



City Council Meeting Agenda

Monday, March 29, 2021 – Via Video Conference

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 15 minutes)

1.1. Motion to In Camera

1.1.a. CHAB Recommendation – Allocation of revised Homelessness Services Funding – FOIP Section 24(l)(a) Advice from Officials.

1.2. Motion to Revert to Open Meeting

2. Minutes

2.1. Confirmation of the Minutes of the March 15, 2021 Regular Council Meeting
(Pages 3 – 24)

3. Points of Interest

4. Reports

4.1. EL&P Code of Conduct Annual Compliance Report
(Pages 25 – 26)

4.2. Highway 11A Twinning Project, Land Acquisitions - Expropriation
(Pages 27 – 42)

4.3. Downtown Business Association - 2021 Revised Budget
(Pages 43 – 49)

5. Bylaws

- 5.1. Bylaw 3670/2021 Intermunicipal Collaboration Framework
(Pages 50 – 70)

- 5.1.a. Consideration of Second Reading of Bylaw 3670/2021

- 5.1.b. Consideration of Third Reading of Bylaw 3670/2021

- 5.2. Land Use Bylaw Amendment 3357/G-2021. Rezoning in Evergreen Neighbourhood A1 - Future Urban Development District to P1 - Parks and Recreation District
(Pages 71 – 77)

- 5.2.a. Consideration of First Reading of Bylaw 3357/G-2021

6. Public Hearing

- 6.1. Land Use Bylaw Amendment 3357/H-2021. Site Exception for Temporary Care Facility
(Pages 78 – 162)

- 6.1.a. Consideration of Second Reading of Bylaw 3357/H-2021

- 6.1.b. Consideration of Third Reading of Bylaw 3357/H-2021

- 6.1.c. Development Permit Consideration - Temporary Care Facility - 5239 53 Avenue

7. Adjournment



UNAPPROVED - MINUTES

of the Red Deer City Council Regular Meeting held on, Monday, March 15, 2021 commenced at 1:30 PM

Present (via teleconference):

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

Acting City Manager, Tara Lodewyk
General Manager Community Services, Sarah Tittermore
General Manager Corporate & Employee Services, Lisa Perkins
Deputy General Manager Development & Protective Services, Ken McMullen
Chief Financial Officer, Dean Krejci
Engineering Services Manager, Konrad Dunbar
Transportation Engineer, Russ Watts
Major Projects Planner, David Girardin
Manager of Planning, Emily Damberger
Senior Planner, Christi Fidek
Controller – Property Taxation, Roxane Preedin
Deputy City Clerk, Samantha Rodwell

Present: City Clerk, Frieda McDougall
Corporate Meeting Administrator, Jennifer Hankey



1. IN CAMERA MEETING

1.1. Motion to In Camera

Moved by Councillor Frank Wong, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Monday, March 15, 2021 at 1:31 p.m. and hereby agree to exclude the following:

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

to discuss the following:

- Community Housing and Homelessness Integrated Plan (CHHIP) - Governance FOIP Section 24(1)(a) Advice from officials
- The Future of Affordable Housing Governance in Red Deer - 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

The following people were in attendance for both items:

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

Acting City Manager Tara Lodewyk, General Manager Community Services Sarah Titterton, General Manager Corporate & Employee Services Lisa Perkins, Deputy General Manager Development & Protective Services Ken McMullen, Manager of Business Excellence Tricia Hercina, City Solicitor Michelle Baer, Housing and Homelessness Supports Supervisor Ryan Veldkamp, Chief of Staff Brad Koopmans, City Clerk Frieda McDougall, Deputy City Clerk Samantha Rodwell, Corporate Meeting Administrator Jennifer Hankey



1.2. Motion to Revert to Open Meeting

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, March 15, 2021 at 3:54 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

Council recessed at 3:54 p.m. and reconvened at 4:12 p.m. Councillor Ken Johnston did not return.

1.3. Business Arising from In Camera

Moved by Councillor Lawrence Lee, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer, having considered the In Camera Report from Community Services Division re: Community Housing and Homelessness Integrated Plan (CHHIP) – Governance 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.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer, having considered the In Camera



Report from Community Services re: The Future of Affordable Housing Governance in Red Deer 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(I)(a) Advice from officials

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

2. MINUTES

2.1. Confirmation of the Minutes of the March 1, 2021 Regular Council Meeting

Moved by Councillor Frank Wong, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby approves the Minutes of the Monday, March 1, 2021 Regular Council Meeting as transcribed with the following amendment:

- In the Motion to In Camera "February 16" is replaced with "March 1"
- In the 5.1.f. heading delete "Second Reading" and replace with "Third Reading"

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

2.2. Confirmation of the Minutes of the March 8, 2021 Special Council Meeting



Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby approves the Minutes of the Monday, March 8, 2021 Special Council Meeting as circulated.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

3. REPORTS

3.1. South East Sector Improvements Street Rebuild

Moved by Councillor Tanya Handley, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to lift from the table the South East Transportation System project.

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

ABSENT: Councillor Ken Johnston

MOTION TO LIFT FROM THE TABLE CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated March 15, 2021 re: South East Sector Improvements – 19th Street Rebuild hereby approves the multi-year capital budget (2022 / 2023) of \$22,395,000 for reconstruction of 19 Street from Irwin to Gaetz Avenue, construction of a roundabout at the intersection of 19 Street and 40 Avenue, and the construction of a multi-use trail along the North side of 19 Street.



Prior to consideration of the motion the following motion to table was introduced.

Moved by Councillor Vesna Higham, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to table consideration this matter for up to 8 weeks to allow Administration to:

- Determine if the scope of the multi-use trail could be modified to reduce the budget for the trail from \$1,000,000 to \$500,000
- Complete the survey, as mentioned in the report, and broadened to garner general feedback on existing roundabouts and regarding Red Deerians suggestions or comments on how roundabouts in our community can be improved

Prior to consideration, the motion was severed.

Moved by Councillor Vesna Higham, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to table consideration this matter for up to 8 weeks to allow Administration to:

- Determine if the scope of the multi-use trail could be modified to reduce the budget for the trail from \$1,000,000 to \$500,000

IN FAVOUR: Councillor Tanya Handley, Councillor Vesna Higham,

OPPOSED: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Ken Johnston

MOTION TO TABLE DEFEATED

Moved by Councillor Vesna Higham, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to table consideration this matter for up to 8 weeks to allow Administration to:

- Complete the survey, as mentioned in the report, and broadened to garner general feedback on existing roundabouts and regarding Red Deerians suggestions or comments on how roundabouts in our community can be improved



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IN FAVOUR: Mayor Tara Veer, Councillor Tanya Handley, Councillor Vesna Higham

OPPOSED: Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Ken Johnston

MOTION TO TABLE DEFEATED

Prior to consideration of the original motion, the following motion to amend was introduced

Moved by Councillor Tanya Handley, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby amends the resolution by adding the following at the end of the resolution:

And further directs Administration to complete the survey, as mentioned in the report, and broadened to garner general feedback on existing roundabouts, regarding Red Deerians suggestions or comments on how roundabouts in our community can be improved.

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

ABSENT: Councillor Ken Johnston

MOTION TO AMEND CARRIED

The original motion, as amended and set out below, was then on the floor.

Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated March 15, 2021 re: South East Sector Improvements – 19 Street Rebuild hereby approves the multi-year capital budget (2022 / 2023) of \$22,395,000 for reconstruction of 19 Street from Irwin to Gaetz Avenue, construction of a roundabout at the intersection of 19 Street and 40 Avenue, and the construction of a multi-use trail along the North side of 19 Street.

And further directs Administration to complete the survey, as mentioned in the report, and broadened to garner general feedback on existing roundabouts, regarding Red



Deerians suggestions or comments on how roundabouts in our community can be improved.

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

OPPOSED: Councillor Vesna Higham

ABSENT: Councillor Ken Johnston

MOTION CARRIED

3.2. 2021 Adopted Operating Budget

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Financial Services dated March 15, 2021 re: 2021 Adopted Operating Budget, hereby approves the 2021 Operating Budget.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

3.3. Reserve Transfers - 2020 & 2021 Capital Budget

Moved by Councillor Buck Buchanan, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer Having considered the report from Financial Services dated March 15, 2021 re: Reserve Transfers - 2020 & 2021 Capital Budgets hereby authorizes a transfer of up to \$1,000,000 for 2020 from the Capital Projects Reserve (CPR) to the Debt Repayment Reserve (DRR) and a transfer of up to \$2,000,000 for 2021 from the Capital Projects Reserve (CPR) to the Debt Repayment Reserve (DRR).



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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

3.4. Community Housing Advisory Board Recommendations to Council to act as the Reaching Home - Indigenous Community Entity

Moved by Councillor Michael Dawe, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer having considered the report from Safe & Healthy Communities dated March 15, 2021 re: Community Housing Advisory Board Recommendation to Council to act as the Reaching Home - Indigenous Community Entity hereby approves that the City of Red Deer continue as the Reaching Home - Indigenous Entity until March 31, 2024.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4. BYLAWS

4.1. Bylaw 3658/2021 Electronic Transmission of Assessment and Taxation Documents Bylaw

4.1.a. Consideration of Second Reading of Bylaw 3658/2021

Moved by Councillor Michael Dawe, seconded by Councillor Lawrence Lee

SECOND READING: That Bylaw 3658/2021 (a Bylaw to establish a process of sending assessment and tax documents and information by electronic means) be read a second time.



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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.1.b. Consideration of Third Reading of Bylaw 3658/2021

Moved by Councillor Michael Dawe, seconded by Councillor Lawrence Lee

THIRD READING: That Bylaw 3658/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2. 2021 & 2022 Capital Budget Borrowing Bylaws

4.2.a. Consideration of Second Reading of Bylaw 3664/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

SECOND READING: That Bylaw 3664/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$7,598,000 for the purpose of financing the 2021-2022 Road projects:

- a. Taylor Drive / Hwy 11A Intersection Improvements
- b. 2022 Paved Roadway Network Management

be read a second time.



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

OPPOSED: Councillor Vesna Higham

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.b. Consideration of Third Reading of Bylaw 3664/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

THIRD READING: That Bylaw 3664/2021 be read a third time.

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

OPPOSED: Councillor Vesna Higham

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.c. Consideration of Second Reading of Bylaw 3662/2021

Moved by Councillor Michael Dawe, seconded by Councillor Frank Wong

SECOND READING: That Bylaw 3662/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$10,100,000 for the purpose of financing the 2021 Park Land Acquisition project) be read a second time.

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



Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.d. Consideration of Third Reading of Bylaw 3662/2021

Moved by Councillor Michael Dawe, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3662/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.e. Consideration of Second Reading of Bylaw 3663/2021

Moved by Councillor Tanya Handley, seconded by Councillor Buck Buchanan

SECOND READING: That Bylaw 3663/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$7,480,000 for the purpose of financing the 2021-2022 General Municipal Works projects:

- a. 9-1-1 Emergency Communications Centre
- b. 2021 Storm Water Infrastructure
- c. College Park Servicing

be read a second time.

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

ABSENT: Councillor Ken Johnston



MOTION CARRIED

4.2.f. Consideration of Third Reading of Bylaw 3663/2021

Moved by Councillor Tanya Handley, seconded by Councillor Buck Buchanan

THIRD READING: That Bylaw 3663/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.g. Consideration of Second Reading of Bylaw 3661/2021

Moved by Councillor Frank Wong, seconded by Councillor Dianne Wyntjes

SECOND READING: That Bylaw 3661/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$2,864,000 for the purpose of financing the 2021-2022 Road offsite Projects:

- a. Taylor Drive / Hwy 11A Intersection Improvements
- b. Northland Drive - Hwy 2 to Taylor Drive

be read a second time

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.h. Consideration of Third Reading of Bylaw 3661/2021



Moved by Councillor Frank Wong, seconded by Councillor Dianne Wyntjes

THIRD READING: That Bylaw 3661/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.i. Consideration of Second Reading of Bylaw 3667/2021

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

SECOND READING: That Bylaw 3667/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$1,363,000 for the purpose of financing the Sanitary Trunk (NE3) – adjacent to Hwy 2A project) be read a second time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.j. Consideration of Third Reading of Bylaw 3667/2021

Moved by Councillor Dianne Wyntjes, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3667/2021 be read a third time.



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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.k. Consideration of Second Reading of Bylaw 3668/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

SECOND READING: That Bylaw 3668/2021 (a bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$2,806,000 for the purpose of financing the Hazlett Lake - Overflow Drainage Route Rehabilitation) be read a second time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.l. Consideration of Third Reading of Bylaw 3668/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

THIRD READING: That Bylaw 3668/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston



MOTION CARRIED

4.2.m. Consideration of Second Reading of Bylaw 3665/2021

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

SECOND READING: That Bylaw 3665/2021 (a bylaw authorizing the Council of the Municipality to incur indebtedness by the issuance of short-term borrowing in the amount of \$37,369,000 for the purpose of short term financing for the following COVID-19 Resilience Stream Grant projects:

- a. Storm Water Infrastructure
- b. Pedestrian Connections / Missing Links / Mobility / Road & Sidewalk Rehabilitation
- c. 9-1-1 Emergency Communications Centre
- d. Fire Training Facility
- e. 2021 Facility Management – Civic Yards, Leased Buildings
- f. 2021 Asphalt Sidewalk Repair
- g. Waskasoo Creek Scour & Erosion Repairs
- h. Kinsmen Community Arenas / Safe & Healthy Communities (SHC) Department Infrastructure / River Bend Recreation & Golf Society Infrastructure / JJ Gaetz House / Golden Circle Seniors Centre / Heritage Square / Heritage Ranch / Waskasoo Park Special Gathering Places Preservation / Maintenance
- i. Fleet / Garage Shop Equipment
- j. Westerner Storm Pond Reconstruction
- k. 2021 Trail Overlays
- l. Parks Major Amenity / Riverside Meadows Park Upgrades
- m. Storm Water Outfalls / Storm Pipe Re-Lining
- n. Museum + Art Gallery (MAG) / Kerry Wood Nature Centre / Festival Hall / Memorial Centre Preservation
- o. Civic Yards / Wastewater Treatment Plant (WWTP) Flood Berms
- p. Collicutt Centre / Community Activity Centres / Michener Aquatic Centre Preservation

be read a second time.



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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.n. Consideration of Third Reading of Bylaw 3665/2021

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

THIRD READING: That Bylaw 3665/2021 be read a third time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.o. Consideration of Second Reading of Bylaw 3634/A-2021

Moved by Councillor Buck Buchanan, seconded by Councillor Tanya Handley

SECOND READING: That Bylaw 3634/A-2021 (a bylaw to amend Borrowing Bylaw 3634/2019 by increasing the amount to be funded by debenture(s) by \$7,567,000 for a total of \$12,657,000) be read a second time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Tanya Handley, Councillor Vesna Higham



ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.2.p. Consideration of Third Reading of Bylaw 3634/A-2021

Moved by Councillor Buck Buchanan, seconded by Councillor Tanya Handley

THIRD READING: That Bylaw 3634/A-2021 be read a third time.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Tanya Handley, Councillor Vesna Higham

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.3. Bylaw 3666/2021 Short Term Borrowing Bylaw 2021-2024

4.3.a. Consideration of Second Reading of Bylaw 3666/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

SECOND READING: That Bylaw 3666/2021 (a bylaw authorizing the borrowing of funds for short term operating purposes until taxes are collected for the years 2021 - 2024) be read a second time.

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

OPPOSED: Councillor Vesna Higham

ABSENT: Councillor Ken Johnston



MOTION CARRIED

4.3.b. Consideration of Third Reading of Bylaw 3666/2021

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

THIRD READING: That Bylaw 3666/2021 be read a third time.

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

OPPOSED: Councillor Vesna Higham

ABSENT: Councillor Ken Johnston

MOTION CARRIED

Council recessed at 6:39 p.m. and reconvened at 7:02 p.m.

4.4. Land Use Bylaw Amendment 3357/E-2021, Rezoning 4910 78 Street (Lot 6, Block 5, Plan 2205) from I1 Industrial (Business Service) District to IC Industrial/ Commercial (Mixed Use District)

4.4.a. Consideration of First Reading of Bylaw 3357/E-2021

Moved by Councillor Vesna Higham, seconded by Councillor Dianne Wyntjes

FIRST READING: That Bylaw 3357/E-2021 (an amendment to the Land Use Bylaw for the rezoning of 4910 78 Street (Lot 6, Block 5, Plan 772 2205) from the I1 Industrial (Business Service) District to the IC Industrial / Commercial (Mixed Use) District) be read a first time.

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



OPPOSED: Councillor Frank Wong

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.5. Land Use Bylaw Amendment 3357/C-2021, R2T District Amendments and Rezoning Timberlands North Neighbourhood Area Structure Plan Amendment 3217/C-2021

4.5.a. Consideration of First Reading of Bylaw 3357/C-2021

Moved by Councillor Buck Buchanan, seconded by Councillor Tanya Handley

FIRST READING: That Bylaw 3357/C-2021 (an amendment to the Land Use Bylaw for the rezoning of 487 and 479 Timberlands Drive from RLW Residential (Live-Work) to R2T Residential (Town House) and to remove the minimum building height in R2T) be read a first time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.5.b. Consideration of First Reading of Bylaw 3217/C-2021

Moved by Councillor Vesna Higham, seconded by Councillor Dianne Wyntjes

FIRST READING: That Bylaw 3217/C-2021 (an amendment to the Timberlands North Neighbourhood Area Structure Plan to change Land Use Concept Plan for additional town house development and reduction in rear yard setback for single storey townhomes to align with the Land Use Bylaw) be read a first time.



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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

4.6. Bylaw 3670/2021 Intermunicipal Collaboration Framework

4.6.a. Consideration of First Reading of Bylaw 3670/2021

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

FIRST READING: That Bylaw 3670/2021 (a Bylaw to adopt the Intermunicipal Collaboration Framework between Red Deer County and The City of Red Deer) be read a first time.

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

ABSENT: Councillor Ken Johnston

MOTION CARRIED

5. ADJOURNMENT

Moved by Councillor Michael Dawe, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday March 15, 2021 Regular Council Meeting of Red Deer City Council at 8:07 p.m.

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



ABSENT: Councillor Ken Johnston

MOTION CARRIED

MAYOR

CITY CLERK



March 29, 2021

EL&P Code of Conduct Annual Compliance Report

Prepared by: Jim Jorgensen, Manager
Department: Utilities

Report Summary & Recommendation

In accordance with the Code of Conduct Regulation (Alta. Reg. 58/2015), the Electric Light Power (EL&P) department's Annual Compliance Report must be approved by Council and filed with the Alberta Utilities Commission (AUC) within 90 days of the end of the calendar year.

For 2020, there were no complaints and no instances of non-compliance to report.

Administration is requesting Council approval of the EL&P department's Annual Compliance Report.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Utilities Services dated March 29, 2021 re: EL&P Code of Conduct Annual Compliance Report hereby recommends that Council approves the EL&P Department's Code of Conduct Annual Compliance Report.

Background

Legislative Context:

The City of Red Deer (The City) owns and operates an electric distribution system in Alberta within the service territory granted to it under order of the Alberta Utilities Commission (AUC) and its predecessors. Under the Electric Utilities Act (EUA) S.A. 2003, c.E-51, Red Deer provides regulated energy services as defined in the Code of Conduct Regulation, Alta. Reg. 58/2015.

The Code of Conduct Regulation governs the actions of all industry participants with regard to the development of Alberta's competitive electricity market in a fair manner for all customers and retailers. The Regulation must be followed by all owners of electricity distribution systems, any affiliated retailers and their regulated rate providers in Alberta. It ensures that:

- customers have fair access to electricity services
- confidential customer information is protected and that all retailers have equal access to available information
- customers are treated fairly



Red Deer's approved Compliance Plan describing obligations and responsibilities is available to the public on The City's website. All instances of non-compliance and their resolution must be filed with the AUC within 30 days of becoming aware of the issue. An Annual Report must be approved by Council and filed with the AUC within 90 days of the end of the calendar year.

Operational Impacts

2020 Compliance Reporting:

In accordance with the Code of Conduct Regulation, reporting falls into two categories: instances of non-compliance and complaints of non-compliance. The EL&P department received no complaints and no instances of non-compliance in 2020.

1. First Quarter
 - a. No complaints or instances of non-compliance to report.
2. Second Quarter
 - a. No complaints or instances of non-compliance to report.
3. Third Quarter
 - a. No complaints or instances of non-compliance to report.
4. Fourth Quarter
 - a. No complaints or instances of non-compliance to report.

Analysis

To ensure ongoing compliance with AUC regulation, Council's approval of this report is required.

DATE: March 30, 2021
TO: Jim Jorgensen, Electric, Light and Power Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: EL&P Code of Conduct Annual Compliance Report

Reference Report:

Utilities, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Utilities Services dated March 29, 2021 re: EL&P Code of Conduct Annual Compliance Report hereby approves the EL&P Department's Code of Conduct Annual Compliance Report.

Report back to Council:

No.

Comments/Further Action:

None.

"Frieda McDougall"

Frieda McDougall
Manager

c. General Manager Community Services



March 29 2021

Highway 11A Twinning Project, Land Acquisitions - Expropriation

Prepared by: Wade Martens, Land Coordinator
Department: Land & Economic Development

Report Summary

City Council, as approving authority under the Expropriation Act, is required to approve the proposed expropriation of the property and interests shown in Attachment 1 and legally described in Attachment 2. The first step of the expropriation process is the issuance of a Notice of Intention to Expropriate, as shown in Attachment 3 and as presented in Open Council.

City Administration has worked hard to come to a negotiated agreement with all of the affected landowners and has had some success. In order to keep the project on track, administration recommends to commence the expropriation process by issuing a Notice of Intention to Expropriate to those owners and interested parties where the necessary lands have not yet been acquired. City Administration will continue to negotiate toward an Acquisition Agreement or Section 30 Agreement, under the Expropriation Act.

Acquisition of the subject properties and interests will facilitated the re-design and construction of the Highway 11A Twinning Project.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Land & Economic Development dated March 29, 2021 re: Highway 11A Twinning Project, Land Acquisitions - Expropriation hereby recommends Administration commence the Expropriation Process by issuing a Notice of Intention to Expropriate to those owners and interested parties where the necessary lands have not yet been acquired and directs Administration to continue negotiating towards an Acquisition Agreement or Section 30 Agreement, under the Expropriation Act.



Background

Project Background

The Highway 11A Twinning project will see Highway 11A widened to four lanes from west of Taylor Drive to Gaetz Avenue (Highway 2A). It includes intersection improvements at both Taylor Drive and Gaetz Avenue as well as an overpass at the Canadian Pacific (CP) Railway crossing.

These improvements will help traffic flow more efficiently while also creating roadway capacity for development in the City's northwest within the North of 11A Major Area Structure Plan development area. It will also improve access for the Edgar Industrial Park and Chiles Industrial Park when connecting to the Queen Elizabeth II Highway, which forms part of the CANAMEX/North-South Trade Corridor. Highway 11A also forms part of the City's Northland Drive corridor.

In addition to the City funded portion of the project (approximately \$46 million), the following contributions from third parties have been received:

- Alberta Transportation has committed \$15 million to the project; and
- CP Railway has committed \$3 million to the project.

Construction will be spread out over the next three years, with 2021 focusing on relocating utilities, clearing and detour route construction. If administration is able to tender this summer some work on the overpass will be able to commence in 2021 with the majority of work completed in 2022 and 2023.

Land Acquisition Background

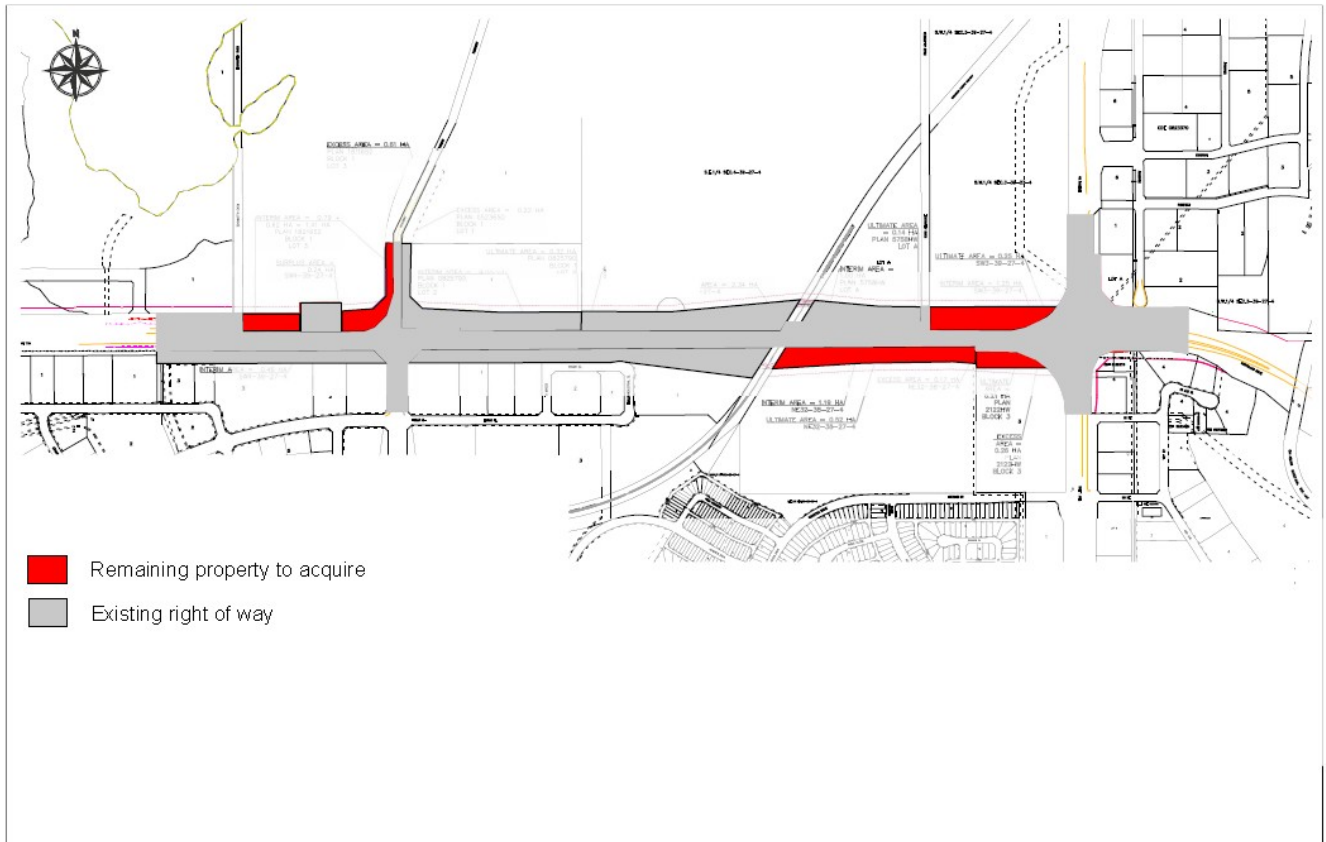
The Highway 11A Twinning project requires additional road right of way from eight different landowners in order to facilitate intersection improvements, roadway expansion (twinning), railway overpass construction and utility relocations.

Initial conversations with landowners began in early 2019 with full negotiations commencing in the summer of 2020. As part of the acquisition process City administration has contracted a ^{third} party consultant, which specializes in Municipal and Highway land acquisitions, to negotiate with all affected landowners on the City's behalf.

A number of properties are identified as high probability that an agreement will not be reached and the expropriation process is likely required to be initiated in order to ensure that project timelines are met. In order to meet the fall tender schedule, the City would require right of access to these properties by the end of September.



At the time of preparing this report there were 4 landowners where an Acquisition Agreement was not in place as shown on the sketch below. Air photos showing the



principles of fairness, ensuring the taking is fair, sound and reasonably necessary and the landowner is kept whole. Expropriation laws mediate the inevitable conflicts between private real property rights and the public need for that same land, following clear step-by-step processes. During this process parties may also enter into a Section 30 Agreement, where the parties consent to the transfer of land or interest, may agree to compensation, or agree to the expropriation and request the Land Compensation Board determines compensation.

Even with starting the expropriation process, there is still the ability for the parties to continue to negotiate in good faith and work towards an agreement for the taking.



There are numerous steps and timelines outlined in the Expropriation Act, in order for the City to have a Certificate of Approval registered with Land Titles and to meet construction timelines the need to start this process while continuing to negotiate with the effected landowners is important.

The following is a brief outline of the Expropriation Steps:

1. Once City Council passes the necessary resolution for administration to issue the Notice of Intention to Expropriate (NOITE) the notice is registered with Alberta Land Titles and each interest, whether registered on title or not, and each owner, as defined in the Expropriation Act, is served with a copy of the NOITE.
2. A copy of the NOITE is published twice in the newspaper.
3. Within 21 days of being served with a NOITE, an owner must file a notice of objection to expropriate with the City.
4. If an owner files a notice of objection to expropriation an Inquiry Office holds a public hearing. At the hearing, each party will have an opportunity to present their case, and the Inquiry Officer will inquire into whether the expropriation is fair, sound, and reasonable necessary.
5. If an owner does not file a notice of objection to expropriation the Approving Authority (City Council) shall approve or disapprove the proposed expropriation upon proof of service and publication of the notice on intention to expropriate.
6. If the Approving Authority approves the expropriations, a certificate of approval of expropriation will be registered on the property and the City will be the registered owner of the property immediately on registration.
7. A certificate of approval of expropriation must be registered on title within 120 days from the date the NOITE was registered on title. If a certificate of approval is not registered, the proposed expropriation is deemed to be abandoned.
8. After the certificate of approval is registered on title, the City will serve each owner with a notice of possession, advising when the owner will need to give up possession.
9. Before the City gets possession, the owners will receive compensation in accordance with the Expropriation Act. If an owner and the City do not agree on the amount of compensation, the Land Compensation Board will determine compensation.
10. The reasonable legal, appraisal and other costs actually incurred by the owner, in order to determine compensation, are paid by the City.

Recommendation

City Administration recommends to commence the expropriation process by issuing a Notice of Intention to Expropriate to those owners and interested parties where the necessary lands have not yet been acquired. City Administration will continue to negotiate towards an Acquisition Agreement or Section 30 Agreement, under the Expropriation Act.



By proceeding in this fashion the following are some benefits that could be realized by the City:

- Maintain a manageable construction schedule; and
- Cost savings during tender process; and
- Applying consistent approach to landowner negotiations.



Attachment 1 - Parcel 1





Attachment 1 - Parcel 6





N

SW3-39-27-4

LT

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TITLE SEARCH COMPLETED : JULY 2020

RIGHT-OF-WAY REQUIRED
HIGHWAY R/W REQUIRED : 1.50 ha (3.71 acres)

SW3-39-27-4
HIGHWAY 11A / NORTHLAND DRIVE
INDIVIDUAL OWNERSHIP PLAN
PRELIMINARY DESIGN
FOR DISCUSSION PURPOSES ONLY

DRAWING NO. 2500-C-IOP-SW3-39-27-4 (AIR)

DATE JULY 2020

1:5000 SCALE
0 50 100

THE CITY OF Red Deer

Al-Terra Engineering Ltd.



Attachment 1 - Parcel 8



TITLE SEARCH COMPLETED : JULY 2020

RIGHT-OF-WAY REQUIRED
HIGHWAY R/W REQUIRED : 0.39 ha (0.96 acres)

PLAN 2122HW BLOCK 3
HIGHWAY 11A/NORTHLAND DRIVE
INDIVIDUAL OWNERSHIP PLAN
PRELIMINARY DESIGN
FOR DISCUSSION PURPOSES ONLY



DRAWING NO.	DATE	1:5000 SCALE
2600-C-10P-PLAN 2122HW (AIR)	JULY 2020	50m 0 50 100m



Attachment 2 - Legal Description and Registered/Non-Registered Interest of Properties

Parcel 1:

Approval is sought, pursuant to the Expropriation Act, to issue a Notice of Intention to Expropriate:

- 1. The approximately 1.41 ha (3.51 acres), more or less, of the portion of the fee simple interest shown on Attachment 1- Parcel 1; and**
- 2. The below-described registered interests, in respect of only the approximately 1.41 ha (3.51 acres), more or less, of the area shown on Attachment 1 - Parcel 1;**

Both existing now, and as may become known to the expropriating authority, described as:

Municipal Address:

Legal Description: Plan 1821652 . Block 1

Lot 3

Excepting Thereout All Mines and Minerals

Registered Owner: Lansdowne Equity Ventures Ltd.

Estate: Fee Simple

Certificate of Title No.: 182 130 071 +2

Registered Interests:

Registration No	Name	Registration Type
752 028 823	Red Deer Planning Commission	Caveat
052 276 799	The City of Red Deer	Caveat re: Deferred Reserve

Unregistered Interests:

Name	Nature of Interest
Unknown	Tenancy



Attachment 2 - Legal Description and Registered/Non-Registered Interest of Properties

Parcel 6:

Approval is sought, pursuant to the Expropriation Act, to issue a Notice of Intention to Expropriate:

- 1. The approximately 2.09 ha (5.16 acres), more or less, of the portion of the fee simple interest shown on Attachment 1- Parcel 6; and**
- 2. The below-described registered interests, in respect of only the approximately 2.09 ha (5.16 acres), more or less, of the area shown on Attachment 1 - Parcel 6;**

Both existing now, and as may become known to the expropriating authority, described as:

Municipal Address:

Legal Description: MERIDIAN 4 RANGE 27 TOWNSHIP 38
SECTION 32
ALL THAT PORTION OF THE NORTH EAST QUARTER
BOUNDED AS FOLLOWS: ON THE EAST BY THE WEST BOUNDARY OF THE LAND
SUBDIVIDED UNDER PLAN 2122HW ON THE SOUTH BY THE PRODUCTION
WESTERLY OF THE SOUTH BOUNDARY OF BLOCK 3 AS SHOWN ON
THE SAID SUBDIVISION PLAN 2122HW ON THE WEST BY THE WEST
BOUNDARY OF THE SAID QUARTER SECTION ON THE NORTH WEST BY THE
SOUTH EAST LIMIT OF THE CANADIAN PACIFIC RAILWAY RIGHT OF WAY
AS SHOWN ON RAILWAY PLAN C & E NO. 1 AND ON THE NORHT BY THE
SOUTH LIMIT OF THE ROAD AS SHOWN ON ROAD PLAN 3564JY
CONTAINING 18.96 HECTARES (46.93 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS

Registered Owner: J. Alfred Ordman Corporation

Estate: Fee Simple

Certificate of Title No.: 062 292 197

Registered Interests:

Registration No	Name	Registration Type
1563KW	See Instrument	Easement
2441SJ	Atco Gas and Pipelines Ltd	Caveat
812 074 715	The City of Red Deer	Utility Right of Way
812 206 250	The City of Red Deer	Caveat re: Easement
812 248 455	The City of Red Deer	Utility Right of Way
182 244 033	Sylvan Lake Regional Wastewater Commission	Utility Right of Way
192 041 730	Sylvan Lake Regional Wastewater Commission	Caveat re: Amending Agreement



192 041 731	Sylvan Lake Regional Wastewater Commission	Caveat re: Utility Right of Way
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Unregistered Interests:

Name	Nature of Interest
Unknown	Tenancy



Attachment 2 - Legal Description and Registered/Non-Registered Interest of Properties

Parcel 7:

Approval is sought, pursuant to the Expropriation Act, to issue a Notice of Intention to Expropriate:

- 1. The approximately 1.50 ha (3.71 acres), more or less, of the portion of the fee simple interest shown on Attachment 1- Parcel 1; and**
- 2. The below-described registered interests, in respect of only the approximately 1.50 ha (3.71 acres), more or less, of the area shown on Attachment 1 - Parcel 7;**

Both existing now, and as may become known to the expropriating authority, described as:

Municipal Address:

Legal Description: ALL THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION THREE (3)
TOWNSHIP THIRTY NINE (39)
RANGE TWENTY SEVEN (27)
WEST OF THE FOURTH MERIDIAN, WHICH LIES TO THE WEST OF ROAD PLAN 8021061;
NORTH AND WEST OF ROAD PLAN 3564JY; AND SOUTH AND EAST OF THE RIGHT OF
WAY OF RAILWAY PLAN C & E NO. 1;
CONTAINING 21.31 HECTARES (52.66 ACRES) MORE OR LESS
EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

Registered Owner: Chiles Development Corporation Ltd.

Estate: Fee Simple

Certificate of Title No.: 812 037 401

Registered Interests:

Registration No	Name	Registration Type
782 072 626	Fortis Alberta Inc.	Utility Right of Way
052 151 933	The City of Red Deer	Utility Right of Way
062 570 231	The City of Red Deer	Discharge of Utility Right of Way 052151933 Partial

Unregistered Interests:

Name	Nature of Interest
Unknown	



Attachment 2 - Legal Description and Registered/Non-Registered Interest of Properties

Parcel 8:

Approval is sought, pursuant to the Expropriation Act, to issue a Notice of Intention to Expropriate:

- 1. The approximately 0.39 ha (0.96 acres), more or less, of the portion of the fee simple interest shown on Attachment 1- Parcel 8; and**
- 2. The below-described registered interests, in respect of only the approximately 0.39 ha (0.96 acres), more or less, of the area shown on Attachment 1 - Parcel 8;**

Both existing now, and as may become known to the expropriating authority, described as:

Municipal Address:

Legal Description:	Plan 2122HW	Block 3
	Excepting Thereout All Mines and Minerals	
Registered Owner:	Kingswood Crossing (Alberta) Inc.	
Estate:	Fee Simple	
Certificate of Title No.:	062 344 357	

Registered Interests:

Registration No	Name	Registration Type
782 199 744	N/A - see instrument	Restrictive Covenant
192 012 129	Sylvan Lake Regional Wastewater Commission	Certificate of Approval re: Utility Right of Way

Unregistered Interests:

Name	Nature of Interest
Unknown	



Attachment 3

ALBERTA REGULATION 188/2001
Expropriation Act
EXPROPRIATION ACT FORMS REGULATION

Form 1 *Expropriation Act*
(Section 8)

Notice of Intention to Expropriate

1 Take Notice That **THE CITY OF RED DEER** intends to expropriate the following land located **TBD**, Red Deer AB and legally described as:

TBD

2 The nature of the interest in the land intended to be expropriated is: **FEE SIMPLE estate, together with all registered and non-registered rights, titles and interest in and to all or part of the Land or all owners and any other interests of any other owner who has an interest in or possession or or occupation of the Land, excepting thereout all mines and minerals.**
/

3 The work or purpose for which the interest in the land is required is: without limitation to facilitate the construction of the **HIGHWAY 11A IMPROVEMENTS AND REDESIGN project, which includes the widening and upgrading of Highway 11A, and nearby roads, intersections, over/underpasses, public utilities, sidewalks as well as access modifications, road network improvements, interchange construction, and any other infrastructure incidental to the construction of the Highway 11A Improvement and Redesign project.**

4 Section 6 of the Act provides that:

6(1) No person may in any proceedings under this Act dispute the right of an expropriating authority to have recourse to expropriation.

(2) In any proceedings under this Act the owner may question whether the taking of the land, or the estate or interest in it, is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority.

5 Section 10 of the Act provides that:

10(1) An owner who desires an inquiry shall serve the approving authority with a notice of objection,

(a) in the case of an owner served in accordance with section 8(2), within 21 days after service on the owner of the notice of intention, and

(b) in any other case, within 21 days after the first publication of the notice of intention.

(2) The notice of objection shall state



- (a) the name and address of the person objecting,
- (b) the nature of the objection,
- (c) the grounds on which the objection is based, and
- (d) the nature of the interest of the person objecting.

6 A person affected by the proposed expropriation does not need to serve a notice of objection to the expropriation in order to preserve his right to have the amount of compensation payable determined by the Board or the Court, as the case may be.

7 The approving authority with respect to this expropriation is:

THE CITY OF RED DEER
Box 5008
Red Deer, Alberta T4N 3T4
Attn: Michelle Baer, City Solicitor

Dated this _____ day of _____, 20____

THE CITY OF RED DEER
Box 5008
Red Deer, Alberta T4N 3T4

DATE: March 30, 2021
TO: Tara Lodewyk, General Manager Development & Protective Services
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Highway 11A Twinning Project, Land Acquisition - Expropriation

Reference Report:

Land & Economic Development, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Land & Economic Development dated March 29, 2021 re: Highway 11A Twinning Project, Land Acquisitions – Expropriation hereby recommends Administration commence the Expropriation Process by issuing a Notice of Intention to Expropriate to those owners and interested parties where the necessary lands have not yet been acquired and directs Administration to continue negotiating towards an Acquisition Agreement or Section 30 Agreement, under the Expropriation Act.

Report back to Council:

No.

Comments/Further Action:

As outlined in the above resolution.

“Frieda McDougall”

Frieda McDougall
Manager

c. Engineering Services Manager
Land Coordinator



March 29, 2021

Downtown Business Association - 2021 Revised Budget

Prepared by: Frieda McDougall
Department: Legislative Services

Report Summary & Recommendation:

The Downtown Business Association's 2021 Revised Budget is being presented for Council's approval.

On April 12 Revenue and Assessment Services will be bringing forward a proposed change to the BIA Bylaw that, if approved, will provide tax relief to business owners that are unable to pay their BIA taxes in full by the due date.

Proposed Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services Department dated March 29, 2021 re: Downtown Business Association - 2021 Revised Budget, hereby approves the Downtown Business Association's 2021 Revised Budget.

Report Details

Background:

In 1984 Council received a request from businesses located in the downtown area to establish a Business Revitalization Zone (BRZ) in accordance with the Municipal Government Act. Based on this and input from the downtown businesses, Council agreed to establish this zone. In 2017 the Municipal Government Act changed the name of these zones to the Business Improvement Areas (BIA). The Downtown Business Association's Board of Directors is responsible for the management of this zone, including preparation and administration of its budget.

Although the Board operates autonomously from The City of Red Deer, we are linked in the following ways:

1. Council appoints the members of the Board.
2. The Downtown Business Association's Budget is approved by Council.
3. Any changes to the BIA Bylaw, including its boundaries, must be approved by Council.
4. The City completes the business assessment, invoices and collects the BIA Tax from the Board. These invoices are sent out in May of each year to every person assessed for business purposes in the BIA. The due date for payment is June 30.

To comply with Provincial legislation, each year the Downtown Business Association must present a budget for the BIA to City Council for approval. The 2021 budget was submitted and approved in December of 2020 and was intended to be used as the basis for



BIA tax that members pay. Subsequent to this approval, the DBA has submitted a REVISED budget for Council's consideration

Discussion:

In March 2021, the Legislative Services Department received the Downtown Business Association's Revised Budget for 2021. Individual notices were mailed to every person assessed for business property within the BIA, stating that on March 29, 2021 at 1:30 p.m. Council will consider written or verbal presentations concerning the budget and consider approval of the budget following presentations.

Analysis:

The report and budget from the Downtown Business Association outlines the financial implications of approving this budget. If approval of this budget is received, an amendment to the Business Improvement Area Business Tax Bylaw would come forward to council at a future meeting.

March 8, 2021

«Owner_Name»
«Owner_Address1»

Dear Sir/Madam:

**Re: Downtown Business Association - 2021 REVISED Budget
Request for Your Comments**

History

In 1984 businesses in the downtown formed a Business Revitalization Zone (BRZ) with a mission statement to guide the progress of Red Deer's central business district to provide a healthy atmosphere of business development and social and cultural improvements. In 2017 the Municipal Government Act changed the name of these zones to Business Improvement Areas (BIA).

The BIA is governed by the Downtown Business Association Board of Directors who manage the regulations set by Provincial legislation as provided for by the Municipal Government Act.

2021 BIA Budget

To comply with Provincial legislation, each year the Downtown Business Association (DBA) must present a budget for the BIA to City Council for approval. The 2021 budget was submitted and approved in December of 2020 and was intended to be used as the basis for the BIA tax that members pay. Subsequent to this approval, the DBA has submitted a REVISED budget for Council consideration. Before Council considers this budget we want to give you, as a member of the Association, an opportunity to provide Council with your comments about this revised budget. The 2021 Downtown Business Association revised budget is attached for your review.

Comments can be communicated to Council by:

1. Sending a letter to: Red Deer City Council
c/o Legislative Services Manager
Box 5008, Red Deer, AB T4N 3T4
Deadline: **Friday, March 19, 2021**
2. Emailing Council at: legislativeservices@reddeer.ca

Comments submitted will be included on the open agenda of Council and will be available to public and considered by Council at its meeting scheduled for **Monday, March 29, 2021** at 10:00 a.m. in Council Chambers, 2nd Floor, City Hall.

For additional information, or should you have questions, please contact:

Regarding the Budget:

□ Downtown Business Association at (403) 340-8696 or email at info@downtownreddeer.com

Regarding the Council Meeting:

□ Legislative Services Manager at (403) 342-8132 or email at legislativeservices@reddeer.ca

Sincerely,



Frieda McDougall
Legislative Services Manager

attach.

c City Assessor
Controller – Property Taxation



February 25, 2021

Dear Downtown business community

Please find attached the DBA Board approved 2021 Downtown Business Association (DBA) budget.

You will notice the Business Improvement Area (BIA) levy is \$167,900 less than it was in 2020. This is to cover the \$95,000 loss of provincial levy payments that have been historically paid by the provincial buildings located in the BIA. Due to the COVID-19 pandemic, the DBA is anticipating up to a \$40,000 reduction in 2020 levy revenue from businesses who defaulted on payment. In addition, the BIA lost a substantial number of businesses which has resulted in a further loss of \$32,000.

As the DBA acted so quickly in 2020, we were able to make decisions during COVID restrictions and closures that equated to substantial savings, plus we have accessed the DBA Reserve Fund for an unparalleled amount.

The DBA along with our businesses have endured unprecedented challenges and made many sacrifices in 2020. These decisions were made to ensure the levy would not increase in 2021 and would remain at the 2020 rate.

If you have any questions about your levy, please direct them to City Hall as per the information in the attached letter. Any questions regarding the DBA and the services it provides, please contact the Executive Director at amanda.gould@downtownreddeer.com or through the phone number listed at the bottom of this page.

Regards

Vicki Finlay

Vicki Finlay
DBA Board Chair



Revenues

	2020	2021	Change	% Change
Business Improvement Area (BIA) levy	\$419,900	\$252,000	\$(167,900)	-39.99%
Environmental contract (Clean Team)	\$187,835	\$187,835	\$ -	0.00%
Event/program	\$ 35,200	\$ 19,000	\$ (16,200)	-46.02%
Other	\$ 5,000	\$ 5,000	\$ -	0.00%
Grant	\$ 6,000	\$ 6,000	\$ -	0.00%
Rental	\$ 16,500	\$ 13,000	\$ (3,500)	-21.21%
Interest	\$ 500	\$ 500	\$ -	0.00%
DBA Reserve Funds	\$ 12,058	\$ 37,416	\$ 25,358	210.30%
	\$ -	\$ -	\$ -	
	\$682,993	\$520,751	\$(162,242)	-23.75%

Expenditures

Salaries & benefits	\$375,567	\$269,951	\$(105,616)	-28.12%
Activities/programs	\$ 90,606	\$ 61,300	\$ (29,306)	-32.34%
Advertising and promotion	\$ 50,300	\$ 38,900	\$ (11,400)	-22.66%
Amortization	\$ -	\$ -	\$ -	
Assessment & tax administration	\$ 12,960	\$ 13,200	\$ 240	1.85%
Bookkeeping/audit	\$ 14,500	\$ 16,300	\$ 1,800	12.41%
Computers	\$ 4,800	\$ 6,400	\$ 1,600	33.33%
Events, networking & meetings	\$ 33,200	\$ 21,000	\$ (12,200)	-36.75%
Insurance	\$ 7,600	\$ 7,600	\$ -	0.00%
Interest & bank charges	\$ 850	\$ 850	\$ -	0.00%
Office Furnishings	\$ 500	\$ 500	\$ -	0.00%
Office supplies	\$ 7,300	\$ 4,800	\$ (2,500)	-34.25%
Photocopier/printer lease	\$ 4,500	\$ 4,500	\$ -	0.00%
Rent	\$ 56,100	\$ 56,100	\$ -	0.00%
Software	\$ 1,200	\$ 1,200	\$ -	0.00%
telephone & Internet	\$ 3,700	\$ 3,700	\$ -	0.00%
Travel	\$ 6,410	\$ 3,000	\$ (3,410)	-53.20%
Utilities	\$ -	\$ -	\$ -	0.00%
Website	\$ 2,400	\$ 2,950	\$ (550)	22.92%
Total Operating Expenses	\$672,493	\$512,251	\$(156,232)	-23.23%
Capital Costs	\$ 10,500	\$ 8,500	\$ (2,000)	-19.05%
	\$682,993	\$520,751	\$(158,232)	-23.17%



DATE: March 30, 2021
TO: Samantha Rodwell, Deputy City Clerk
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Downtown Business Association's – 2021 Revised Budget

Reference Report:

Legislative Services, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services Department dated March 29, 2021 re: Downtown Business Association - 2021 Revised Budget, hereby approves the Downtown Business Association's 2021 Revised Budget.

Report back to Council:

No.

Comments/Further Action:

None.

"Frieda McDougall"

Frieda McDougall
Manager

- c. General Manager Corporate & Employee Services
Revenue & Assessment Manager



March 30, 2021

Ms. Amanda Gould
Executive Director, Downtown Business Association
5009, 50 Avenue #1
Red Deer, AB, T4N 4B2

Email: amanda.gould@downtownreddeer.com

Dear Ms. Amanda Gould

RE: Downtown Business Association's 2021 Revised Budget

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services Department dated March 29, 2021 re: Downtown Business Association - 2021 Revised Budget, hereby approves the Downtown Business Association's 2021 Revised Budget.

If you have any questions, please do not hesitate to contact me.

Sincerely,

'Frieda McDougall

Frieda McDougall
Legislative Services Manager

c. General Manager Corporate & Employee Services
Revenue & Assessment Manager



March 29, 2021

Intermunicipal Collaboration Framework

Bylaw 3670/2021,

Consideration of Second and Third Reading

Prepared By: Jennifer Hankey, Corporate Meeting Administrator

Department: Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, March 15, 2021 City Council meeting.

Recommendation:

That Council consider second and third readings of Bylaw 3670/2021.

Background:

On March 15, 2021 Council gave first reading to the following:

Bylaw 3670/2021 (a Bylaw to adopt the Intermunicipal Collaboration Framework between Deer County and The City of Red Deer)

Proposed Resolution:

That Bylaw 3670/2021 be read a second and third time.



March 15, 2021

Intermunicipal Collaboration Framework

Prepared by: David Girardin
Department: City Planning and Growth

Report Summary

The *Modernized Municipal Government Act* (MGA) 2016 introduced requirements for municipalities that have a common boundary to adopt an Intermunicipal Collaboration Framework (ICF). An ICF is a tool to facilitate and encourage cooperation and cost-sharing between neighbouring municipalities to ensure municipal services are provided to residents efficiently. The MGA requires The City of Red Deer and Red Deer County to adopt identical ICFs before April 1, 2021.

The City of Red Deer and Red Deer County have a long history of working collaboratively. The ICF was developed by the Regional Collaboration Committee (RCC) and it summarizes our existing agreements into a single document and builds atop the 2007 Intermunicipal Development Plan (IDP). The Committee will continue its work and may have future amendments to the ICF in the coming months to recognize new partnerships and agreements.

The RCC is comprised of three representatives from each municipal Council. They have collectively reviewed all existing agreements and developed the proposed ICF in Appendix A. The Committee and administration acknowledge the good collaborative progress in the creation of the ICF, which has enabled a foundation for further strategic collaboration on regional issues.

The Committee has since transitioned to discussing new opportunities for efficient, equitable, and mutually beneficial collaboration. The group has prioritized significant issues for regional collaboration (Appendix B). These discussions are ongoing. Any new arrangements entered into by the municipalities will be amended into the ICF.

The proposed ICF satisfies the MGA requirements and is endorsed by the RCC as the first step to enhance cooperative regional collaboration. City and County Administrations concur and jointly recommend their respective Council adopt, by bylaw, the proposed ICF attached as Appendix A.

Proposed Resolution

That Bylaw 3670/2021 be read a first time.

If first reading is given, this bylaw will come back for second and third reading at the Monday, March 29, 2021 Council Agenda.

Rationale for Recommendation

The rationale for administrations recommendation is as follows:

1. Compliance with the MGA to adopt and ICF

The City of Red Deer and Red Deer County must have an adopted framework before April 1, 2020. If an ICF is not adopted by this date, arbitration is mandatory.

2. The ICF builds onto The County and City's existing relationship

The City and County have a long history of working collaboratively. The ICF summarises all of our existing agreements into a single document. The development of the ICF builds atop our IDP and provides a foundation for ongoing dialogue to explore new opportunities for regional collaboration.

3. The RCC is committed to continue discussing regional collaboration issues

The Committee has transitioned to discussing new opportunities for regional collaboration. The group has prioritized eighteen issues (Appendix B). Discussions are ongoing and the group is committed to reviewing all regional topics including, but not limited to, the items noted in Appendix B.

Discussion & Analysis

Background

An Intermunicipal Collaborative Framework is a legislated requirement introduced in the *Modernized MGA* in 2016 that requires municipalities who share a common boundary to create an ICF to:

- *Provide integrated and strategic planning, delivery, and funding of inter-municipal services;*
- *Steward scarce resources efficiently in providing local services; and*
- *Ensure municipalities contribute funding to services that benefit their residents.*

The MGA does not require municipalities to provide joint services or shared services, but rather, municipalities agree on how to best provide those services. This means services can be provided individually or intermunicipally.

More recently *Bill 25: Red Tape Reduction Implementation Act* amended the MGA in December 2019 and reduced the requirements for ICFs. A framework must:

- *describe the services to be provided under it that benefit residents in more than one of the municipalities that are parties to the framework,*
- *identify which municipality is responsible for providing which services and outline how the services will be delivered and funded, and*
- *Include a process for resolving disputes.*

An ICF can be adopted by council resolution or by bylaw. The RCC has recommended adoption by bylaw. This recommendation is supported by both administrations.

The City and County are required to adopt a framework before April 1, 2021, to be compliant with the MGA.

Analysis

Regional Collaboration Committee

The ICF Joint Council Committee (JCC) was created in October 2019 and has since been renamed the Regional Collaboration Committee (RCC). The City of Red Deer appointed Mayor Tara Veer, and Councillors Vesna Higham and Lawrence Lee to this committee. The County appointed Mayor Jim Wood, and Councillors Jean Bota and Christine Moore; those councillors whose wards are adjacent to the City of Red Deer.

The RCC commenced meetings in February 2020 but shortly thereafter was unable to meet due to COVID-19. The Committee resumed regular meetings in October 2020. They have since reviewed all existing agreements between The City of Red Deer and Red Deer County. The RCC members developed the proposed ICF (Appendix A) for adoption by bylaw for their respective Councils.

The committee acknowledges the work that has been completed to date, as the proposed ICF builds the foundation for further collaboration on regional issues. The RCC is capitalizing on this progress and has transitioned to discussing new opportunities for efficient, equitable, and mutually beneficial collaboration. The group has prioritized eighteen issues that are listed in Appendix B. Discussions are ongoing and the group is committed to reviewing regional topics. This commitment is captured in the ICF subsection 4(2). Any new arrangements entered into by the municipalities as a result of these discussions will be amended into the ICF and/or through other agreements.

Intermunicipal Collaboration Framework

The proposed ICF meets the MGA requirements. The document can be summarized as follows:

Service Agreements (Appendix A – Section 5)

This section summarizes the existing agreements between The City and The County. The RCC has reviewed all of the existing agreements. Guiding information for two of the agreements was added to the Framework in subsections 5(2)(a)(i) and 5(7)(a)(i).

Dispute Resolution (Appendix A – Section 8)

The dispute resolution process applies to the interpretation, implementation, or application of the Framework. It does not apply to agreements that have an integrated dispute resolution process. The majority of the existing agreements in the Framework (14 of 16) have a dispute resolution process.

The resolution process provides options starting with those that are less stringent and then moving to more restrictive solutions; negotiation, mediation, and finally binding arbitration.

Capital Partnership, Operating Agreements and Service Agreements (Appendix A – Section 7)

This section outlines a request process for new and existing service and cost-sharing agreements. The RCC is the forum to discuss and review service agreements and cost-sharing agreements. A request can be made by either municipality at any time.

The ICF does not require either party to enter into any new agreements. Each municipality's ability to independently negotiate new agreements remains intact. The decision to participate or not participate in a new agreement lies with each municipal council.

5-Year Review (Appendix A – Section 1)

The MGA requires an ICF to be minimally reviewed within 5-years of adoption, or sooner if agreed upon by both Councils. The proposed ICF will require a review by 2026. The forum for this review is the RCC.

Appendix

Appendix A – Intermunicipal Collaboration Framework between Red Deer County and The City of Red Deer

Appendix B – List of Prioritized Regional Collaboration Topics

Appendix A

Intermunicipal Collaboration Framework between Red Deer County and The City of Red Deer

BYLAW 3670/2021

Being a bylaw of The City of Red Deer, in the Province of Alberta, to adopt the Intermunicipal Collaboration Framework between Red Deer County and The City of Red Deer.

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

- 1. The Intermunicipal Collaboration Framework Red Deer County and The City of Red Deer is adopted and attached hereto.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2021
READ A SECOND TIME IN OPEN COUNCIL this	day of	2021
READ A THIRD TIME IN OPEN COUNCIL this	day of	2021
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2021

MAYOR

CITY CLERK

Intermunicipal Collaboration Framework

Red Deer County and The City of Red Deer



Red Deer County
Bylaw
Adopted March 9, 2021



City of Red Deer
Bylaw 3670/2021
Adopted March 15, 2021

WHEREAS, Red Deer County and The City of Red Deer share common borders; and

WHEREAS, Red Deer County and The City of Red Deer share common interests and are desirous of working together to provide services to their residents; and

WHEREAS, the *Municipal Government Act* stipulates that Municipalities that have a common boundary must create an Intermunicipal Collaboration Framework with each other that describes the services to be provided under it that benefit residents in more one of the municipalities that are parties to the framework.

NOW THEREFORE, by mutual covenant of both Municipalities it is agreed as follows:

1 TERM AND REVIEW

(1) In accordance with the *Municipal Government Act*, this Intermunicipal Collaboration Framework shall come into force on the passing of a bylaw or a resolution that contains the Framework by both Municipalities.

(2) This Framework may be amended by agreement of both Municipalities unless specified otherwise in this Framework.

(3) It is agreed by the Municipalities that the Regional Collaboration Committee shall review the terms and conditions of the Framework at least once every five years, commencing no later than 2026.

(4) It is agreed by the Municipalities that the Regional Collaboration Committee will meet at least once a year. Additional meetings can be requested at any time by committee members through their respective Chief Administrative Officer (CAO).

2 GOVERNANCE BODY

(1) The Regional Collaboration Committee is the forum for Intermunicipal Collaboration Framework discussions, future amendments, and review considerations.

3 INTERMUNICIPAL COOPERATION

(1) The Joint Administrative Protocol established in the Intermunicipal Development Plan will be the forum used from time to time for generalized administrative discussions not covered by subsection 7(1).

4 GENERAL TERMS

(1) Both Municipalities agree that in consideration of the service agreements outlined in section **5 INTERMUNICIPAL SERVICES** that residents of the Municipalities will be afforded the opportunity to have access to the services outlined in the agreements.

(2) Both Municipalities agree there are significant regional collaboration matters that will continue to be worked on by the Regional Collaboration Committee including, but not limited to,

- (a) the Red Deer Regional Airport,
- (b) Westerner Park, and
- (c) social issues.

5 INTERMUNICIPAL SERVICES

The Municipalities have a history of working together to provide municipal services to the residents on an intermunicipal basis, with the following services being provided directly or indirectly to their residents:

(1) Transportation Services

- (a) Inter-municipal Transit Bus and Action Bus Service Agreement between the Municipalities was originally entered into on the 26th day of August, 2009 (as amended from time to time) to operate Transit Services to Gasoline Alley, Springbrook, and a two-year pilot to the Towns of Penhold and Innisfail. This agreement is in effect until August 2028. The City of Red Deer is the Managing Partner. Cost sharing is done at a full cost recovery basis.

(2) Water and Wastewater Services

- (a) Water Supply Agreement between the Municipalities was originally entered into on the 26th day of August, 2004 (with amending agreements in 2013 and 2016) to supply water to areas within Red Deer County. This agreement is in effect until August 26, 2034. The City of Red Deer is the Managing Partner. Rates are determined annually.
 - (i) Through the negotiation of this Intermunicipal Collaboration Framework, the Municipalities agree to develop and implement regional conservation standards for water consumption.

(3) Emergency Services

- (a) Mutual Assistance Agreement between the Municipalities was entered into on the 16th day of June 2017 that states Red Deer County agrees to provide emergency response services to The City of Red Deer and vice versa under the terms of the agreement. This agreement is in effect until June 16, 2027. As a mutual aid agreement there is no managing partner. Cost sharing is done on a location basis with the Municipality responsible for the emergency paying the costs.
- (b) Fire Dispatch Service Agreement was entered into on the 28th day of February 2020 and states Red Deer County pay an annual fee to The City of Red Deer and in return The City of Red Deer will provide fire dispatch service for calls originating within the Service Area. The agreement is effective until the end of the calendar year after the fifth anniversary of the Effective Date; December 31 2025. The City of Red Deer is the Managing Partner. Annual rates have been predetermined for the term of the agreement.
- (c) E9-1-1 Call Answer Service Agreement between the Municipalities was entered into on the 29th day of June 2003 to provide 9-1-1 call answer services for the citizens of Red Deer County. This agreement is automatically renewed every three years. The City of Red Deer is the Managing Partner. Cost sharing is done on a location basis with the Municipality responsible for the emergency paying the costs.

(4) Recreation Services

- (a) Fort Normandeau Parking Lease Agreement was entered into on the 19th day of October, 2009 (with an amending agreement in 2018) for the lease of land adjacent to Fort Normandeau for use as an overflow parking lot. This agreement is in effect until December 31, 2028. Red Deer County is the managing partner and The City of Red Deer is responsible for all ongoing care and maintenance costs.
- (b) Red Deer County and City of Red Deer Recreation Agreement was entered into on the 29th day of March 2020 and states that Red Deer County pays an annual fee to The City of Red Deer and in return County residents are provided access to The City's facilities and programs (recreational and cultural) at the same rate that is charged to City of Red Deer residents. This agreement is in effect until December 31, 2025. The City of Red Deer is the Managing Partner. Annual rates have been predetermined for the term of the agreement.
- (c) MacConnal Park Agreement was entered into on the 25th day of September 2007 to provide information on ownership and maintenance responsibilities for park lands located in Red Deer County which were bequeathed to The City of Red Deer. This agreement is in effect

indefinitely. The City of Red Deer's Recreation, Parks and Culture Department is ultimately responsible for the agreement and all operations of the land and tax payments to Red Deer County in accordance with this agreement. The City of Red Deer has entered into a subsequent maintenance and grazing agreement with a private resident.

(5) Community Services

- (a) FCSS Multi-Municipal Operating Agreement was entered into on the 2nd day of December 2014 to establish the joint governance of the Red Deer and District FCSS Board and The City of Red Deer as the fund administrator. This agreement is in effect until December 31, 2024. The City of Red Deer is the managing partner.
- (b) Funding Agreement between The City of Red Deer and Red Deer County / Benalto for Family and Community Support Services was entered into the 31 day of January 2018 for the funding support of an FCSS Community Worker through Provincial FCSS Grant funds set to expire the 31st day of December 2020. The City of Red Deer is the managing partner.
- (c) Funding Agreement between The City of Red Deer and Red Deer County / Springbrook for Family and Community Support Services was entered into the 31 day of January 2018 for the funding support of an FCSS Community Worker through Provincial FCSS Grant funds set to expire the 31st day of December 2020. The City of Red Deer is the managing partner.
- (d) Funding Agreement between The City of Red Deer and Red Deer County / West County for Family and Community Support Services was entered into the 31 day of January 2018 for the funding support of an FCSS Community Worker through Provincial FCSS Grant funds set to expire the 31st day of December 2020. The City of Red Deer is the managing partner.
- (e) Funding Agreement between The City of Red Deer and Red Deer County for Family and Community Support Services was entered into the 31 day of January 2018 for the funding support of an FCSS Community Facilitator through Provincial FCSS Grant funds set to expire the 31st day of December 2020. The City of Red Deer is the managing partner.

(6) Assessment Complaints

- (a) Agreement for Regional Assessment Review Services was entered into on the 22nd day of November 2011 (with amending agreements in 2015 and 2018) to establish the terms of membership for a joint Regional Assessment Review board for property assessment complaints for the residents of Partner Municipalities. The City of Red Deer and Red Deer County have passed bylaws to establish the joint Regional Assessment

Board (City of Red Deer Bylaw 3474/2014, as amended from time to time, and Red Deer County 2011/29, as amended from time to time). The Bylaws were adopted November 14, 2011 and November 15, 2011 respectively. This agreement does not have an end date. The managing partner is The City of Red Deer. All Partner Municipalities pay a membership fee, as well as any additional administration, board and legal fees associated with the processing of individual assessment complaints, to the managing partner on a cost recovery basis.

(7) Intermunicipal Development Plan

- (a) The Municipalities mutually adopted an Intermunicipal Development Plan on July 5, 2007 (Bylaw 2007/29 Red Deer County and Bylaw 3393/2007 The City of Red Deer, as amended from time to time) in accordance with the *Municipal Government Act*. The Intermunicipal Development Plan is based upon a shared vision of a future growth framework and reflects the mutual agreement on Growth Area for Red Deer County and The City of Red Deer. The Intermunicipal Development Plan does not have an end date. As mutually adopted bylaws there is no managing partner.
 - (i) Through the negotiations of this Intermunicipal Collaboration Framework, the Municipalities agree this ICF does not impede the ability to amend the Intermunicipal Development Plan at any time.
- (b) The Municipalities have established an Intermunicipal Subdivision and Development Appeal Board and Intermunicipal Disagreement Resolution Board via individual Bylaws (Bylaw 2012/27 on November 6, 2012, by Red Deer County and Bylaw 3408/2008 on May 5, 2008, by The City of Red Deer) to hear appeals from subdivision and development permit decisions made under the provisions of the Intermunicipal Development Plan. The adopted bylaws do not have end dates. The City of Red Deer is the Managing Partner. The Municipality requiring the Appeal Board is responsible for all costs associated with the Board hearing.

6 EXISTING AGREEMENTS

- (1)** Except as noted in subsection 8(3) of this Framework, nothing in this Framework modifies the terms and conditions in the existing agreements between the Municipalities that have been listed in section **5 INTERMUNICIPAL SERVICES** of this Framework.
- (2)** The Municipalities acknowledge that in addition to the shared service agreements in place between the Municipalities, they each have independent agreements with other regional partners.

7 CAPITAL PARTNERSHIP, OPERATING AGREEMENTS AND SERVICE AGREEMENTS

- (1)** In the event that either Municipality initiates the development of a new project and/or service or existing project and/or service that may require a new cost-sharing agreement, the initiating Municipality's Chief Administrative Officer will notify the other's Chief Administrative Officer in writing.
- (2)** The initial notification will include a general description of the project, estimated costs and timing of expenditures. The other party will advise if they have objections in principle to provide funding to the project and provide reasons. An opportunity will be provided to discuss the project at the Regional Collaboration Committee.
- (3)** Once either Municipality has received written notice of a new project, a Regional Collaboration Committee meeting must be held within thirty (30) calendar days of the date the written notice was received, unless both municipalities' Chief Administrative Officers agree otherwise.
- (4)** The Regional Collaboration Committee will be the forum used to discuss and review future and existing capital partnership, operating agreements and service agreements.
- (5)** Both Municipalities recognize that the decision to participate in or not participate in a project ultimately lies with the respective municipal councils.

8 DISPUTE RESOLUTION

Preamble

The municipalities have existing agreements. Some of these existing agreements do not have a dispute resolution mechanism. If a dispute arises regarding these types of agreements, the dispute resolution mechanism in this Framework will apply, as outlined in subsection 3 herein.

The municipalities also have existing agreements that include a dispute resolution mechanism. The dispute resolution conditions in these agreements are the result of the negotiations by the parties to respond to the intricacies of these agreements. If a dispute arises regarding these types of agreements, the dispute resolution process within the agreement will apply as outlined in subsection 3 herein.

When developing future agreements, the municipalities, determined through the negotiation process, may choose to use either of these practices.

(1) The Municipalities are committed to resolving any disputes in a non-adversarial, informal and cost-efficient manner.

(2) The Municipalities shall make all reasonable efforts to resolve all disputes by negotiation and agree to provide, without prejudice, open and timely disclosure of relevant facts, information and documents to facilitate negotiations.

(3) Where an existing intermunicipal agreement includes a binding dispute resolution process, the process in that existing intermunicipal agreement shall be used to resolve any dispute arising under that agreement. The dispute resolution outlined in this Framework shall be utilized in the case of disputes arising from intermunicipal agreements that do not include a dispute resolution process.

(4) If any dispute arises between the Municipalities regarding the interpretation, implementation or application of this Framework or any contravention or alleged contravention of this Framework, the dispute will be resolved through the binding Dispute Resolution Process outlined herein.

(5) In the event of a dispute, the Municipalities agree that they shall undertake a process to promote the resolution of the dispute in the following order:

- (a) negotiation;
- (b) mediation; and
- (c) binding arbitration.

(6) If the Dispute Resolution Process is invoked, the Municipalities shall continue to perform their obligations described in this Framework and the Agreements listed in the Framework until such time as the Dispute Resolution Process is complete.

(7) A party shall give written notice (“Dispute Notice”) to the other party of a dispute and outline in reasonable detail the relevant information concerning the dispute. Within thirty (30) days following receipt of the Dispute Notice, the Regional Collaboration Committee shall meet and attempt to resolve the dispute through discussion and negotiation, unless a time extension is mutually agreed by both municipalities’ Chief Administrative Officers. If the dispute is not resolved within sixty (60) days of the Dispute Notice being issued, the negotiation shall be deemed have failed.

(8) If the Municipalities cannot resolve the dispute through negotiation within the prescribed time period, then the dispute shall be referred to mediation.

(9) Either party shall be entitled to provide the other party with a written notice (“Mediation Notice”) specifying:

- (a) The subject matters remaining in dispute, and the details of the matters in dispute that are to be mediated; and
- (b) The nomination of an individual to act as the mediator.

(10) The Municipalities shall, within thirty (30) days of the Mediation Notice, jointly nominate or agree upon a mediator.

(11) Where a mediator is appointed, the Municipalities shall submit in writing their dispute to the mediator and afford the mediator access to all records, documents and information the mediators may reasonably request. The Municipalities shall meet with the mediator at such reasonable times as may be required and shall, through the intervention of the mediator, negotiate in good faith to resolve their dispute. All proceedings involving a mediator are agreed to be without prejudice and the fees and expenses of the mediator and the cost of the facilities required for mediation shall be shared equally between the Municipalities.

(12) In the event that:

- (a) The Municipalities do not agree on the appointment of a mediator within thirty (30) days of the Mediation Notice; or
- (b) The mediation is not completed within sixty (60) after the appointment of the mediator; or
- (c) The dispute has not been resolved within ninety (90) from the date of receipt of the Mediation Notice; either party may by notice to the other withdraw from the mediation process and in such event the dispute shall be deemed to have failed to be resolved by mediation.

(13) If mediation fails to resolve the dispute, the dispute shall be submitted to binding arbitration. Either of the Municipalities may provide the other party with written notice (“Arbitration Notice”) specifying:

- (a) the subject matters remaining in dispute and the details of the matters in dispute that are to be arbitrated; and
- (b) the nomination of an individual to act as the arbitrator.

(14) Within thirty (30) days following receipt of the Arbitration Notice, the other party shall, by written notice, advise as to which matters stated in the Arbitration Notice it accepts and disagrees with, advise whether it agrees with the resolution of the disputed items by arbitration, and advise whether it agrees with the arbitrator selected by the initiating party or provide the name of one arbitrator nominated by that other party.

(15) The Municipalities shall, within thirty (30) days of the Arbitration Notice, jointly nominate or agree upon an arbitrator.

(16) Should the Municipalities fail to agree on a single arbitrator within the prescribed time period, then either party may apply to a Justice of the Court of Queen's Bench of Alberta to have the arbitrator appointed.

(17) The terms of reference for arbitration shall be those areas of dispute referred to in the Arbitration Notice and the receiving party's response thereto.

(18) The *Arbitration Act* (Alberta) in force from time to time shall apply to arbitration proceedings commenced pursuant to this Framework.

(19) The arbitrator shall proceed to hear the dispute within sixty (60) days of being appointed and proceed to render a written decision concerning the dispute forthwith.

(20) The arbitrator's decision is final and binding upon the Municipalities subject only a party's right to seek judicial review by the Court of Queen's Bench on a question of jurisdiction.

(21) If the Municipalities do not mutually agree on the procedure to be followed, the arbitrator may proceed to conduct the arbitration on the basis of documents or may hold hearings for the presentation of evidence and for oral argument.

(22) Subject to the arbitrator's discretion, hearings held for the presentation of evidence and for argument are open to the public.

(23) If the arbitrator establishes that hearings are open to the public in Section 21, arbitrator, as their sole discretion, may solicit written submissions. If the arbitrator requests written submissions they must be considered in the decision.

(24) The fees and expenses of the arbitrator and the cost of the facilities required for arbitration shall be shared per the Municipal Government Act Part 17.2 Section 708.41.

(25) On conclusion of the arbitration and issuance of an order, the arbitrator must proceed to compile a record of the arbitration and give a copy of the record to each the Municipalities.

9 CORRESPONDENCE

(1) Written notice under this Agreement shall be addressed as follows:

(a) In the case of Red Deer County to:

**Red Deer County
c/o Chief Administrative Officer
Red Deer County Centre
38106 Range Rd 275
Red Deer County, AB T4S 2L9**

(b) In the case of The City of Red Deer to:

**The City of Red Deer
c/o Chief Administrative Officer
Box 5008
Red Deer, AB T4N 3T4**

(2) In addition to subsection 7(1), notices may be sent by electronic mail to the Red Deer County Chief Administrative Officer and The City of Red Deer Chief Administrative Officer.

Appendix B

List of Prioritized Regional Collaboration Topics

List of Prioritized Regional Collaboration Topics

Regional Collaboration Topics
1. Red Deer Regional Airport
2. Westerner Park & Westerner Exposition Association
3. Policing
4. Social Issue / Provincial Shelter
5. Intermunicipal Development Plan (IDP) Annual Review
6. Central Alberta Economic Partnership (CAEP)
7. Central Alberta Access Prosperity
8. Economic Development: Central Alberta Destination Management Plan
9. Tourism Red Deer
10. Regional Transportation
11. Library Services
12. Red Deer Museum + Art Gallery
13. Red Deer & District Archives
14. Central Alberta Child Advocacy Centre
15. Central Alberta Crime Prevention Centre
16. The Lending Cupboard
17. Volunteer Central
18. Sunnybrook Farm Museum

DATE: March 30, 2021
TO: David Girardin, Major Projects Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Bylaw 3670/2021 Intermunicipal Collaboration Framework

Reference Report:

City Planning and Growth, dated March 29, 2021.

Bylaw Reading:

At the Monday, March 29, 2021 Regular Council Meeting, Council gave second and third readings to the following Bylaw:

Bylaw 3670/2021 (a Bylaw to adopt the Intermunicipal Collaboration Framework between Red Deer County and The City of Red Deer)

Report back to Council:

No.

Comments/Further Action:

Administration will distribute the bylaw in due course.

“Frieda McDougall”

Frieda McDougall
Manager

c. General Manager Development & Protective Services



March 29, 2021

Land Use Bylaw 3357/G-2021

Rezoning in Evergreen Neighbourhood (Part of NW ¼ Sec 26; 38-27-W4) A1 – Future Urban Development District to P1 – Parks and Recreation District

Prepared by: Orlando Toews, Senior Planner

Department: City Planning & Growth

Report Summary

The City Planning and Growth department has received an application to rezone a ±5.1 hectare area in the Evergreen neighbourhood from *A1 – Future Urban Development District* to *P1 – Parks and Recreation District*. This will facilitate the creation and open space development of three municipal reserve (MR) lots and one environmental reserve (ER) lot as per the Evergreen Neighbourhood Area Structure Plan's land use concept.

Administration recommends Council give First Reading to the bylaw.

Proposed Resolution

That Bylaw 3357/G-2021 be read a first time.

If first reading is given, this bylaw will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, April 26, 2021.

Rationale for Recommendation

1. **The proposed rezoning amendment is consistent the Evergreen Neighbourhood Area Structure Plan.** Rezoning is a necessary step towards the creation and development of the Evergreen central open space.

Discussion & Analysis

Background

Several phases of the Evergreen neighbourhood have been subdivided out. Residential development has followed and residents are now living in the neighbourhood. The central

open space will provide an amenity for current and future residents and the developer wishes to proceed with development of the open space. Conditional subdivision approval has been granted for the creation of three MR lots and 1 ER lot. Rezoning will enable development of the open space to proceed.

Analysis

The proposed rezoning is consistent with the land use concept in the Evergreen Neighbourhood Area Structure Plan (Appendix B) and will facilitate the development of the open space.

Appendices

Appendix A – Bylaw 3357/G-2021

Appendix B – Excerpt from the Evergreen Neighbourhood Area Structure Plan

Appendix A – Bylaw 3357/G-2021

BYLAW NO. 3357/G-2021

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 Map 5/2021 attached as Schedule “A” and forming part of this Bylaw are redesignated from A1 – Future Urban Development District to P1 – Parks and Recreation District.
2. The “Land Use District Map Q19” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with Map 5/2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of 2021.

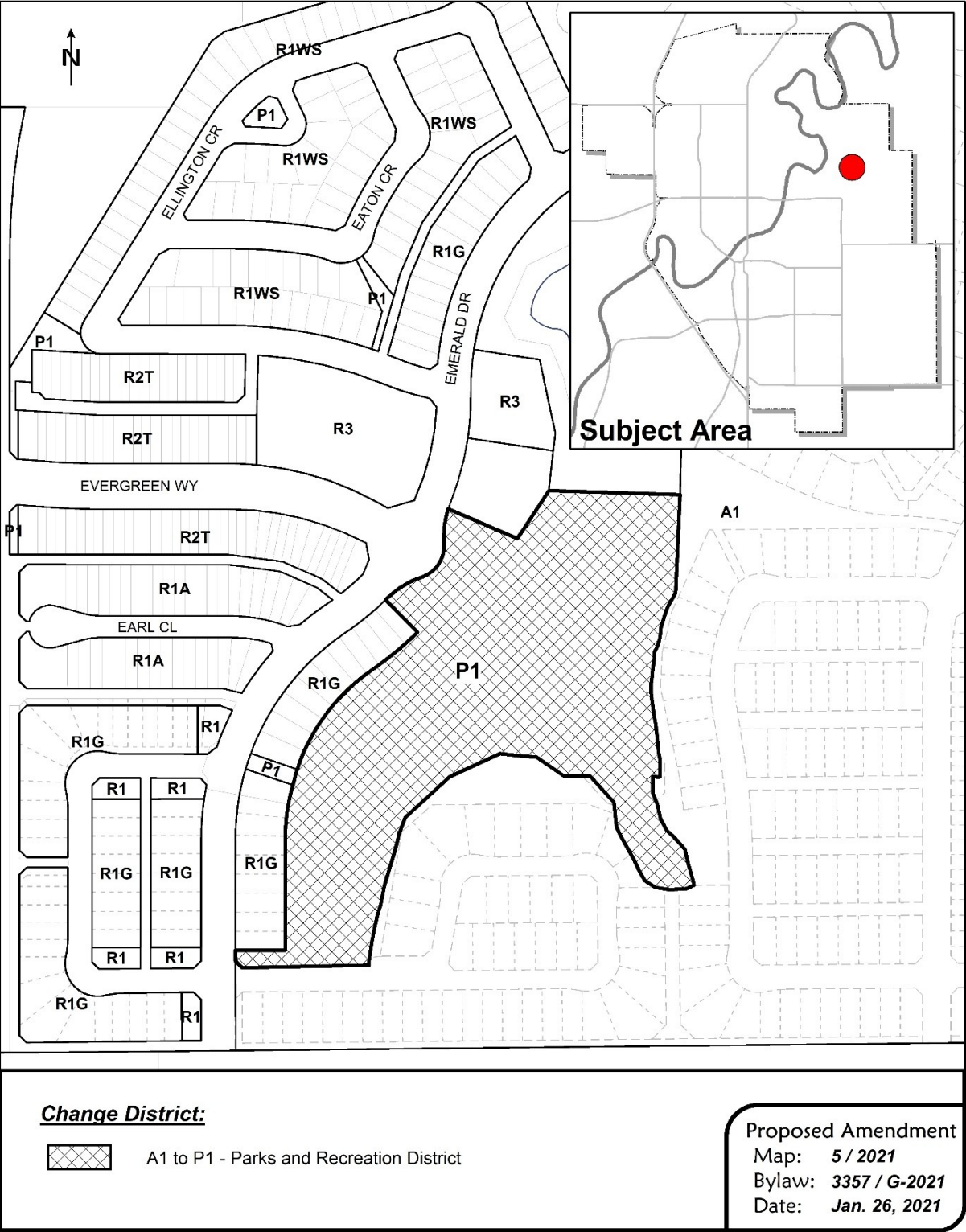
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2021.

MAYOR

CITY CLERK

Schedule "A"

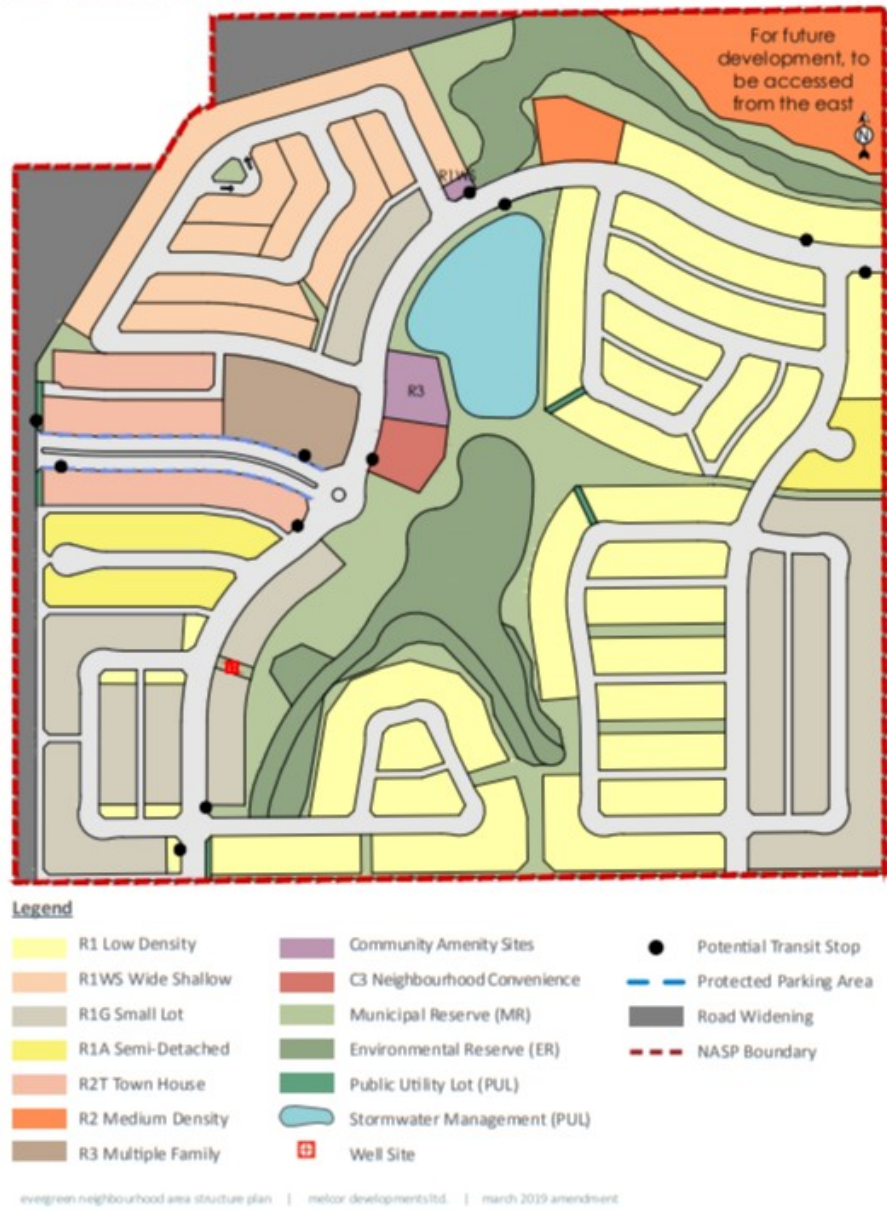
 THE CITY OF Red Deer Proposed Amendment to Land Use Bylaw 3357/2006



Appendix B – Excerpt from the Evergreen Neighbourhood Area Structure Plan

Figure 7 – Land Use Concept Plan

Figure 7 - Land Use Concept Plan





March 29, 2021

Land Use Bylaw Amendment 3357/H-2021 Site Exception for Temporary Care Facility – 5239 53 Avenue Consideration of Second and Third Reading

Prepared By: Jennifer Hankey, Corporate Meeting Administrator
Department: Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, March 1, 2021 City Council meeting.

Recommendation:

Administration is recommending an amendment to the bylaw in the Supplementary Report that follows.

That Council consider second and third readings to Bylaw 3357/H-2021.

Background:

On March 1, 2021 Council gave first reading to Bylaw 3357/H-2021, an amendment to the Land Use Bylaw for a short term temporary care facility (shelter) site exception at 5239-53 Avenue

Proposed Resolution:

Resolved that Council of The City of Red Deer having considered the supplementary report from City Planning and Growth dated March 29, 2021 re: Area Landowner Consultation Land Use Bylaw Amendment 3357/H-2021 Site Exception for Temporary Care Facility – 3239 53 Avenue hereby agrees to amend Land Use Bylaw 3357/H-2021 by adding the following regulations:

- use must have a monitored digital camera security system and personnel to perform regular surveillance operation;
- use must comply with the design elements that incorporate CPTED principles as a result of a CPTED analysis incorporating natural surveillance, access control and territorial reinforcements.



- The site plan, the relationship between buildings shall be subject to approval by City Council.

That Bylaw 2357/H-2021 be read a second and third time.

DATE: March 30, 2021

TO: Orlando Toews, Senior Planner

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/G-2021. Rezoning in Evergreen Neighbourhood A1 – Future Urban Development District to P1 – Parks and Recreation District

Reference Report:

City Planning & Growth, dated March 29, 2021.

Bylaw Reading:

At the Monday, March 29, 2021 Regular Council Meeting, Council gave first reading to the following Bylaw:

Bylaw 3357/G-2021 (an amendment to the Land Use Bylaw for Rezoning in the Evergreen Neighbourhood (Part of NW 1/4 Sec 26, 38-27-W4) from A1 - Future Urban Development District to P1 - Parks and Recreation District)

Report back to Council:

Yes.

Comments/Further Action:

The Bylaw will come back for second and third readings at the Monday, April 26, 2021 Council Meeting.

“Frieda McDougall”

Frieda McDougall
Manager

- c. General Manager Development & Protective Services
Manager of Planning



CITY PLANNING & GROWTH DEPARTMENT

March 29, 2021

**Supplementary Report - Area Landowner Consultation
Land Use Bylaw Amendment 3357/H-2021
Site Exception for Temporary Care Facility - 5239 53 Avenue**

Prepared by: Emily Damberger, Planning Manager & Orlando Toews, Senior Planner
Department: City Planning and Growth

Report Summary and Recommendation

This is a supplementary report containing area landowner consultation comments.

In response to the feedback received Administration recommends the following additional regulations being added to the site exception use (See Appendix D – Proposed revised Bylaw)

- use must have a monitored digital camera security system and personnel to perform regular surveillance operation;
- use must comply with the design elements that incorporate CPTED principles as a result of a CPTED analysis incorporating natural surveillance, access control and territorial reinforcements.
- The site plan, the relationship between buildings shall be subject to approval by City Council.

Administration recommends Council amend and proceed with second and third reading of Bylaw 3357/H-2021.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the supplementary report from City Planning and Growth dated March 29, 2021 re: Area Landowner Consultation Land Use Bylaw Amendment 3357/H-2021 Site Exception for Temporary Care Facility – 5239 53 Avenue hereby agrees to amend Land Use Bylaw 3357/H-2021 by adding the following regulations:

- use must have a monitored digital camera security system and personnel to perform regular surveillance operation;
- use must comply with the design elements that incorporate CPTED principles as a result of a CPTED analysis incorporating natural surveillance, access control and territorial reinforcements.

- The site plan, the relationship between buildings shall be subject to approval by City Council.

That Bylaw 3357/H-2021 be read a second and third time as amended.

Background

A referral letter (Appendix A) was sent to 54 landowners located within 100 metres of the Cannery Row building's parcel (Appendix B) with information and requesting comments on the proposal.

Council Public Hearing Land Use Bylaw consideration

Council, when considering Land Use Bylaw amendments, may consider a broad range of factors, including such things as COVID and the impacts on public health.

Council Development Authority consideration

The proposed bylaw amendment also contains provisions for Council to be the Development Authority for the proposed use. When Council is acting in the role of the Development Authority, Council is limited to considering only land use planning principles. The Development Authority can make decisions and impose conditions related to use, building form, design, and siting. Council and the Development Authority cannot regulate the user. The Development Permit report is in the agenda for consideration as a separate report.

Comment Summary

The following table summarizes feedback from 25 written responses and two phone calls received. Administration provided responses to each comment as they were received by email or phone conversation.

Summarized Landowner Comments	Administration Response
Concern with crime, homeless and addicts in area. Concern with staff and customer safety experience. Concern with resulting impacts on business.	Administration appreciates the difficulties area land and business owners have experienced. Not all negative activity can be attributed to clients of the shelter. Safe Harbour has called for collaboration with the RCMP, mental and addictions agencies to help address concerns. Property manager has increased building security. There is a Social Diversion Team (211) to report non emergency concerns of individuals experiencing challenges.

	<p>Updates to the Community Standards bylaw may provide future assistance.</p> <p>RCMP Downtown Patrol Unit conducts overt enforcement in the area and have worked cooperatively with building owner to enhance safety of the area. There has been an increase for calls to service in this area.</p>
Concern with location of shelter in the downtown and impacts on clients from drug activity in the downtown.	<p>The shelter is not an addiction treatment facility; Staff help connect clients with other supports and services that can assist clients.</p> <p>Location is temporary and the review of the future permanent location criteria will evaluate safety aspects of clients and surrounding landowners.</p> <p>A crime prevention evaluation will be required to mitigate location specific safety issues.</p> <p>Shelter services help connect individuals experiencing addictions with applicable services.</p>
Proposal's fit / compliance with Capstone plans.	<p>This proposal is outside the Capstone Area Redevelopment Plan. The City is redeveloping the Capstone/Riverlands area.</p> <p>The City is also working with the Provincial government and agencies to plan for and assist vulnerable populations.</p>
Desire for property tax reduction.	<p>Downtown Economic Leader grant programs have been available and will be reviewed in the future. It did not include property tax reduction.</p>

Analysis

In response to the feedback received Administration recommends the following additional regulations being added to the site exception use (See Appendix D – Proposed revised Bylaw)

- use must have a monitored digital camera security system and personnel to perform regular surveillance operation;
- use must comply with the design elements that incorporate CPTED principles as a result of a CPTED analysis incorporating natural surveillance, access control and territorial reinforcements.
- The site plan, the relationship between buildings shall be subject to approval by City Council.

If Land Use Bylaw is approved, the subsequent development permit conditions will reflect the proposed regulations.

Appendices

Appendix A – 100 m Landowner Referral Letter

Appendix B – Map of 100 m Properties

Appendix C – Written Comments Received from 100 m Landowners

Appendix D – Revised bylaw based on public hearing comments received

APPENDIX A

100 m Landowner Referral Letter

Date: February 25, 2021

«Owner_Name»

«Owner_Address1»

«Owner_Address2»

To: Landowners within 100 m of 5239 53 Avenue

**Re: Land Use Bylaw Amendment 3357/H-2021 and Development Permit DP #082654-
Temporary Care Facility/Temporary Shelter**

To ensure the continued health and safety of our community's vulnerable population, The City of Red Deer is beginning the process of allowing the continued use of a temporary shelter located in the north portion of the Cannery Row Building.

Why have you received this letter?

I am reaching out to you today on behalf of The City of Red Deer to inform you about the upcoming process and to give you the opportunity to provide feedback. The process includes a proposed amendment to the Land Use Bylaw (Bylaw 3357/H-2021) and a proposed development permit that would allow for the continued use of a temporary shelter (defined as a "Temporary Care Facility" in the Land Use Bylaw) located in the north portion of the Cannery Row building at 5239 - 53 Avenue.

As part of The City's overall evaluation process, landowners within 100 metres of the subject site are provided an opportunity to review the proposed changes and provide comments. As you are a landowner within 100 metres, The City invites you to review and provide comments on the proposed changes by **Friday, March 19, 2021**.

Why is the change needed?

The current temporary shelter at Cannery Row was established in March 2020 in response to the COVID-19 Pandemic and the resulting need for a safe, physically distanced shelter for our community's vulnerable population. The City established the one-year shelter lease through the State of Local Emergency by means of an Emergency Order. The temporary warming centre on the Safe Harbour site has been removed, as all services are now through the Cannery Row site.

As the Pandemic is ongoing, and The City is no longer in a State of Local Emergency, the need for a safe, physically distanced shelter for our community's vulnerable population continues. The Land Use Bylaw's zoning (Direct Control District 28) at the subject location does not include a shelter as a use; therefore an amendment to the zoning is needed in order to allow a temporary shelter to continue at this location.

The Province provides funding for Safe Harbour Society to operate the shelter and on February 7, 2020, the Province committed to \$7 million in its 2020 Capital Plan for a purpose-built integrated emergency shelter in Red Deer. Specifics about location, timing and operational details have not yet been determined by the Provincial Government. A memorandum of understanding has been finalized between the Province and The City regarding the future permanent integrated purpose built shelter.

What is being proposed?

A temporary shelter is being proposed until a permanent purpose built shelter is constructed. The operational details of the approximate 100 person capacity shelter include:

- Physical space: 21,000 sq. ft. space at Cannery Row. This allows for two (2.0) metre physical distancing between sleeping mats as recommended by Alberta's Chief Medical Officer of Health;
- Accessibility: the shelter operates 24 hours/day, 7 days/week and provides a supervised environment for those who are vulnerable on the streets and in the elements;
- Personal support: connection to staff and referral to other health supports;
- Personal services: showers, clothing, telephone use, nursing support and assessment, assistance completing forms;

What is the next step for this amendment?

Council is anticipating a Public Hearing on March 29, 2021 at 6 p.m. The Public Hearing is an opportunity for the public to speak directly to Council about any concerns they may have with the proposed bylaw. Public Hearings are advertised in the Friday edition of the Red Deer Advocate and details are also available online at www.reddeer.ca/publichearings.

Following the Public Hearing Council will consider Second and Third Reading (adoption) of the proposed Land Use Bylaw amendment and the proposed development permit.

To view this Bylaw, please visit the City of Red Deer's Public Hearing webpage at:

www.reddeer.ca/publichearings. If you would like a different way of accessing the bylaw please contact me at the email or phone number below.

City Council will also receive written submissions from any person claiming to be affected by the proposed bylaw and will consider these at the anticipated Public Hearing on March 29, 2021 at 6 p.m. If you would like your submission included in the Council Agenda, you can submit it directly to me at Orlando.Toews@reddeer.ca or by mail, at the following address:

Orlando Toews, Senior Planner
3rd Floor City Hall
Box 5008
Red Deer, AB T4N 3T4

All submissions will be public information. If you have any questions regarding the use of this information, please contact the Legislative Services Manager at legislativeservices@reddeer.ca.

In accordance with Alberta's Meeting Procedures (COVID-19 Suppression) Regulation which is intended to avoid exposing person to COVID-19 and in response to physical distancing and regulations related to gathers, modified Public Hearing Procedures may apply. Contact Legislative Services at legislativeservices@reddeer.ca for the Public Hearing procedures.

Who do I contact if I have experience concerns with the Temporary Shelter operation?

Safe Harbour Society operates the temporary shelter, please contact Kath Hoffman at Kath@safeharboursociety.org

Do I have to provide comments?

It is optional to provide comments. If you would like to submit comments, please do so by **Friday, March 19, 2021**. Methods for submitting comments are outlined in the attached comment sheet.

What will happen if I submit comments?

All comments received will be reviewed by City of Red Deer City Planning & Growth staff. They will be incorporated into the report that will be presented to Council when Council considers adoption of the proposed amendments.

If you provide your email contact information or phone number administration can respond to any questions or comments prior to those comments going to Council.

If you require further information, please contact me directly at orlando.toews@reddeer.ca or 403-304-8383 between 8 a.m. and 4:30 p.m., Monday to Friday.

Thank you for your consideration in this matter. Please do not hesitate to contact me if you require additional information or clarification.

As a reminder:

If you are concerned for the wellbeing of someone who is experiencing homelessness, mental health challenges or substance abuse challenges, and they are not posing an immediate harm to themselves or others, call 2-1-1 then Press 2 to reach the Social Diversion Team.

The Social Diversion team consists of specially-trained professionals that can provide front line assessment, intervention and support. They can connect people in crisis with the social services they need, such as housing supports, mental health supports, detox programs and harm reduction resources.

Sincerely,



Orlando Toews, Senior Planner
403-304-8383
orlando.Toews@reddeer.ca

APPENDIX B

Map of Properties within 100 m

Properties within 100 m



APPENDIX C

Written Comment Sheets from 100 m Landowners

I know that myself and all other commercial condo owners in our building are **STRONGLY OPPOSED** to this site remaining open. We have dealt with nothing but issues, and it is impacting both our customers and staff as they are concerned for their safety. We have had to start locking the main entrance door to our location and have to let each individual customer into the store and lock the door behind them. This is no way to have to operate a business!

Diana

██████████, Red Deer AB

Comment Sheet

We invite you to provide feedback regarding the proposed Land Use Bylaw amendment and Development Permit.

Your feedback is important to us.

Collection & Release of Your Information: The City is collecting your information as part of the referral process that is described in Section 2.19(5) of The City of Red Deer Land Use Bylaw. The personal information on this form is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact Orlando Toews, Senior Planner, at The City of Red Deer, ph. 403-304-8383.

Land Use Bylaw Amendment:	Bylaw 3357/H-2021 (add Temporary Care Facility as a Site Exception use at 5239 – 53 Avenue)
Development Permit:	Approve a Development Permit for a Temporary Care Facility at 5239 – 53 Avenue
Planner:	Orlando Toews

*Please provide comments by 4:30 PM, March 19, 2021.

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: Diana Rude

Mailing Address: [REDACTED] Postal Code: [REDACTED]

Phone #: [REDACTED] E-mail Address: [REDACTED]

General Comments

I purchased a commercial condo unit right around the corner from the temporary shelter back in 2015 long before it was ever used for this purpose. We opened up a beautiful bridal boutique with aspirations of bringing brides an amazing shopping experience. But over the past months/years the area is proving to be unwelcoming to our customers and also to my staff.

Since the shelter has opened we have seen many negative changes in the area, and my staff do not feel safe working in this area any more. We have dealt with the following negative issues now that the shelter is right beside us:

- we have had to call the police several times to remove ~~lots~~ homeless people from our landing area that will not leave
- 2 break-ins
- 2 robberies when we have been open while staff is at work
- verbal + physical threats to customers + staff
- customer purses being pulled at while ^{homeless} begging for money
- homeless people sleeping in front of our door when we arrive to work
- Several instances of vandalism to the building

DO NOT extend use of this facility as a temporary shelter.

Comment sheets may be submitted using the following options:

- Mail:
The City of Red Deer
Planning Department, Attention: Orlando Toews
Box 5008,
Red Deer, AB T4N 3T4

- Email: orlando.toews@reddeer.ca

I will loose my business as I am loosing customers + staff due to safety issues.

Thank you for your input

Councillors;

As an owner and now owner emeritus of 52nd Street Dental, I bear witness daily to the effects of the shelter and injection site on my staff, my patients, and ultimately on the business overall. I'll spare you the ranting about those details. I would like you to consider what is being created here in the downtown core. By enlarging capacity for more clients, you are not helping those homeless addicts who truly want to recover, leaving them so close and vulnerable to the known downtown locations of the dealers who prey on them, allowing too easy access. You know this has been proven in larger centres like Clagary. Place another shelter away from downtown to give people a safer option. I'd like to know how these plans square with the stated desire to grow Riverlands?

On a separate note, I want a reduction in property taxes to help keep business owners where they are, instead of re-locating to Gasoline Alley.

Yours sincerely,
Dr. Glen Chabaylo

First Comment from Amanda Wu:

Name: Amanda Wu

Mailing Address: [REDACTED]

Address: [REDACTED]

General Comments

We have operated a business out of building [REDACTED] for over 20 years, which is located just around the corner from the temporary shelter. Since the shelter has opened, it has significantly negatively impacted the area. It is sad to watch such an amazing group of businesses in the area have to deal with ongoing harassment and security issues. Our customers have started to complain about their safety as well as staff members that we have ever since the facility was opened. This is beyond frustrating when you work hard to provide customers with the excellent customer service that they deserve, but they are scared to even walk across the parking lot because of the number of homeless people in the area. Some of these homeless people are also becoming aggressive, and when you ask them to leave your office, it is not as easy as it used to be. Not only is it impacting our business, but also our property values. When you work so hard to build a business and invest your money into the City of Red Deer and commercial property, you hope that you will at least be able to regain the initial value that you purchased the location for, but no one wants to invest in an area where there is a shelter right around the corner, with several complaints from all the business owners in the area.

We have personally had the following negative experiences due to the Shelter opening:

- Multiple robberies (averaging 2-3 a year, which has only gone up since the arrival of the shelter)
- Needles and garbage being left all over the area forcing staff and other business owners to clean up
- Homeless breaking into the back electrical maintenance area of our building as a place to hangout
- Daylight customers being scared to walk to their vehicles
- Homeless harassing our customers for money
- Climbing up on top of our building roof to hangout
- Verbal threats when you ask them to leave
- Decreased property values or interest to attract commercial renters for the area

We **DO NOT** want this temporary shelter to remain open as it is hard enough right now operating a business during a COVID time, but an added risk to our customer and staff safety as they do not want to utilize our services when they are harassed every time they come to see us.

Sincerely,

Amanda Wu

Second Comment from Amanda Wu:

Thank you Orlando, I can understand the need for support for mental health and addiction. But our businesses in the area are suffering and we are paying the price for this with our safety and sanity to be quite frank. My father has been attacked by users in the area with bats. We've had vehicles smashed, and homeless sneaking into our building during the day. The businesses just cannot continue like this, it is one thing to be frightened at night, but another to be frightened constantly during the day.

I beg that the shelter please take consideration of this, we aren't big corporations or chains, we are small business owners, some being here for more than 20 years.

Thank you,

Amanda

Name: Kendall Thornton

Mailing Address: [REDACTED]

Postal Code: [REDACTED]

Phone #: [REDACTED]

Email Address: [REDACTED]

General Comments:

I am a co-owner in one of the commercial condo units located at [REDACTED]. We purchased this building a couple of years ago when the area was still a desirable location. We invested years worth of hard-earned money into what we hoped would be a long-term investment in Red Deer as we have lived and worked here for a long time. To say that the area has been negatively impacted by the shelter being located at 5239-53 Ave. would be an understatement. There is a highway of people utilizing the shelter in and around our building all the time, causing issues with businesses and deterring customers.

For example, just this morning, I received a phone call from our unit manager letting us know that when she arrived at work, a homeless person has set our dumpster on fire located right beside our building and the fire department had to be called. The phone calls that we are receiving with complaints from staff are becoming daily to the point where we have arranged to drive to the building each workday to ensure that staff makes it safe to their vehicles at the end of their day as they are too scared to even walk across the parking lot to their cars.

The safety of our customers and staff is severely affected in a negative way. We have started to resort to locking the main entrance to the location as shelter users would camp out in our landing space and would not leave until the police arrived to remove them. So now customers cannot freely enter our location, which is less than ideal for a retail business. They have to wait outside, call up to the store and wait for someone to come down the stairs to let them in, all while hoping that they don't get hassled for money. The retail business that we lease to has let us know that they will not be extending their lease for the location due to all the security concerns for customers and staff.

This has created even further issues with the fact that now we will not have a lease on the location, and there is no way to lease or sell a commercial space in this area as potential lessors are not interested in being close to these issues. All the years of hard work and investment that we have put back in the Red Deer are diminishing by the day while this Temporary Care Facility stays open.

Do not extend the facility at this location. It is detrimental to me as a business owner and just an overall citizen of Red Deer.

Kendall Thornton FIELD MANAGER

[REDACTED]
[REDACTED]

Name: Jenna Pahl

Mailing Address [REDACTED]

Postal Code [REDACTED]

Email Address [REDACTED]

General Comments:

Placing a Temporary Care Facility at 5239-53 Ave is bound to create an even worse environment than it already is. I personally work in a building located in the 52nd Street Plaza that is negatively affected by the type of residents that would use such facilities. These individuals often prove to be very unkind and sometimes very scary individuals. As a 22 year old woman I shouldn't have to feel that nervous of the unknown coming and leaving a shift. I'm sure you know of the many issues these individuals cause but we personally have been affected by:

- break - ins
 - individuals using our entrance as a place to use their substances when it's cold, which has caused us to have to lock our front door to our customers
 - individuals sleeping in front of our entrance not willing to move for employees or customers
 - individuals that follow us to our cars and the dumpsters to the point that we do not even bother to use our dumpsters unless it's a busy time of day
- ...and unfortunately that list can go on and on. What is already a very unsafe area due to certain "supports" in the area will only worsen with something of this nature just around the bend.

I'd also like to comment on the fact that the city is advertising a brand new community called "Capstone". If we as a city seriously want to promote an area such as this for current and new coming residences placing a "care facility" is not going to be a helping factor.

Name Melissa Krutzfeldt

Address [REDACTED]

Postal [REDACTED]

Phone [REDACTED]

Email [REDACTED]

General comments

I work on 52 street and it has now become I place I no longer feel safe. We currently have to have our front doors locked all during the day for my safety. As we have been robbed during the day , broken into at night and have issue with drug users daily. Calling the cops is a weekly occurrence. This is not only a concern for staff but all our customers. It is no longer a place where people want to go. The location of this shelter and safe injection site is killing businesses. Something needs to change.

Comment Sheet

We invite you to provide feedback regarding the proposed Land Use Bylaw amendment and Development Permit.

Your feedback is important to us.

Collection & Release of Your Information: The City is collecting your information as part of the referral process that is described in Section 2.19(5) of The City of Red Deer Land Use Bylaw. The personal information on this form is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOI/PA) Act. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact Orlando Toews, Senior Planner, at The City of Red Deer, ph. 403-304-8383.

Land Use Bylaw Amendment:	Bylaw 3357/H-2021 [add Temporary Care Facility as a Site Exception use at 5239 – 53 Avenue]
Development Permit:	Approve a Development Permit for a Temporary Care Facility at 5239 – 53 Avenue
Planner:	Orlando Toews

*Please provide comments by 4:30 PM, March 19, 2021.

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: Akika Nallurany

Mailing Address: [REDACTED]

Postal Code: [REDACTED]

Phone #: [REDACTED]

E-mail Address: [REDACTED]

General Comments

It is indeed a great initiative to provide shelter for less fortunate fellow human beings especially during this current pandemic situation. As there is already a temporary place available (Opus harbour) in that place it is easy for people to access the services.

However, as a business owner in that

Location we have experienced few events that made us to call 9-1-1 to ensure our safety. As we are open until 9 PM, many times homeless people walk in to our door to protect them from cold & they pose potential danger to our clients and staff. One time a person walked in & grabbed our treatment couch & started sleeping. He was having a knife in his hand so it was difficult for us to approach him. We end up calling RCMP. The other day another client of Bay Harbour was suddenly sitting in our reception & refused to leave. So we are in constant threat from these kind of individuals especially during extreme weather. So I wish the Bay Harbour should be moved in a different place than is the current location. We are liable for our staff and client's safety -

Comment sheets may be submitted using the following options:

- Mail:
The City of Red Deer
Planning Department, Attention: Orlando Toews
Box 5008,
Red Deer, AB T4N 3T4
- Email: orlando.toews@reddeer.ca

Subject: Temporary Care Facility

This is in regards to the temporary care facility.

WE are strongly opposed to the continued use of a temporary shelter in the Cannery Row building. As nearby landowners and business owners, we have noticed a significant increase in social disorder and disruptive behavior since the shelter was set up last spring. This shelter would impede the City's own strategies to revitalize the downtown core, and be yet another struggle for the Downtown Business Association to manage. As long-time downtown business owners (over 30 years), we have witnessed the continual decline of our City's downtown core and have had to make consistent efforts to maintain our customer base. Our customers frequently mention their discomfort at coming downtown, finding a place they feel safe to park, or being subjected to harassment and solicitations from vagrants near our store. Enhanced police presence would only be a band-aid.

Additionally, as landlords to both residential and commercial tenants, these concerns are echoed to us by our tenants as well. While we support harm reduction and supporting people in crisis, we do not agree that it must be to the detriment of tax-paying law abiding citizens. Please explore other options.

Regards,

James & Rose-Marie Sherman

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tracy Dawes

[REDACTED]

[REDACTED]

Thank you for the opportunity to comment on the proposed bylaw amendment and development permit. As a business owner within very close proximity to this site, I am writing to express my opposition to the proposal. Over the past few years, since the opening of the shelter and SCS, we have unquestionably experienced an increase in crime, as well as had multiple other unwanted interactions occurring at our place of business. While we are all sensitive to the situations of the population that use the shelter and SCS, we have also spent millions of dollars on businesses in a location that was proposed to be one of the up-and-coming areas of the city. I will guarantee that the majority of the owners in this building would not have invested in this property had we known what was coming in just a few short years. There is a definite unsafe feeling in this area, even during the daytime. The traffic crossing the trestle bridge has become increasingly menacing. We used to be able to go out to the green space or bridge to spend our lunchtime, but now we are harassed by people living under the bridge or in the trees. Our beautiful parks and walking paths are unoccupied at almost all times as people are scared of what they may encounter. We hear it every day in our office from our clients, as well as witnessing so many upsetting and frightening scenes. Just to illustrate a couple examples as to what happens in this area on routine basis. We have witnessed many people on many occasions injecting drugs outside the SCS and even on our property. This happens regularly, and we can confirm this by the drug paraphernalia found on our property. We have, on a consistent basis, people pulling firmly on our doors to see which ones are open, terrifying a person if they happen to be in the room when it happens, but if no one is in the room and the door is unlocked, then shoes and other personal items are taken. We have had break ins to our stairwells, with the attempt to gain access to the individual offices through the stairwells, our underground parkade door was cut open to gain access to the garage. There is no coincidence that these incidences have taken place since these facilities were opened. Unfortunately, I could go on and on with occurrences over the last few years with the population that is utilizing these services. We have reported to police many times over the last few years, but they tell us that their hands are tied but to report it anyway.

In the end, speaking only for myself, I purchased this location based on zoning and promises as to what this area would become for the city of Red Deer. Not once was it communicated to me, that we would be in such close proximity to these facilities. I have to say I would not have invested in this area. It is completely unfair and unjust that this would change. Red Deer needs to decide what it wants its downtown to be, we are taking one of the most beautiful river valleys and making it one of the most unsafe and under-utilized. There must be other options.

Thanks for your time and attention.
Dr Tracy Dawes BSc. DDS

[REDACTED]

Name: 1228405 Alberta Ltd, 1598768 Alberta Ltd, New Adherney

Mailing Address:

Postal Code:

Phone:

E-mail Address:

General Comments

We are opposed to such a facility. Currently we have tenants at this building that have suffered damage to their property and other security issues with respect to the close location of the safe injection site. We believe that a temporary care facility may bring the same type of issues. Our tenants have started to express concern over their safety during certain times of day. They have also expressed concern

in regards to seeing people using drugs on or near the property. We have also incurred significant costs over the years to ensure the safety of our tenants

We are also concerned about the value of our property if this facility is located here. We already feel the safe injection site has damaged the value of our property.

Please consider this our request that such a facility not be erected at its proposed location.

Thanks.

PLEASE PRINT

Name: BRYAN and RACHEL POBIHUSHCHY

Mailing Address: [REDACTED] Postal Code: [REDACTED]

Phone #: [REDACTED] e-mail Address: [REDACTED]

General Comments

THESE ARE A FEW OF OUR CONCERNS AS WE
FACE THE TRAIN TRESTLE:

- FIRES - BEING SET UNDER BRIDGE AND ALONG
THE PATHWAYS.
- DRUG PARAPHEMALIA ALONG THE PATHS.
- PEOPLE & GARBAGE UNDER THE BRIDGE ALONG
WITH DRUG USE AND SALES UNDER BRIDGE

- CRIME
- INTOXICATED PEOPLE DAY AND NIGHT.
- ABUSE TOWARDS POLICE AND PEACE OFFICERS
- ABUSE TOWARDS PEOPLE ON THE TRACKS.

OUR BIGGEST CONCERNS ARE IT'S NOT SAFE
TO BE WALKING THE TRACKS ANYMORE
DUE TO ABUSE, NEEDLES EVERYWHERE AND
FIRES BEING SET MORE AND MORE. WE
WATCH SO MANY FAMILIES AND PEOPLE
USE THOSE TRACKS ~~AND~~ SO IS VERY SAD
TO WATCH. WE FIND IT VERY HARD TO TAKE
OUR GRANDCHILDREN OUT AS WE DON'T FEEL
SAFE.

THANK YOU

March 10, 2021

Tracy Chabot-Downtown Business Owner

Subject Property: [REDACTED]

Attention: The Mayor and City Council

Subject: The Declining Downtown Core

I am compelled to compose this letter after once again being summoned to my downtown commercial units by my tenants.

This morning the issue was that vagrants had started a ground fire on the sidewalk in a nook between two of the units (they had pulled a pallet over and set it on fire).

The fire caused smoke damage to the sidewalk and brick facade of the building.

Either the heat from the fire or the vagrants broke a large plate glass window above where the fire was built.

This is far from the first occurrence like this. I have notified the RCMP about this and other previous concerns.

The following are additional concerns:

-Graffiti is almost expected. When I contacted the City about this I was instructed that they could provide a bucket and some chemical for \$10.00.

How about the city utilizing my tax dollars and sending someone out to clean it at no further cost to the taxpayer. After all downtown businesses did not set up the facilities and infrastructure to entice the homeless, criminal element and junkies to the downtown core. Why are we left holding the bucket? Literally.

-Broken windows and glass plate doors are broken on what is becoming a fairly regular basis.

-Urinating in corners of our building provides a disgusting welcome for our patrons.

- Several break in attempts and a recent break in have occurred.

-Children and parents of our music school tenants encounter vagrants wheeling shopping carts filled with trash etc. across our parking lot.

-Discarded needles have been a regular problem. There was enough of a problem for one of my tenants that she called the City who were sending workers regularly to pick up and dispose of needles. At one point a city worker brought a sharps box, a pincer on a handle, gloves, and provided it to my tenant asking them to pick up the needles. Seriously? My tenant is not responsible for cleaning up after the disaster that the City and Alberta Government have created.

How much more of this are tax payers/contributing members of society supposed to tolerate?

Effectively the City of Red Deer and the Alberta Government have handed over the key to our city to the homeless and criminal element to the detriment of law abiding and tax paying citizens.

Please explain to me how much more of our resources business owners should have to contribute to members of society that are intent on destroying our property, our livelihoods, our property values and our ability to attract and keep tenants, as well as entice patrons?

Through our tax dollars we already provide Safe Harbour Houses, Safe Injection Sites, soup kitchens, support programs (in many cases, without our agreement) and now we are to sit back and lose our life savings in support of an element that attacks the very hand that feeds them? I am weary of hearing these people being called vulnerable. These so called "vulnerable" people seem to gather the fortitude to do criminal acts, target our buildings, build destructive fires and so on. That is not by definition vulnerable.

I have been asked via City form letter after form letter to give my opinion on infrastructure changes or amendments in the area. Why bother? It falls on very deaf ears. I have responded both in writing and I attended the town hall hosted by the Conservative Government discussing Safe Injection Sites. There was overwhelming opposition and nothing was done in response to taxpayer outcry.

I don't know of any business owner who supports the enticement of vagrants into the area by providing more and more facilities to invite them into our downtown core.

Recently I received a City form letter stating that Cannery Row Bingo was being used to increase bed capacity for Safe Harbour temporarily (I do not believe for one minute that it is going to be temporary. I hope I am wrong.).

The 7 million dollars that the Alberta government provided for a more permanent solution was mentioned. What was not mentioned was where this permanent fixture would be situated. It was not specifically stated that Cannery Row would house that more permanent facility.

I am here to state that I emphatically reject any permanent structures in the downtown core for the purposes already outlined. They do nothing but entice more criminal activity and destruction. Enough damage has been done already.

Cannery Row is right across from our parking lot so I took the time to survey the area after dealing with the damage to my property.

Cannery Row displays boarded up windows, graffiti and looks like it is in a state of decay. The area surrounding it looks the same and vagrants were easily spotted meandering around the area.

On what planet would anyone think this is downtown revitalization which the City has promised businesses in the downtown core?

It appears that the City is okay with the financial district eroding and core businesses moving out to Gasoline Alley? I know the County is most likely ecstatic with the City's mismanagement of the downtown because it is sending businesses in droves to the County and therefore increasing the County tax base.

What does the City plan to do to compensate businesses such as mine when we try to sell our commercial property and prospective purchasers are nowhere to be found due to the increasing fear of operating a business in the downtown core?

Is the City going to reduce our taxes to compensate for our reduction in revenue, our loss of property value, our need to replace damaged windows etc.?

Is the City going to purchase our buildings when we are unable to sell them? This is our life savings.

We risked our finances to build our businesses, only to have them attacked by non contributing members of society who appear to have no consequences for their actions and only unconditional support.

How does providing them with free run of the downtown in packs of like minded individuals help them break ties to drugs and destructive behaviours?

How does providing them with an injection site where their addicted buddies also gather, help them to kick the habit?

What it does is give them a support group who contribute to their shared dependency.

Would any reasonable person place addicted people in a setting where there are users surrounding them and making it that much harder to break the habit?

I am beyond frustrated and feel completely ignored by the City of Red Deer and the Provincial Government. I have spoken to many business people who feel the same.

I would appreciate it if you could provide me with an email address for the Alberta Government which would allow me to escalate this letter to the necessary authority.

Thank you for your time.

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

Tracy Chabot

PLEASE PRINT

Name:

Clint + Tamara Petherney

Mailing Address:

Postal Code:

Phone #:

E-mail Address:

General Comments

This proposed facility is causing nothing but issues with crime and loss of property value. It has not changed that the drug addicts still hang around under the bridge + in the trees year round. The crime is happening steadily in the area. Injecting drugs under the bridge. Garbage is everywhere. Needles are everywhere. Stolen property everywhere. Grocery

carts filled with stolen property + garbage. Police + Ambulances almost everyday coming to deal with problems. Last year 5 guys were pointing stolen bikes BLACK, under the bridge, but when the police showed up, they could not PROVE they were stolen. They are breaking windows, cutting the garage door, breaking into the parkade, robbing business's and making the quality of living terrible. They jump into our garbage cans and throw garbage out looking for something they want. They are a complete nuisance. The police are doing everything they can, but they have their hands tied by useless government rules that favour the criminal over the tax payer.

* THERE SHOULD BE TAX RELIEF GIVEN TO ANYONE THAT LIVES WITHIN 200 METRES OF THIS NIGHTMARE!!! *

Comment sheets may be submitted using the following options:

Heritage Chiropractic Clinic

#5 5116 52nd Street
Red Deer, AB
T4N 6Y4
(403) 341-3888

March 8, 2021

RE: Temporary Care Facility at 5239-53 Avenue

To whom it may concern;

Due to the proximity of the shelter, our property value will continue to decrease. I would like the City of Red Deer to reduce our property taxes because of this. Also, the increased property damage and garbage to our property has become disturbing (have a collection of pictures). None of our staff or patients/customers like to see homeless on the property. Actually, I have yet to hear from any business or staff that approves of this shelter in downtown Red Deer.

Furthermore, I would like to express my concern for long term focus of downtown development. I don't think council has the best interests of the city moving forward and council is wondering why businesses are leaving downtown and Red Deer in general (just look at Gasoline Alley's explosive growth). The shelter is attracting a tremendous amount of unwanted traffic to the area and cannot continue to exist in our area or city.

I feel we are at a critical point in our city's future and I am afraid that the wonderful city of Red Deer could soon become an unattractive place for work and family.



Dr. Darren T. Pohl
Doctor of Chiropractic

European Sausage and Deli Inc.

5408 52st
Red Deer, AB
(403) 314-1574

March 9, 2021

RE: Temporary Care Facility at 5239 – 53 Ave, Red Deer, AB.

To Whom It May Concern:

We are writing this letter to our Red Deer City Council & Mayor, to bring to your attention the continuous issues that our business and surrounding businesses have endured due to the increased property damage and debris left behind by the individuals whom reside on the streets in these areas and are constantly coming and going to the shelter. We are requesting the City of Red Deer to provide some type of rebate or discount for city taxes for our business due to the loss that we have endured.

Every day we find people sleeping in our recycle bins and wondering around on our property. Our property values have dropped and will continue to do so until something is done about this. In the past, several of the local businesses in our area, including ours has been broken into or suffered some kind of vandalism exteriorly.

We have had several complaints from customers who do not feel safe shopping in our area and who are tired of seeing the homeless population constantly on our property while intoxicated, under the influence of drugs or worse.

This also brings concern to the long-term success of the downtown core for not only our business, but for so many others that have had to shut down and move locations. This shelter should be relocated to a more secluded area where it is safe for everyone or moved to be right next door to a police station. We as long-time downtown business owners feel that the city council does not have our best interests in mind. Therefore, we are asking for council to bring these issues forward at the next city council meeting and come up with an action plan to fight the issues head on.

Sincerely,



A & K Tyszkiewicz
Owners,
European Sausage & Deli Inc,



PEGASUS BUILDERS LTD

5201-54 Ave, Red Deer, AB T4N 5K5

PH: (403) 347-0794 Cell: (403) 588-1998

15 March, 2021

LAND USE BYLAW AMENDMENT:

Bylaw 3357/H-2021 (add Temporary Care Facility as a Site Exception use at 5239 – 53 Ave, Red Deer

DEVELOPMENT PERMIT:

Approve Development Permit for a Temporary Care Facility at 5239 – 53 Ave

Further to your letter d. 25 February, 2021 regarding the above amendments with regards to the property located at 5239-53 Ave operating as a Temporary Homeless Shelter.

In my personal opinion and previous experience regarding this matter there is no point in attending the Public Hearing to be held 29 March, 2021 as it is just a policy procedure which needs to take place as part of the bylaw amendment process. Landowners within 100 m are notified and can state their case, however, it will make no difference as the Shelter is in full operation at this location now and there is no other place available. So, my comments are going to be based on that the amendments regardless of the public hearing will be passed and the shelter will continue to operate at the said location until a permanent place is determined.

It was interesting to read the Administrations three reasons to City Council in the Red Deer Advocate d. 1 Mar/21 as to why the shelter should be allowed to keep operating at the present location.

1. Large Site – Agreed and does allow for AHS pandemic criteria. It's in the downtown & provides numerous social services – Absolutely as those are the only businesses that wish to make their home in the down town area & as The City we can amend the bylaws for the facility to meet our criteria.
2. NO RECENT COMPLAINTS – To whom is the administration referring to The City? The RCMP? The Peace Officers? Safe Harbour? Site Prevention Officer? Warming Shelter? Downtown Business Association? If the comment refers to the Needle Debris or Complaint Line that the City has in place, then a hard look

should be taken as I for one do not bother phoning anymore as there is no accountability or action taken. You leave a message, someone will get back to you perhaps in 3 or 4 days, then it's the proverbial pass the buck or the inevitable question – How do you know it's the people from the Warming Shelter? Not just once but twice I've been asked this by City staff. Seriously! We have cameras that can read the writing on your shirt, however, unfortunately no GPS attached to the "unique" people walking around our building, building tents behind the garbage cans & bringing all their personal stuff in a cart, going through the garbage & throwing it out of the bins, cutting fences, breaking windows & exterior door hardware or starting fires with the landscaping bark chips. The outdoor bathroom is also excellent in this location. This is a regular occurrence MOST NIGHTS. We now only report the most serious incidents to the RCMP (ie) Fence Cutting, Attempted break & enter issues; Building of shelters & Lighting of fires. We do not call The City or any of the other Societies as it is absolutely pointless.

3. **THREE COMPLAINTS** over the past year, again, to whom? Safe Harbour? I will say that the Site Prevention Officer from Safe Harbour is excellent, he does his best to assist but Clean Up is to be done by a City Team & depending on the day of the week and time as the Business Owner you may as well clean it up yourself. We get to clean up human feces frequently.

It's been (2) months since our last serious incident and here is the transcript & a Day in the Life of a Down Town Business Owner:

- **Night 23 Dec/20 – Security Alert** - Numerous people around the building; built a tent behind the garbage can; Cut the fence & Lit a fire. Everything was done that night except building vandalism & attempted B & E, but that was done the week before; We were not aware of the fire & shelter build until we attended the property early 24th morning.
- **24 Dec/20 – Called RCMP 8:30 AM** – reported & asked them to remove (tent & cart) from property; Peace Officers responded & advised that they **had to give offenders 24 hours to remove their property. Need to be accommodating to these folks as they have no rules & regulations! City would then be advised & then if the unique ones property had not been removed then the City would clean up after Christmas. (Isn't that Awesome – talking 4-6 days)**
- **24 Dec/20 – 10:25 AM** Peace Officers then went through the cart/clothes/garbage in order to ensure no sharp items/weapons etc. were in the garbage bin/cart. 11:00 AM – Nobody came back - As it appeared the cart was abandoned Peace Officers placed a 1 hr. notice on the shopping cart and gave us two options #1 – we could remove their personal property after the hour or leave and have City clean up as the Peace Officers would advise City #2 - wait until they came back to claim items & call the RCMP to forcibly remove.
- **Businesses are open and customers do not want to see or deal with this type of scenario.**
- **24 Dec/20 – 1:00 PM** – Took pictures and Cleaned Up. Pictures attached. The fires are of great concern. (Various departments are aware – City > Jason Taylor, Orlando Toews; Fire Inspector – Brad Legere, but until the building

8239-53 Ave, RD

Page 3

burns down, nothing will be done.) It will be up to the property owner to make their property inaccessible by building a 10 ft metal compound around the garbage bins & not sure what can be done about the fence cutting, because the garbage bin in the next property must have a treasure in it.

- Day wasted.
- 8 Jan/21 – Fence Cut & Fire Lit – Pictures attached; On Line Police report made.

We are alerted by our video surveillance system MOST NIGHTS with some type of incident at this location. Additional security features have been added to the security system for a human detection alarm but again this equipment is not free or come cheap. Cold weather is our friend, so not as much activity in Feb/21, however, traffic is picking up again with the warmer weather.

My recommendation to City Council & the Societies who support these individuals is that they need too, also, support the businesses that are neighbors to Carnery Row Shelter as it is not going away. At public hearings or when the support groups need funding an **action plan or mission statement** is always presented indicating what The City, The Province or Society promise to do for the businesses in order to deter disruption & hardship to the businesses, however, the plans are seldom executed. Perhaps the following could be done:

- ✓ Make sure that all the surrounding businesses are aware of what The RCMP, Peace Officers, The City and each Society are responsible for.
- ✓ Create a directory in one place of where you can call for help with the various issues arising with this unique society. Describe in detail what each Society or Government Agency can help you with and a **correct phone number & hours of operation**. If this is already available please advise where.
- ✓ 211 does not cut it – as most incidents are between the hours of 10:00 pm & 6:00 am and as the Warming Shelter is open 24/7 with no in & out regulations people are wandering around at all times of the night. Why can't there be some rules around coming & going at night? Bathrooms? It is my understanding that bathrooms cannot be supplied as they have to be monitored in order to prevent overdosing! I have no words, if we are all so determined to help these people, maybe some accountability & responsibility should be taken by them, we are creating a society that can virtually do anything they want with no consequences & they are perfectly aware of their rights. The addicts & homeless know the laws better than the average citizen.
- ✓ Over the past year the majority of government personnel have been working from home & COVID 19 has become an excuse crutch for everybody & everything, but that doesn't mean the criminal element of life stops. There are occasions when you just need to speak with a HUMAN which has become quite difficult.

- ✓ When you do finally contact the person you need to talk to, they need to step up and actually deliver the goods they sold you when funding was approved. Stop saying I can't do anything or IT IS WHAT IT IS. If this group of people & support groups are going to receive huge amounts of tax payers' money then as a business that just happens to be in the neighborhood should either be able to access the services that they have indicated are available or receive compensation for the additional expenses incurred for security, repair & clean up.

My final comment is don't put your head in the sand or be naïve enough to think that because you haven't been made aware of any incidents or complaints that all is well, it is just because the business owners to a large degree have given up and feel that it doesn't matter what their concerns are nothing will be resolved and they will continue to spend sacred cash flow on expenses that support 200-250 unique people who do not support their business in any way, shape or form.

Pegasus Builders Ltd.

Gayle Leasak, FICB, MBA
Vice President

Fire - December 21, 2020



December 24, 2020



Tent, PO called - December 24, 2020



Clean up Us - December 24, 2020



Fire - January 8, 2021



Fence Cut - January 8, 2021



With regards to the land use bylaw amendment 3357/H-2021 & development permit DP# 082654-temporary care facility I have the following general comments:

- The railyards district & the downtown area in general will continue to be negatively impacted by approval of the shelter
- It is statistically proven that crime rates increase in areas nearby shelters
- Proximity of this shelter to the trail system & river valley creates more safety issues for the tax paying citizens of Red Deer
- Approval will hinder the future development & revitalization of the Railyards district as well as Capstone
- The numbers of homeless in the area has already increased with last year's emergency order, concern that the numbers will continue to grow in the area
- Consider a more isolated location, such as the now City Of Red Deer owned Michener Centre lands

Contact Information: Allan Hough , Triple A Developments Ltd. ,6209 46 avenue, Red Deer, Ab. T4N 6Z1 , phone 403 346-6156, Email : allan@tripleaelectric.com

Allan Hough

President

P: 403.346.6156

E: allan@tripleaelectric.com



Triple A Electric Ltd.

T 403.314.4461

Suite 200, 5218 – 50th Avenue Red Deer, AB T4N 4B5

berryarchitecture.ca

berry architecture
+associatesMarch 18th, 2021Re: Land Use Bylaw Amendment 3357/H-2021 and Development Permit DP #082654-
Temporary Care Facility/Temporary Shelter

Dear Mr. Toews:

Berry Community Consulting Group objects most strongly to the continued use of the temporary shelter in the north portion of the Cannery Row Building. We are located within 100m of the facility and have been very negatively affected by this facility.

We have had constant issues and problems with the homeless population at and around our building, which have significantly worsened and increased since the opening of the temporary homeless shelter behind our building. The constant vandalism at the back of our building has gotten so bad that we had to have both of our dumpsters removed last spring and now have to take all our garbage and recycling home with us for disposal. Issues range from continuous loitering and trespassing, drug use behind the building, used needles, people "tweaking" in the parking lot, verbal abuse of staff, repeated incidents of graffiti on the building (countless), windows broken, dumpsters continually broken into, arson in the dumpsters, fights in the alley, vehicles broken into/windows smashed, a bicycle stolen, entry into our building and theft from our receptionist's desk, entry into the building and our space by persons highly under the influence of drugs, and, most seriously, entry into an employee's car while she was in the vehicle. This is by no means an exhaustive list.

Repeated calls to the RCMP have yielded very little response and no effective help. All these incidents have worsened over the last ten years, but the past year while the temporary shelter was open (especially in the warmer months) has caused a significant increase in the number of incidents and a constant stream of trespassers through our property. We have called Safe Harbour a number of times regarding needles and they have come and cleaned up, but we did not know that we should be calling Safe Harbour regarding more serious issues. We have been calling the RCMP repeatedly, when apparently, we should have been calling Safe Harbour and the City of Red Deer to report every incident. This would have resulted in almost daily calls with complaints and incidents.

It is our belief that there is a much too high concentration of services for the homeless and those dealing with addictions in a small area. There are other sites that could house a temporary homeless shelter, such as the former downtown Co-op building, that would result in a dispersal of homelessness services and alleviate the high concentration of services in one area.

We feel that the City of Red Deer and the RCMP do not care about the problems and concerns of businesses in downtown Red Deer. The value of our property has been significantly impacted

Berry Architecture + Associates Ltd.

PRINCIPALS

George Berry
ARCHITECT, AAA, A.B.C., M.R.A.C.
PRINCIPAL, CEO

Suzanne Wildedie
O.C.C.A., LEED® PROFESSIONAL
PARTNER, COO

Isaac Martinez
ARCHITECT, AAA, A.B.C., M.R.A.C.
PRINCIPAL, LEED® PROFESSIONAL

T 403.314.4461

Suite 200, 5218 – 50th Avenue Red Deer, AB T4N 4B5

berryarchitecture.ca



by the location of too many services for the homeless in our location. We would move to another location if we had any opportunity to sell our property, but given the current climate, that is highly unlikely. We were forced to have our business in downtown Red Deer by a bylaw requiring professionals to be located in the downtown, and now we are trapped in our current location. There is no protection for our business and others like it and seemingly no concern for the constant issues and dangers we face and the devaluation of our property.

We are not unsympathetic to the struggles and challenges faced by homeless persons and persons dealing with addictions in Red Deer, and their needs are important; however, ensuring the safety of our staff and ourselves is equally important. Our needs should also be considered and have been consistently ignored for the 10+ years that we have been in this location.

Sincerely,


George Berry, Principal
Berry Community Consulting Group, Inc.

Berry Architecture + Associates Ltd.		PRINCIPALS	
		George Berry	Suzanne Widdicks
		ARCHITECT, AIA, A.B.C. MRAIC	CCCA, LEED® PROFESSIONAL
		PRINCIPAL, CEO	PARTNER, COO
		Isaac Martinez	
		ARCHITECT, AIA, A.B.C. MRAIC	
		PRINCIPAL, LEED® PROFESSIONAL	

Dear City of Red Deer Council

As an affected Business Owner within 100 meters of the proposed site of above-noted temporary Shelter Facility I object to the proposed Land Use Bylaw Amendment 3357/H-2021 and also the Development Permit DO #082654. I operate the Bozdech Eye Clinic, located at the 5002-55 Street Elements Building, which is a medical facility dealing with elderly patients for the most part. I know that having a nearby shelter for our local homeless/street population is putting my patients and staff at risk of crime and violence. We had experienced some of these people entering our office in the past terrifying my staff and sick patients in the waiting room. We had also seen night time property crime against our building and we do not wish to make it any worse. Please consider our safety and that of our clients at the Elements Building first and please find another location elsewhere.

Dr. Milloslav Bozdech.
120, 5002 -55 Street
Red Deer, Albert
T4N 7A4
(403) 342-2020

March 18, 2021

Dear City of Red Deer, Planning Department:

I will start by saying I understand how difficult it must be to choose a suitable location for a facility such as this and meet the needs of everyone involved. It may be better put, to select a plan which will negatively affect the fewest. I appreciate the need for these services, the question is at what expense to the surrounding businesses and public. Since this facility was located at Cannery my business and surrounding area has seen a huge spike in crime, drug paraphernalia, frequent visits by ambulance and police to deal with intoxicated or drug induced individuals and or complications associated as such. Often patrons of the "Temporary Care Facility" are found draped over or passed out on our buildings featured logo "Elements". I have frequently asked individuals to leave our property who are walking around our parking lot trying vehicle doors in hopes of finding one unlocked. I can't express how much this frustrates me and my tenants. I have invested my life savings into this property along with my business adventure with the hope of it building equity a reputation and a future for my family. I made this large investment, prior to the care facility even being considered. The "Temporary Care Facility" plan was put in place with virtually no consultation with local individuals. My clientele are worried for their safety, my tenants are worried about their businesses ability to attract clientele and their safety. It concerns me that my substantial investment is becoming recognized publicly as located by the "drug injection site". I realize this is not a fair phrase, and nor is this a reflection on the majority of the people who use this facility. However, as we all know in life, often we are measured by the select few who ruin it for the majority. The problem here is there are more than just a few individuals from the care facility who frequent our property. They are causing us thousands of dollars in property damage, vandalism, and an immeasurable cost in loss of clientele. I hope the city can appreciate the neighbouring businesses to this facility employ a large number of good citizens in this community. A community I might add that is in desperate need of good stable paying jobs. The recent mail out indicates an allocation of 7 million. I trust the individuals in control of these funds can find a better location for this facility that also helps provide the ability for its patrons to eventually contribute to their community. Unfortunately the current arrangement is only allowing their unfortunate circumstance to erode the abilities of others to contribute to their communities. As a business owner and an active member of financial committees I will conclude by stating this. It is always a sound financial plan to encourage investments into your projects and allow for those invested to profit from their investments which stimulates further growth. I chose to invest in The city of Red Deer, and hence pay my proportionate income tax, property tax and associated fees. This decision which the city has made with virtually no communication to the surrounding businesses is going to ultimately stagnate growth and future investors which employs people of this community. If jobs leave, the community leaves, which in turn causes severe financial hardship for the city budget. I recently have been advised that the city is proposing an increased police presence. That hasn't worked in the last year. Perhaps any proposals the city suggests should be implemented for a reasonable trial period to determine the level of success before a final plan is drafted into bylaws. I appreciate that this forum has finally given us an opportunity to speak up about this issue. Now it will be determined if this opportunity is actually recognized as a voice or simply put on mute.

Respectfully;

Mark Mulzet

Paul and Janet Hardy
[REDACTED]

March 16, 2021

To: City of Red Deer
Planning Services
c/o Orlando.Toews@reddeer.ca

Dear Orlando Toews:

This letter is in response to the city's request for feedback regarding the temporary care facility/temporary shelter proposed at Cannery Row.

We have lived in the City of Red Deer since 1997 and in 2017 moved into the Elements condominium residential building as we entered a new phase of our lives. We were excited to have close access to river trails and to be centrally located. Our circumstances have changed as we approach retirement and we have recently moved to BC. Our condominium has been for sale since May 2020. We continue to pay property taxes in Red Deer and wish the best for the city.

While residing in the Elements condo building from 2017 to 2020, we noticed significant changes in the area, likely related to worsening economy, opiate and other substance use issues and homelessness. Although the City of Red Deer, Alberta Health Services and the Alberta Government have made efforts to support vulnerable people, this has had significant negative impact on local residents and businesses. We have had numerous break-ins at Elements. We have called police on numerous occasions due to disturbances which caused fear and concern for our safety and the safety of those involved. The police have not always responded to our satisfaction which has caused significant distress to us. This week, used needles and other drug paraphernalia were found on the Elements property and we know this is a regular occurrence. The Elements Condo Association and its developer, Mr. Merv Pidherney, have spent many thousands of dollars to make our residences and businesses safer, yet despite these efforts and investments, we have felt less safe than when we moved there in 2017.

We are not writing to cast blame on any individuals or organizations, but the City needs to be made acutely aware of the trends that have taken place in the downtown area, especially close to our building.

Last summer, prospective buyers viewed our condo with a very positive impression but they changed their mind about making an offer after a drive in the area that they said was "unwelcoming" to them. We think they may have been kind with their choice of words.

It is no secret that real estate values in the downtown area have plummeted disproportionately. Downtown is being "hollowed out" as businesses relocate to more

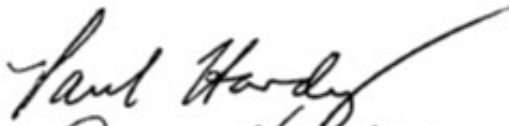

favourable locations such as Red Deer County. We would not be surprised if the tax base is eroding significantly, which puts great pressure on the city to find solutions.

We are supportive of taking care of the city's most vulnerable people, however efforts must be holistic in nature recognizing ripple effects and negative consequences on the citizens and therefore the future of Red Deer.

We would strongly suggest:

- Do not provide shelter to vulnerable people without also ensuring they have the wrap-around services that help them out of their difficult situations. Ensure that Alberta Health Services and the Alberta government are living up to their responsibilities in helping the most vulnerable.
- Ensure adequate funding to prevent and to deal with negative impacts on the surrounding area businesses and residents related to crime, destruction of property and litter.
- Recognize the cost to business and residents that has already been incurred to preserve safety and do all that you can to mitigate further costs.
- Streamline processes and costs for city tax-payers so that they can get as much value as possible for their tax dollars. Cut red tape and be welcoming to businesses. The city needs to make a very careful examination of how to improve value and incentivize businesses to stay, and new ones to locate in the city, especially downtown. We have heard the City of Red Deer has a reputation for being excessively bureaucratic when it comes to business planning approval and costs associated with locating or staying in town. Whether this perception is well-deserved or not can be debated, but without strong support of residents and businesses to live and work unfettered, the hollowing out of downtown Red Deer will continue.

As long-term residents of Red Deer who have moved on but still have many friends, neighbours and colleagues in Red Deer, we wish nothing but the best for the city. Thank you for hearing our concerns in making decisions about the future of downtown Red Deer.

Paul and Janet Hardy
Red Deer, Alberta

In response to the letter that was mailed to me regarding the above Land Use Amendment, I would like you, City Council, and Mayor Veer to know that I am adamantly opposed to amending our city bylaws to further deteriorate our city. I own property in Elements at Rivers Edge and since another "temporary" care site (being the safe injection site) was introduced to our community, it has had detrimental effects on everyone and everything in the neighbourhood.

Now you want to change the bylaw for the area where many people have seen their property values plummet because you think the non tax paying homeless of Red Deer deserve to have the key to our city and have everything handed to them. Where is my handout for the diminished property values and for rent that I am not able to collect due to vacancy because businesses don't want to be in that area? City Council needs to open their eyes and realize that our downtown is dying or already dead because of the influx of homeless and non desirables that we keep attracting and welcoming to our city. Have you ever done a survey of these people to see how many are actually from Red Deer? I would guess that it would be a very small percentage but because Red Deer has so many agencies geared to the homeless and "helpless" we are a known and desired destination for them. I am born and raised in Red Deer and it offends me when I hear people talk about Red Deer as a "hole" or a "dump" but unfortunately I can't disagree at this point.

I was the first investor to buy space in the Elements building and I operated my business from there until 2019 when I sold to Westland Insurance who still operate out of that location. The first few years in the area were good and I was proud to have my business there. Then came the safe injection site and almost overnight the area changed. Myself and other business owners and employees in the area have seen it all - drug deals in the middle of the day on our Private Property; fights between drugged out homeless people; multiple broken windows and break ins; fires being set under the pedestrian bridge; dead bodies in and around the neighbourhood; drug paraphernalia on sidewalks and in lobbies on a weekly basis; confrontations with drugged out homeless people; the list goes on. And now you want to encourage even more of this type of behaviour by amending bylaws to allow an extension to the people that cause these issues?? Why doesn't City Council have the backbone to say NO to these types of agencies and fight for the citizens of Red Deer that actually pay taxes and contribute to our city? Why don't you have the zoning changed by where you all live or conduct business to have these agencies close to you and see how fed up you get?

As stated in my opening I am adamantly opposed to this Bylaw Amendment.

Yours truly

Leon Oosterhoff

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: Appleby Holdings (Dave Appleby)Mailing Address: [REDACTED]Postal Code: [REDACTED]Phone #: [REDACTED]E-mail Address: [REDACTED]

General Comments

We reside in the Elements building at [REDACTED] Street and are very aware of the current situation and have seen dramatic change over the past 5 years. We very much agree that there is a requirement for shelter, however, we do not believe that the location proposed is a good choice.

Housing underprivileged at-risk people in this location where there is increased drug use, violence, and gang presence, is not a good mix. If there is an option to use an existing building such as Mitchener Centre, where there could also be resources available, would provide a much safer environment for our city's most vulnerable. Please do not put families and individuals in crisis in an area that they would be subjected to the worst Red Deer area, an unhealthy environment that could potentially cause further risk and harm.

PLEASE PRINT

Name: MILLIE SCHMELKE

Mailing Address: _____

Post Code: _____

Phone: _____

E-mail Address: _____

General Comments

I'm writing in regards to keeping Cummerby
Row building open to the homeless for another
3 years.

My question to you and all the planning
(bylaw) committee is how would you like
the homeless living in your front yard,
doing drugs, starting fires, leaving needles
& garbage everywhere, following & camping

below your front room window, I
think not, so why are the residences
& business owners of the Elements
(who pay major taxes) being subjected
to these conditions.

We also are witness to police,
ambulances at least once, if not numerous
times each day.

Also as far as having room for them
to social distance, if you would care
to drive by they are all sitting &
standing next to each other
with no regards for the rules.

We are writing in response to your letter requesting feedback regarding temporary care facility/temporary shelter at Cannery Row.

We moved into the Elements Condo in 2012 because of the location to the river valley, walking paths and central location to the downtown core.

Since the move nine years ago we have seen the area deteriorate drastically. We have witnessed open drug use as we walked across the old railroad bridge. Been approached by intoxicated/drug induced individuals. Frequently see used syringes, drug paraphernalia, used condoms and other debris in the area.

Have woken up in the middle of the night by girls screaming for help as they were being abused. Multiple times the RCMP have been called for various reasons.

In addition our property has multiple break-ins causing residents to feel vulnerable in our homes.

Hopefully the City of Red Deer can find effective ways to ensure the safety of its residents and protect the property values of real estate in the downtown core.

Sincerely

Darlene and Byron Kindopp

[REDACTED]
[REDACTED]

Jennifer Hankey

Subject: FW: March 23 2021 - From Saputo re Temporary Care Facility (Cannery Row)

From: Hyshka, K [REDACTED]
Sent: March 22, 2021 3:08 PM
To: Orlando Toews <Orlando.Toews@reddeer.ca>
Cc: Hyshka, K [REDACTED]
Subject: [External] Temporary Care Facility (Cannery Row)

Hi Orlando,

Sorry for the late reply on this. The letter was sent to our Montreal office and only forwarded to me late

I'm responding regarding the shelter at Cannery Row.

We have had issues with security in the area.

On numerous occasions we've experienced issues with people throwing rocks at our Employees and at r

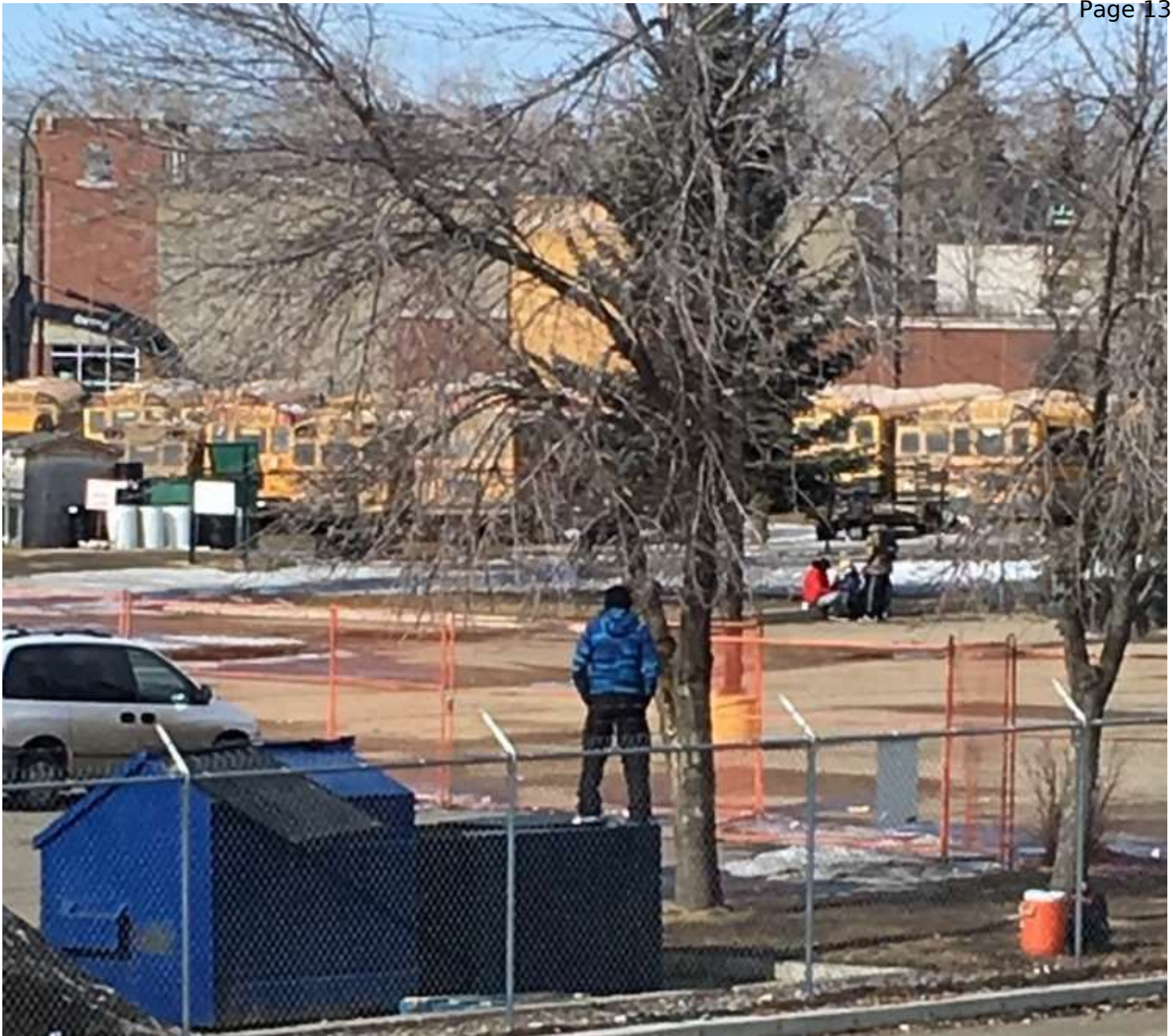
The area is very messy and unkept. We've watched people climb fences, cut holes in fences, urinate et
of respect for neighboring businesses.



The below picture was taken this morning, March 22, 2021



People are standing on top of dumpsters and have the ability to cross the fence into our property. I've asked for the dumpsters to be relocated, but they haven't been moved.



Saputo will be forced to look at improving security around the plant.

Kevin Hyshka

Plant Manager

Red Deer Operations

Saputo

Saputo Dairy Products Canada G.P.

5410 Gaetz Avenue

Red Deer, Alberta, Canada

T4N 4B5



www.saputo.com

CONFIDENTIALITY NOTICE

This communication may contain privileged or confidential information. If you are not the intended recipient or have received this communication by error, please notify the sender and delete the message without copying or disclosing it.

Jennifer Hankey

Subject: FW: [External] Temporary Care Facility 5239-53 Ave.

From: Brenda Gehrke [REDACTED]
Sent: March 23, 2021 6:11 PM
To: Orlando Toews <Orlando.Toews@reddeer.ca>
Cc: RedDeer.North@assembly.ab.ca; reddeer.south@assembly.ab.ca
Subject: [External] Temporary Care Facility 5239-53 Ave.

Comment Sheet - Temporary Care Facility 5239-53 Ave.

Name: Brenda Gehrke
Mailing Address: [REDACTED]
Postal Code: [REDACTED]
Phone #: [REDACTED]
Email Address: [REDACTED]

General Comments

I have been the owner of [REDACTED] Street in downtown Red Deer from the year this building was almost 30 years ago. I have paid my taxes without complaint every year as a loyal citizen of the city. Although taxes have more than doubled perhaps even tripled in that time, our building value has increased. Who would now buy in the area with this facility in our midst?

It is beyond belief that the City of Red Deer would again turn its back on the honest, hard working citizens and small businesses of this city that employ so many, by continuing to push and support the "Temporary Care Facility". You have all heard our stories more than once about discarded needles, beggars, broken windows, smashed in doors, the litter, the urine, the graffiti, the unsafe conditions and customers in and out of our building. Does this sound like success? When will the city council take action - when someone is beaten, robbed, raped or murdered? Would you feel ashamed then, would you be late?

Businesses are facing COVID-19 restrictions, bankruptcy, loss of jobs, loss of rents and still the city council makers punish us taxpayers by continuing to support these facilities every year making it more difficult for drug addicts and criminals to move to our city. It is no wonder that many fine businesses have closed and left the downtown. I would be among them if I didn't own this property!

I realize there is drug addiction, mental health issues, alcoholism and homelessness in every city. We need programs to help those that "want" help but because of these types of facilities in Red Deer we encourage these people with such serious problems, we have become a magnet for these unfortunate people. The businesses downtown are overwhelmed.....we are asking, no we are pleading if not begging. Please rid the city of this facility that you have hidden away on the periphery of our downtown, be proud of it put it out in the open where all citizens can see the disgrace that this has become! Yes Fed Up!

Sent from my iPad

APPENDIX D

Revised Bylaw

BYLAW NO. 3357 /~~H~~2021

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

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

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

1. Section 8.20.8.4 is amended by adding the following subsection prior to subsection (a):

City Council is the Development Authority for the Temporary Care Facility located at 5239 53 Avenue (Lots 4-5, Plan 6233RS).

2. Section 8.22(1)(e) is amended by adding the following new paragraph and subparagraph and numbering accordingly:

Temporary Care Facility on:

5239– 53 Avenue (Lots 4-5, Plan 6233RS), until a Temporary Care Facility (purpose built shelter) is developed in a different location in Red Deer, and subject to the following requirements:

- use must have a monitored digital camera security system and personnel to perform regular surveillance operation;
- use must comply with the design elements that incorporate CPTED principles as a result of a CPTED analysis incorporating natural surveillance, access control and territorial reinforcements.
- the site plan, the relationship between buildings shall be subject to approval by City Council.

3. The “Land Use District Map L15” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 6/ 2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of 2021.

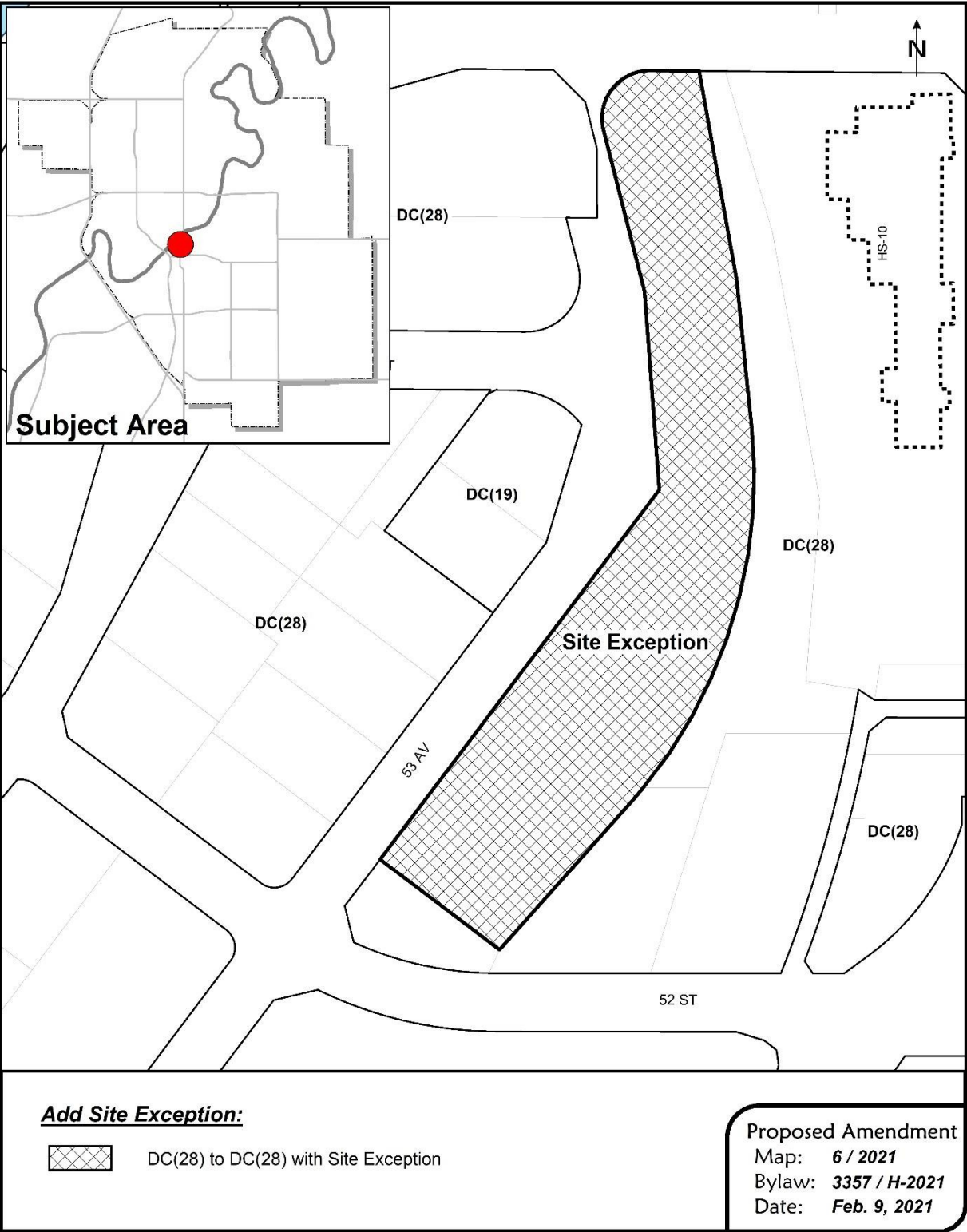
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2021.

MAYOR

CITY CLERK

Schedule "A"

 **Red Deer** Proposed Amendment to Land Use Bylaw 3357/2006





Originally submitted on the
March 1, 2021 Council
Meeting

March 1, 2021

Land Use Bylaw Amendment 3357/H-2021 Site Exception for Temporary Care Facility - 5239 53 Avenue

Prepared by: Emily Damberger, Planning Manager & Orlando Toews, Senior Planner
Department: City Planning and Growth

Report Summary & Recommendation

A temporary shelter was established at the Cannery Row building in March of 2020 in order to ensure safety of shelter users during the COVID-19 Pandemic and provincial required physical distancing and health measures. The site was acquired, outside of the development permitting process, during a declared State of Local Emergency by means of an Emergency Order issued by the Emergency Operations Centre Director. A one year lease was established and will expire the end of March 2021.

Health measures continue to be in place, and the need for the shelter with safe physical distancing continues. The emergency status has lapsed and for the use to continue at the current location and a Land Use Bylaw amendment is required, as the use is not a listed use within the DC 28 zoning.

Administration is bringing forward an application for a short term Temporary Care Facility site exception at 5239 53 Ave. The site exception lists Council as the Development Authority and the development permit will come forward for consideration following the Public Hearing and final readings, if approved.

Administration recommends that Council proceed with first reading of Land Use Bylaw 3357/H-2021 for a short term temporary care facility (shelter) site exception at 5239 53 Avenue.

Proposed Resolution

That Bylaw 3357/H be read a first time.

If first reading is given, this bylaw will come back for second and third reading at the Monday, March 29, 2021 Council Agenda.

Rationale for Recommendation

1. Provides continuation of a short-term use required due to Provincial Health regulations.

The use is short term, to allow for safe shelter use during the pandemic and is proposed to remain in place until the long-term provincial shelter is in place.

2. City policies support providing opportunity in the Downtown

The Municipal Development Plan identifies Downtown as an area to provide social services. The Red Deer Community Housing and Homelessness Integrated Plan identifies a need for emergency shelter.

3. The Use regulated through a variety of municipal tools.

The temporary shelter operations can be regulated through the Land Use Bylaw and subsequent development permit conditions.

Discussion and Analysis

Background

Cannery Row, 5239 53 Avenue, is zoned Direct Control District (DC) 28. The temporary shelter falls under the Land Use Bylaw definition of a Temporary Care Facility. A Temporary Care Facility is not a listed use in DC 28.

DC 28 is a mixed use district, and an area in transition. Directly adjacent land uses included, commercial and industrial, uses and DC19, Safe Harbour Shelter and detox centre.

In March of 2020 the province initiated regulations in response to the COVID 19 Pandemic, including safe separation distances. Safe Harbour and Mustard Seed, were offering emergency overnight shelter at this time, however due to the separation distances required the numbers they could serve in the existing spaces was very limited.

The City worked in partnership with Safe Harbour Society to acquire a larger space to accommodate the current demand for emergency shelter with health measures in place. The City initiated a State of Local Emergency and through this act acquired the Cannery Row space. The City entered into a one year lease, and sublet to Safe Harbour Society who provided the services to clients. The Province funded Safe Harbour's operations.

The warming centre located in the temporary trailer on site at Safe Harbour was removed as services were consolidated into the Cannery Row site. Operators anticipated the Cannery Row site having potential to serve as a transitional site while awaiting construction of a permanent purpose built shelter.

A temporary shelter is being proposed until a permanent purpose built shelter is constructed. The operational details of the approximate 100 person capacity shelter include:

- Physical space: 21,000 sq. ft. space at Cannery Row. This allows for two (2.0) metre physical distancing between sleeping mats as recommended by Alberta's Chief Medical Officer of Health;
- Accessibility: the shelter operates 24 hours/day, 7 days/week and provides a supervised environment for those who are vulnerable on the streets and in the elements;
- Personal support: connection to staff and referral to other health supports;
- Personal services: showers, clothing, telephone use, nursing support and assessment, assistance completing forms;

The property manager has indicated there were concerns from a tenant within the multi-tenant building, key concerns being gathering of clients outside of the facility and increase debris in the area. Safe Harbour has worked with clients and staff to change operational practices to mitigate the concerns from neighbours.

The landowner has granted permission for the development permit application from Safe Harbour as a condition of a future lease if the bylaw amendment and development permit proceed.

The Province has announced \$7 million dollars towards a purpose built shelter for Red Deer. The Province is leading a committee of stakeholders with City representation to guide decisions regarding the operations and location of the proposed shelter. A location has not been determined. The shelter is anticipated to be constructed within the next 2-3 years. A memorandum of understanding is proceeding between The City and The Province regarding the permanent purpose built shelter construction. The Province intends to continue funding the temporary shelter.

Several Alberta municipalities are in a similar situation, having to proceed with development permits or rezoning to continue with temporary shelters providing services to vulnerable populations during the health crisis pandemic.

Analysis

City Plans and Policies (See Appendix C for relevant policies)

Municipal Development Plan (MDP)

The Municipal Development Plan supports social services being provided in the city centre and supports further implementation of housing plans.

Red Deer Community Housing and Homelessness Integrated 5 year Plan

The plan provides an integrated vision of all factors needing support to address homelessness. While the implementation of integrated efforts are in place, shelters are needed to support current and future vulnerable populations.

Land Use Bylaw

The proposed bylaw amendment (see Appendix A) contains provisions for Council to be the development authority and identifies a limited time for the use, until such time as a permanent purpose built shelter is constructed. This is anticipated in the next 2-3 years.

Council, when considering Land Use Bylaw amendments, may consider a broad range of factors, including such things as COVID and the impacts on public health. This differs from when Council is acting as the Development Authority for a Development Permit, where they are limited to planning principles. The Development Authority can make decisions related to use, building form, design, and siting. Council and the Development Authority cannot regulate the user.

Location

Zoning is only one component of finding a suitable location. The building and location needs to meet the needs of the operator, those they serve and regulations. The pandemic was the driving factor for the shelter being set up at this location because of the pandemic requirements of having a very large space to meet COVID regulations from the Chief Medical Officer of Health. The choice of space was extremely limited to meet these requirements in a short period of time when the pandemic began in March of 2020. The pandemic has not gone away and COVID regulations are still in place. The site exception recognizes the temporary nature of this use and alternate locations will be explored through the Province led permanent purpose built shelter discussions.

Dialogue

The application was circulated to pertinent City departments for review. All comments are incorporated into the proposed bylaw.

Referrals to landowners within 100 m of the site was sent and included information regarding the Land Use Bylaw amendment, the Development Permit, and notification of the public hearing (See Appendix D).

Administration will provide a supplementary report with consultative feedback and recommended changes, as required, based on adjacent landowner feedback. Administration will provide Council with municipal tool options.

Appendices

Appendix A – Bylaw 3357/H-2021

Appendix B – Site location and Land Use Maps

Appendix C – City Plans and Policies

Appendix D – Landowner referral letter

APPENDIX A

Bylaw 3357/H-2021

BYLAW NO. 3357 / H – 2021

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

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

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

1. Section 8.20.8.4 is amended by adding the following subsection prior to subsection (a):

City Council is the Development Authority for the Temporary Care Facility located at 5239 – 53 Avenue (Lots 4-5, Plan 6233RS).

2. Section 8.22(1)(e) is amended by adding the following new paragraph and subparagraph and numbering accordingly:

Temporary Care Facility on:

5239 – 53 Avenue (Lots 4-5, Plan 6233RS), until a Temporary Care Facility (purpose built shelter) is developed in a different location in Red Deer,

3. The “Land Use District Map L15” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 6/ 2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of 2021.

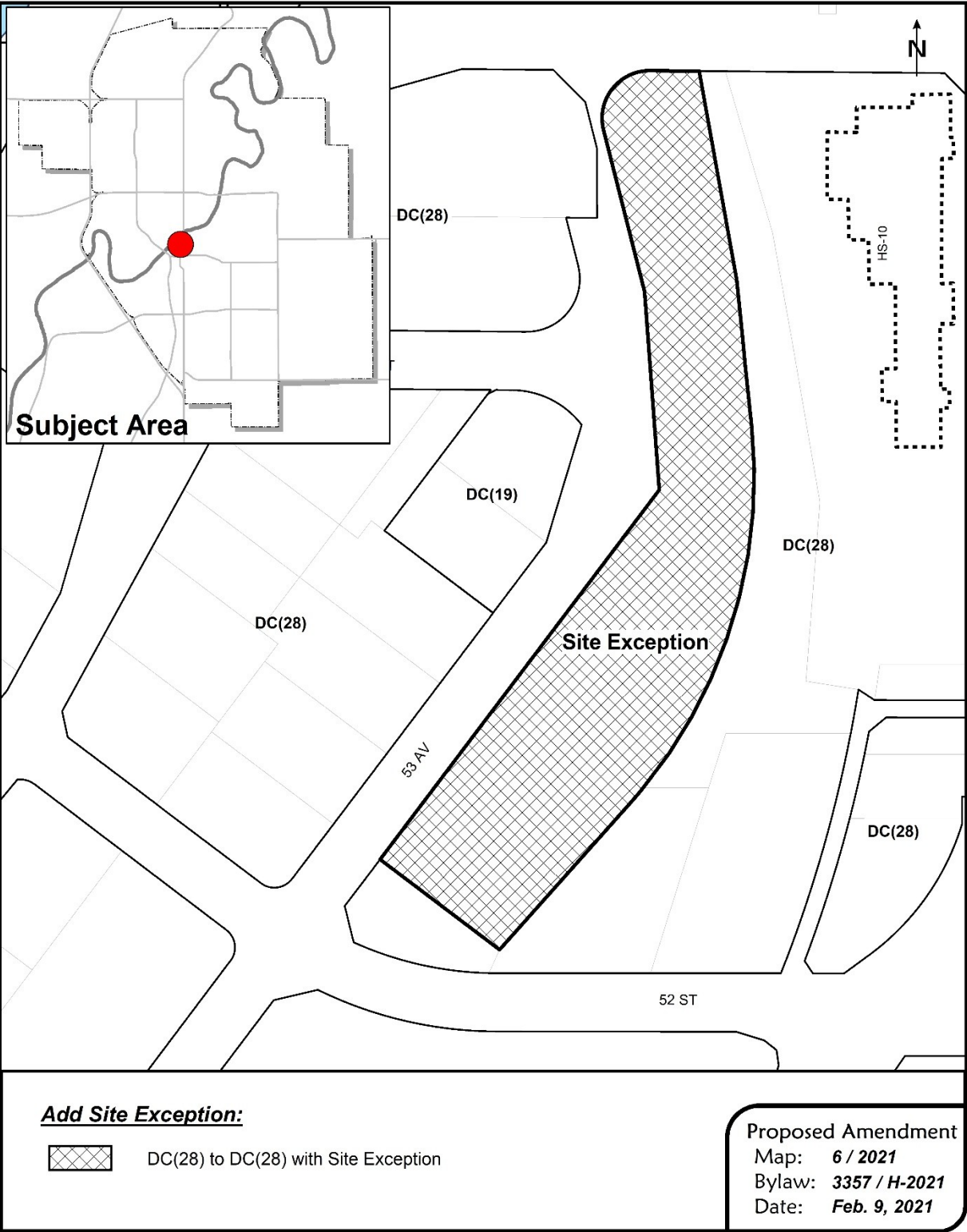
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2021.

MAYOR

CITY CLERK

Schedule "A"

 **Red Deer** Proposed Amendment to Land Use Bylaw 3357/2006



APPENDIX B

Site location and Land Use Maps

Location of Proposed Temporary Care Facility (Temporary Shelter)
Cannery Row building at 5239 - 53 Avenue



APPENDIX C

City Plans and Policies

Municipal Development Plan

11.0 (b) Reinforce the Downtown core as the civic business, administrative, social services and cultural centre of the city;

15.4 The City shall develop land use plans and policies to accommodate the development of facilities that house social services and programs within the community.

Red Deer Community Housing and Homelessness Integrated 5 year Plan

The plan identifies the homeless population as approximately 144 individuals. The plan identifies this number is increasing and has potential to increase due to additional housing shortage factors.

APPENDIX D

Landowner referral letter



Date: February 25, 2021

«Owner_Name»

«Owner_Address1»

«Owner_Address2»

To: Landowners within 100 m of 5239 53 Avenue

**Re: Land Use Bylaw Amendment 3357/H-2021 and Development Permit DP #082654-
Temporary Care Facility/Temporary Shelter**

To ensure the continued health and safety of our community's vulnerable population, The City of Red Deer is beginning the process of allowing the continued use of a temporary shelter located in the north portion of the Cannery Row Building.

Why have you received this letter?

I am reaching out to you today on behalf of The City of Red Deer to inform you about the upcoming process and to give you the opportunity to provide feedback. The process includes a proposed amendment to the Land Use Bylaw (Bylaw 3357/H-2021) and a proposed development permit that would allow for the continued use of a temporary shelter (defined as a "Temporary Care Facility" in the Land Use Bylaw) located in the north portion of the Cannery Row building at 5239 - 53 Avenue.

As part of The City's overall evaluation process, landowners within 100 metres of the subject site are provided an opportunity to review the proposed changes and provide comments. As you are a landowner within 100 metres, The City invites you to review and provide comments on the proposed changes by **Friday, March 19, 2021**.

Why is the change needed?

The current temporary shelter at Cannery Row was established in March 2020 in response to the COVID-19 Pandemic and the resulting need for a safe, physically distanced shelter for our community's vulnerable population. The City established the one-year shelter lease through the State of Local Emergency by means of an Emergency Order. The temporary warming centre on the Safe Harbour site has been removed, as all services are now through the Cannery Row site.

As the Pandemic is ongoing, and The City is no longer in a State of Local Emergency, the need for a safe, physically distanced shelter for our community's vulnerable population continues. The Land Use Bylaw's zoning (Direct Control District 28) at the subject location does not include a shelter as a use; therefore an amendment to the zoning is needed in order to allow a temporary shelter to continue at this location.

The Province provides funding for Safe Harbour Society to operate the shelter and on February 7, 2020, the Province committed to \$7 million in its 2020 Capital Plan for a purpose-built integrated emergency shelter in Red Deer. Specifics about location, timing and operational details have not yet been

determined by the Provincial Government. A memorandum of understanding has been finalized between the Province and The City regarding the future permanent integrated purpose built shelter.

What is being proposed?

A temporary shelter is being proposed until a permanent purpose built shelter is constructed. The operational details of the approximate 100 person capacity shelter include:

- Physical space: 21,000 sq. ft. space at Cannery Row. This allows for two (2.0) metre physical distancing between sleeping mats as recommended by Alberta's Chief Medical Officer of Health;
- Accessibility: the shelter operates 24 hours/day, 7 days/week and provides a supervised environment for those who are vulnerable on the streets and in the elements;
- Personal support: connection to staff and referral to other health supports;
- Personal services: showers, clothing, telephone use, nursing support and assessment, assistance completing forms;

What is the next step for this amendment?

Council is anticipating a Public Hearing on March 29, 2021 at 6 p.m. The Public Hearing is an opportunity for the public to speak directly to Council about any concerns they may have with the proposed bylaw. Public Hearings are advertised in the Friday edition of the Red Deer Advocate and details are also available online at www.reddeer.ca/publichearings.

Following the Public Hearing Council will consider Second and Third Reading (adoption) of the proposed Land Use Bylaw amendment and the proposed development permit.

To view this Bylaw, please visit the City of Red Deer's Public Hearing webpage at: www.reddeer.ca/publichearings. If you would like a different way of accessing the bylaw please contact me at the email or phone number below.

City Council will also receive written submissions from any person claiming to be affected by the proposed bylaw and will consider these at the anticipated Public Hearing on March 29, 2021 at 6 p.m. If you would like your submission included in the Council Agenda, you can submit it directly to me at Orlando.Toews@reddeer.ca or by mail, at the following address:

Orlando Toews, Senior Planner
3rd Floor City Hall
Box 5008
Red Deer, AB T4N 3T4

All submissions will be public information. If you have any questions regarding the use of this information, please contact the Legislative Services Manager at legislativeservices@reddeer.ca.

In accordance with Alberta's Meeting Procedures (COVID-19 Suppression) Regulation which is intended to avoid exposing person to COVID-19 and in response to physical distancing and regulations related to gathers, modified Public Hearing Procedures may apply. Contact Legislative Services at legislativeservices@reddeer.ca for the Public Hearing procedures.

Who do I contact if I have experience concerns with the Temporary Shelter operation?

Safe Harbour Society operates the temporary shelter, please contact Kath Hoffman at Kath@safeharboursociety.org

Do I have to provide comments?

It is optional to provide comments. If you would like to submit comments, please do so by **Friday, March 19, 2021**. Methods for submitting comments are outlined in the attached comment sheet.

What will happen if I submit comments?

All comments received will be reviewed by City of Red Deer City Planning & Growth staff. They will be incorporated into the report that will be presented to Council when Council considers adoption of the proposed amendments.

If you provide your email contact information or phone number administration can respond to any questions or comments prior to those comments going to Council.

If you require further information, please contact me directly at orlando.toews@reddeer.ca or 403-304-8383 between 8 a.m. and 4:30 p.m., Monday to Friday.

Thank you for your consideration in this matter. Please do not hesitate to contact me if you require additional information or clarification.

As a reminder:

If you are concerned for the wellbeing of someone who is experiencing homelessness, mental health challenges or substance abuse challenges, and they are not posing an immediate harm to themselves or others, call 2-1-1 then Press 2 to reach the Social Diversion Team.

The Social Diversion team consists of specially-trained professionals that can provide front line assessment, intervention and support. They can connect people in crisis with the social services they need, such as housing supports, mental health supports, detox programs and harm reduction resources.

Sincerely,



Orlando Toews, Senior Planner
403-304-8383
orlando.Toews@reddeer.ca



March 29, 2021

Development Permit Consideration Temporary Care Facility 5239 53 Avenue

Prepared by: Beth McLachlan, Senior Development Officer
Department: Inspections & Licensing

Report Summary & Recommendation

The Applicant has applied for a Development Permit for a Temporary Care Facility (shelter), to be located at 5239 53 Avenue (Lot 4-5, Block 0, Plan 6233 RS).

The subject parcel is known as Cannery Row and is designated Direct Control District No. 28 (DC (28)) under the Land Use Bylaw (LUB). City Council is the delegated Development Authority for this application. The Temporary Care Facility (24/7 shelter) is a Discretionary Use.

The general purpose of the DC (28) District is to facilitate the Development of a distinctive urban neighbourhood with a high-quality pedestrian environment. The district is a mixed use district.

Administration recommends Council approve Development Permit DP082654.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Inspection Services dated March 29, 2021 re: Development Permit Consideration – Temporary Care Facility – 5239 53 Avenue, hereby approves the Development Permit as presented March 29, 2021, and stamped as "Approved", copies of which form part of this approval (collectively referred to as the "Approved Plans"), on the lands zoned DC(28), located at 5239 53 Avenue Street, legally described as Lot 4-5, Block 0, Plan 6233 RS (the "Site"), subject to the conditions listed below:

1. A Development Permit shall not be deemed completed based on this approval until all conditions except those of a continuing nature, have been fulfilled to the satisfaction of the Development Officer.
2. All Development must conform to the conditions of this Development Permit and the Approved Plans and any revisions thereto as required pursuant to this Approval. Any revisions to the Approved Plans must be approved by the Development Authority.



3. The Applicant shall repair or reinstate, or pay for the repair or reinstatement, to original condition, any public property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction on the site. Repairs shall be done to the satisfaction of The City of Red Deer. In the event that the City undertakes the repairs the Applicant shall pay the costs incurred by the City within 30 days of being invoiced for such costs.
4. This Development Permit shall cease upon completion of a Temporary Care Facility (purpose built provincial shelter) in a different location in Red Deer.
5. The Applicant shall complete a Crime Prevention Through Environmental Design (CPTED) Assessment. The Applicant shall comply and implement the recommendations of the report.
6. The Applicant shall ensure that any outdoor storage (shopping carts, bicycles, etc.) is contained within a secure area, is not visible from the street and is lockable. The secure area shall be removed upon the Temporary Care Facility ceasing use at the site.

Rationale for Recommendation

1. Provides continuation of a short-term use required due to Provincial Health regulations.

The use is short term, to allow for safe shelter use during the pandemic and is proposed to remain in place until the long-term provincial shelter is in place.

2. City policies support providing opportunity in the Downtown

The Municipal Development Plan identifies Downtown as an area to provide social services. The Red Deer Community Housing and Homelessness Integrated Plan identifies a need for an emergency shelter.

Background

In March 2020, the Province initiated regulations in response to the COVID 19 Pandemic, including safe separation distances. The existing emergency overnight shelters at the time had limited space to accommodate these separation distances. The City worked in partnership with the Safe Harbour Society to acquire a larger space to accommodate the current demand for emergency shelters with health measures in place. The City initiated a State of Local Emergency and, through this action, acquired the Cannery Row space for a Temporary Care Facility out of the development permitting process.



Discussion

Proposed Development Details

The Applicant is proposing to continue the use of the Temporary Care Facility at the Cannery Row location. Health measures continue to be in place and the need for the shelter with social distancing continues. The emergency status has lapsed and therefore, a Development Permit is required for the continued use.

The 21, 000 sq ft space at Cannery Row has an approximate capacity of 100 people and a plan for physical distancing between sleeping mats, as recommended by Alberta's Chief Medical Officer of Health. The shelter operates 24 hours/day, 7 days/week and provides a supervised environment for the vulnerable population.

Neighbourhood

The Site is located in the Railyards neighbourhood as referenced on the attached Appendix. The immediate area consists of commercial development, including Merchandise Sales in portions of the Cannery Row building, Saputo Foods to the east, professional Offices and S. Harbour Society to the west.

Land Use Bylaw

The DC(28) District includes additional regulations to transition the area from industrial to a mix of residential and commercial. The Development Authority may impose, as a condition of approval, standards that are reasonably necessary.

As the Temporary Care Facility use is short-term, no recommendations are being made for additional enhancements to the existing Site.

A parking review has been conducted and is shown in the table below. The Site is compliant with the parking requirements of the LUB.

Current Uses on Site	Bylaw Req	Occupied Floor Area	# of stalls
Merchandise Sales (Fabricland)	5.1/93 m2	1122 m2	62
Merchandise Sales (Bianca Am...	5.1/93 m2	1192 m2	66
Commercial Recreation (LazerForce)	1/2 participants 1/20 m2	511 m2	31
Temporary Care Facility (24/7 shelter)	1/93 m2	1950.9 m2	21
Total req'd parking			180
Provided (approx.)			296

**Policy Framework**

The Municipal Development Plan identifies the important role the Downtown serves, including the opportunity to accommodate a variety of social services and facilities that serve the needs of the community (s.11.1). The MDP also promotes social and support services within the Downtown, including the provisions of preventative social services, to meet the community's needs (s.15.7).

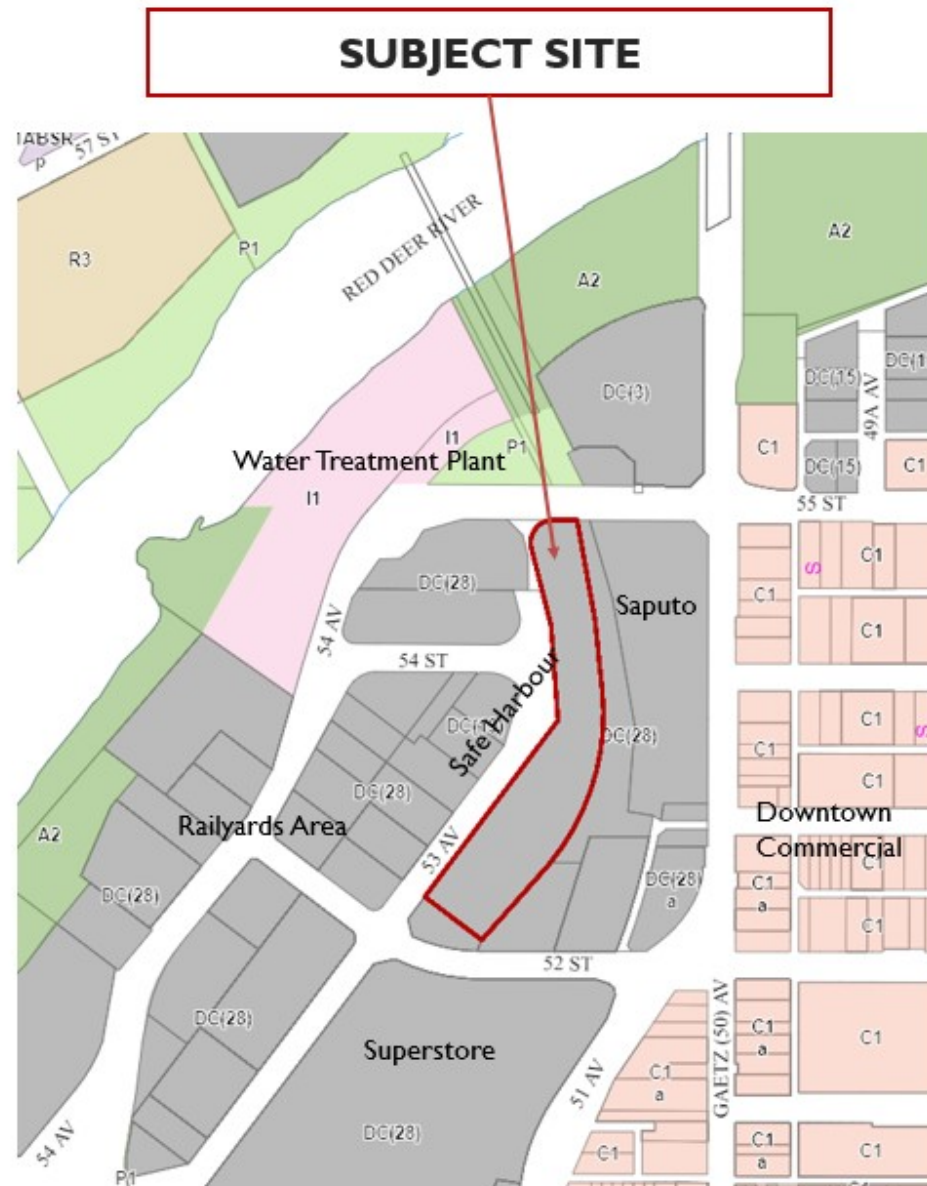
The Greater Downtown Action Plan identified that in 2008, the Downtown was appropriate for the city's center for a wide range of human services. It indicates that the concept of 'social inclusion' also provides a perspective for developing an urban environment that supports the active involvement of all individuals in creating an equitable, supportive community (C.4).

Consultation

Consultation was completed in coordination with the Land Use Bylaw Amendment process. Comments received were provided in Appendix C of the *Supplementary Report - Area Land Use Consultation, Land Use Bylaw Amendment 3357/H-2021, Site Exception for Temporary Car Wash* at 5239 53 Avenue.



Appendix A Mapping & Photos of Site



DP082654
4-5239 53 Ave
Railyards





**TEMPORARY CARE FACILITY
LOCATION**



DP082654

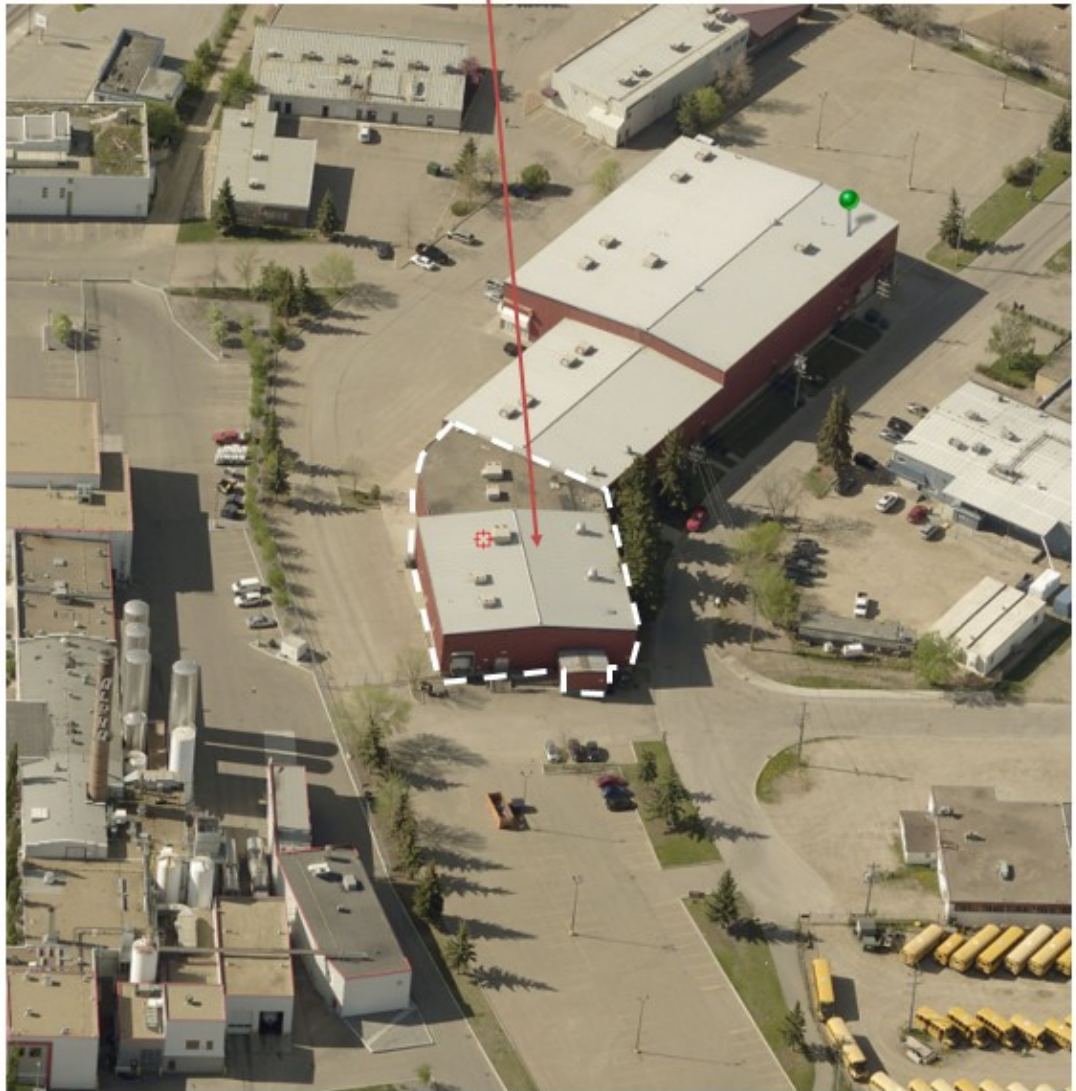
4-5239 53 Ave

Railyards





SUBJECT SITE



DP082654

4-5239 53 Ave

Railyards





SUBJECT SITE
Site Inspection



DP082654

4-5239 53 Ave

Railyards





SUBJECT SITE
Site Inspection



DP082654

4-5239 53 Ave

Railyards



DATE: March 30, 2021

TO: Emily Damberger, Manager of Planning

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/H-2021. Site Exception for Temporary Care Facility

Reference Report:

City Planning & Growth, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolutions:

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3357/H-2021 as follows:

- Section 2 – by deleting “until a Temporary Care Facility (purpose built shelter) is developed in a different location in Red Deer” and replacing it with “until May 31, 2021”

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated March 29, 2021 re: Development Permit Consideration – Temporary Care Facility – 5239 53 Avenue, hereby approves the Development Permit as presented March 29, 2021, and stamped as "Approved", copies of which form part of this approval (collectively referred to as the "Approved Plans"), on the lands zoned DC(28), located at 5239 53 Avenue Street, legally described as Lot 4-5, Block 0, Plan 6233 RS (the "Site"), subject to the conditions listed below:

1. A Development Permit shall not be deemed completed based on this approval until all conditions except those of a continuing nature, have been fulfilled to the satisfaction of the Development Officer.
2. All Development must conform to the conditions of this Development Permit and the Approved Plans and any revisions thereto as required pursuant to this Approval. Any revisions to the Approved Plans must be approved by the Development Authority.
3. The Applicant shall repair or reinstate, or pay for the repair or reinstatement, to original condition, any public property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction on the site. Repairs shall be done to the satisfaction of The City of Red Deer. In the event that the City undertakes

the repairs the Applicant shall pay the costs incurred by the City within 30 days of being invoiced for such costs.

4. The Development Permit is approved for 2 months, until May 31, 2021, at which time the use of the Temporary Care Facility shall cease.

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated March 29, 2021 re: Development Permit Consideration – Temporary Care Facility – 5239 53 Avenue, hereby directs that in addition to the requirements of the Business License Bylaw the following will also apply:

1. The following shall be mandatory conditions:

- (a) License holder must maintain and execute a plan for daily outside inspections and twice daily clean up including needle pick up within a 150m radius of the site during and after hours of operation.

Bylaw Reading:

At the Monday, March 29, 2021 Regular Council Meeting, Council gave second and third reading to the following Bylaw as amended:

Bylaw 3357/H-2021 (an amendment to the Land Use Bylaw for a short term temporary care facility (shelter) site exception at 5239-53 Avenue)

Report back to Council:

Yes.

Comments/Further Action:

Administration will distribute the bylaw in due course.

“Frieda McDougall”

Frieda McDougall
Manager

- c. General Manager Development & Protective Services
Senior Development Officer



City Council Additional Meeting Agenda

Monday, March 29, 2021 – Via Video Conference

Call to Order:	1:30 PM
Recess:	5:00 PM to 6:00 PM

1. Reports

Bridges Community Living – Request to Province for Surplus Funds
(Pages 2-3)



March 29, 2021

Bridges Community Living- Request to Province for Surplus Funds

Prepared by: Lisa Marie Perkins, GM Corporate & Employee Services

Report Summary & Recommendation

Bridges Community Living provides seniors affordable housing (non-lodge) and lodge accommodation. Specific to lodge accommodation, Bridges Community Living may request those municipalities for which it provides lodge accommodation.

Each year, when a housing management body such as Bridges has a surplus from its operating capital budget, it is required by legislation to transfer that surplus to the Minister. The legislation also says that The City and the Minister may agree that the surplus does not need to be returned to the Minister and may agree to an alternate plan. This only applies in years when Bridges has received Provincial funding and a City requisition. This means that The City can submit a request to the Minister proposing if Bridges has a surplus, the surplus be returned either to The City or Bridges to reduce its lodge deficits.

Administration recommends that The City make a formal application to the Government of Alberta any 2020 surplus funds of Bridges Community Living be returned and applied to Bridges Community Living Lodge Accommodation deficit thereby reducing the requisition for 2021.

Proposed Resolution

Resolved that Council of The City of Red Deer, having considered the report dated March 29, 2021 re: Bridges Community Living – Request to Province for Surplus Funds, hereby direct Administration to make a formal application to the Government of Alberta, requesting any surplus funds of Bridges Community Living be returned and applied to Bridges Community Living Lodge Accommodation deficit thereby reducing the requisition for 2021.

Background and Analysis

Bridges Community Living (“Bridges”) provides

- a) Seniors Affordable Housing;
- b) Lodge Accommodation.



A recent review of the legislation and ministerial orders was prompted by a conversation with the Ministry of Seniors and Housing. In this review, Administration has become aware of an opportunity to request a return of the 2020 surplus to offset the requisition and wanted to bring this to Council's attention and seek direction to proceed with that application. While the application is late in the process of preparing for the tax rate bylaw and we are uncertain of the outcome we believe it is responsible to our tax payers that the attempt is made.

The *Alberta Housing Act* provides that on or before April 30 in any year, a management body provides lodge accommodation may requisition those municipalities to which the management body provides lodge accommodation for:

- (a) the amount of the management body's annual deficit for the previous fiscal year arising from the provision of lodge accommodation, and
- (b) any amounts necessary to establish or continue a reserve fund for the management body (s. 7(1)).

Each year, when a housing management body such as Bridges has a surplus from its operating capital budget, it is required by legislation to transfer that surplus to the Minister. The legislation also says that The City and the Minister may agree that the surplus does not need to be returned to the Minister and may agree to an alternate plan. This only applies in years when Bridges has received Provincial funding and a City requisition. This means that The City can submit a request to the Minister proposing if Bridges has a surplus, the surplus be returned either to The City or Bridges to reduce its lodge deficits. (Section 24, *Management Body Operation and Administration Regulation*)

The 2020 financials for Bridges will be complete March 31, 2021. Being proactive and anticipating that there will be a surplus in the non-lodge accommodation and a deficit in the lodge accommodation presented, The City should make this request.

The City of Red Deer would request a response no later than April 5, 2021 ideally to allow Bridges the time to adjust their requisition so that Administration has time to make adjustments to the Tax Rate Bylaw scheduled for April 12, 2021.

It is at the Minister's discretion to return the 2020 surplus and fulfill our request that this amount is applied to the 2021 requisition. If they do not return the surplus in time for the 2021 Tax Rate Bylaw we would ensure the amount is applied to any anticipated deficit in the 2022 budget (2022 requisition).

Going forward Administration will request future deficit budgets be submitted to Council so that they can be ratified. A date for this report will be determined to reflect legislative requirements and Bridges Community Living budget timelines.

DATE: March 30, 2021
TO: Lisa Perkins, General Manager Corporate & Employee Services
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Bridges Community Living – Request to Province for Surplus Funds

Reference Report:

Corporate & Employee Services, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered the report dated March 29, 2021 re: Bridges Community Living – Request to Province for Surplus Funds, hereby directs Administration to make a formal application to the Government of Alberta, requesting any 2020 surplus funds of Bridges Community Living be returned and applied to Bridges Community Living Lodge Accommodation deficit thereby reducing the requisition for 2021.

Report back to Council:

No.

Comments/Further Action:

Administration to make a formal application to the Government of Alberta requesting surplus funds.

“Frieda McDougall”

Frieda McDougall
Manager

c. Chief Financial Officer
Revenue & Assessment Manager

DATE: March 30, 2021
TO: Samantha Rodwell, Deputy City Clerk
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Request to set a Special Council Meeting

Reference Report:

Legislative Services, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 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 as follows:

- Thursday, April 22, 2021 from 1:00 p.m. until 4:00 p.m. re Westerner Sustainability.

Report back to Council:

No.

Comments/Further Action:

Administration to advertise, organize and facilitate.

“Frieda McDougall”

Frieda McDougall
Manager

c. Corporate Meeting Administrator

DATE: March 30, 2021

TO: Ryan Veldkamp, Housing and Homelessness Supports Supervisor

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: CHAB Recommendation – Allocation of revised Homelessness Services Funding

Reference Report:

Safe & Healthy Communities, dated March 29, 2021.

Resolution:

At the Monday, March 29, 2021 Regular Council Meeting, Council passed the following resolutions:

Resolved that Council of The City of Red Deer having considered the In-Camera report from Community Services dated March 29, 2021, re: CHAB Recommendation – Allocation of Revised Homelessness Services Funding hereby endorses the recommendation 1(a) 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, until completion of formal agreements at which time allocations are publicly released.

Resolved that Council of The City of Red Deer having considered the In-Camera report from Community Services dated March 29, 2021, re: CHAB Recommendation – Allocation of Revised Homelessness Services Funding hereby endorses the recommendation 1(b) 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, until completion of formal agreements at which time allocations are publicly released.

Report back to Council:

No.

Comments/Further Action:

None.

“Frieda McDougall”

Frieda McDougall
Manager

c. Safe & Healthy Communities Manager