for those municipalities that regulate TNCs. This would not be a traditional form of regulation for the Taxi and Limousine industry. Administration has not been able to find a municipality that does unified licensing for the Taxi and Limousine industry as a comparison to see how it is working for them. Most municipalities either require traditional forms of licensing, or do not require any licensing other than a standard business licence.

Under a unified licensing model, all the regulations and compliance aspects in the bylaw would have to be upheld by the Brokerages. The piece that would change is that the Brokerages would self-manage the collection, review and retention of the documents required and provide to The City upon request.



For the drivers, the Brokerages would have to review the Criminal Record Checks and drivers' abstracts, and create a Vehicle for Hire driver's licence for drivers to have in their vehicles.

For the vehicles, the Brokerages would have to collect, review and retain the required number of mechanical inspection reports and compliance inspections, as outlined in the adopted bylaw. They would have to create vehicle identifications to display in an approved Vehicle for Hire for that Brokerage. For Taxis, this would replace City Taxi plates; for TNCs, they would have to create some type of vehicle identifier for their company.

### **Pros and Cons of Unified Licensing from Administration's Perspective**

Depending on the user's perspective you are looking at, items could be considered or viewed as either a pro or con. For example, as The City, a pro would be that business decisions are resting with the Brokerage but from the Brokerage perspective, some of those decisions are easier to manage when The City is the requesting authority such as Criminal Record and Vulnerable Sector Checks. As a member of the public, the requirement of these driver record checks would be a pro from a public safety perspective. Alternatively, allowing Brokerages to self-regulate driver applications could be viewed as a con.

#### **Pros**

- Simplified application and licensing process
  - Only one licence and application to process for the Brokerage
  - Less time required to complete the applications
- Reduced fees
  - Less touch points for Administration to process
  - Reduced number of inspections as the vehicles would be rolled into the overarching Brokerage licence
- Fulfills the concept of business decisions resting with the Brokerage
  - Brokerages would be responsible for ensuring their vehicles met standards for cleanliness, aesthetics, etc. as there would be compliance inspections

#### **Cons**

- Less regulations on Vehicle for Hire Driver and Vehicle applications
  - Could result in a decline of public safety
  - Administration would not be reviewing all driver applications, Criminal Record Checks and Vulnerable Sector Checks
  - Administration would not be completing the compliance inspection or collecting regular mechanical inspections for all vehicles
  - Self-regulated with spot audits from Administration on drivers and vehicles
- Reduced ability for Administration to vet vehicles and drivers with only a Brokerage licence
- Some TNCs use Criminal Record Check systems like Checkr. Third party sites like Checkr can be used to process Criminal Record Checks, but a Vulnerable Sector Check



with finger printing would have to be completed at a local police detachment if there was a positive result on the Criminal Record Check. If the Vulnerable Sector Checks are not completed, the specifics related to the criminal details would be unknown and therefore lacking the proper level of vetting

- Uber data from US market that was currently released on the sexual assault records demonstrates risks with unified licensing and public safety. Some of which could be avoided with the Municipality screening every driver
- Unfair to existing taxi plate holders as it deflates the economy of the plates

### **Feedback from Industry**

Administration met with the local Taxi Brokerage owner to discuss the potential for unified licensing for the Taxi industry. Overall, the feedback was that the Taxi Brokerage would be opposed to unified licensing, as it would decrease the strength in the safety reputation of the industry in relation to driver and vehicle safety.

Specifics to the vehicles; the Brokerage stated that Taxi Vehicles have a higher utilization rate as they operate 24/7 and can work up to 14 hour days, where as TNCs, under Provincial regulations, can only operate a maximum of 20 hours per week from insurance perspective as a part time driver.

The Brokerage summed up the meeting with the position that they would prefer to negate the fairness and equity standpoint to compensate for the differences in operational needs and volume of rides.

Uber submitted an email to Administration and Mayor Veer (*Appendix D*), outlining how they, as TNCs, would not be able to operate in Red Deer under the licensing rules proposed in the draft bylaw. They state that the “operational burden of individually licensing hundreds of drivers and their vehicles when they may not complete a single trip is not sustainable for the ridesharing business model.” When Administration met with the Uber representatives, they explained that many drivers apply to Uber and go through the process to the point of being able to drive in Red Deer. After that point, it is up to the driver to determine how often and for how long they want to drive.

Uber is saying to license each able vehicle and driver under the draft bylaw would essentially eliminate them from an operational and cost perspective in Red Deer. This is primarily due to the high number of applications they receive and process in a month, coupled with the potential requirement of licensing all drivers and vehicles would be too costly and difficult to manage with the volume of drivers in and out on a monthly basis. Uber supports unified licensing.

### **Provincial Fees for TNCs**

There is no provincial fee for Transportation Network Companies to register with the Province. TNCs are expected to comply with applicable transportation legislation, and any terms or conditions applied to the Certificate of Approval by Alberta Transportation. Once



issued, the Certificate of Approval is valid for a period of up to one year. All TNCs must obtain a Certificate of Approval in order to operate within Alberta. If they do not have this certificate, they are not legally able to work or operate in Alberta.

As part of the regulations, TNC vehicles must have a Class I-55 Vehicle Registration. This is a type of registration distributed by the Province to those providing ride for hire services. The switch to this type of registration typically costs \$25 though the fee can vary dependant on the Registries office used. The Provincial application form is included as *Appendix B*.

### Fee Structures for Lethbridge, St. Albert and Sherwood Park

Council directed Administration to compare our proposed fee structure to those of Lethbridge, St. Albert and Sherwood Park. Below is the summary of those municipalities. These three municipalities are structured significantly different from The City of Red Deer's existing and proposed bylaw in terms of requirements and licensing types. Included in *Appendix C* is a comparison of the municipalities that were reviewed, including Lethbridge, St. Albert and Sherwood Park, requested specifically by Council.

| <u>Municipality</u>                      | <u>Driver Licence</u> | <u>Vehicle Licence</u> | <u>Broker Licence</u>   | <u>TNC</u>  | <u>Year of Bylaw</u>                                  |
|--|-----------------------|------------------------|---|---|---|
| <b>Lethbridge</b>                        | \$65.00/yr            | Not Required           | \$193.00/yr - Resident<br>\$774.00/yr - Non Resident (Business Licence) | Not Regulated by Municipality-Business Licence Only<br>\$774.00/yr - Non Resident | Created October 17, 2016<br>Revised December 10, 2018 |
| <b>St. Albert</b>                        | Included in Broker    | Included in Broker     | \$140.76/yr – In Town<br>\$682.00/yr – Out of Town                      | \$682.00/yr - Out of Town   | Created in 2000<br>Revised in 2019                    |
| <b>Strathcona County (Sherwood Park)</b> | \$50.00/yr            | \$450.00/yr            | Not issued. Only licence driver and vehicles.                           | Not Regulated by Municipality   | Created in 2017 no recent revisions                   |

### Fee Structure – Proposed City of Red Deer

At the November 25<sup>th</sup> Council meeting, Administration presented proposed fees and the corresponding subsidization rates. Those proposed fees are expanded below to demonstrate the fee levels with varying percentage subsidization rates to assist with decision making when it comes time for bylaw approval.

| <u>Licence Fee Types</u> | <u>Current Fees</u> | <u>% Subsidization</u> | <u>Proposed Fees at Various Subsidization levels</u> | <u>% Subsidization</u> |
|--------------------------|---------------------|------------------------|--|------------------------|
| <b>VFH Driver</b>        | \$48.00             | 80.92%                 | \$100.00   | 60.25%                 |



|                    |          |        |          |        |
|--------------------|----------|--------|----------|--------|
|                    |          |        | \$75.00  | 70.19% |
|                    |          |        | \$60.00  | 76.15% |
|                    |          |        | \$50.00  | 80.13% |
|                    |          |        |          |        |
| <b>VFH Vehicle</b> | \$54.20  | 79.75% | \$265.00 | 0.98%  |
|                    |          |        | \$240.00 | 10.32% |
|                    |          |        | \$200.00 | 25.27% |
|                    |          |        | \$150.00 | 43.95% |
|                    |          |        |          |        |
| <b>VFH Broker</b>  | \$261.30 | -5.31% | \$250.00 | -0.76% |
|                    |          |        | \$248.00 | 0.05%  |
|                    |          |        | \$230.00 | 7.30%  |
|                    |          |        | \$215.00 | 13.35% |

*\*These fees are based on the full cost accounting under the regulated model with licences for all types, including two mechanical inspections and one compliance inspection.*

### Community Benefit Tool

The Community Benefit Tool identified a range of subsidy for VHF of 0.01%-24.99%.

Although the Community Benefit Tool recommendation was a rate of 0-25% for subsidization, the fees proposed include a lower fee with a higher level of subsidization for drivers. It would have been a substantial increase in fee from what is currently being charged for a Taxi Driver's Licence.

A decrease in Administration's proposed fees would result in a higher level of subsidization from the general tax base.

### Full Cost Accounting

The outcome of the full cost accounting through the fees and charges review for Vehicles for Hire was:

- Vehicle Licences - \$268
- Broker Licences - \$248
- Driver Licences - \$252

Full cost accounting was based on the total number of licences issued in 2018. Of those licences issued, the time required to process applications (with Criminal Record Check review), appeal preparations, suspensions, compliance inspections, mechanical inspections (at 2 mechanical per year and one compliance inspection per year) were all calculated into each licence type when determining the fee. The business unit that includes Vehicles for Hire allocates the time required to processes this aspect of business at 25% of the overhead costs, that piece is also factored into the licensing types.

**Market Analysis**

During the market analysis process, Administration reviewed the City of Edmonton, City of Winnipeg, City of Medicine Hat, City of Airdrie, City of Calgary and City of Grande Prairie. At the November 25<sup>th</sup> meeting, some of Council commented that aside from the larger cities, City of Red Deer would be substantially higher in fees in comparison to the remaining smaller municipalities in that review. Administration reviewed the larger centers as an assessment tool since they are examples of where The City of Red Deer would be headed with population growth, but also in relation to the principles in their existing bylaws. These municipalities' bylaws aligned with the direction Administration was looking at for The City of Red Deer's Vehicle for Hire Bylaw.

Market analysis is only one component of the fees and charges review, and is reflective of the three different components identified.

**Options and Recommendation**

Administration suggests there are a number of options for Council's consideration related to unified licensing and fees:

Unified Licensing

1. Unified licensing for all Vehicle for Hire types
2. Unified licensing for TNCs only, fully regulated for all other types
3. Regulated licensing for all Vehicles for Hire

Administration recommends Option 3, requiring consistent regulated licensing for all types of Vehicles for Hire. This ensures full compliance with bylaw regulations, ensuring the safety of the public, drivers and passengers is met, as well

Should Council wish to consider unified licensing for TNCs, Administration would then recommend all types of Vehicles for Hire, including Taxis and Limousines, be included in the unified licensing approach.

Fees for Vehicles for Hire Licences

To respond to industry feedback Council could amend the fee structure. The options are:

- A. Accept proposed fees as identified by Administration through the fees and charges review
- B. Adjust to a progressive fee increase over a period of 2-3 years
- C. Reduce fees with an increased % of subsidization and include a review in 2 years



Appendices for this item can be found in the  
January 6, 2020 Council Agenda at  
[meeting.reddeer.ca](http://meeting.reddeer.ca)

Final consideration of fees and charges will be part of the bylaw consideration. Administration recommends Options A, which reflects the results of the full fees and charges review and ensures fees for Vehicles for Hire aren't heavily subsidized by the tax base.

With this information, Administration requests Council endorses the Principles and Concepts for the new Vehicles for Hire as outlined today and on November 25<sup>th</sup>, and directs Administration to return to Council with a bylaw supporting the direction provided today.

### **Appendices**

- Appendix AA: November 25, 2019 Council Package for Vehicles for Hire (includes Taxi industry feedback)
- Appendix BB: Provincial Application form for TNC's
- Appendix CC: Municipality Comparison
- Appendix DD: Additional Industry feedback from Uber received after November 25, 2019

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

From: Les Brown [REDACTED]  
Sent: January 08, 2020 3:20 PM  
To: MayorMailbox <[Mayor@reddeer.ca](mailto:Mayor@reddeer.ca)>  
Subject: Licensing regime for UBER

I am a frequent user of UBER, not only in Red Deer but all around North America. I just wanted to contribute my thoughts to the idea of a standard unified licensing system on car hire services in Red Deer.

As a resident of Red Deer, I feel that UBER offers a lot of benefits to those who use it, and you need to realize that nearly all of the drivers are not full-time. Further the payments paid to drives are not reflective of special municipal requirements, rather they are set a a national level. It seems like here we go again in Red Deer, trying to invent something that has already been done in Calgary and Edmonton that was fair to the drivers of Ride-share services.

I would be very disappointed if the Red Deer Licensing scheme were to limit or remove Rideshare from the market due to administrative advise to counsel. I really do hope that Council will consider the unique aspects of the Rideshare business model. It is not a level playing field with the rest of the structured livery and there was a reason why.

I have rode rideshare all over North America exclusively now for about 5 years and I always receive excellent service and have always felt safe.

Thank you  
Les Brown  
Resident of Red Deer.





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NATIONAL OFFICE

2010 Winston Park Drive, Suite 500, Oakville, Ontario, Canada L6H 5R7

Tel: (905) 829-8805 ⑩ Toll Free: 1-800-665-MADD ⑩ Fax: (905) 829-8860 ⑩ Web: [madd.ca](http://madd.ca) ⑩ Email: [info@madd.ca](mailto:info@madd.ca)

February 18, 2020

Red Deer City Council  
City Hall  
4914 - 48 Avenue  
Red Deer, AB T4N 3T4

RE: MADD Canada calls on Red Deer to support smart ridesharing regulations.

Dear Members of Red Deer City Council:

On behalf of MADD Canada, I am writing to urge you to introduce ridesharing regulations that will expand the availability of transportation and reduce impaired driving in Red Deer.

Ridesharing has been functioning safely in Red Deer under provincial regulation for the past two years. MADD Canada fully supports provincial and municipal regulations and standards to protect driver and passenger safety, including the existing provincial regulations that ensure all drivers complete background checks with a vulnerable sector screen.

However, imposing additional regulations requiring hundreds of drivers and their vehicles to be individually licensed will add hundreds of dollars in new costs and additional red tape for drivers. This is not the best path forward. Red Deer should follow the lead of St. Albert, Airdrie and Lethbridge in adopting regulations that conform with provincial rules and ensure continued safe, convenient and reliable transportation options to prevent impaired driving.

Crashes involving alcohol and/or drugs are the leading criminal cause of death in Canada. Every day, on average, four Canadians are killed in crashes involving alcohol and/or drugs. In fact, [Alberta had the second highest rate](#) of police-reported impaired driving among all Canadian provinces in 2015.

Ridesharing helps provide Red Deer residents with a safe ride option when they need it the most. Most impaired driving incidents happen at night and during the weekend. In cities where Uber operates in Canada, rush hour for ridesharing is not first thing in the morning or at the end of the day when people are getting to and from work, but late at night when bars close. Additional costs and red tape on ridesharing drivers, will mean there will be fewer ridesharing drivers.

And cities are beginning to see positive results due to ridesharing. Researchers at Temple University compared rates of alcohol-related crash deaths in cities before and after Uber was available. While there are a

number of factors that affect impaired driving trends, findings from this research concluded that the arrival of Uber in a city led to a 3.6% - 5.6% decrease in the number of people killed in alcohol-related car crashes.

We ask that Council support smart ridesharing regulations similar to Airdrie, St Albert and Lethbridge to ensure that Red Deer residents continue to have access to safe and reliable transportation options.

If you would like to discuss these items further, you can reach me at 1-800-665-6233, ext. 224 or [amurie@madd.ca](mailto:amurie@madd.ca).

Sincerely,

A handwritten signature in black ink, appearing to read 'Amurie', written in a cursive style.

Andrew Murie  
Chief Executive Officer  
MADD Canada

Cc: [licensing@reddeer.ca](mailto:licensing@reddeer.ca)



## Taxi Business Fees and Metered Fare Rates

### Purpose:

1. To establish the process of calculating annual taxi license fee increases.
2. To establish the process of calculating annual taxi fare rate increases.
3. To set regulations for the application of discounts and surcharges.

### Policy Statements:

#### Taxi License Fee Calculation

The annual taxi license fees charged will be automatically adjusted and implemented, rounded to the nearest \$0.05, every year by April 30 to reflect the change in the Alberta average Consumer Price Index from the previous calendar year.

#### Taxi License Fees

The taxi license fees for 2009, will be as follows:

- |                                 |          |
|---------------------------------|----------|
| • Taxi Broker License           | \$226.80 |
| • Taxi License Plate            | \$46.40  |
| • Non-refundable Plate draw fee | \$20.60  |
| • Taxi Drivers License          | \$41.25  |
| • Transfer of Broker license    | \$144.35 |
| • Transfer of Taxi Plate        | \$41.25  |
| • For each list of vehicles     | \$10.30  |

#### Metered Taxi Rates Calculation

The rates charged for the hire of taxis and for the waiting time for taxis will be automatically adjusted and implemented, rounded to the nearest \$0.05, every year by April 30 to reflect the change in the Alberta average Consumer Price Index from the previous calendar year.



## Taxi Business Fees and Metered Fare Rates

### Metered Taxi Rates

1. The metered taxi rates for 2009, without wait time, will be as follows:
  - Rate per 5 km trip: \$11.30
  - Drop rate per 92 m: \$3.20
  - Cost per metre after 92 m: \$0.20 per 121 m
2. The metered rate for waiting time for 2009 will be \$39.47 per hour, based on the proportion of time the taxi waited, calculated at \$0.66 per minute. There will be no charge for the first three minutes of waiting time.

### Fuel Surcharge

1. When the price of regular gas in the City of Red Deer is above \$1.50 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, a surcharge of \$0.50 per trip will be added to the fare.
2. When the price of regular gas in the City of Red Deer is below \$1.50 per litre for two consecutive weeks, according to the MJ Ervine and Associates independent weekly gasoline survey, the \$0.50 per trip surcharge will be dropped.

### Baggage

No additional charge will be given to any person for the carriage of baggage or parcels in a taxi.

### Discounts

1. Taxi drivers may offer a discount of \$1.00 off the fare for any person who has a valid taxi credit voucher issued by the owner or operator of a City business licensed to sell alcoholic beverages or by the organizer of a social function where alcoholic beverages are served.
2. Taxi drivers may offer a 10 percent discount from their rates for people 65 years old or over and for people who are mentally or physically handicapped. The taxi driver must keep a record of transactions of this type.



## Taxi Business Fees and Metered Fare Rates

3. Taxi drivers may issue free passes or charge reduced fares to raise money for charity or under a program that aims to reduce impaired driving, if they first obtain the written approval of the License Inspector.

### Surcharge for Vans

A \$7.00 surcharge will be applied when a person requests the services of a vehicle that legally holds seven people, including the driver, or that they have requested for moving cargo.

### Delivery Charge

When a taxi is hired for a delivery, the fare will be the metered rate plus \$1.00.

## **Authorities and Responsibilities:**

The License Inspector is delegated from the City Manager through the Director of Development Services to:

1. Annually calculate the rates and license fees and ensure that all requirements of this policy are met by the taxi industry and administration.
2. Conduct a full review of all rates and license fees every five years, from the date of this policy, which is to be presented in a report to City Council.
3. Update the Metered Taxi Rates of the policy statement annually in accordance with the CPI rate adjustment provided in the Metered Taxi Rates Calculation of this policy statement.
4. Update the Taxi License Fees of the policy statement annually in accordance with the CPI rate adjustment provided in the Taxi License Fee Calculation of this policy statement.

## **Scope/Application:**

License Inspectors, taxi licensees, taxi drivers, taxi brokers, independent taxi drivers, and citizens who use taxi services are affected by this policy.



## Taxi Business Fees and Metered Fare Rates

### Definitions:

|                          |  |
|--------------------------|--|
| Consumer Price Index     | A statistical device that measures the change in the cost of living for consumers. For the purposes of this policy, the Alberta average Consumer Price Index will be used. |
| Independent taxi drivers | A person named on a taxi driver's license and who operates a taxi without affiliation with, or without using the services of, a broker.                                    |
| License Inspector        | The Inspections and Licensing Manager for the City or any member of the License Inspection Department.   |
| Taxi broker              | A person to whom a taxi broker license has been issued under the Taxi Business Bylaw.  |
| Taxi driver              | Any person who holds a valid and subsisting taxi drivers license issued under the Taxi Business Bylaw.   |
| Taxi licensee            | A person holding a valid and subsisting taxi license plate issued under the Taxi Business Bylaw.   |

### References / Links:

1. Bylaw 3282/2001 The Taxi Business Bylaw –  
<http://www.reddeer.ca/NR/rdonlyres/84CD31D8-955B-4629-8F28-C768F7219034/0/TaxiBusinessBylaw32822007EffectiveOctober12007LAS.pdf>
2. The Municipal Government Act –  
<http://www.qp.gov.ab.ca/Documents/acts/M26.CFM>
3. Statistics Canada –  
[www.statcan.ca](http://www.statcan.ca)

### Contact Person:

License Inspector, Inspections & Licensing



## Taxi Business Fees and Metered Fare Rates

### Document History:

|   |
|---|
| Date:   |
| Original Approval: July 28, 2008  |
| Revision: September 23, 2008  |
| Revision: March 30, 2009 (Rates adjusted as per the License Inspector)    |
| Revision: September 7, 2010 (new number assigned – due to reorganization) |

### Administrative Revisions:

|             |  |
|-------------|--|
| Date:       | Revision:  |
| May 5, 2010 | Added the statement, “rounded to the nearest \$0.05” under “Taxi License Fee Calculation” and adjusted license fees accordingly. |

**Appendix F: Table Summarizing Major Changes - VFH Bylaw (3644/2020) compared to Taxi Bylaw (3282/2001)**

**Changes in VFH Bylaw (3644/2020) compared to Taxi Bylaw (3282/2001)**

| <b>VFH Changes</b>   | <b>Original Taxi Bylaw</b>   |
|--|--|
| <b>General</b>   |  |
| Combining of all Vehicles for Hire (Accessible Taxi, Taxi, Limousine, Transportation Network Automobile, Designated Driver Services).  | One bylaw for each; Taxi – 3282/2001, Limousine and Sedan 3394/2007, No bylaw for Transportation Network Automobiles.  |
| Section 13 - Revised the expiry date of all licenses to be August 30 of every year.  | Section 30 - Expiry date of all licenses was December 31 for every year.   |
| Section 80 - Typical allocation of Taxi plates remains the same. Added special provisions for new plates to be issued in the first year of the bylaw implementation.   | Section 15 - The allocation and number of Taxi Licenses Plates is based on population and increases 1 per 750 persons.   |
| Section 6-8 – Taxi Licence Plates are required, Brokerage licences and Driver for Hire licences for all Vehicle for Hire drivers.  | Licences required for Brokerages, Taxis and Limos, Taxi Driver and Limo Drivers.   |
| <b>Driver Licensing Requirements</b>   |  |
| Section 10 to 12 - Clarity on Driver Licence and Brokerage application requirements.   | Very disjointed and spread through the bylaw in various sections.  |
| Section 11 D - Clarified the Driver's abstract must be for the last 5 years and dated with 60 days of the application.   | Section 29 H – Drivers abstract was 45 days of application.  |
| Section 11 D and E - Clarified the Police Information Check (PIC) and Vulnerable Sector Search (VSS) both need to be dated with 180 days (6 months) of the application date to align with the validity timeline for the PIC and VSS. | Section 29 D - Only included a list of all convictions of the applicant for any offences under the laws of Canada..... The VSS Details were listed in our Department Policy 2019-050-DP. |



|   |  |
|---|--|
| <p>Section 11 C - Removal of the Driver Improvement Course requirement – Operational decision and added in the requirement for Provincial Driver's licence Class 1, 2 or 4.</p> <p>Section 34 C - Taxi Driver requirements – Clarified when a Driver improvement course is required with details on demerits.</p> | <p>Section 29 i) - This became a “rubber stamp” and added little value. Was applied to any licence that lapsed for 3 months or revoked by the License Inspector.</p>   |
| <p>Section 46 – clarified driver obligations.</p> <p>Section 47 – Driver conduct requirements.</p>  | <p>Section 31 b) - Removed the Taxi Driver requirements for appearance –Operational decision for the Brokerage.</p>  |
| <b>Brokerages</b>   |  |
| <p>Section 12 C - Brokerage must have at least one accessible taxi per 20 taxis in fleet.</p>   | <p>Section 15 -I-iii - No minimum accessible taxi requirements for brokerages under this bylaw. Only how many Accessible Taxi Plates would be created based on population.</p>   |
| <p>Section 9 – All vehicle types must clearly identify the Brokerage name and contact information.</p>  | <p>Section 3 (1) b) - Brokerages had to register the color of their taxis and must be distinctive from other brokerages.</p>   |
| <b>Taxi Rates/Meters</b>  |  |
| <p>Section 40 G – Displays the rates, fares and any surcharges that may be charged for the hire of the taxi</p> <p>Section 56, 62 - Added a minimum Drop Rate but no other rates specified by the City. Rates must be posted and available to passengers prior to accepting a ride.</p>                           | <p>Section 32 -35 -Removal of Taxi Meters specifically and require a form or rate calculation and agreement in advance.</p> <p>Section 56 and Schedule B - Rates were specified in the bylaw and increased by CPI each year.</p> |
| <b>Vehicle Requirements</b>   |  |
| <p>Section 40-43 – Model years of the Vehicle is not more than 10 years for Taxi, Accessible Taxi, and Transportation Network Vehicle and 15 years for Limousines.</p>  | <p>Section 37 – Taxi model years was 13 in old bylaw.</p>  |

|  |  |
|--|--|
| Section 40-43 – All Vehicles for Hire must display the name, tradename or trademark of the affiliated company while in service and accepting passengers.   | Section 47 – Top light and affiliated company requirements for Taxis.  |
| Section 67-70 - Mechanical Inspections changes- every 6 months for Taxis and accessible taxis. TNC and Limo's every 12 months (Lower usage) and Part time drivers.   | Section 36 - Mechanical inspections for taxi's remained the same.–   |
| Section 77-78 - Removed the Visual inspection requirement annually but replaced with the option of an Audit when the city would like to review Vehicles to ensure they are labeled and displaying the proper licenses. | Section 33 - Inspection of meters.<br>Section 17 D - Mechanical Fitness report. "presentation of the motor vehicle for inspection by the LI". Removed. |
| <b>Fees and Charges</b>  |  |
| Schedule A – Fees charged on Driver and Brokerage. No Vehicle fee but a Taxi plate still issued once Mechanicals are submitted.  | Schedule A and Council Policy 6115-C – Set rates per licence type, increased by CPI annually.  |
| Schedule A – Brokerage fees are based on number of vehicles in the fleet.  | Schedule A and Council Policy 6115-C – Set flat Brokerage rate.  |
| Schedule A – Incorporated a short term Driver licence for 6 month periods (September and March) to reflect desired seasons.  | No Short term licence option.  |

Feedback letters from local  
brokers and Uber

Here you go Amy

**I I** A person who wishes to apply for a Driver for Hire Licence must provide all of the following to the City Manager:

(e) a police information check and where there are positive results on the police information check, a vulnerable sector search, both dated within 120 days of the application, issued for the applicant;  
**Should now read 180 days (6 months) Which RCMP say the is valid**

Transfer

16

A Taxi Licence Plate is not transferable between Brokerages, but may be used by the Brokerage to which it has been issued for any vehicle within that Brokerage's fleet.

**This should exclude Handi-Van Taxi 's and independent's that wish to transfer to a brokerage or form new brokerage under this bylaw. This will allow both growth and flexibility to our industry.**

### **Refusal of Service**

**48**

(c) the person requests that the Driver carry an animal in the Vehicle for Hire other than a service animal assisting a person with a disability;

Some ethnic religions prevent a person from taking dogs and those that adhere to their religious beliefs will refuse such service.

If the driver refuses to take the service dog and requests another taxi be dispatch the original driver can be cause for a human right action which will include the broker as well.

**Question is which supersedes which. Disability act or the major religion? This needs to be very clear and in the bylaw.**

New plates issued: 5 in next year

All drivers should qualify to enter a draw or apply for the newly issued taxi plate. This would provide a balanced availability to all that are both entering and those working in our industry.

The 2 broker licences will not request they be allowed until the 2-year review is completed by both the city & taxi industry.

With regards to bylaw enforcement we ask for the entire industry as a whole some latitude in the first year of the adaption of the new bylaw and it's fines.

To Whom it may concern

Overall, the bylaw shows bold new adaptations while at the same time allowing the industry to take pressure off the bylaw department and adapt to new equipment and a flexible revenue streams for drivers. With every new bylaw there are always what if's or should have been done. Given that, the personal at bylaws has always been wiling to work with our industry and it's felt they would do the same under this new bylaw.

Our object should always be Safety. Reliability and cost efficient for our patrons and drivers. Our industry has changed over the last few years and we need to adapt to those changing ways. The taxi industry employs many and those drivers have seen their income drop for a few reasons over the last few years. This year is exceptional hard but we are a strong part of the city's transportation network and we will do the best we can to continue to provide that service.

With the few modification asked for we as an industry wish to congratulate both Erin Stuart and Amy Fengstad for their exhaustive work on the proposed bylaw. Both Erin and Amy showed a willingness to engage on several matters and in the end a solution was found. It is hoped council will adapt the new Vehicles for hire proposed draft and we in the industry will look forward to the growth of both our city and the bylaw.

Amy,

Please find the below feedback to the bylaw.

Hope you and Erin are doing well.

Michael

--

Dear Mayor Veer and Council,

The rise of smartphones, the arrival of app stores, and the desire for on-demand work has created an entirely new standard and expectation from our customers and constituents. For riders, it's about having a safe, affordable, reliable transportation alternative. For drivers, it's a need to have flexible earning opportunities that help support their dreams or even pay the bills. And this has never been more important than now as we all grapple with the uncertainty and challenges presented by COVID-19 and the economic crisis that's following in its wake.

**It's in this context that we request Council delay consideration of the draft bylaw until the pandemic has receded** so that staff can consider the implications on the industry and the economic recovery. The bylaw, as proposed, increases costs for drivers, business and the city in the midst of a pandemic while requiring more in-person interactions.

However, if Council wishes to proceed, we have collated the following feedback for your consideration:

#### DRIVER IMPACT

For Red Deer residents with a commercial drivers licence, safe driving record, criminal record check, and vehicle inspection, ridesharing provides the flexibility to go online for as few or as many hours as desired to generate earnings. This flexibility can be a lifeline, especially at a time when local unemployment sits at 12%.

However, this draft bylaw creates new red tape and fees, which may discourage drivers from continuing with or starting ridesharing:

1. **License Fee & Process:** As written, the draft bylaw requires drivers to physically visit City Hall, with a paper photo, and pay \$100 for a new license with a set annual renewal date of August 30th.

As we wrote earlier this year, the Unified Licensing Structure has become the standard across Canada, including in St Albert, Lethbridge, and Airdrie. We recommend proceeding with an Unified Licensing Structure to streamline the process, eliminating red tape and out-of-pocket expenses for the drivers. This

process has become the standard across Canada and ensures public safety while making it easier for drivers.

However, if the City desires to create a new administrative process, we would encourage the City to create a process for drivers to apply for and receive the license electronically. Especially in a time of COVID-19, contactless processes are more desirable.

We would also request that the City eliminate the provision that all all licenses, including driver licences, expire on August 30. This also has the benefit of avoiding backlogs every August at the Red Deer RCMP, vehicle inspection stations and City Hall .

If the City is committed to the August 30th renewal date, we recommend that the license be prorated to best support drivers.

2. Vehicle Inspections: As written, the draft bylaw has the City requiring a duplicative licencing process for garages and technicians who already have provincial authorizations to conduct light vehicle inspections. Not only does this introduce new red tape for small and medium sized businesses, but it may also limit drivers from going to [Canadian Tire](#) and getting a preferred rate.

Given the provincially approved inspection regulatory system already in place, we recommend removing these provisions and deferring to the ultimate safety regulator for mechanic shops.

## OPEN FOR BUSINESS

Over the past two years, Uber has been privileged to serve Red Deer through the availability of our ridesharing app, providing a safe, reliable, and affordable transit alternative and flexible earning opportunities for drivers.

To provide the same ridesharing app to local residents in Red Deer as we do in other similar sized cities across Alberta and Canada, there are certain processes and policies specific to the model, where customization is limited:

1. Reporting: The way the draft bylaw is written, there is a desire to have brokerages provide certain information to the City on a scheduled basis (i.e. complainant addresses, driver lists, safety issues). While the proposed cadences and processes do not align, we propose working with City staff to determine how we can leverage our cadences and processes to achieve the City's objectives.
2. 24/365 Service Guarantee: As written, the draft bylaw requires a service guarantee. Like other brokerages, our model depends on the availability of drivers on the app. Drivers are independent contractors and have the freedom to drive when and where they want. We recommend removing this provision.

Finally, while Uber will pay the fees required to support the administration of ridesharing, it's worth noting that Red Deer is proposing fees that are currently 2.5x higher than similar sized Albertan municipalities. It is possible that such high fees may discourage competitors, whether established global players or new local start-ups, from entering the market.

Again, we appreciate the work by City staff to shape this bylaw and the opportunity to provide our feedback.

Best regards,

Michael van Hemmen  
Head of City Operations, Uber

On Fri, Oct 23, 2020 at 11:57 AM Amy Fengstad <[Amy.Fengstad@reddeer.ca](mailto:Amy.Fengstad@reddeer.ca)> wrote:

Hello Everyone,

Please find attached a revised version of the Vehicle for Hire bylaw. We discovered a couple sections that needed to have the intent clarified. The changed sections are 10, 15 and 16. Please use this version to provide your feedback on.

Any questions, please don't hesitate to call me.

Thanks,

Amy Fengstad

**From:** Amy Fengstad  
**Sent:** October 21, 2020 2:13 PM  
**Cc:** Erin Stuart ([Erin.Stuart@reddeer.ca](mailto:Erin.Stuart@reddeer.ca)) <[Erin.Stuart@reddeer.ca](mailto:Erin.Stuart@reddeer.ca)>  
**Subject:** Vehicles for Hire Draft Bylaw & Council Meeting

Hello Everyone,

We are proceeding with the *Vehicles for Hire Bylaw* and have a scheduled Council Meeting for November 9, 2020. Attached is the draft that is going forward to Council for first reading. If you wish to provide feedback on this version prior to the Council Meeting, please submit them to me by 4:30pm October 29, 2020.

The Council meeting on November 9, 2020 will be online via Zoom. You will be able to watch the Council Meeting here: <https://meeting.reddeer.ca/onbaseagendaonline/> As this meeting is not a public hearing there won't be an opportunity for comments.

If you recall Council approved guiding principles back in January 2020:

1. The principles of safety, customer service, equity, balancing the needs, and cost/opportunity for income.
2. The concepts in support of the principles:
  - a. The inclusion of Taxis, Accessible Taxis, Transportation Network Companies, Limousines and Designated Driver Services.
  - b. Criminal Record Checks and follow up Vulnerable Sector Checks, where warranted, are required annually for all Vehicle for Hire drivers.
  - c. Transportation Network Companies will require Vehicle, Driver and Broker licences to be consistent with the existing industry.
  - d. The cap on the number of Taxi plates remains in place for two years, with the introduction of 5 plates available for Independent Driver for Hire or new Brokerages. A review will take place following the two years.
  - e. A requirement for all brokers to have at least one Accessible Taxi operational per every 20 Taxis in the fleet.
  - f. The removal of regulations on Taxi vehicle colour and rates, with the exception of including a minimum rate to be charged.
  - g. July 1, 2020 implementation date for the full bylaw.
  - h. Inclusion of two (2) mechanical inspections per year.
  - i. Clarification of Driver requirements and included all industry types.
  - j. Simplified bylaw with duplication removed to make it easier to understand.
  - k. Flexibility built in to address items like model age of Vehicles for Hire and discretionary items.
  - l. Mitigation of enforcement challenges for Independent Driver Owners with inclusion of a corresponding fee to reflect extra demands on time.
  - m. Explore separate regulations for full time and part time drivers including, but not limited to, one mechanical inspection annually, lowering TNC Fees and reviewing fee structure in general.



3. Establishing mechanisms for safety data reporting and oversight
4. Follow up on Regional Approach and options to remove regulatory barriers for Rides for Hire in our region.
5. Advocate to the Provincial Government requesting an update on the learnings related to the review of TNCs, including oversight and the lack of provincial fee.

The following details are the changes that have been included within the draft bylaw for Council's deliberation.

**Full Time and Part time Options:**

1. Reduction of mechanical inspections to one per year for TNCs and Limousines.
2. Removal of the compliance inspection for all Vehicles for Hire.
3. Inclusion of the Brokerage Licence and Vehicle for Hire Driver Licence, along with corresponding fees.
4. Creation of a 6 month short term Vehicle for Hire Driver Licence.
5. Removal of the Vehicle for Hire Licence, which was for the vehicle itself. Becomes an audit function for review.
6. Change in the fee structure to reflect the number of vehicles in a brokerage.

**Incorporation of Principles and Concepts**

In addition to the full time and part time options, the proposed bylaw also incorporates the approved principles and concepts in the following ways:

1. Removal of a vehicle licence, with only licensing for Brokerages and all drivers.
2. Removal of regulations of vehicle colors
3. Maintain the requirements for Brokerage contact information, top lights and Brokerage symbol on all vehicles.
4. An increase in the number of Taxi plates and Accessible Taxi plates in the first year of implementation.
5. Removal of vehicle plates for Limousines.

6. Removal of regulations on rates charged with only a minimum rate specified, required to clearly post rates prior in the vehicles or on the app.
7. Included all Vehicle for Hire types (Taxi, Accessible Taxi, Designated Drivers, Limousines, Transportation Network Companies)
8. Clearly laid out Criminal Record/Vulnerable Sector Check requirements and acceptable level of demerits on driver abstracts.
9. Model year of vehicles changed to 10 years for Taxi's, TNC; 15 years for Limousines; with opportunity for review and consideration of older vehicles. .
10. Implementation date of September 1, 2021.
11. Grid fee structure based on the number of vehicles for Brokerages.

Any questions, please let me know!

Thanks,

Amy Fengstad | Parking & Licensing Supervisor  
Inspections & Licensing Department

City of Red Deer  
Phone: (403) 342-8191  
Fax: (403) 342-8200

[amy.fengstad@reddeer.ca](mailto:amy.fengstad@reddeer.ca)  
[www.reddeer.ca](http://www.reddeer.ca)

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Michael van Hemmen  
[mvh@uber.com](mailto:mvh@uber.com)  
778-863-9906

**DATE:** November 10, 2020

**TO:** Erin Stuart, Inspections & Licensing Manager  
Amy Fengstad, Parking & Licensing Supervisor

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Vehicle for Hire Bylaw 3644/2020

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**Reference Report:**

Inspections & Licensing, dated November 9, 2020.

**Resolution:**

At the Monday, November 9, 2020 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered Bylaw 3644/2020 hereby directs Administration to bring back further information at Second Reading regarding the potential considerations of reducing the Application Fee for a Driver for Hire Licence from \$100 to \$50, including impacts from other comparable municipalities.

**Bylaw Reading:**

At the Monday, November 9, 2020 Regular Council Meeting, Council gave first reading, as amended, to the following Bylaw:

**Bylaw 3644/2020** (The Vehicle for Hire Bylaw to establish a system of licensing and regulations of vehicles for hire and designated driver services)

- Section 3(bb) deleting the words “Commercial Vehicle Inspection Station Licence” and replacing them with the words “Vehicle Inspection Program Licence”
- Section 71(a) deleting the words “Commercial Vehicle Inspection Station Licence” and replacing them with the words “Vehicle Inspection Program Licence”

**Report back to Council:**

Yes.

**Comments/Further Action:**

This bylaw will come back for second and third reading at the Monday, November 23, 2020 Regular Council Meeting.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Development & Protective Services  
Corporate Meeting Administrator



November 9, 2020

## Public Art Review –Committees Bylaw Amendment – Bylaw 3576/B-2020

### Consideration of Second and Third Reading

Prepared By: Amber Senuk, Corporate Meeting Administrator

Department: Legislative Services

#### **Report Summary & Recommendation:**

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##### Summary:

The attached report is being brought forward from the Monday, October 26, 2020 City Council meeting.

#### **Recommendation:**

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That Council considers second and third readings to Bylaw 3576/B-2020.

#### **Background:**

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On October 26, 2020 Council gave first reading to Bylaw 3576/B-2020, an amendment to the Committees Bylaw to make revisions to the sections related to Public Art. A revised version of this Bylaw is attached to this report. Council also adopted the Public Art Council Policy EL-D-2.7, attached as an appendix to this report.

#### **Proposed Resolution:**

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That Bylaw 3576/B-2020 be read a second and third time.

|   |                                   |  |                |            |
|---|-----------------------------------|--|----------------|------------|
|  <div>THE CITY OF<br/>Red Deer</div> | Adopted October 26, 2020          |  | Council Policy |            |
|   |                                   |  |                | Public Art |
|   | Policy Type: EXECUTIVE LIMITATION |  |                | EL-D-2.7   |

Public Art is defined as any original work of art that is accessible to the general public. Typically, the creation of a public artwork takes into consideration site and context as part of its process; the artwork can be functional, integrated, or discreet to its site. Public Art mediums can include, but are not limited to: sculpture, installation, paintings, drawings, prints, photography, multi-media projects, murals, mosaics, land art/earth works, or projects which incorporate design, architecture, or landscape architecture. While it is recognized that architecture, interior design, and landscaping are artistic in nature and have artistic components, this policy defines Public Art as a distinct component of a building project that, while it may be integrated into its site, is created by a person engaged as an artist or its creation is directed by an artist.

With respect to Public Art, the City Manager will not fail to ensure that:

- I A minimum of 1.0% capital construction cost allocation for public art is identified and included as part of each project for Council's consideration during Capital Budget deliberations.
  - (1) Capital construction costs associated with design and engineering, project design, administration, fees and permits, demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.
  - (2) Administration will identify the source of this funding whether it is from the City budget or from other sources such as the Provincial and/or Federal Governments, private donations, granting bodies, foundations, special funding opportunities, or a combination of City and other funding.
- 2 The procurement process for accessioning artworks may take one of two forms:
  - (1) Open: Process is open to a wide range of entrants who may submit entries. Public Art projects over \$75,000.00 must use an open selection process.
  - (2) Limited: Process is open to invited entrants.
- 3 The location and placement of artwork is assessed based on public visibility and impact as well as its ability to be integrated into or displayed in public areas.
- 4 Developer, corporate and private contributions are sought pursuant to Policy PS-A-2.6 Sponsorship.
- 5 This policy is applied to:
  - (1) New construction in excess of \$1,000,000 of publically accessible city-owned buildings. Only the portion of the building that is accessible to the public is included in the public art construction budget calculation.

|   |                                   |          |
|---|-----------------------------------|----------|
|  | <b>Council Policy</b>             |          |
|   | <b>Public Art</b>                 |          |
|   | Policy Type: EXECUTIVE LIMITATION | EL-D-2.7 |

- (2) New above ground engineered structures (e.g. bridges) in excess of \$1,000,000. The structure must be accessible to the public and/or observed by the public for a minimum of four hours during a regular business day.
- (3) Major renovations to existing publically accessible city owned buildings and structures in excess of \$1,000,000. Major renovation is defined as an adaptation of an asset which increases material size or capacity, or which changes the intended ordinary use of the asset from when originally placed into service.
- (4) The development or redevelopment of regional or multi-neighborhood park infrastructure in which the construction budget is in excess of \$1,000,000.

6 This policy is not applied to:

- (1) Capital projects such as roads, parking lots, in-ground water, sewer or drainage structures;
- (2) Demolition projects;
- (3) Transferable equipment (e.g. office supplies, furniture);
- (4) Buildings or engineered structures not owned by The City; and
- (5) Projects with limited visibility or public access.

In addition, the City Manager will not fail to:

- 7 Ensure that the Public Art Commission provides expert and community input on public art for The City, including the adjudication of all public art projects.
- 8 Develop a Public Art Reserve using a portion of the 1.0% allocation pursuant to GP-F-2.0 Reserves.
  - (1) Place the full amount into the Public Art Reserve if the 1.0% allotment for a given project generates less than \$25,000 and where a meaningful project cannot be completed. Allocate 10% of the total public art allotment to the Public Art Reserve if the 1.0% allotment for a given project generates over \$25,000.
  - (2) Utilize the remaining portion of the 1.0% for design, fabrication, and installation of public art.

**Document History:**

|                |                  |
|----------------|------------------|
| Policy Adopted | January 5, 2015  |
| Policy Revised | October 26, 2020 |

**BYLAW 3576/B-2020****Bylaw as amended at first reading**

Being a bylaw to amend Bylaw 3576/2016, the Committees Bylaw.

COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, AMENDS BYLAW 3576/2016 AS FOLLOWS:

**I Section 64 is amended by adding the following after the first sentence:**

“The purpose of the Public Art Commission is to provide expert and community input on the public art for The City of Red Deer. The Public Art program serves Red Deer residents and visitors by integrating works of art into public spaces and facilities throughout the city that reflect our community’s distinct culture and character. Through the acquisition of artworks for public display, The City provides a more aesthetically pleasing and culturally enriched urban environment and creates a legacy for the future.

The guiding principles of the Public Art Program are:

**(1) Community Wellbeing**

- (a) Public Art provides the opportunity for all members of our community to experience creative expression and innovation that is free of barriers. Public Art contributes to the development of a vibrant and unique environment encouraging our community to meet and interact in public spaces.

**(2) Connection**

- (a) We believe in Public Art that is engaging and accessible for our community by creating a connection between our built environment, our natural environment and our cultural environment.

**(3) Diversity and Inclusion**

- (a) We respect Public Art that stems from diverse cultures and practices; this is embraced by our belief in a welcoming and inclusive community. We strive for Public Art comprised of a diverse range of mediums, themes and styles, created by a diverse range of artists from local to international, and emerging to established.

**(4) Sustainability**

- (a) Public Art contributes to the sustainability of our municipality through the development of pride and belonging in our public spaces. We are committed to a sustainable Public Art program that:
  - (i) Maintains a high standard of excellence in the acquisition and conservation of our collection;
  - (ii) Engages the community in the selection process;



- (iii) Values our collection;
    - (iv) Maintains fiscal responsibility; and
    - (v) Respects the integrity and accountability of the process.
  - (5) Transparency
    - (a) Public Art policies and procedures are open and accountable ensuring the integrity and respect for process and those involved. The process is adaptable to the changing needs and issues faced by our community. Along with Council and Administration, community members play a vital role in the Public Art process.
  - (6) Authenticity
    - (a) Public Art is a reflection of our collective nature as the people who dwell in this particular part of the earth at this particular time. We strive as a community to be true to our uniqueness of place: past, present and future.
  - (7) Stewardship
    - (a) Public Art requires ongoing maintenance, and conservation to ensure the longevity of the Public Art collection. It is the responsibility of the municipality to care for the Public Art collection; criteria have been established for the acquisition and deaccessioning of Public Art.”
- 2** Section 65 is amended by inserting a new subsection (1)(a) as follows:
- “Ensure the achievement of the guiding principles;”
- and subsequently renumbering the remainder of the section.
- 3** The newly renumbered Section 65(1)(d) is amended by deleting the words “Public Art Coordinator” and replacing with the words “Community Services Division”.
- 4** Section 65(1) is amended by inserting a new subsection after the newly renumbered (f) as follows:
- “The Public Art Commission may consider community engagement and/or have the artist engage with the community for commissioned Public Art projects.”

|   |        |       |
|---|--------|-------|
| READ A FIRST TIME IN OPEN COUNCIL this      | day of | 2020. |
| READ A SECOND TIME IN OPEN COUNCIL this     | day of | 2020. |
| READ A THIRD TIME IN OPEN COUNCIL this      | day of | 2020. |
| AND SIGNED BY THE MAYOR AND CITY CLERK this | day of | 2020. |

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 MAYOR

---

 CITY CLERK

Revised Strikethrough as amended at first reading  
 Green: Amendments at first reading  
 Red: Originally submitted version

**63. Committee Name:** Public Art Commission

**64. Purpose**

The purpose of the Public Art Commission is to provide expert and community input on public art for The City of Red Deer.

The purpose of the Public Art Commission is to provide expert and community input on the public art for The City of Red Deer. The Public Art program serves Red Deer residents and visitors by integrating works of art into public spaces and facilities throughout the city that reflect our community's distinct culture and character. Through the acquisition of artworks for public display, The City provides a more aesthetically pleasing and culturally enriched urban environment and creates a legacy for the future.

The guiding principles of the Public Art Program are:

(1) Community Wellbeing

- (a) Public Art provides the opportunity for all members of our community to experience creative expression and innovation that is free of barriers. Public Art contributes to the development of a vibrant and unique environment encouraging our community to meet and interact in public spaces.

(2) Connection

- (a) ~~Public Art is connected to spaces and opportunities that develop a dedication to place in our community.~~ We believe in Public Art that is engaging and accessible for our community by creating a connection between our built environment, our natural environment and our cultural environment.

(3) Diversity and Inclusion

- (a) We respect Public Art that stems from diverse cultures and practices; this is embraced by our belief in a welcoming and inclusive community. We strive for Public Art comprised of a diverse range of mediums, themes and styles, created by a diverse range of artists from local to international, and emerging to established.

(4) Sustainability

- (a) Public Art contributes to the sustainability of our municipality through the development of pride and belonging in our public spaces. We are committed to a sustainable Public Art program that:
  - (i) Maintains a high standard of excellence in the acquisition and conservation of our collection;
  - (ii) Engages the community in the selection process;

Strikethrough Version of 3576/2016 with Amendments from 3576/B-2020

- (iii) Values our collection;
  - (iv) Maintains fiscal responsibility; and
  - (v) Respects the integrity and accountability of the process.
- (5) Transparency
- (a) Public Art policies and procedures are open and accountable ensuring the integrity and respect for process and those involved. The process is adaptable to the changing needs and issues faced by our community. Along with Council and Administration, community members play a vital role in the Public Art process.
- (6) Authenticity
- (a) Public Art is a reflection of our collective nature as the people who dwell in this particular part of the earth at this particular time. We strive as a community to be true to our uniqueness of place: past, present and future.
- (7) Stewardship
- (a) Public Art requires ongoing maintenance, and conservation to ensure the longevity of the Public Art collection. It is the responsibility of the municipality to care for the Public Art collection; criteria have been established for the acquisition and deaccessioning of Public Art.

## 65. Committee Outcomes

- (I) The Public Art Commission will:
- (a) Ensure the achievement of the guiding principles;
  - (b) Recommend and advise on public art policies, guidelines, plans and issues as they relate to The City of Red Deer;
  - (c) Review all acquisitions and donations of public art;
  - (d) Make decisions on the re-siting and deaccessioning of public artwork, except in the following situations where the authority will rest with the ~~Public Art Coordinator~~ Community Services Division:
    - (i) temporary relocations to support repairs, maintenance, construction, or to protect artwork;
    - (ii) cases where there is significant, immediate concern for public safety, or the safety or integrity of the artwork; and
    - (iii) short term and permanent relocations of interior placement discreet artworks (e.g. to facilitate a dynamic and interesting public art program).

Strikethrough Version of 3576/2016 with Amendments from 3576/B-2020

- (e) Adjudicate all public art projects and grant applications for the year, in accordance with current policies; and
  - (f) Receive applications for community public art grant projects to determine whether or not the community public art project should proceed and, if so, to what extent funding should be provided.
  - (g) The Public Art Commission may consider community engagement and/or have the artist engage with the community for commissioned Public Art projects.
- (2) The Committee will keep all information confidential including names and details of submissions.

**66. Membership**

- (1) The Public Art Commission consists of the following Members:
- (a) Three representatives from the community who are knowledgeable about art (Artists, art historians, art curators, art students/educators, etc.);
  - (b) Two Citizen Representatives;



September 28, 2020

## Public Art Review

Prepared by: Sarah Tittermore, GM Community Services

Originally submitted to the  
October 26, 2020 Council  
Meeting

### Report Summary & Recommendation

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The following report provides a summary of proposed policy and governance changes to the public art program. These changes are recommended based on research conducted and administrations experience with the program.

It is recommended that Council approved the revised Council Policy EL-D-2.7 Public Art and approve first reading of Committees Bylaw Amendment 3576/B-2020 as presented in this report.

### Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks and Culture dated September 28, 2020 re: Public Art Review hereby approves the revised Council Policy EL-D-2.7 Public Art.

That Council consider first reading of Bylaw 3576/B-2020. If first reading is given, Bylaw 3576/B-2020 will be presented for second and third reading at the Tuesday, October 13, 2020 Council meeting.

### Background

The intent of a Public Art program is to be a strong contributor to the cultural, social and economic sustainability of our community. Public art promotes tourism, generates employment in the cultural sector and beyond and adds value to our public places. The City of Red Deer has an exceptional Public Art program with a strong collection dating back to 1922 (Cenotaph) and then more actively since 1981. Today The City has over 100 public art works on display in City facilities, parks, downtown, on streets and on the exterior of buildings.

### Legislative Context:

#### Policy:

In 1996 the City's first Public Art Policy 3106-C was approved by City Council. The policy intended to ensure the incorporation of public art into the planning, design and building of City capital projects. The public art policy was reviewed by Council in 2003 and once again in 2010, resulting in policy updates which included a reduction from a 1.2% to a 1% allocation of funds from capital projects for public art. The year 2010 also marked the introduction of a Public Art Reserve. The current Council Policy on Public Art (EL-D-2.7) can be found in Appendix 1.

**Governance:**

On June 20, 2016 Council passed a resolution that delegated decision making related to public art.

*“Resolved that Council of The City of Red Deer having considered the report from the Dialogue Steering Committee, dated June 20, 2016 re: Strengthening Public Participation: Phase 2 Implementation Plan in relation to the Public Art Jury hereby agrees that Council:*

- *Delegates decision making to the committee;*
- *Rename the Public Art Jury Committee to the Public Art Commission;*
- *Will not be members of the renamed Commission; and*
- *Changes the purpose of this committee from a Public Advisory Committee to a Governance Committee and will be as follows:*
  - *Provide expert and community input on public art for The City of Red Deer*
  - *Recommend and advise on public art policies, guidelines, plans and issues as the related to The City of Red Deer*
  - *Review all acquisition and donations of public art*
  - *Adjudicate all public art projects and grant applications for the year in accordance with current policies.*

An excerpt from Committees Bylaw No. 3576/2016 pertinent to the Public Art Commission can be found in Appendix 3.

**Strategic Alignment:**

A commitment to public art is demonstrated in the 2001 Culture Master Plan and the 2008 Community Culture Vision, which recognizes the integration of art into public spaces as an important cultural legacy for the future. Public art is a reflection of Red Deer’s distinct heritage, culture, and character.

**Analysis**

---

In December 11, 2018, Council participated in a workshop to review the existing public art policy and governance structure. Following this workshop staff undertook an administrative review. The review focused on exploring alternatives related to Council’s workshop discussion, which summarized into three focus areas:

1. Capital Project Thresholds and Project Eligibility
2. % Allocation of Funds from capital projects for public art
3. Governance

The administrative review of the Public Art program included researching other public art programs across Canada, considering best practices, a comparison with other municipalities, and a review of current practice.

**I. Capital Project Thresholds and Project Eligibility**



As noted at the Council workshop, the areas of concern, and often confusion, related to project eligibility and thresholds were:

- Whether or not the project threshold was appropriate (\$250,000)
- Confusion around what constituted a “project with high visibility and public impact”
- Was the policy too broadly applied in terms of “all new construction projects, bridges, etc.”
- What was defined as “capital equipment” in a project

Research indicated that project thresholds vary significantly between municipalities. Some municipalities use a percentage value of their entire annual capital budget, while others have a per project threshold that varies from as low as \$125,000 to as high as \$1M. Most comparator municipalities had similar eligibility criteria, including engineered structures, bridges, buildings, parks and plazas and also included ‘highly visible’ and ‘public spaces’ in their eligibility criteria.

In the past ten years, administration recalls only one project of less than \$1M that has been subject to the public art policy (e.g. Riverside Meadows trail enhancement 2019/20). The smaller the threshold budget, the smaller the total value of the public art, which may not always support a meaningful project.

There has also been confusion around which projects are subject to the public art policy based on the interpretation of what it means for a project to have ‘high visibility and public impact’. Another area of confusion is around the definition of ineligible ‘capital equipment’. Providing a more robust definition around these items may help avoid misinterpretation and confusion.

Although there is no consistent threshold value across municipalities, the current threshold could be increased to reflect the magnitude of projects that, over the past ten years, have been subject to the public art policy. A higher threshold also increases the public art budget, thereby providing the opportunity for the creation of more meaningful public art projects.

| Focus Area                 | Current Policy  | Recommendation   |
|----------------------------|---|--|
| Thresholds and Eligibility | <p>The policy applies to projects with high visibility and public impact in the following categories:</p> <ul style="list-style-type: none"> <li>• New building construction in excess of \$250,000</li> <li>• New engineered structures (i.e. bridges) in excess of \$250,000</li> <li>• Major renovations to existing buildings and structures in excess of \$250,000</li> <li>• Parks projects in excess of \$250,000</li> </ul> | <p>Increase the project threshold from \$250,000 to \$500,000.</p> <p>Keep the categories the same but further define spaces with <i>High Visibility</i> and <i>Public Impact</i>. For example:<br/>Spaces that can be accessed and/or observed by the public for a minimum of four hours during regular business day.</p> |



|  |   |  |
|--|---|--|
|  |   |  |
|  | The policy is not applied to: <ul style="list-style-type: none"> <li>Capital equipment</li> </ul> | Define capital equipment as: transferable equipment (office supplies, furniture, maintenance equipment, vehicles etc.) |

## 2. Percent (%) Allocation of Funds

During workshop, there was discussion related to whether or not the percentage of allocation of funds was too high or too low. Based on the research, Red Deer's 1% contribution is in alignment with other municipalities. Nationally, the percentage contributions for public art programs averages between 1-2% of capital project budgets.

| Focus Area                  | Current Policy  | Recommendation        |
|-----------------------------|---|-----------------------|
| Percent Allocation of Funds | A minimum of 1.0% capital construction costs not including: <ol style="list-style-type: none"> <li>Capital construction costs associated with design and engineering, project design, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.</li> </ol> | No change recommended |

## 3. Governance

In 2016, as part of the Strengthening Public Participation Phase 2 Implementation Plan (review of various Council Committees), the Dialogue Steering Committee recommended that Council maintain delegation of decision making to the Public Art Commission and remove its membership on the commission, allowing it to be an empowered decision making body governed through Council policies that were already established.

The current role of the Public Art Commission is outlined in Council Committee Bylaw No. 3576/2016 (Appendix 3):

- Provide expert and community input on public art for The City of Red Deer
- Recommend and advise on public art policies, guidelines, plans and issues as the related to The City of Red Deer





- Review all acquisition and donations of public art
- Adjudicate all public art projects and grant applications for the year in accordance with current policies.

Within the Public Art Policy, item 2(1) states the following:

*“Public Art selection is integrated into capital projects development at the conceptual stage.*

*(1) Construction template Public Art will be reviewed by Council as part of the project approval and budget process. “*

It is recommended that Section 2 be removed from the policy. The ‘construction template’ has not been used by administration for more than ten years. Instead, departments identify on the individual project capital budget forms if the project is subject to the public art policy. Council then approves the capital budget including projects with a public art component. This is Council’s only touch point in the public art selection process as they have delegated the adjudication and selection of public art projects to the Public Art Commission.

A revised Council Policy EL-D-2.7 Public Art with the recommendations above is included in the report in Appendix 2. It is also recommended that text related to the Public Art Reserve section of Council’s Policy GP-F-2.0 Reserves be added to the Public Art Policy to provide a connection between the two policies.

Discussion at the December 11, 2018 workshop supported the continued role of the Public Art Commission as the decision making body for the adjudication of public art projects and grant applications.

All the municipalities researched have some type of committee or commission involved in the acquisition of public art. The majority also have purpose statements or guiding principles that create identity and focus as well as provide guidance to the decision making process.

It is recommended that Council continue to support the role of the Public Art Commission. It is further recommended that the Committees Bylaw, specific to the Public Art Commission, expand the Purpose Statement and add Guiding Principles. The purpose statement provides a cohesive explanation as to why the program is important and the guiding principles help direct the acquisition process without setting specific criteria that would limit the creativity and unique nature of public art.

The revised Committee Bylaw No. 3576/2016 is included in the report in Appendix 4.

## **Recommendation Summary**

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It is recommended that Council approve the revised policy EL-D-2.7 Public Art as outlined in Appendix 2.

It is further recommended that Council approve first reading of Committees Bylaw Amendment 3576/B-2020 as outlined in Appendix 4.



## Appendix 1 – Current Council Policy EL-D-2.7 Public Art

|   |                                   |          |
|---|-----------------------------------|----------|
|  | Council Policy                    |          |
|   | Public Art                        |          |
|   | Policy Type: EXECUTIVE LIMITATION | EL-D-2.7 |

With respect to Public Art, the City Manager will not fail to ensure that:

- 1 A minimum of 1.0% capital construction cost allocation for public art is identified and included as part of each project for Council's consideration during budget deliberations.
  - (1) Capital construction costs associated with design and engineering, project design, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.
  - (2) Administration will identify the source of this funding whether it is from the City budget or from other sources such as the Provincial and/or Federal Governments, private donations, granting bodies, foundations, special funding opportunities, or a combination of City and other funding.
- 2 Public Art selection is integrated into capital projects development at the conceptual stage.
  - (1) Construction template Public Art will be reviewed by Council as part for the project approval and budget process.
- 3 There is a Public Call to Artist process in place.
  - (1) The call to artist process for accessioning artworks may take one of two forms:
    - (a) Open: Process is open to a wide range of entrants who may submit entries. Projects over \$75,000.00 must use an open selection process.
    - (b) Limited: Process is open to invited entrants.
- 4 The location and placement of artwork is assessed based on public visibility and impact as well as its ability to be integrated into or displayed in public areas.



- 5 Developer, corporate and private contributions are sought pursuant to Policy PS-A-2.6 Sponsorship.
- 6 This policy is applied to projects with high visibility and public impact in the following categories:
  - (1) New building construction in excess of \$250,000
  - (2) New engineered structures (i.e. bridges) in excess of \$250,000
  - (3) Major renovations to existing buildings and structures in excess of \$250,000
  - (4) Parks projects in excess of \$250,000
- 7 This policy is not applied to:
  - (1) Capital projects such as roads, in-ground water, sewer or drainage structures and other structures with limited visual impact and public accessibility.
  - (2) Demolition projects
  - (3) Capital equipment

#### References:

- I Policy PS-A-2.6 Sponsorship

#### Document History:

|                |                 |
|----------------|-----------------|
| Policy Adopted | January 5, 2015 |
|----------------|-----------------|

#### Administrative Revisions:

| Date:            | Description:  |
|------------------|---|
| May 16, 2017     | <ul style="list-style-type: none"> <li>• Changed policy number to EL-D-2.7</li> <li>• Updated to current template format</li> </ul> |
| October 18, 2017 | Updated to current format.  |



Appendix 2 -REVISED Council Policy EL-D-2.7 Public Art

|   |                                   |          |
|---|-----------------------------------|----------|
| The logo for The City of Red Deer, featuring a stylized 'R' icon and the text 'THE CITY OF Red Deer'. | Council Policy                    |          |
|   | Public Art                        |          |
|   | Policy Type: EXECUTIVE LIMITATION | EL-D-2.7 |

Public Art is defined as any original work of art that is accessible to the general public. Typically, the creation of a public artwork takes into consideration site and context as part of its process; the artwork can be functional, integrated, or discreet to its site. Public Art mediums can include, but are not limited to: sculpture, installation, paintings, drawings, prints, photography, multi-media projects, murals, mosaics, land art/earth works, or projects which incorporate design, architecture, or landscape architecture. While it is recognized that architecture, interior design, and landscaping are artistic in nature and have artistic components, this policy defines Public Art as a distinct component of a building project that, while it may be integrated into its site, is created by a person engaged as an artist or its creation is directed by an artist.

With respect to Public Art, the City Manager will not fail to ensure that:

- I A minimum of 1.0% capital construction cost allocation for public art is identified and included as part of each project for Council’s consideration during Capital Budget deliberations.
  - (1) Capital construction costs associated with design and engineering, project design, administration, fees and permits, building demolition, relocation of tenants, contingency funds, land acquisition, environmental testing, or any indirect costs such as interest, advertising or legal fees, are excluded from the 1.0% calculation.
  - (2) Administration will identify the source of this funding whether it is from the City budget or from other sources such as the Provincial and/or Federal Governments, private donations, granting bodies, foundations, special funding opportunities, or a combination of City and other funding.

~~Public Art selection is integrated into capital projects development at the conceptual stage.~~  
~~Construction template Public Art will be reviewed by Council as part for the project approval and budget process.~~

- 2 The procurement process for accessioning artworks may take one of two forms:



- (1) Open: Process is open to a wide range of entrants who may submit entries. Public Art projects over \$75,000.00 must use an open selection process.
- (2) Limited: Process is open to invited entrants.

~~There is a Public Call to Artist process in place.~~

~~The call to artist process for accessioning artworks may take one of two forms:~~

~~Open: Process is open to a wide range of entrants who may submit entries. Projects over \$75,000.00 must use an open selection process.~~

- 3 The location and placement of artwork is assessed based on public visibility and impact as well as its ability to be integrated into or displayed in public areas.
- 4 Developer, corporate and private contributions are sought pursuant to Policy PS-A-2.6 Sponsorship.
- 5 This policy is applied to:
  - (1) New construction in excess of \$500,000 of publically accessible city owned buildings. Only the portion of the building that is accessible to the public is included in the public art construction budget calculation.
  - (2) New above ground engineered structures (e.g. bridges) in excess of \$500,000. The structure must be accessible to the public and/or observed by the public for a minimum of four hours during a regular business day.
  - (3) Major renovations to existing publically accessible city owned buildings and structures in excess of \$500,000. Major renovation is defined as an adaptation of an asset which increases material size or capacity, or which changes the intended ordinary use of the asset from when originally placed into service.
  - (4) The development or redevelopment of regional or multi-neighborhood park infrastructure in which the construction budget is in excess of \$500,000.

~~policy is applied to projects with high visibility and public impact in the following categories:~~

- ~~(5) New building construction in excess of \$;250,000~~
- ~~(6) New engineered structures (i.e. bridges) in excess of \$;250,000~~
- ~~(7) Major renovations to existing buildings and structures in excess of \$; and 250,000~~
- ~~(8) Parks projects in excess of \$.250,000~~
- 6 This policy is not applied to:
  - (+) Capital projects such as roads, parking lots, in-ground water, sewer or drainage structures and other structures with limited visual impact and public accessibility.
  - (2) Demolition projects
  - (3) Transferable equipment (e.g. office supplies, furniture)
  - (4) Buildings or engineered structures not owned by The City



(5) Projects with limited visibility or public access

In addition, the City Manager will not fail to:

- 7 Ensure that the Public Art Commission provides expert and community input on public art for The City, including the adjudication of all public art projects.
- 8 Develop a Public Art Reserve using a portion of the 1.0% allocation pursuant to GP-F-2.0 Reserves.
  - (1) Place the full amount into the Public Art Reserve if the 1.0% allotment for a given project generates less than \$25,000 and where a meaningful project cannot be completed. Allocate 10% of the total public art allotment to the Public Art Reserve if the 1.0% allotment for a given project generates over \$25,000.
  - (2) Utilize the remaining portion of the 1.0% for design, fabrication, and installation of public art.

**References:**

- 2 ~~Policy PS-A-2.6 Sponsorship~~

**Document History:**

|                |                 |
|----------------|-----------------|
| Policy Adopted | January 5, 2015 |
| Policy Revised |                 |



## Appendix 3 - Council Committee Bylaw No. 3576/2016

**63. Committee Name:** Public Art Commission

**64. Purpose**

The purpose of the Public Art Commission is to provide expert and community input on public art for The City of Red Deer.

**65. Committee Outcomes**

- (1) The Public Art Commission will:
  - (a) Recommend and advise on public art policies, guidelines, plans and issues as they relate to The City of Red Deer;
  - (b) Review all acquisitions and donations of public art;
  - (c) Make decisions on the re-siting and deaccessioning of public artwork, except in the following situations where the authority will rest with the Public Art Coordinator:
    - (i) temporary relocations to support repairs, maintenance, construction, or to protect artwork;
    - (ii) cases where there is significant, immediate concern for public safety, or the safety or integrity of the artwork; and
    - (iii) short term and permanent relocations of interior placement discreet artworks (e.g. to facilitate a dynamic and interesting public art program).
  - (d) Adjudicate all public art projects and grant applications for the year, in accordance with current policies; and
  - (e) Receive applications for community public art grant projects to determine whether or not the community public art project should proceed and, if so, to what extent funding should be provided.
- (2) The Committee will keep all information confidential including names and details of submissions.



## **66. Membership**

- (I) The Public Art Commission consists of the following Members:
  - (a) Three representatives from the community who are knowledgeable about art (Artists, art historians, art curators, art students/educators, etc.);
  - (b) Two Citizen Representatives;

## **67. Meetings**

The Public Art Commission meets every second Wednesday of the month, commencing at 5:00 p.m. as required.



**BYLAW 3576/B-2020**

Being a bylaw to amend Bylaw 3576/2016, the Committees Bylaw.

COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, AMENDS BYLAW 3576/2016 AS FOLLOWS:

**I** Section 64 is amended by adding the following after the first sentence:

“The purpose of the Public Art Commission is to provide expert and community input on the public art for The City of Red Deer. The Public Art program serves Red Deer residents and visitors by integrating works of art into public spaces and facilities throughout the city that reflect our community’s distinct culture and character. Through the acquisition of artworks for public display, The City provides a more aesthetically pleasing and culturally enriched urban environment and creates a legacy for the future.

The guiding principles of the Public Art Program are:

**(1) Community Wellbeing**

- (a) Public Art provides the opportunity for all members of our community to experience creative expression and innovation that is free of barriers. Public Art contributes to the development of a vibrant and unique environment encouraging our community to meet and interact in public spaces.

**(2) Connection**

- (a) Public Art is connected to spaces and opportunities that develop a dedication to place in our community. We believe in Public Art that is engaging and accessible for our community by creating a connection between our built environment, our natural environment and our cultural environment.

**(3) Diversity and Inclusion**

- (a) We respect Public Art that stems from diverse cultures and practices; this is embraced by our belief in a welcoming and inclusive community. We strive for Public Art comprised of a diverse range of mediums, themes and styles, created by a diverse range of artists from local to international, and emerging to established.

**(4) Sustainability**

- (a) Public Art contributes to the sustainability of our municipality through the development of pride and belonging in our public spaces. We are committed to a sustainable Public Art program that:
  - (i) Maintains a high standard of excellence in the acquisition and conservation of our collection;
  - (ii) Engages the community in the selection process;

- (iii) Values our collection;
- (iv) Maintains fiscal responsibility; and
- (v) Respects the integrity and accountability of the process.

(5) Transparency

- (a) Public Art policies and procedures are open and accountable ensuring the integrity and respect for process and those involved. The process is adaptable to the changing needs and issues faced by our community. Along with Council and Administration, community members play a vital role in the Public Art process.

(6) Authenticity

- (a) Public Art is a reflection of our collective nature as the people who dwell in this particular part of the earth at this particular time. We strive as a community to be true to our uniqueness of place: past, present and future.

(7) Stewardship

- (a) Public Art requires ongoing maintenance, and conservation to ensure the longevity of the Public Art collection. It is the responsibility of the municipality to care for the Public Art collection; criteria have been established for the acquisition and deaccessioning of Public Art.”

**2** Section 65 is amended by inserting a new subsection 1(a) as follows:

“Ensure the achievement of the guiding principles;”

and subsequently renumbering the remainder of the section.

|   |        |       |
|---|--------|-------|
| READ A FIRST TIME IN OPEN COUNCIL this      | day of | 2020. |
| READ A SECOND TIME IN OPEN COUNCIL this     | day of | 2020. |
| READ A THIRD TIME IN OPEN COUNCIL this      | day of | 2020. |
| AND SIGNED BY THE MAYOR AND CITY CLERK this | day of | 2020. |

\_\_\_\_\_  
MAYOR

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

**DATE:** November 10, 2020

**TO:** Sarah Tittlemore, General Manager Community Services

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Public Art Review –Committees Bylaw Amendment – Bylaw 3576/B-2020

---

**Reference Report:**

Community Services, dated November 9, 2020.

**Bylaw Reading:**

At the Monday, November 9, 2020 Regular Council Meeting, Council gave second and third reading to the following Bylaw:

**Bylaw 3576/B-2020** (an amendment to the Committees Bylaw to make revisions to the sections related to Public Art)

**Report back to Council:**

No.

**Comments/Further Action:**

Administration will update the bylaw and distribute in due course.

“Frieda McDougall”

Frieda McDougall  
Manager

c. Corporate Meeting Administrator



November 9, 2020

Lancaster/ Vanier East NASP 3217/C-2020  
Land Use Bylaw Amendment 3357/S-2020: RIN to RIG  
Consideration of Second and Third Reading

Prepared By: Amber Senuk, Corporate Meeting Administrator  
Department: Legislative Services

**Report Summary & Recommendation:**

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**Summary:**

The attached report is being brought forward from the Monday, October 13, 2020 City Council meeting.

**Recommendation:**

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That Council considers second and third readings to Bylaw 3217/C-2020 and Bylaw 3357/S-2020.

**Background:**

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On October 13, 2020 Council gave first reading to Bylaw 3217/C-2020, an amendment to the Lancaster/Vanier East Neighbourhood Area Structure Plan to rezone 26 RIN Residential (Narrow Lot) District properties to RIG Residential (Small Lot) District along Livingston Close. First reading was also given to Bylaw 3357/S-2020, an amendment to the Land Use Bylaw to rezone 26 RIN Residential (Narrow Lot) District properties to RIG Residential (Small Lot) District along Livingston Close.

In accordance with Section 606 of the Municipal Government Act, these bylaws were required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on October 16, 2020 and October 23, 2020. A Public Hearing will be held on Monday, November 9, 2020 at 6:00 p.m. during Council's regular meeting.

**Proposed Resolution:**

---

That Bylaw 3217/C-2020 and Bylaw 3357/S-2020 be read a second and third time.

**Lancaster/Vanier East  
Neighbourhood Area Structure  
Plan Bylaw 3217/C-2020 and Land  
Use Bylaw Amendment 3357/S-  
2020**

**Public Comments  
Received After First Reading**

Good Morning,

This will confirm receipt of your comments regarding the upcoming Public Hearing for Lancaster/ Vanier East NASP 3217/C-2020 and Land Use Bylaw Amendment 3357/S-2020: R1N to R1G. All comments will be included in the agenda and provided to Council for their consideration.

Thank you for taking the time to write.

Kind Regards,

**Amber Senuk | Corporate Meeting Administrator**  
Legislative Services  
The City of Red Deer

T: 403-406-8667  
F: 403-346-6195  
[www.reddeer.ca](http://www.reddeer.ca)

**From:** Mike Simmerson [REDACTED]  
**Sent:** October 20, 2020 3:42 PM  
**To:** Legislative Services <[LegislativeServices@reddeer.ca](mailto:LegislativeServices@reddeer.ca)>  
**Subject:** [External] Bylaw Amendment 3357/S-2020

Hi,

We reject this proposal to convert R1N lots to R1G lots.

Specifically, the one lot in question will make a huge pie lot, to which a homeowner will build a massive garage in the back making a hideous view for us. We bought our lot knowing those were narrow lots and no garages could be put at the back.

100%, rejected.

I am assuming if you approve it that it will drastically reduce the price of our house and lot and a massive reduction in property taxes will follow.

Thanks,

Mike and Janna Simmer of [REDACTED]

Get [Outlook for Android](#)



Originally submitted to the  
October 13, 2020 Council Meeting

October 13, 2020

## Lancaster/ Vanier East NASP 3217/C-2020 Land Use Bylaw Amendment 3357/S-2020: R1N to R1G

Prepared by: Kimberly Fils-Aimé  
Department: Planning Department

### Report Summary & Recommendation

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The Planning Department has received an application to amend the Lancaster/ Vanier East Neighbourhood Area Structure Plan (NASP) to rezone 26 R1N Residential (Narrow Lot) District properties to R1G Residential (Small Lot) District along Livingston Close. The NASP amendment will prompt a corresponding Land Use Bylaw amendment to rezone these same 26 properties.

Administration recommends that Council give first reading to Lancaster/ Vanier East NASP amendment 3217/C-2020 and Land Use Bylaw Amendment 3357/S-2020.

### Proposed Resolution

---

That Bylaw 3217/C-2020 and Bylaw 3357/S-2020 be read in a first time. If first reading is given, these bylaws will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, November 9, 2020 at 6:00 p.m.

## Rationale for Recommendation

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The proposed amendments are supported by Administration based on the following rationale:

**1. Streets with mixed front attached garages and garages in the rear of the home are common.**

There are many streets throughout The City with a mix of front and rear access. This can add visual interest to a street as compared to those with a homogenous streetscape.

**2. R1N and R1G Districts are compatible**

Both the R1N and R1G Districts were created as small and narrow lot affordable alternatives to traditional single detached dwelling districts. They are compatible with each other and can be mixed without creating conflict.

**3. Provides a variety of housing options to accommodate different needs**

The provision of housing choice is encouraged in several city plans and policies (Appendix D). The R1N and R1G districts provide a similar product while offering residents the opportunity to choose a housing form that better suites their preferences or needs.

## Discussion

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### *Background*

Livingston Close is located in the Laredo Neighbourhood in the southeast of Red Deer. The applicant has applied to rezone 26 lots along Livingston Close from R1N Residential (Narrow Lot) District to R1G Residential (Small Lot) District. The combined size of the properties being rezoned is 1.28 hectares (3.16 acres). All 26 properties are vacant and currently owned by three different home builders (Appendix B).

They have requested the rezoning due to allow for more affordable garaged products in Southeast Red Deer.

The General Purpose of the R1N District is *“to provide land which will be used for narrow lot single family residential development in new neighbourhoods”*. The General Purpose of the R1G District is *“to provide land which will be used for small lot detached housing with mandatory front attached garages to create increased opportunity for more efficient utilization of land in small and comprehensively planned residential development clusters”*.



In order to rezone the subject parcels some amendments must also be made to the Lancaster/Vanier East NASP. These include changes to the Land Use Concept Map (Figure 5), and to the Land Use Allocation tables in order to reflect the new proposal.

### *Analysis*

There are many streets located in The City which have a mix of front and rear garage access. This type of variety on a single street is not unique to this proposal as demonstrated in Figure 1.

**Figure 1: Wiley Crescent**



As indicated in the Lancaster/Vanier East NASP, both the R1N and R1G Districts are compatible to one another as they were created as a more affordable low density housing form. Mixing the two districts provides residents with some choice in the appearance and accessibility of their property within the same street while maintaining the intent. The following is a list of applicable policies across varying City plans.

### Municipal Development Plan

The Municipal Development Plan (MDP) encourages the creation of a wide variety of housing forms and mix within neighbourhoods. While the R1N and R1G districts are both low density in nature, the variation in housing frontage creates a visually interesting streetscape while allowing a mix of housing forms for different housing preferences.

### East Hill Major Area Structure Plan

Principle 8 of the East Hill MASP encourages housing opportunity and choice in order to appeal to a range of incomes, family types and opportunities for 'aging in place'.

### Lancaster Vanier East/ NASP

The Lancaster Vanier/ East NASP states *"This NASP introduces a new residential land use in an effort create more affordable housing options. R1G Residential (Small Lot) Districts will be similar to R1N Narrow Lot Residential, but would accommodate front driveways/garages"*. The

two districts are similar in nature with one allowing a more affordable version of a front attached garage dwelling.

#### Neighbourhood Planning and Design Standards

Principle 6 of the Neighbourhood Planning and Design Standards (NPDS) speaks to housing opportunity and choice within The City. The intent is for neighbourhoods to “*provide a mixture of unit sizes and housing types. Housing options provide choice within the neighbourhood, appealing to a range of incomes, family types and opportunities for aging in place.*” Like R1N, R1G housing is considered a more affordable housing product than traditional R1 District housing. Furthermore, some residents prefer homes with attached garages which provide choice within the neighbourhood while maintaining the residential compatibility.

#### Strategic Plan

One of the key goals of The City’s 2019-2022 Strategic Plan is for Red Deer to become an economic leader:

*“We have a strong, dynamic economy, fostered by entrepreneurship and innovation. Leveraging our central location, Red Deer is an economic hub with a revitalized downtown and diverse local economy.”*

Permitting flexibility and more housing options for Red Deer residents allows The City to adapt to changing economic needs. The Lancaster/ Vanier East NASP was approved in 2011 and the city continues to evolve. Changing economic circumstances can sometimes result in the need to adapt land use plans.

#### Land Use Bylaw

Appendix C highlights the similarities and differences between the R1N and R1G districts. Among the key differences are that front attached garages are mandated in the R1G District and the minimum front yard setback in R1G is 6m compared to 4m in R1N. Other neighbourhoods throughout Red Deer have varying front yard setbacks such as in Woodlea where the front yard setbacks in some areas are up to 2.8 meters different.

#### *Dialogue*

The application was circulated to various City departments for review. All concerns/comments provided by departments have been reviewed and considered by the Planning Department.

Environmental Services administration recognizes that additional work to educate future residents about proper cart management may be required on streets with mixed front and rear access.

Engineering has indicated that some curb changes may be required to ensure the overall quality and comfort of the sidewalk network from the pedestrian's perspective. This issue can be mitigated at the Development Permit stage.

An information package was sent to 182 landowners and adjacent developers within 100m of the subject properties. No responses were received from landowners.

#### *Recommendation*

Administration recommends that Council give first reading to Lancaster/ Vanier East NASP amendment 3217/C-2020 and Land Use Bylaw Amendment 3357/S-2020.

#### **Appendices**

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- Appendix A- Lancaster/ Vanier East NASP 3217/C-2020  
Land Use Bylaw 3357/S-2020
- Appendix B- Subject Property Context Maps
- Appendix C- R1N and R1G District Comparison
- Appendix D- Applicable Plan Policies

**Appendix A**

*Lancaster/ Vanier East NASP 3217/C-2020*  
*Land Use Bylaw Amendment 3357/S-2020: R1N to R1G*

**BYLAW NO. 3217/C – 2020**

Being a Bylaw to amend Bylaw No. 3217/98, the Bylaw adopting The City of Red Deer Neighbourhood Area Structure Plans.

COUNCIL OF THE CITY OF RED DEER, ALBERTA, amends Bylaw 3217/98 by amending the Lancaster/ Vanier East Area Structure Plan, which forms part of Bylaw 3217/98, AS FOLLOWS:

1. Figure 5 Concept Plan Lancaster/Vanier East, dated April, 2013 is deleted and replaced by “Figure 5 Concept Plan Lancaster/Vanier East”, dated <September 2020> attached as Schedule “A” and forming part of this Bylaw.
2. Table 1.1 - Land Use Allocation: NE ¼ 02-38-27 W4M is deleted and replaced by “Table 1.1 - Land Use Allocation: NE ¼ 02-38-27 W4M” attached as Schedule “B” and forming part of this Bylaw.
3. Table 1.3 - Land Use Allocation: Plan Areas is deleted and replaced by “Table 1.3 - Land Use Allocation: Plan Area” attached as Schedule “C” and forming part of this Bylaw.
4. Table 4.0 – Housing Mix is deleted and replaced by “Table 4.0 – Housing Mix” attached as Schedule “D” and forming part of this Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this                      day of                      2020.

READ A SECOND TIME IN OPEN COUNCIL this                      day of                      2020.

READ A THIRD TIME IN OPEN COUNCIL this                      day of                      2020.

AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of                      2020.

---

MAYOR

---

CITY CLERK

Schedule A

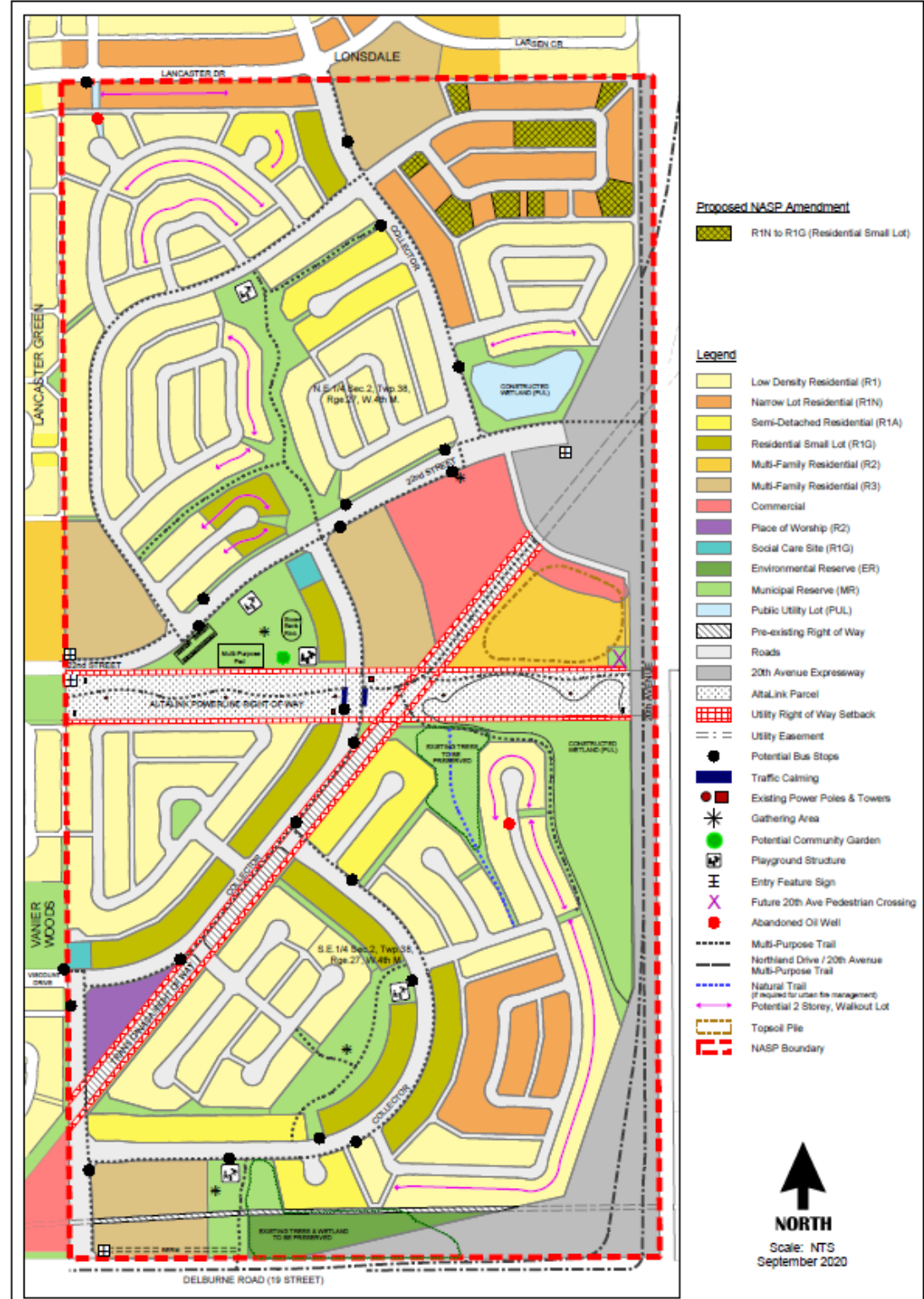


Figure 5.0  
Concept Plan  
Lancaster/Vanier East

**Schedule B****Table 1.1 - Land Use Allocation: NE ¼ 02-38-27 W4M**

| Land Use Category  | Hectares | Acres  | % of Developable Area | # of Dwelling Units |
|--|----------|--------|-----------------------|---------------------|
| Gross Plan Area  | 64.64    | 159.66 |                       |                     |
|  |          |        |                       |                     |
| Commercial   | 3.30     | 8.15   |                       |                     |
| Arterial Roadway Widening (20th Ave)                       | 5.83     | 14.40  |                       |                     |
| Constructed Wetlands (PUL)                                 | 0.95     | 2.35   |                       |                     |
| Developable Plan Area                                      | 54.56    | 134.76 | 100.0%                |                     |
|  |          |        |                       |                     |
| Residential*   | 34.38    | 84.85  | 63.0%                 | 986                 |
| R1 Residential Low Density**                               | 17.77    | 43.89  | 32.6%                 | 411                 |
| R1A Residential Semi-Detached                              | 1.71     | 4.22   | 3.1%                  | 57                  |
| R1G Residential Small Lot                                  | 3.45     | 8.52   | 6.3%                  | 94                  |
| R1N Residential Narrow Lot                                 | 3.97     | 9.81   | 7.3%                  | 112                 |
| R2 Residential Medium Density                              | 2.33     | 5.76   | 4.3%                  | 82                  |
| R3 Residential Multiple Family                             | 5.12     | 12.65  | 9.4%                  | 230                 |
| Social Use   | 0.16     | 0.40   | 0.3%                  |                     |
| Social Care/Day Care/Assisted Living/Retirement Home Sites | 0.16     | 0.40   | 0.3%                  |                     |
| Open Space   | 6.45     | 18.28  | 11.8%                 |                     |
| Municipal Reserve (MR)***                                  | 5.58     | 13.78  | 10.2%                 |                     |
| TransCanada (Pre-existing ROW)                             | 0.45     | 1.11   | 0.8%                  |                     |
| Public Utility Lot (PUL)                                   | 0.42     | 1.04   | 0.8%                  |                     |
| Constructed Wetland (PUL)****                              | 0.95     | 2.35   |                       |                     |
| Transportation   | 13.61    | 33.56  | 24.9%                 |                     |
| Collector Roadways   | 3.08     | 7.55   | 5.6%                  |                     |
| Local Roadways   | 7.70     | 19.02  | 14.1%                 |                     |
| Lanes  | 2.83     | 6.99   | 5.2%                  |                     |

**Schedule C****Table 1.3 - Land Use Allocation: Plan Area**

| Land Use Category  | Hectares      | Acres         | % of Developable Area | # of Dwelling Units |
|--|---------------|---------------|-----------------------|---------------------|
| Gross Plan Area  | 123.36        | 304.70        |                       |                     |
|  |               |               |                       |                     |
| Environmental Reserve                                      | 1.17          | 2.89          |                       |                     |
| Commercial   | 3.30          | 8.15          |                       |                     |
| Arterial Roadway Widening (20th Ave)                       | 12.07         | 29.81         |                       |                     |
| Constructed Wetlands (PUL)                                 | 4.24          | 10.47         |                       |                     |
| <b>Developable Plan Area</b>                               | <b>102.58</b> | <b>253.38</b> | <b>100.0%</b>         |                     |
|  |               |               |                       |                     |
| <b>Residential*</b>  | <b>62.09</b>  | <b>153.37</b> | <b>60.5%</b>          | <b>1744</b>         |
| R1 Residential Low Density**                               | 33.66         | 83.14         | 32.8%                 | 778                 |
| R1A Residential Semi-Detached                              | 4.8           | 11.86         | 4.7%                  | 161                 |
| R1G Residential Small Lot                                  | 7.46          | 18.42         | 7.3%                  | 219                 |
| R1N Residential Narrow Lot                                 | 6.72          | 16.6          | 6.5%                  | 184                 |
| R2 Residential Medium Density                              | 2.33          | 5.76          | 2.3%                  | 82                  |
| R3 Residential Multiple Family                             | 7.12          | 17.59         | 6.9%                  | 320                 |
| <b>Social Use</b>  | <b>1.18</b>   | <b>2.92</b>   | <b>1.1%</b>           |                     |
| Social Care/Day Care/Assisted Living/Retirement Home Sites | 0.31          | 0.77          | 0.3%                  |                     |
| Place of Worship   | 0.87          | 2.15          | 0.9%                  |                     |
| <b>Open Space</b>  | <b>14.45</b>  | <b>31.13</b>  | <b>14.2%</b>          |                     |
| Municipal Reserve (MR)***                                  | 11.08         | 27.37         | 10.8%                 |                     |
| TransCanada (Pre-existing ROW)                             | 1.72          | 4.25          | 1.7%                  |                     |
| ATCO Pipeline (Pre-existing ROW)                           | 0.36          | 0.89          | 0.4%                  |                     |
| Public Utility Lot (PUL)                                   | 1.29          | 3.19          | 1.3%                  |                     |
| Constructed Wetland (PUL)****                              | 4.24          | 10.47         |                       |                     |
| <b>Transportation</b>                                      | <b>24.88</b>  | <b>61.45</b>  | <b>24.2%</b>          |                     |
| Collector Roadways   | 7.25          | 17.91         | 7.1%                  |                     |
| Local Roadways   | 13.18         | 32.55         | 12.8%                 |                     |
| Lanes  | 4.45          | 10.99         | 4.3%                  |                     |



**Schedule D****Table 4.0 – Housing Mix**

| Land Use Category   | Dwelling Units | Hectares |
|---|----------------|----------|
| Scenario A - (Place of Worship and Care Site Developed as Intended Use) | 1744           | 62.12    |
| Residential - Low Density R1  | 778            | 33.67    |
| Residential - Semi-Detached R1A   | 161            | 4.80     |
| Residential - Small Lot R1G   | 219            | 7.46     |
| Residential - Narrow Lot R1N  | 184            | 6.73     |
| Residential - Medium Density R2/ Residential - Multiple Family R3       | 402            | 9.46     |
| Scenario B - (Place of Worship Developed as Residential)                | 1774           | 62.99    |
| Residential - Low Density R1  | 778            | 33.67    |
| Residential - Semi-Detached R1A   | 161            | 4.80     |
| Residential - Small Lot R1G   | 219            | 7.46     |
| Residential - Narrow Lot R1N  | 184            | 6.73     |
| Residential - Medium Density R2/ Residential - Multiple Family R3       | 432            | 10.33    |
| Scenario C - (Both Social Care Sites Developed as Residential)          | 1750           | 62.43    |
| Residential - Low Density R1  | 778            | 33.67    |
| Residential - Semi-Detached R1A   | 161            | 4.80     |
| Residential - Small Lot R1G   | 225            | 7.77     |
| Residential - Narrow Lot R1N  | 184            | 6.73     |
| Residential - Medium Density R2/ Residential - Multiple Family R3       | 402            | 9.46     |
| Scenario D - (Place of Worship and Care Sites Developed as Residential) | 1780           | 63.3     |
| Residential - Low Density R1  | 778            | 33.67    |
| Residential - Semi-Detached R1A   | 161            | 4.80     |
| Residential - Small Lot R1G   | 225            | 7.77     |
| Residential - Narrow Lot R1N  | 184            | 6.73     |
| Residential - Medium Density R2/ Residential - Multiple Family R3       | 432            | 10.33    |
| Housing Mix Based on Scenario A   |                |          |
| Detached and Semi-Detached Dwellings as a % of the total housing stock. | 76.95%         |          |
| Multi-Family Dwelling Units as % of the Total Housing Stock             | 23.05%         |          |
| Ratio of Detached Dwellings to Semi-detached Dwelling Units             | 7:34:1         |          |

**BYLAW NO. 3357/S– 2020**

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 lands shown cross-hatched on Land Use District Map 12/2020 (“Map 12/2020”) attached as Schedule “A” and forming part of this Bylaw are redesignated from R1N Residential (Narrow Lot) District properties to R1G Residential (Small Lot) District.
2. The “Land Use District Map “R11” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance Map 12/ 2020.

READ A FIRST TIME IN OPEN COUNCIL this                      day of                      2020.

READ A SECOND TIME IN OPEN COUNCIL this                      day of                      2020.


READ A THIRD TIME IN OPEN COUNCIL this                      day of                      2020.

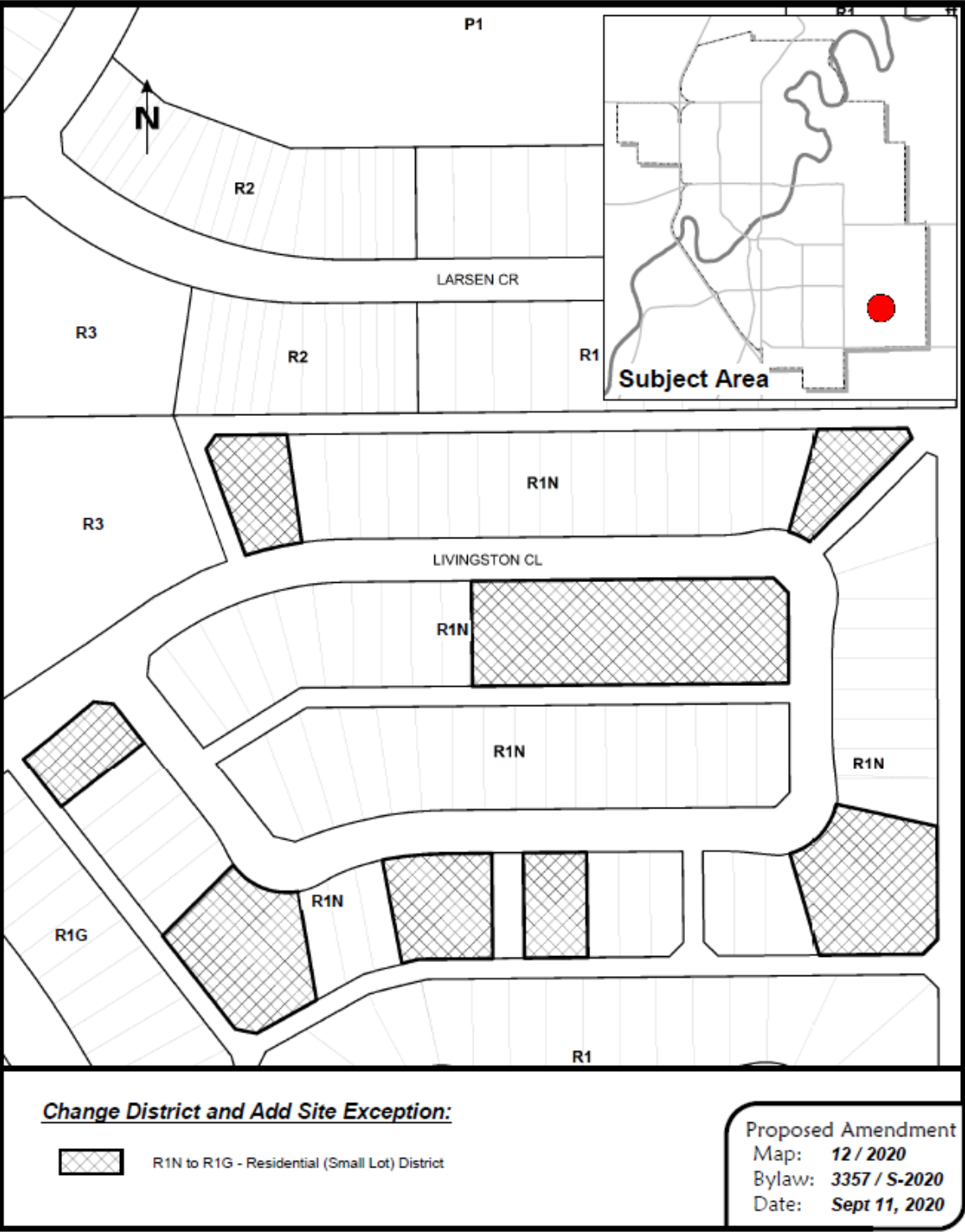
AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of                      2020.

\_\_\_\_\_  
MAYOR

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

Schedule "A"

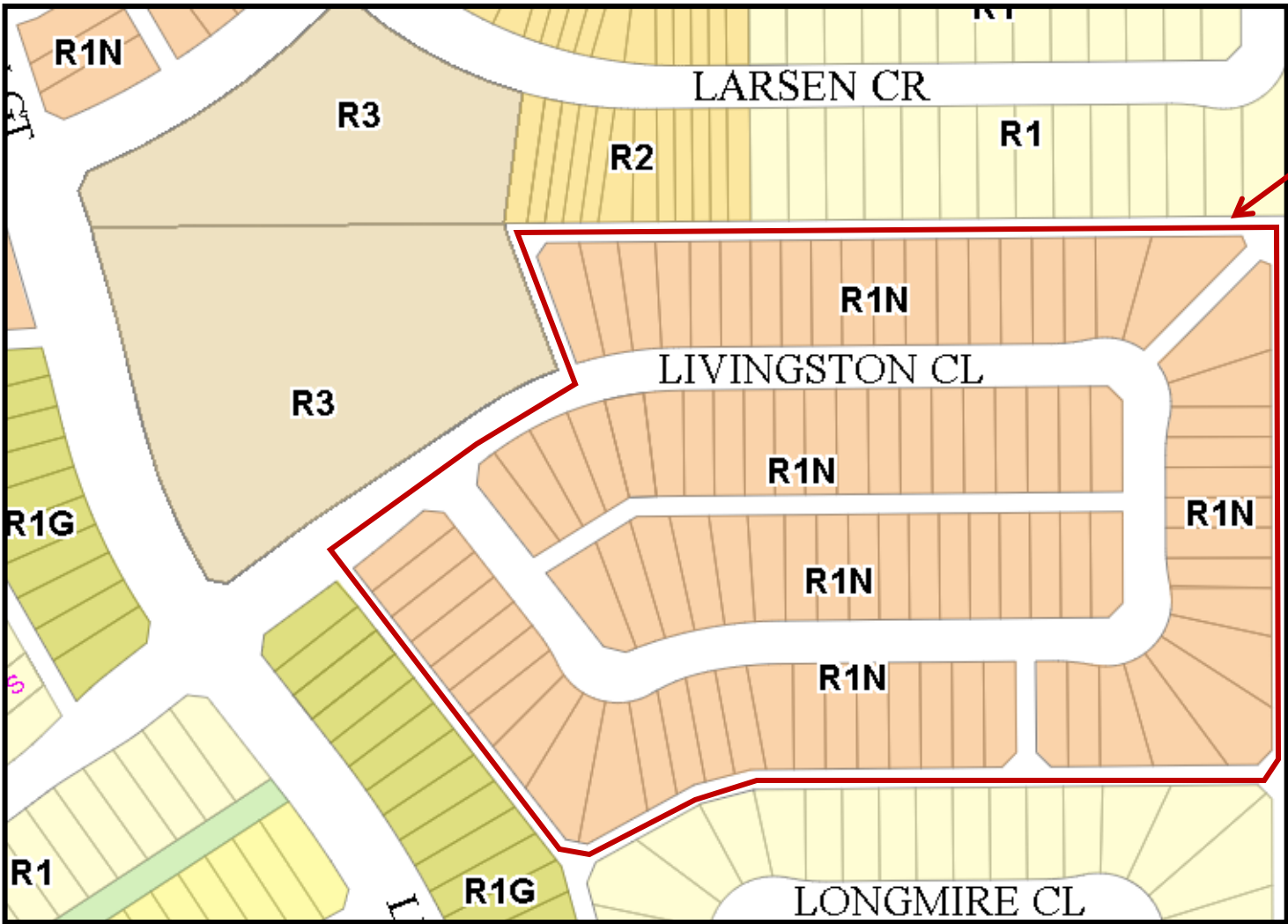
 THE CITY OF Red Deer Proposed Amendment to Land Use Bylaw 3357/2006



**Appendix B**

*Subject Property Context Maps*

Context Map



Subject Area

☐ Properties proposed for rezoning



**Appendix C**

*R1N and R1G District Comparison*

**Permitted and Discretionary Uses in R1N and R1G**

| <b>Uses</b>  | <b>R1N</b> | <b>R1G</b> |
|--|------------|------------|
| Accessory building   | ✓          | ✓          |
| Detached dwelling unit   | ✓          | ✓          |
| Home occupations which, in the opinion of the Development Officer, will not generate traffic | ✓          | ✓          |
| Amateur radio tower  | ✓          | ✓          |
| Bed & Breakfast in a detached or semi-detached dwelling                                      | ✓          | ✓          |
| Building Sign  | ✓          | N/A        |
| Freestanding Sign  | ✓          | N/A        |
| Municipal services limited to Police, Emergency Services and/or Utilities                    | ✓          | ✓          |
| Show Home or Raffle Home   | ✓          | ✓          |
| Secondary Suite in existence on January 1, 2009  | ✓          | N/A        |
| Home occupations which will generate additional traffic                                      | ✓          | ✓          |

**Development Regulations in R1N and R1G**

| <b>Regulations</b>        | <b>R1N</b>   | <b>R1G</b>   |
|---------------------------|--|--|
| General Purpose           | The general purpose of this District is to provide land which will be used for narrow lot single family residential development in new neighbourhoods. | The general purpose of this District is to provide land which will be used for small lot detached housing with mandatory front attached garages to create increased opportunity for more efficient utilization of land in small and comprehensively planned residential development clusters |
| Floor Area Minimum        | Frontage in m x 6.0 m  | Frontage in m x 6.0 m but not less than 63 m <sup>2</sup> (excludes garage)  |
| Site Coverage             | 45%  | 45%  |
| Building Height Maximum   | 2 storeys with a maximum of 10.0 m measured from the average of the lot grade  | 2 storeys with a maximum height of 10.0 m measured from the average of the lot grade   |
| <b>Front Yard Minimum</b> | <b>4.0 m</b>   | <b>Detached dwelling: 6.0 m</b>  |
| Side Yard Minimum         | Detached dwelling: 1.25 m, except where the building   | Detached dwelling: 1.25 m, except where building   |



| Regulations                             | R1N   | R1G  |
|---|---|--|
|   | flanks a public roadway (excluding a lane or walkway) where the side yard on the flankage side shall be 2.4 m | abuts public roadway (excluding lane or walkway) where the side yard on the side abutting the roadway shall be 2.4 m                         |
| Rear Yard Minimum                       | 7.5 m   | Detached dwelling: 7.5 m   |
| <b>Lot Depth Minimum</b>                | <b>36.6 m</b>   | <b>32.0 m</b>  |
| Landscaped Area                         | 35% of site area  | 35% of site area   |
| Parking Spaces                          | 2 stalls in the back of lot   | Subject to sections 3.1 & 3.2  |
| <b>Lot Area Minimum</b>                 | <b>Detached dwelling 2<br/>385.0 m<sup>2</sup></b>  | <b>336 m<sup>2</sup></b>   |
| Frontage Minimum                        | Detached dwelling 10.5 m  | 10.5 m (on all pie shaped lots the minimum lot width shall be measured 9.0 m into the site alongside lot lines from the front property line) |
| <b>Minimum Lot Width at Rear of Lot</b> | <b>9.2 m</b>  | <b>N/A</b>   |

**Appendix D**

Applicable Plan Policies

**Strategic Plan**Red Deer is an economic leader:

We have a strong, dynamic economy, fostered by entrepreneurship and innovation. Leveraging our central location, Red Deer is an economic hub with a revitalized downtown and diverse local economy

**Municipal Development Plan (MDP)**Housing and Neighbourhood Design**10.3 Housing Mix**

The City shall continue to require a mix of housing types and forms in all residential neighbourhoods. The Neighbourhood Planning Guidelines and Standards shall provide direction on the mix of housing within new neighbourhoods. This mix shall identify targets for each major type of housing and ways to avoid excessive concentration of any single type of housing.

**10.4 Housing Forms**

The City shall encourage the creation of a wide variety of housing forms. This may include dwelling units in combination with compatible non-residential uses, live-work units and secondary suites.

**East Hill Major Area Structure Plan**Principle 8: Housing Opportunity & Choice

Neighbourhoods provide a mixture of buildings, unit sizes, and housing types. Housing options provide choice within the neighbourhood, appealing to a range of incomes, family types and opportunities for 'aging in place'.

**Vanier East/Lancaster NASP****4.3.2 R1N Residential (Narrow Lot) District**

R1N Residential (Narrow Lot) Districts will provide more affordable single-family housing options within Lancaster/Vanier East. The lot area minimum within the Narrow Lot Residential district is 380.0 m<sup>2</sup> with a minimum width and depth of 10.5 m by 36.6 m respectively. All R1N district lots will have direct access to a laneway as this district does not permit front driveways. Several clusters of Narrow Lot Residential have been located throughout the development, the largest clusters being in the northeast corner of the Plan Area. A second cluster has been located in the southeast corner, near the Storm Water Management Facility. A single row of R1N housing also fronts onto Lancaster Drive to the northwest.

**4.3.3 R1G Residential (Small Lot) District**

This NASP introduces a new residential land use in an effort create more affordable housing options. R1G Residential (Small Lot) Districts will be similar to R1N Narrow Lot Residential, but would accommodate front driveways/garages. The lot area minimum within the Small Lot District is 320.0 m<sup>2</sup> with a minimum width and depth of 10.5 m by 30.0 m respectively. The Residential (Small Lot) District has been located along most collector roadways, in areas where supporting a laneway may not be possible, and/or adjacent to green space. Like the rest of the development, these clusters have been situated to take full advantage of park space, playground structures, and linear parks. Special considerations have been given to R1G lots to ensure adequate spacing for snow removal, parking and safety.

**Neighbourhood Planning and Design Standards (NPDS)****Redevelopment - Density and Building Design**

4.3 Redevelopment shall complement the existing neighbourhood architectural character (colour, materials, styles), building patterns, scale, building height and massing.

4.4 For smaller redevelopment projects (one lot or a small assembly of lots), design buildings at a height and scale which is within 1 to 2 storeys of what is already established in adjacent blocks.

4.5 Design redevelopment so that it does not overwhelm or overshadow adjacent existing buildings, this also applies to rear yards where development extends beyond adjacent properties, creating an 'overlook' condition.

4.6 Locate redevelopment within 1.2m of the existing front yard setbacks of adjacent sites or within the average of all existing principle buildings on the same block.

4.7 Where the primary entrance is not at the front of the property, design the building to create a strong sense of entry from the front facade (e.g. through use of pathways, landscaping, porch features, etc.).

4.8 Maintain the privacy of adjacent dwellings through careful placement of windows, doors, decks and patios in new buildings. Where this is compromised, use fencing, screening and landscaping to create privacy between buildings.

4.9 Where a second entrance is in a side elevation adjacent to an existing building, design it at grade or close to grade, to protect the neighbours privacy and avoid overlook.

4.10 Provide sidewalks that tie into existing pedestrian networks to provide new or improved pedestrian connections.

4.11 Where possible, maintain existing trees and plantings. If this is not possible, replace trees and planting at a 1:1 ratio or at the discretion of the development officer.

4.12 Publicly owned trees shall not be removed to facilitate the construction of an redevelopment project.

#### Housing Type and Mix

6.1 Incorporate a variety of at least four housing types to provide for housing choice and buying capacity of residents.

A range of housing types has been identified as (but is not limited to):

- Mixed Use Residential - Commercial.
- Apartments.
- Townhouses, Stacked Townhouses, Rowhouses.
- Live Work Units.
- Multi-plex - Duplex, Triplex, Fourplex.
- Cottage Cluster Housing.
- Compact Single Family.

- Single Family.
- Single Family with Carriage homes.

6.2 On neighbourhood entry streets, include two or more housing types per block. This could be achieved by anchoring corner lots with a different but complimentary housing form.

#### Housing Affordability

6.4 Incorporate a mix of housing that supports affordable housing opportunities within the neighbourhood. Opportunities may include (but not limited to) the following:

- Multi-family buildings.
- Seniors housing.
- Laneway (carriage) houses on single family lots.
- Live work townhomes that offer the option for small business.
- Compact single family lots.
- Single family homes with secondary suites or other separate accommodation arrangements (e.g. garden suites).
- Single family homes that offer flexible arrangements to suit housesharing or allows for future possibilities for increasing the dwelling size to accommodate changing family sizes and alternative housing arrangements.
- Housing types with alternative tenure (e.g. co-operative housing) and/or subsidized affordable units (e.g. below market rental, seniors supportive housing, etc.)

**DATE:** November 10, 2020

**TO:** Kimberly Fils-Aime, Senior Planner

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Lancaster/ Vanier East NASP 3217/C-2020 and Land Use Bylaw  
Amendment 3357/S-2020: RIN to RIG

---

**Reference Report:**

Planning Services, dated November 9, 2020.

**Bylaw Reading:**

At the Monday, November 9, 2020 Regular Council Meeting, Council gave second and third reading to the following Bylaws:

**Bylaw 3217/C-2020** (an amendment to the Lancaster/Vanier East Neighbourhood Area Structure Plan to rezone 26 RIN Residential (Narrow Lot) District properties to RIG Residential (Small Lot) District along Livingston Close)

**Bylaw 3357/S-2020** (an amendment to the Land Use Bylaw to rezone 26 RIN Residential (Narrow Lot) District properties to RIG Residential (Small Lot) District along Livingston Close)

**Report back to Council:**

No.

**Comments/Further Action:**

Administration will update the bylaw and distribute in due course.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Planning & Development  
Manager of Planning  
Corporate Meeting Administrator

**DATE:** November 10, 2020  
**TO:** Samantha Rodwell, Deputy City Clerk  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Request to Set Special Council Meeting

---

**Resolution:**

At the Monday, November 9, 2020 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer hereby agrees that a Special Council Meeting will be held on Monday, November 16, 2020 at 1:30 p.m., to discuss COVID-19, in response to recent new provincial information and health protocols and to deliberate refinements to existing City of Red Deer initiatives to continue the response in our community in dealing with COVID-19

**Report back to Council:**

No.

**Comments/Further Action:**

Administration to advertise, organize and facilitate.

“Frieda McDougall”

Frieda McDougall  
Manager

c. Corporate Meeting Administrator



**DATE:** November 10, 2020

**TO:** Emily Damberger, Manager of Planning

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Land Matter

---

**Reference Report:**

Development & Protective Services, dated November 9, 2020.

**Resolution:**

At the Monday, November 9, 2020 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered the In Camera Report re: Land Matter hereby endorses the recommendations as presented In Camera and agrees that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, Section 24(1)(a) Advice from officials

**Report back to Council:**

No.

**Comments/Further Action:**

None.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Development & Protective Services  
Intergovernmental Strategist

**DATE:** November 10, 2020

**TO:** Michelle Zeggil, Economic Development Officer

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Major Event Strategy and Destination Development

---

**Reference Report:**

Land & Economic Development, dated November 9, 2020.

**Resolution:**

At the Monday, November 9, 2020 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered the In Camera Report re: Red Deer Major Event Strategy & Destination Development Framework hereby endorses the recommendations as presented In Camera and agrees that the contents of the report will remain confidential as protected under the Freedom of Information and Protection of Privacy Act, Section 24(1)(a)  
Advice from officials

**Report back to Council:**

No.

**Comments/Further Action:**

None.

“Frieda McDougall”

Frieda McDougall  
Manager

- c. General Manager Development & Protective Services  
Land & Economic Development Manager