

# **CITY COUNCIL**

## **AGENDA**

Monday, April 03, 2017 – Council Chambers, City Hall

Call to Order:	2:30 PM
Recess:	5:00 PM to 6:00 PM
Public Hearing(s):	6:00 PM

### **I. MINUTES**

I.1. Confirmation of the Minutes of the March 20, 2017 Regular Council Meeting.

(Agenda Pages 1 – 15)

### **2. POINTS OF INTEREST**

### **3. REPORTS**

3.1. Amendments to the 2017 Operating Budget Minutes

(Agenda Pages 16 – 21)

3.2. CN EcoConnexions Grant

(Agenda Pages 22 – 24)

3.3. Ratification of Red Deer Downtown Business Association Board of Director Appointments

(Agenda Pages 25 – 26)

3.4. Cart Pilot Project Update and City Wide Cart Implementation

(Agenda Pages 27 – 33)

- 3.5. Unit Limit Reduction Implementation Update  
(Agenda Pages 34 – 37)
- 3.6. Burnt Lake Area Structure Plan (Red Deer County)  
Additional Country Residential Proposed on Pt. NE1 I-38-28-W4M  
(Agenda Pages 38 – 43)
- 3.7. Family Services of Central Alberta Grant Request  
(Agenda Pages 44 – 49)

**4. BYLAWS**

- 4.1. Notice Bylaw 3588/2017  
Repeal of Interpretation Bylaw 3558/2015  
(Agenda Pages 50 – 64)
  - 4.1.a. Consideration of First Reading of the Bylaw
- 4.2. Alarm Bylaw  
Bylaw 3591/2017  
(Agenda Pages 65 – 89)
  - 4.2.a. Consideration of First Reading of the Bylaw
- 4.3. Land Use Bylaw Amendment - Little Close  
Change of Site Coverage  
Bylaw 3357/Q/2017  
(Agenda Pages 90 – 98)
  - 4.3.a. Consideration of First Reading of the Bylaw
- 4.4. Land Use Bylaw Amendment  
Redesignation within NW 1/4 SEc 26; 38-27-W4 (Evergreen)  
Bylaw 3357/T-2017  
(Agenda Pages 99 – 104)
  - 4.4.a. Consideration of First Reading of the Bylaw

- 4.5. Proposed Road Closure and related Redesignation of a lane in Riverside Meadows  
Road Closure Bylaw 3589/2017  
Land Use Bylaw Amendment 3357/R-2017  
(Agenda Pages 105 – 111)

- 4.5.a. Consideration of First Reading of Road Closure Bylaw 3589/2017

- 4.5.b. Consideration of First Reading of Bylaw 3357/R-2017

- 4.6. Repeal of Campaign Contribution and Expense Disclosure Bylaw 3492/2013  
Bylaw 3590/2017  
(Agenda Pages 112 – 115)

- 4.6.a. Consideration of Second Reading of the Bylaw

- 4.6.b. Consideration of Third Reading of the Bylaw

## **5. PUBLIC HEARINGS**

- 5.1. Land Use Bylaw Amendment 3357/KK-2016  
Site Exception for Additional Commercial Uses at 5589-47 Street  
(Agenda Pages 116 – 141)

- 5.1.a. Consideration of Second Reading of the Bylaw

- 5.1.b. Consideration of Third Reading of the Bylaw

- 5.2. Land Use Bylaw Amendment 3357/MM-2016  
Residential Uses Above Ground Floor of Buildings

(Agenda Pages 142 – 159)

5.2.a. Consideration of Second Reading of the Bylaw

5.2.b. Consideration of Third Reading of the Bylaw

5.3. Land Use Bylaw Amendment 3357/M-2017  
Election Signs

(Agenda Pages 160 – 170)

5.3.a. Consideration of Second Reading of the Bylaw

5.3.b. Consideration of Third Reading of the Bylaw

**6. ADJOURNMENT**



**UNAPPROVED - M I N U T E S**

**of the Red Deer City Council Regular Meeting  
held on, Monday, March 20, 2017  
commenced at 2:31 P.M.**

**PRESENT:** Mayor Tara Veer  
Councillor Tanya Handley  
Councillor Paul Harris  
Councillor Lawrence Lee  
Councillor Lynne Mulder  
Councillor Frank Wong  
Councillor Dianne Wyntjes

City Manager, Craig Curtis  
Director of Communications & Strategic Planning, Julia Harvie-Shemko  
Director of Community Services, Sarah Cockerill  
Director of Corporate Transformation, Lisa Perkins  
Director of Corporate Services, Paul Goranson  
Director of Planning Services, Tara Lodewyk  
Director of Development Services, Kelly Kloss  
City Clerk, Frieda McDougall  
Deputy City Clerk, Samantha Rodwell  
Corporate Meeting Administrator, Amber Senuk  
Controller – Property Taxation, Roxane Preedin  
Inspections & Licensing Manager, Erin Stuart  
Senior Planner, David Girardin  
Planner, Kimberly Fils-Aime

**ABSENT:** Councillor Buck Buchanan  
Councillor Ken Johnston

**I. IN CAMERA**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Monday, March 20, 2017 at 2:31 p.m. and hereby agrees to exclude the following:

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

to discuss a Human Resource Matter as protected under the Freedom of Information & Protection of Privacy Act, Section 24(1)(a).

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Paul Harris, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, March 20, 2017 at 2:34 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



## 2. MINUTES

Moved by Councillor Lawrence Lee, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby approves the Minutes of the March 6, 2017 Council Meeting as transcribed.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wytjes

MOTION CARRIED

## 3. PRESENTATIONS

### 3.1. Canada Winter Games Update

Ms. Lyn Radford, Board Chair for the 2019 Canada Winter Games and Mr. Scott Robinson, Chief Executive Officer for the 2019 Canada Winter Games presented this item for information.

## 4. REPORTS

### 4.1. 2016/2017 Citizen Representative Appointments to Committees

Moved by Councillor Tanya Handley, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the report from Legislative Services, dated March 1, 2017 re: 2016/2017 – Citizen Representative Appointments to Committees hereby appoints the following to serve on the Red Deer Regional Airport Authority Board and the Community Housing Advisory Board for the term to expire as follows:

Red Deer Regional Airport Authority Board

Dave Jones Citizen Representative (to fill an unexpired term to December 2019)



### Community Housing Advisory Board

Phyllis Redcalf Aboriginal Representative (to fill an unexpired term to October 2017)

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

### 4.2. 2017 Tax Sale Reserve Bids

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the report from Revenue and Assessment Services department, dated March 20, 2017 re: 2017 Tax Sale, hereby approves the reserve bids for the following properties being offered for sale at the 2017 tax sale auction on April 26, 2017:

Item #	Roll #	Legal Description	Civic Address	Reserve Bid
1	30000312255	LOT 96; BLOCK 9; PLAN 0623375	127 ISSARD CL	\$380,000
2	30000330755	LOT 1; BLOCK 6; PLAN 9823751	71 ALLISON CR	\$450,000
4	30001031255	LOT 22; BLOCK 7; PLAN 971RS	2 MUNRO CR	\$250,000
5	30001140580	LOT 10; BLOCK 4; PLAN 9826345	114 DUSTON ST	\$260,000
6	30001610830	LOT 11; BLOCK 10; PLAN 5897HW	4218 40A AV	\$260,000
7	30001711240	LOT 19; BLOCK 4; PLAN 7922591	42 WILTSHIRE BL	\$340,000
8	30001913535	LOT 5; BLOCK 6; PLAN 0725136	23 ORCHID CRT	\$800,000
10	30002021950	LOT 38A; BLOCK 1; PLAN 1235RS	5942 60 AV	\$190,000
11	30002043425	LOT 22; BLOCK ; PLAN 9822447	302-6118 53 AV	\$230,000



12	30002044035	LOT 22; BLOCK ; PLAN 0120875	255-103 HERMARY ST	\$110,000
13	30002044080	LOT 31; BLOCK ; PLAN 0120875	350-103 HERMARY ST	\$110,000
14	30002911650	LOT 33; BLOCK ; PLAN 7820561	H3-35 NASH ST	\$110,000
15	30003044610	LOT 36; BLOCK 4; PLAN 0521851	34 JOICE CL	\$280,000
17	30003217970	LOT 130; BLOCK 5; PLAN 0426542	126 KENDREW DR	\$250,000
18	30003504100	LOT 3; BLOCK 10; PLAN 3231TR	410-5029 34 ST	\$5,000
19	30003504140	LOT 3; BLOCK 10; PLAN 3231TR	414-5029 34 ST	\$13,000
20	30003602140	LOT 8; BLOCK 9; PLAN 7722780	214-6834 59 AV	\$5,000
21	30003604230	LOT 8; BLOCK 9; PLAN 7722780	423-6834 59 AV	\$10,000
22	30003607100	LOT 8; BLOCK 9; PLAN 7722780	710-6834 59 AV	\$14,000
23	30003662260	LOT 3; BLOCK 13; PLAN 7822082	6226 GALBRAITH ST	\$20,000
24	30003700990	LOT A; BLOCK ; PLAN 7821023	99-5344 76 ST	\$15,000
25	30003701470	LOT A; BLOCK ; PLAN 7821023	147-5344 76 ST	\$11,000
28	30003702340	LOT A; BLOCK ; PLAN 7821023	234-5344 76 ST	\$16,000
29	30003702720	LOT A; BLOCK ; PLAN 7821023	272-5344 76 ST	\$5,000
30	30003703150	LOT A; BLOCK ; PLAN 7821023	315-5344 76 ST	\$3,000

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

## 5. BYLAWS

### 5.1. Amendment to Queens Business Park NE35 & SE35 Industrial Area Structure Plan Bylaw 3540/A-2017



Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

**FIRST READING:** That Bylaw 3540/A-2017 (an amendment to the Queen's Business Park NE35 & SE35 Industrial Area Structure Plan to the Stormwater Management Facility (SWMF) design adjustments within the wetland area resulting in changes to the Municipal Reserve (MR) and Environmental Reserve (ER) designation) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**5.2. Land Use Bylaw Amendment  
Bylaw 3357/S-2017 - Secondary Suites**

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

**FIRST READING:** That Bylaw 3357/S-2017 (a Land Use Bylaw Amendment to clarify and better define the Secondary Suite Location Criteria, referred to as planning criteria in the Land Use Bylaw) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**5.3. Repeal of Campaign Contribution and Expense Disclosure Bylaw  
3492/2013  
Bylaw 3590/2017**

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes



**FIRST READING:** That Bylaw 3590/2017 (a Bylaw to repeal the Campaign Contribution and Expense Disclosure Bylaw 3492/2013) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

#### 5.4. Capital Budget Borrowing Bylaws

Second and Third readings of the following bylaws as considered on January 9, 2017 were deemed invalid due to a deficiency in advertising. Following completion of the required advertising they were presented for Councils consideration.

Moved by Councillor Frank Wong, seconded by Councillor Tanya Handley

**SECOND READING:** That Bylaw 3580/2016 (a borrowing bylaw in the amount of \$3,057,000 for Taylor Drive Intersection Improvements) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Frank Wong, seconded by Councillor Tanya Handley

**THIRD READING:** That Bylaw 3580/2016 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes



**MOTION CARRIED**

Moved by Councillor Lynne Mulder, seconded by Councillor Frank Wong

**SECOND READING:** That Bylaw 3581/2016 (a borrowing bylaw in the amount of \$5,859,000 for 2017 Recreation Projects) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Lynne Mulder, seconded by Councillor Frank Wong

**THIRD READING:** That Bylaw 3581/2016 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

**SECOND READING:** That Bylaw 3582/2016 (a borrowing bylaw in the amount of \$7,516,000 for Storm Offsite Projects) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley



**THIRD READING:** That Bylaw 3582/2016 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

**SECOND READING:** That Bylaw 3583/2016 (a borrowing bylaw in the amount of \$6,430,000 for Roads Offsite Projects) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

**THIRD READING:** That Bylaw 3583/2016 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**MOTION CARRIED**

Moved by Councillor Lawrence Lee, seconded by Councillor Frank Wong

**SECOND READING:** That Bylaw 3557/A-2016 (Borrowing Bylaw to amend Borrowing Bylaw 3557/2015 by increasing the borrowing authority by \$1,214,000 to a total of \$8,869,000 for 67 St.



Corridor Improvement project) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Frank Wong

**THIRD READING:** That Bylaw 3557/A-2016 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Frank Wong

**SECOND READING:** That Bylaw 3561/A-2016 (Borrowing Bylaw to amend Borrowing Bylaw 3561/2015 by increasing the borrowing authority by \$153,000 to a total of \$1,375,000 for Central Park Servicing (Water) project) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Frank Wong

**THIRD READING:** That Bylaw 3561/A-2016 be read a third time

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul



Harris, Councillor Lawrence Lee, Councillor Lynne Mulder,  
Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**5.5. Chicken Bylaw Amendment No. 3517/A-2017 to Increase Cap on  
Number of Licenses.**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

SECOND READING: That Bylaw 3517/A-2017 (a bylaw amendment to increase the cap on the number of licenses that may be issued) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

THIRD READING: That Bylaw 3517/A-2017 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**5.6. Proposed Amendment to Sullivan Quarter  
(Water / Sanitary) Servicing Local Improvement  
Bylaw 3504/A-2017**

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes



**SECOND READING:** That Bylaw 3504/A-2017 (a bylaw to amend the Sullivan Quarter (Water/Sanitary) Servicing Bylaw to reflect a reduction in the estimated project cost) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wytjes

**MOTION CARRIED**

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wytjes

**THIRD READING:** That Bylaw 3504/A-2017 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wytjes

**MOTION CARRIED**

Council recessed at 4:16 p.m. at which time Councillor Handley left the meeting.

Council reconvened at 6:00 p.m.

Councillor Paul Harris returned to Council Chambers at 6:01 p.m.

## **6. PUBLIC HEARINGS**

### **6.1. Land Use Bylaw Amendment 3357/N-2017 Site Specific Discretionary Uses and Site Specific Regulations 4926-55 Street**

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Land Use Bylaw Amendment 3357/N-2017.

**IN FAVOUR:** Mayor Tara Veer, Councillor Paul Harris, Councillor Lawrence



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UNAPPROVED - Monday, March 20, 2017

Lee, Councillor Lynne Mulder, Councillor Frank Wong,  
Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley

**MOTION TO LIFT FROM THE TABLE CARRIED**

Mayor Tara Veer declared open the Public Hearing for Land Use Bylaw amendment 3357/N-2017. Mr. Eric Colberg, resident in the area, Mr. Craig Boris and Mr. Keith Mosier, applicants, were in attendance to speak to the bylaw. As no one else was present to speak to the bylaw, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Lynne Mulder, seconded by Councillor Paul Harris

**SECOND READING:** That Bylaw 3357/N-2017 (an amendment to the Land Use Bylaw to allow site specific discretionary uses, and site specific regulations on the +0.085 hectare (+0.209 acre) property at 4926-55 Street) be read a second time.

Prior to voting on Second Reading of Bylaw 3357/N-2017 the following motion to amend was introduced:

Moved by Councillor Frank Wong, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3357/N-2017 by adding the words “without a drive through” to item 4. Restaurants.

**IN FAVOUR:** Mayor Tara Veer, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley

**MOTION TO AMEND CARRIED**



Consideration of Second Reading of Bylaw 3357/N-2017, as amended, was then on the floor.

**IN FAVOUR:** Mayor Tara Veer, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley

MOTION CARRIED

Moved by Councillor Lynne Mulder, seconded by Councillor Paul Harris

**THIRD READING:** That Bylaw 3357/N-2017 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Councillor Tanya Handley

MOTION CARRIED

## 7. ADJOURNMENT

Moved by Councillor Lynne Mulder, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, March 20, 2017 Regular Council Meeting of Red Deer City Council at 6:49 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes



**ABSENT:** Councillor Tanya Handley

MOTION CARRIED

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MAYOR

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CITY CLERK



March 28, 2017

## Amendments to the 2017 Operating Budget Meeting Minutes

Legislative Services

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

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On February 21, 2017 Council adopted the 2017 Operating Budget Meeting Minutes. Two omissions from the minutes need to be corrected.

1. Snow Dump Fees & Charges

Upon consideration of a revision to the FAR the correct 2018 & 2019 amounts were spoken to but were incorrectly represented on the FAR's summary sheet. The resulting error in the minutes requires an amendment to correctly reflect Council's direction.

The proposed 2017 Operating Budget Meeting Minutes page with the required amendments is attached.

2. Organizational Restructuring: Protective Services Division

The 2017 Operating Budget Meeting Minutes are missing a figure that was included in the approved FAR.

The proposed 2017 Operating Budget Meeting Minutes page with the required amendment is attached.

Council's approval of the amended minutes as shown on the two attached pages is requested.

### **City Manager Comments:**

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This housekeeping amendment reflects the numbers provided to Council.

Craig Curtis  
City Manager



## Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Legislative Services, dated March 22, 2017 re: Amendments to the 2017 Operating Budget Meeting Minutes hereby agrees to amend the 2017 Operating Budget Meeting Minutes as follows:

1. Page 28 – Item 43 Snow Dump Fees & Charge  
Delete item in its entirety and replace with:

Item	Dept	Initiative Title	2017 Salary Requirement	2017 Ongoing Requirement	2017 One Time Requirement	2018 Incremental Requirement	2019 Incremental Requirement
43	PWS	Snow Dump Fees & Charges		(88,500)		(22,600)	(20,700)

2. Page 78 – Item 52 Organizational Restructuring: Protective Services Directorate  
Add \$85,000 under 2018 Incremental Requirement

Minutes as approved by Council on February 21, 2017



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Tuesday, January 10, 2017

34	ITS	Technology and Systems Maintenance Contracts		41,100			
36	POL	Additional Police Exhibit Storage Facility		(20,000)			
39	ESD	Fire Dispatch Revenue		(22,500)			
40	ESD	911 Wireless Grant Revenue		(15,000)	9,200		
42.01	PWS	Fuel Savings		(400,000)			
43	PWS	Snow Dump Fees & Charges		(88,500)		(45,200)	(41,400)
45	GEN	Construction Growth Revenue		(1,300,000)			

**IN FAVOUR:**

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the 2017 Interim Operating Budget, hereby approves the following Tax Supported Funding Adjustment Recommendations as part of the 2017 Interim Operating Budget:

Item	Dept	Initiative Title	2017 Salary Requirement	2017 Ongoing Requirement	2017 One Time Requirement	2018 Incremental Requirement	2019 Incremental Requirement
29	COR	Organizational Support for MGA Amendments and Bylaw Rewrites			83,365		

**IN FAVOUR:**

Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:**

Councillor Buck Buchanan

MOTION CARRIED



Proposed Minutes

28 City Council Operating Budget Meeting Minutes -  
Tuesday, January 10, 2017

34	ITS	Technology and Systems Maintenance Contracts		41,100			
36	POL	Additional Police Exhibit Storage Facility		(20,000)			
39	ESD	Fire Dispatch Revenue		(22,500)			
40	ESD	911 Wireless Grant Revenue		(15,000)	9,200		
42.01	PWS	Fuel Savings		(400,000)			
43	PWS	Snow Dump Fees & Charges		(88,500)		(22,600)	(20,700)
45	GEN	Construction Growth Revenue		(1,300,000)			

**IN FAVOUR:**

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the 2017 Interim Operating Budget, hereby approves the following Tax Supported Funding Adjustment Recommendations as part of the 2017 Interim Operating Budget:

Item	Dept	Initiative Title	2017 Salary Requirement	2017 Ongoing Requirement	2017 One Time Requirement	2018 Incremental Requirement	2019 Incremental Requirement
29	COR	Organizational Support for MGA Amendments and Bylaw Rewrites			83,365		

**IN FAVOUR:**

Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**OPPOSED:**

Councillor Buck Buchanan

MOTION CARRIED



78 City Council Operating Budget Meeting Minutes -  
 Tuesday, January 10, 2017

49	POL	Implementation of Speed on Green		(250,000)			
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**IN FAVOUR:** Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong

**OPPOSED:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Dianne Wyntjes

**ABSENT:** Councillor Ken Johnston

MOTION CARRIED

Council recessed on Wednesday, January 18, 2017 at 5:22 p.m. and reconvened Thursday, January 19, 2017 at 1:00 p.m.

Craig Curtis, City Manager, provided a presentation on organizational restructuring.

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the 2017 Interim Operating Budget, hereby approves the following Tax Supported Funding Adjustment Recommendations as part of the 2017 Interim Budget:

Item	Dept	Initiative Title	2017 Salary Requirement	2017 Ongoing Requirement	2017 One Time Requirement	2018 Incremental Requirement	2019 Incremental Requirement
52	CMD	Organizational Restructuring: Protective Services Directorate	70,000	15,000			

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Councillor Ken Johnston

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to revise the start time of the 2017 Interim Operating Budget to begin at 2:30 p.m. on Friday, January 20, 2017, if

Proposed Minutes



78 City Council Operating Budget Meeting Minutes -  
Tuesday, January 10, 2017

49	POL	Implementation of Speed on Green		(250,000)			
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**IN FAVOUR:** Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong

**OPPOSED:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Dianne Wyntjes

**ABSENT:** Councillor Ken Johnston

MOTION CARRIED

Council recessed on Wednesday, January 18, 2017 at 5:22 p.m. and reconvened Thursday, January 19, 2017 at 1:00 p.m.

Craig Curtis, City Manager, provided a presentation on organizational restructuring.

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer having considered the 2017 Interim Operating Budget, hereby approves the following Tax Supported Funding Adjustment Recommendations as part of the 2017 Interim Budget:

Item	Dept	Initiative Title	2017 Salary Requirement	2017 Ongoing Requirement	2017 One Time Requirement	2018 Incremental Requirement	2019 Incremental Requirement
52	CMD	Organizational Restructuring: Protective Services Directorate	70,000	15,000		85,000	

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Paul Harris, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

**ABSENT:** Councillor Ken Johnston

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to revise the start time of the 2017 Interim Operating Budget to begin at 2:30 p.m. on Friday, January 20, 2017, if



March 2, 2017

## CN EcoConnexions Grant

RECREATION, PARKS & CULTURE

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

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The Recreation Parks and Culture department was recently notified that an application to the *CN EcoConnexions - From the Ground Up* grant program was successful and The City would be awarded a grant of \$25,000. The application for the grant identified a forest restoration project for portions of the park area just off Otterbury Avenue.

This grant funding was not included in the 2017 Capital Budget. In accordance with MGA 248(1)(a), City Council is required to authorize all expenditures, including expenditures which are funded through grants.

Administration recommends that Council support an increase to the 2017 Tree Replacement capital budget of \$25,000, to be funded by the *CN EcoConnexions – From the Ground Up* grant, to complete the Oriole Park Renaturalization Project.

### **City Manager Comments:**

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I support the recommendation of Administration.

Craig Curtis  
City Manager

### **Proposed Resolution**

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Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks & Culture, dated March 2, 2017 re: CN EcoConnexions Grant hereby agrees to support the increase to the 2017 Tree Replacement capital budget of \$25,000, to be funded by the *CN EcoConnexions – From the Ground Up* grant, to complete the Oriole Park Renaturalization Project.



## Report Details

### Background:

In late 2016, the Recreation Parks and Culture (RPC) department applied for a CN *EcoConnexions - From the Ground Up* grant. This grant program provides project funding of up to \$25,000 for the greening of municipal properties across Canada, especially in communities where CN operates. The project requirements of this grant include: addressing local issues and provide a means for engagement at the local level and addressing concerns related to water conservation, naturalization, stewardship or environmentally friendly transportation (i.e. trails). The grant requires the recipient to match the approved funds.



### Discussion:

The project identified in the grant application (Oriole Park Renaturalization Project) was the re-forestation of a park area located east of Ohio Close, north of Kerry Wood Drive, and South of Otterbury Avenue (subject areas on highlighted in red on the image above). The area is approximately 4 acres in size and is zoned PI - Parks and Recreation District. The park has two playgrounds constructed on each end of the parcel boundaries (east and west).

The central lands are maintained as a rough-cut turf mow standard (annual mowing) to control noxious weed populations. Because of the topography, there are limited opportunities for parking or formal public access, and therefore the site presents an excellent opportunity for urban forest expansion and naturalization. The project would include planting of approximately 400 native trees and 150 native shrubs and ground covers.

The Oriole Park Community Association and Re-Think Red Deer are supportive of the project and if approved, Parks would provide project information to adjacent residents to ensure that they are informed about the project.

Although the reforestation of this specific park area was not on the RPC work plan for 2017, the replacement of trees lining the nearby street was. This grant program provides an excellent opportunity to leverage an outside funding source to complete more work than originally planned for that park area.



RPC would like to increase the approved Tree Replacement capital budget by \$25,000, using this existing budget to match the grant funds thereby enabling the Oriole Park Renaturalization Project to be completed in 2017.

### **Analysis:**

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Administration recommends that Council support an increase to the 2017 Tree Replacement operating budget of \$25,000, to be funded by the *CN EcoConnexions – From the Ground Up* grant, to complete the Oriole Park Reclamation Project.

**Council Decision: April 03, 2017**

**DATE:** April 05, 2017  
**TO:** Shelley Gagnon, Recreation, Parks & Culture Manager  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** CN EcoConnexions Grant

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At Council's Meeting held on Monday, April 03, 2017 Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks & Culture, dated March 2, 2017 re: CN EcoConnexions Grant hereby agrees to support the increase to the 2017 Tree Replacement capital budget of \$25,000, to be funded by the CN EcoConnexions – From the Ground Up grant, to complete the Oriole Park Renaturalization Project.

**Report back to Council:**

No.



Frieda McDougall  
Manager

- c. Director of Community Services  
Parks Superintendent  
Chief Financial Officer



March 20, 2017

## Ratification of Red Deer Downtown Business Association Board of Director Appointments

Legislative Services

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

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The Red Deer Downtown Business Association requests Council's ratification of new members of the Red Deer Downtown Business Association Board of Directors.

### **City Manager Comments :**

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Council's direction is requested.

Craig Curtis  
City Manager

### **Proposed Resolution:**

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Resolved that Council of The City of Red Deer having considered the report from Legislative Services, dated March 20, 2017 and the correspondence from the Downtown Business Association dated February 27, 2017, hereby ratifies the appointment of the following new member of the Red Deer Downtown Business Association Board of Directors to fill an unexpired term to December 31, 2019:

Lisa Spencer-Cook – The Coconut Room

## Report Details

### **Background:**

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Section 6(1) of the Downtown Business Revitalization Zone Bylaw 2827/83 states that the Board of Directors of the Red Deer Downtown Business Association may consist of up to Eleven (11) members, who shall be appointed by resolution of Council. The members consist of One (1) member of Council and up to Ten (10) members who have been nominated by one or more taxpayers.

The Red Deer Downtown Business Association has submitted a letter, which is attached, requesting Council's ratification of a new member of the Board of Directors of the Red Deer Downtown Business Association to fill an unexpired term to December 31, 2019.

Legislative Services  
The City of Red Deer  
Box 5008  
Red Deer, AB T4N 3T4



Feb. 27, 2017

To whom it may concern

The Downtown Business Association has had two resignation brought forth from our present Board Members. As per our Board's Bylaw, the DBA Board respectfully requests Council's appointment of Lisa Spencer-Cook as a new Board Member. She was the next in line from the results of our voting process in 2016.

Name	Business	Email	
Reg Cooper	FlexxCore Technology Solutions	rcooper@flexxcore.com	Resigned – Feb. 2017
Ryan Curtis	Famoso Pizzeria	rcurtis@famoso.ca	Resigned – Feb. 22, 2017
Lisa Spencer- Cook	The Coconut Room	lisa@sunworks.ca	Recommendation for Appointment – Feb. 24, 2017

If you require any further information, please feel free to give me a call or email [amanda@downtownreddeer.com](mailto:amanda@downtownreddeer.com).

Warm regards

A handwritten signature in black ink, appearing to read "Amanda".

Amanda Gould  
**Executive Director**



**DATE:** April 05, 2017

**TO:** Red Deer Downtown Business Association  
Attn: Ryan Veldkamp, Community Facilitator, Social Planning

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

**SUBJECT:** Red Deer Downtown Business Association  
Ratification of Appointment to Board of Directors

---

At Council's Meeting held on Monday, April 3, 2017, consideration was given to the ratification of a new member of the Red Deer Downtown Business Association Board of Directors. At that meeting, Council passed the following resolution:

*“Resolved that Council of The City of Red Deer having considered the report from Legislative Services, dated March 20, 2017 and the correspondence from the Downtown Business Association dated February 27, 2017, hereby ratifies the appointment of the following new member of the Red Deer Downtown Business Association Board of Directors to fill an unexpired term to December 31, 2019:*

*Lisa Spencer-Cook – The Coconut Room”*

**Report back to Council:**

No.

**Comments/Further Action:**

Our office will be formally notifying Ms. Spencer-Cook of this decision.



Frieda McDougall  
Manager

c Director of Community Services  
Committees Coordinator



April 3, 2017

## Cart Pilot Project Update and City Wide Cart Implementation

Environmental Services

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

---

The capital budget for purchasing Green Carts for city-wide implementation was approved, subject to Council receiving an update on the success of the Cart pilot project. This report provides that update.

Based on a successful Cart pilot project, Administration recommends implementing a city-wide Green Cart Program in April 2018, to be followed by a city-wide Blue and Black Cart program in the spring of 2019.

### **City Manager Comments:**

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I support the recommendation of Administration.

Craig Curtis  
City Manager

### **Proposed Resolution**

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Resolved that Council of The City of Red Deer having considered the report from Environmental Services, dated April 3, 2017 re: Cart Pilot Project Update and City Wide Cart Implementation hereby agrees to implement a city-wide Green Cart Program in April 2018 to be followed by a city-wide Blue and Black Cart program in the spring of 2019.



## Report Details

### **Background:**

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Red Deer's Waste Management Master Plan (WMMP) provides strategic and detailed direction to reduce the per capita amount of waste sent to landfill through waste reduction and diversion initiatives that can be supported by residents and businesses through their actions and choices. The plan aims to make Red Deer a recognized provincial leader in sustainable waste management.

The following is a chronology of previous Council approvals/reviews:

- 1) May 2013 – Waste Management Master Plan approved.
- 2) January 2015 - Cart program approved as part of the Operating Budget process.
- 3) April 2015 - Launch of the Green Cart pilot with an update to be provided back to Council in one year.
- 4) November 2015 – Mid-year update provided to City Council.
- 5) May 2016 – Cart Pilot Program expanded to include Blue and Black carts with a further update to Council within a year.
- 6) April 2017 – Expanded Cart Pilot program update to City Council.

The strategies included in the WMMP aim to:

- Encourage and support waste minimization behaviours;
- Recognize that convenience and accessibility are critical to maintaining community support;
- Create measurable environmental benefits, such as decreasing the annual per capita disposal rate;
- Support sustainable waste management on a regional level; and
- Achieve the greatest diversion at the lowest cost.

One of the key recommendations in the WMMP was to pilot an expanded organics collection program and to pilot automated collection. Approximately 40% of household waste is organic and can be composted, representing a significant opportunity to increase diversion from the landfill and produce valuable compost. The Green Cart pilot project was launched on April 27, 2015, with the goals of reducing waste at pilot households and testing various program aspects, to assist with determining recommendations for a city-wide program.

There are approximately 2,000 households in the pilot, selected to represent the demographics of the city as a whole. Pilot households were provided with a 240 litre Green Cart and a start-up package which included a kitchen catcher, educational materials and a sample pack of compostable bags. Green Carts are collected year round, on a weekly basis, and the collection vehicle is equipped with a hydraulic arm to pick up and empty the carts automatically. Food waste, pet waste and yard waste are all accepted in the Green Carts.



In May 2016 the pilot project was expanded to include Blue and Black Carts, for recycling and garbage collection, respectively. Blue and Black Carts are collected every other week, on an alternating schedule, while Green Cart collection remains weekly. Residents received 240 litre Blue and Black carts, but had the option to select a 120 litre Black Cart. The alternating every other week collection schedule of Blue and Black Carts was selected for the following reasons:

- It optimizes the collection system,
- Reduces collection cost, as fewer material streams are collected each week,
- Utilizing the Green Cart has the potential to reduce a household's garbage by 40%, and
- Blue Carts are much larger than the current blue boxes.

Evaluation of the pilot included collection of data from a number of sources, such as:

- How many households set out their carts each week,
- How full the carts are,
- How much contamination is in the carts,
- Feedback from pilot participants via questionnaires sent out in the fall of 2015 and 2016, and
- Feedback from the contractors collecting the carts and composting the Green Cart materials.

The WMMP had initially recommended expanding the Green Cart program City wide in the fall of 2017. Based on the learnings from the pilot project and logistical considerations, recommended implementation was postponed to spring 2018.

### **Discussion:**

---

In alignment with the targets set in the WMMP, the Cart pilot project was successful in reducing the amount of garbage generated by pilot households.

Since every other week Blue and Black Cart collection began in 2016, pilot households have set out an average of 27 kg of garbage per household per month. During the same time period, non-pilot households set out an average of 44 kg per household per month. This represents a 39% reduction in garbage, in line with the pre-pilot estimate that 40% of a household's waste could be diverted through an organics program.

The WMMP set a target of reducing household garbage to 400 kg per household per year by 2023.



Metric	Baseline		Targets		
	2009	2011	2016	2020	2023
Annual kg of garbage per residential curbside program account	620	610	550	450	400
Overall per-capita disposal rate (kg/capita)		812	700	600	500

Using nine months of data, it is estimated that pilot households will generate 391 kg of garbage per household per year. The pilot project's results indicate that the 400 kg of garbage target is achievable through the addition of a Green Cart collection program and implementing every other week collection of Blue and Black Carts. (note: the annual estimate of 391 kg of garbage per household includes an estimate of the contamination collected within the Green and Blue Carts)

The diversion rate at pilot homes has significantly increased over non-pilot homes. While a full year of data has not been collected, data from May through October demonstrates diversion rates while yard waste is being generated and data from December and January show diversion rates without yard waste. The diversion rate at pilot homes is roughly 80% higher than the diversion rate at non-pilot homes, during both the growing season and winter.

#### May - October 2016

Non-pilot homes (kg/hh/month)

Garbage	Yard Waste	Blue Box	Total	Diversion
46	15	12	73	35%

#### December 2016 & January 2017

Non-pilot homes(kg/hh/month)

Garbage	Yard Waste	Blue Box	Total	Diversion
39	0	12	51	23%

Pilot homes (kg/hh/month)

Garbage	Green Cart	Blue Cart	Total	Diversion
28	42	11	81	62%

Pilot homes (kg/hh/month)

Garbage	Green Cart	Blue Cart	Total	Diversion
26	10	11	47	42%

To gather feedback from the pilot participants, surveys were sent out on two occasions. In 2016, 35% of pilot participants completed the survey and in 2017 the number increased to 38%, overall representing 50% of the households on the pilot.

The surveys identified:

- Between 96% and 98% of participants being either "satisfied" or "very satisfied" with the Blue and Black Carts' movement and durability.
- 89% and 90% of participants reported being either "satisfied" or "very satisfied" with the size of the Blue and Black Carts.



- 97% of participants reported the educational tools provided enough information for them to successfully participate in the Green Cart program.
- 98% of participants indicated the collection schedule was the most helpful of the new educational materials, indicating it provided enough information for them to successfully participate in the Blue and Black Cart program.
- 77% of participants indicated they were either “satisfied” or “very satisfied” with every other week collection.

Automated waste collection is evolving from an industry best practice, to an industry standard. From a collection perspective, automated collection is more efficient and can significantly reduce the likelihood of worker injuries. From a customer service perspective, it represents an increased level of service since the carts are provided to residents and are convenient to use and maneuver. As automated collection becomes more common, our customers will come to expect this style of service delivery. In the 2016 Annual Environmental Services Customer Satisfaction phone survey, 84% of respondents considered adopting a cart system which would increase diversion to be an important step for Red Deer, with 7% disagreeing and 9% neither agreeing nor disagreeing.

Other benefits of the increased diversion from the landfill through the cart program include reducing greenhouse gas emissions from the landfill and extending the life of the landfill site. It is estimated that the residential Green Cart program will add 2 years to the landfill's life. The Green Cart program represents The City's first step in diverting compostable materials, so these benefits would be increased as further steps in organics diversion are developed.

### **Analysis:**

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The Cart Pilot has successfully shown that the targets set in the WMMP are achievable, and that the new collection system works in our community.

The three carts make up a single collection system, since what is accepted in each cart and the carts' collection frequency are fully interrelated. The design of the new system also focuses on optimizing the collection system. Adding the Green Cart program facilitates significant diversion from landfilling and having the Blue and Black Carts collected on alternating weeks allows for cost savings to help offset the costs of the addition of the Green Cart program and the cost of providing carts. This design is in alignment with the vision and outcomes of the WMMP, as it will create measurable environmental benefits while balancing the cost of achieving diversion.

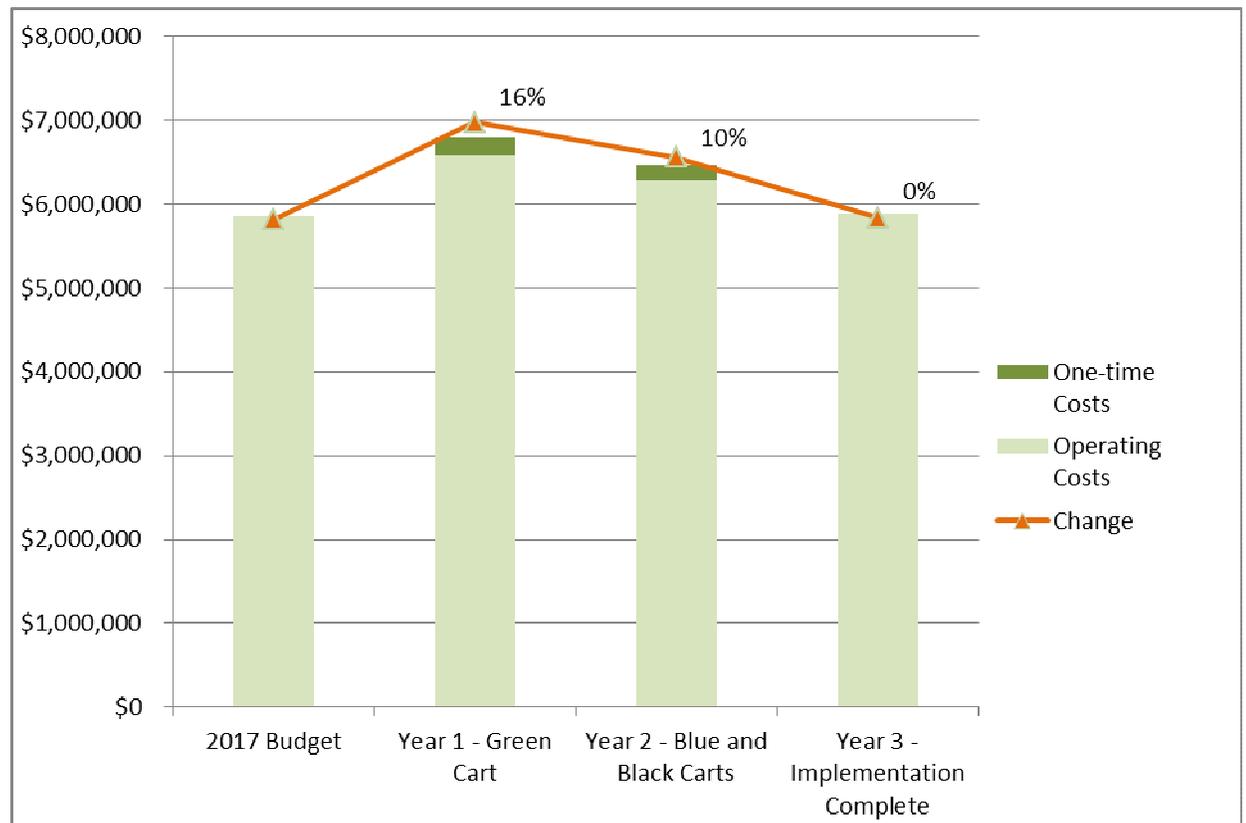
A number of minor adjustments have been made to the pilot project based on feedback received and observations. For example, 360 litre Blue Carts were provided to approximately 80 pilot households after receiving feedback that the 240 litre ones were not large enough for some participants.



From a financial perspective, high level analysis of cost impacts have been estimated and summarized in the following chart. The values presented are based on the 2017 budgeted contracted costs for collection services, and reflect only changes related to transitioning to the Cart system (inflation and growth estimates excluded). Phasing implementation over 3 years is an important tool to mitigate rate shock and to ensure residents have the time and tools to adjust to the new collection system.

Two key assumptions influencing the cost analysis are the estimated costs for collection services and provision of the carts, which have not been procured at this time. One-time costs associated with program roll-out have been highlighted in year one and year two. These costs include education, communications and staffing to support residents during the transition to cart based collection. The carts will be purchased as a capital expense. The cost of the carts will be recovered by amortizing the cost over the life of the carts and will be collected through the rates.

Costs will increase in year 1, with the addition of Green Cart collection and maintaining the current collection system for garbage and recycling. Year 2 will see a reduction in costs from year 1 as we transition to every other week collection of the Blue and Black Carts partway through the year. Year 3 represents the first full year of operating the three cart collection system and overall cost are Comparable with pre-implementation costs.





Although there are additional costs in the initial implementation years, it is anticipated the costs will be comparable to the current collection system, once the cart system is fully implemented. Council's Utility Policy will be the basis for detailed rate modelling, which will occur during program design. Cost increases during the transition years will be addressed using stabilization reserves and rate increases, the strategy for rate smoothing will be developed during detail rate modelling. Once procurement of collection services and the carts purchase has been completed, these costs will be added to the rate model to develop an exact operating cost for the cart program. Based upon initial projections it is anticipated that the rates will increase in years 1 & 2, however with the use of rate stabilization the increase will be limited to 5%. Should the costs obtained through procurement indicate a larger increase is required, the matter would be brought back to Council. The monthly impact of a 5% increase would be \$1.02 ( $\$13.35 + \$7.05 = \$20.40 * 5\%$ ).

Because the three carts make up a single collection system, the intent is to develop a single rate for the collection of all three carts. The pilot has shown that it is important to offer a few cart size options, so residents can customize the collection system to their situation. The plan is to offer three different sizes of Black Cart and have the rate reflect the usage associated with each different size and promote conservation. In this way residents will be able to choose the service that meets their needs, and will have the ability to influence their utility bill.

A high level cost analysis indicates that the environmental benefits of increased diversion and increased service level can be achieved for a cost comparable to the current rate level.

**Recommendation:**

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Administration recommends implementing a city-wide Green Cart Program in April 2018, to be followed by a city-wide Blue and Black Cart program in the spring of 2019.



April 3, 2017

## Unit Limit Reduction Implementation Update

Environmental Services

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

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Council approved reducing the residential garbage collection unit limit from five units per week to three units per week on April 25, 2016 and requested a report back after one year of implementation. This report provides that update.

Lowering the unit limit had the desired impact of reducing the amount of waste set-out for collection by households and increasing diversion. The additional education supports provided during the transition to the new unit limit allowed residents to successfully adjust. Now that residents have adjusted, further education campaigns specifically targeted to the unit limit are not required. Routine educational materials describing waste and recycling collection services and continued availability of extra waste tags for purchase will support residents' ongoing successful participation.

### **City Manager Comments:**

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That City Council receives the report for information.

Craig Curtis  
City Manager

### **Proposed Resolution**

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That the report be received as information.



## Report Details

### **Background:**

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Red Deer's Waste Management Master Plan (WMMP) provides strategic and detailed direction to reduce the per capita amount of waste sent to landfill through waste reduction and diversion initiatives that can be supported by residents and businesses through their actions and choices.

One of the recommendations in the WMMP was to reduce the weekly residential garbage collection unit limit, following expanding the blue box program to accept additional plastics. The program change aimed to encourage recycling in the blue box and yard waste program, as well as other reduction and reuse options like donating reusable items, participating in kick it to the curb and avoiding purchasing items with excessive packaging.

The revised limit came into effect for residents on May 16, 2016 following Council's approval of reducing the unit limit from five units per week to three units per week.

### **Discussion:**

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Implementation of the change to a three unit limit focused on providing residents with the tools and education to successfully reduce the amount of garbage they generate. Following the decision to reduce the unit limit, an information package was mailed to residents who receive hand collection of their waste. The information package included a letter, a detailed question and answer document and 5 courtesy waste tags. The information package highlighted ways that residents could reduce their waste including:

- Fully utilizing the blue box program, including reiterating the recent expansion to include all numbered plastics.
- Reducing and reusing through participating in Kick it to the Curb or donating reusable items.
- Fully utilizing the yard waste program.

The five courtesy waste tags were provided to assist residents in making the transition to a lower unit limit. The tags provided the ability to have additional units of waste collected above the three unit limit, by placing a courtesy tag on the extra units. This also supported educating residents about the availability of extra waste tags for purchase at a number of City facilities.

Once the revised unit limit came into place, units of garbage over the weekly limit of three were not collected and an educational sticker was applied to the excess unit. This sticker was specifically developed for use during the transition and explained that the unit limit had been reduced to three and highlighted ways that residents



could reduce their waste. This allowed targeted education to be provided to households who were not complying with the three unit limit.

In December, four additional courtesy waste tags were made available to residents free of charge, and could be picked up at the same City facilities where extra waste tags are sold. A utility bill insert was developed informing residents of the courtesy tags on one side and highlighting methods residents could use to reduce their waste over the holiday season on the other side. Some of the other strategies used to inform residents about the availability of the courtesy waste tags included social media posts, newspaper ads and posters in the community.

### **Analysis:**

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Reducing the weekly residential unit limit had the desired impact of reducing garbage and increasing diversion. The educational tools and supports provided when the limit was changed in May and during the holiday season have provided appropriate supports for residents to successfully transition to the new limit.

In 2015, on average households set out 1.8 units of garbage for collection each week. The survey conducted to generate this data is conducted for 4 weeks each spring and 4 weeks each fall. In 2015 the results in the spring and fall showed no difference between the seasons. In 2016, the spring survey was conducted from May 16 – June 13, which coincided with implementing the unit limit reduction. Spring data showed households setting out an average of 1.7 units of garbage per week. The data collected in October 2016 showed this average reduce further to 1.6 units per household per week.

Between 2015 and 2016, the amount of garbage collected at households receiving hand collection decreased by 6% (not including the reduction observed at households on the cart pilot). Blue box tonnages remained relatively consistent, increasing by 0.5% and yard waste tonnages increased by 10%.

The City's annual customer satisfaction phone survey was conducted between June 14 and July 8 in 2016. Satisfaction levels with garbage collection remained consistent with the survey completed in 2014. In both years 96% of respondents were either "very satisfied" or "satisfied with garbage collection services."

The City delivers blue boxes to households upon request, to replace damaged blue boxes and where residents need more recycling capacity. On average 160 blue boxes are delivered each month. In 2016, during April, May and June, when the unit limit was debated in Council and during program implementation 301, 436 and 290 blue boxes were delivered in each respective month. This increase exceeded the increase observed in December 2015, of 282 blue box requests, following the education campaign to launch expanded plastics recycling.

Environmental Services responds to complaints of illegal dumping. From April 1-December 31 2015, the department recorded 54 illegal dumping complaints. During those same months in 2016 the department recorded only 34 illegal dumping



complaints, indicating that the reduction in the unit limit did not impact the occurrence of illegal dumping.

In 2015 an average of 25 extra waste tags were sold each month. Following the reduction of the unit limit, this monthly average increased to 300 extra waste tags sold per month. This is an increase in the number of extra waste tags sold but it shows that only about 1% of the households in Red Deer are impacted and that a vast majority of the households in Red Deer have transitioned to the new unit limit. The free courtesy tags offered over the holiday season were only picked up by 590 households. Approximately 28,500 households received hand collection of their waste each week, so only 2% of households accessed the holiday season courtesy tags.

**Recommendation:**

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Now that residents have adjusted to the three unit limit, further education campaigns specifically targeted to the unit limit are not required. Routine educational materials describing waste and recycling collection services and continued availability of extra waste tags for purchase will support residents' ongoing successful participation.

**DATE:** April 05, 2017  
**TO:** Tim Ainscough, Environmental Services Manager  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Cart Pilot Project

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**Reference Report:**

Environmental Services, dated April 03, 2017.

**Resolution:**

At the Monday, April 03, 2017 Regular Council Meeting, Council passed the following Resolution:

*“Resolved that Council of The City of Red Deer hereby agrees to table consideration of this matter for up to 2 weeks to allow administration time to explore further financial options with respect to phasing.”*

**Report back to Council:**

Please bring back a report as outlined to the April 18, 2017 meeting of Council.



Frieda McDougall  
Manager

- c. Director of Development Services  
Waste Management Superintendent



March 15, 2017

## Burnt Lake Area Structure Plan (Red Deer County)

### Additional Country Residential Proposed on Pt. NE 11-38-28-W4M

Planning Department

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

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The City of Red Deer and Red Deer County have an Intermunicipal Development Plan (IDP) to provide administrative guidance to development decisions outside of The City of Red Deer municipal boundaries. The following application is before Council as part of a directive from the IDP.

Red Deer County is in the process of updating the Burnt Lake Area Structure Plan. A component of this update is to consider additional lands identified for future Country Residential on Pt. NE 11-38-28-W4M, within The City's Growth Area.

The Planning Department recommends Council object to the proposed additional Country Residential lands identified on Pt. NE 11-38-28-W4M as the lands are located within The City Growth Area being lands The City intends on annexing in the future. IDP Policy 3.4.3(1)(b)(I) requires the fragmentation of land within The City's Growth Area be limited in an effort to retain them in an undeveloped state until urban development can occur, by discouraging the subdivision and development of land for non-agricultural purposes.

#### **City Manager Comments:**

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I support the recommendation of Administration.

Craig Curtis  
City Manager

#### **Proposed Resolution**

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Resolved that Council of The City of Red Deer having considered the report from the Planning Department, dated March 15, 2017 re: Burnt Lake Area Structure Plan (Red Deer County) Additional Country Residential Proposed on Pt. NE 11-38-28-W4M hereby agrees to object to the proposed additional Country Residential lands identified on Pt. NE 11-38-28-W4M.

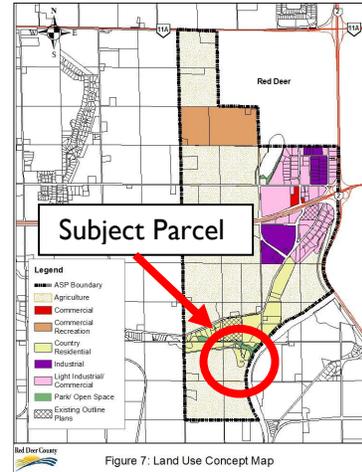


## Report Details

### Background

Red Deer County is currently in the process of reviewing and updating the Burnt Lake Area Structure Plan (ASP) to ensure consistency with their higher level documents, including the Intermunicipal Development Plan (IDP). For the most part the amendments are minor and are consistent with the policies of the IDP. That said, one (1) amendment, specific to Pt. NE 11-38-28-W4M, is to increase the amount of land identified for future Country Residential and requires, through IDP Policies, City Council to advise whether they support or object to the amendment.

The subject parcel (Pt. NE 11-38-28-W4M) is currently identified for a mix of Country Residential, Agriculture, and Parks/Open Space. The subject parcel is located west of The City within The City's Growth Area, as shown on the above map and on the map contained in Attachment 1.



Prior to the original version of the Burnt Lake ASP being adopted in 1999, the landowner of Pt. NE 11-38-28-W4M created a Concept Plan (~1991) to develop a multi-lot Country Residential subdivision on their property. The Concept Plan was never adopted by Council, however five (5) developable lots were subdivided out of the northern portion of the property; the southern portion remains undeveloped.



Sometime between 1991 and 1999 an Intensive Livestock Operation (ILO) was proposed on the property immediately to the west. There were two (2) ILO locations being considered at the time and the ILO was eventually developed on the location further west (see illustration). However, the ILO setback was established using the proposed location to the east which restricted development on Pt. NE 11-38-28-W4M.



The landowner of Pt. NE 11-38-28-W4M noted this ILO setback error and brought it to the attention of



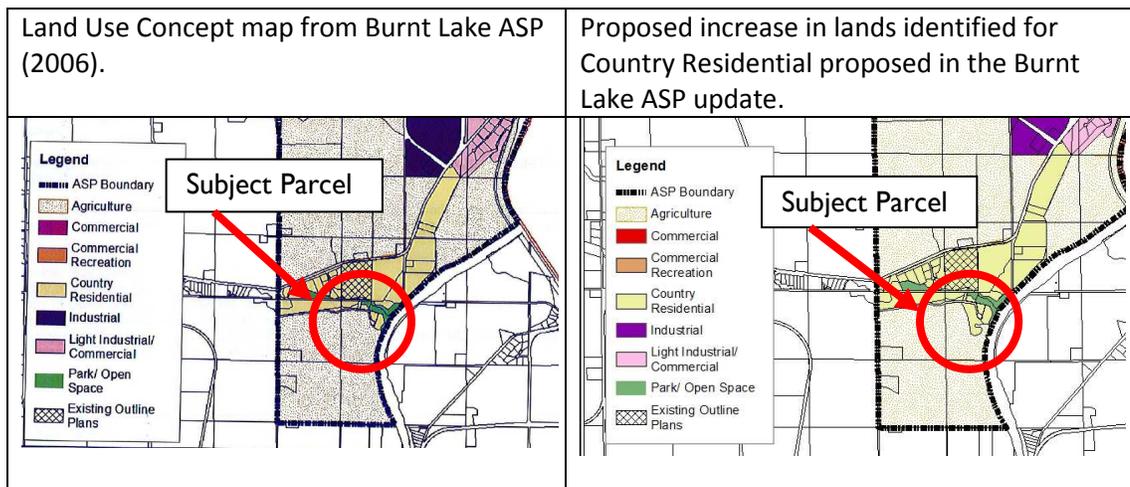
County Administration and was advised this error would be fixed before the Burnt Lake ASP was adopted by Council in 1999. It was not fixed and the plan was adopted with a restricted setback.

When the Intermunicipal Development Plan was adopted in 2007, it solidified the land use concepts in all plans approved at that time, including the Burnt Lake ASP. IDP Policy 3.4.3(2) states:

*“Effective from the date of the adoption of this Intermunicipal Development Plan (July 5, 2007) until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance existing area structure plans shall be implemented and existing concept plans and outline plans shall be considered. Unless otherwise agreed to by The County and The City, consideration of the following types of applications shall be deferred until more detailed policies are adopted as part of this Plan to provide the appropriate policy guidance:*

- (a) *Additional area structure plans, concept plans or outline plans, except those outline plans that are required to implement existing area structure plans;*
- (b) *Redesignation applications that are inconsistent with existing area structure plans; and*
- (c) *Amendments to existing area structure plans, concept plans or outline plans.”*

The County would like to take this opportunity to adjust the boundary of the lands identified for Country Residential on the subject parcel.



The amount of land that would change from Agriculture to Country Residential is approximately 30 – 35 acres, which could yield approximately 15 Country Residential Lots (taking into consideration that Environmental Reserve will be required and lands will be needed for roads). The County’s Country Residential (R1) District attributes a minimum lot area of 0.4 hectare (1 acre) and a maximum of 1.2 hectares (3 acres).

**Discussion:**

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For The County to increase the size of the lands identified for Country Residential, City Council must advise if they support or object to it pursuant to IDP Policy 3.4.3(4), which states:

*“For any applications that are completely or partially within the City Growth Area, City Council will determine whether the City supports or objects to the application being considered, based on the applicant’s compliance with the IDP and will advise the County Manager in writing accordingly”*

When the IDP was adopted in July 2007, both municipalities agreed to the future land use concepts approved in plans within the IDP boundary, including the Burnt Lake ASP. The landowner did not have an approved Concept Plan to support the further subdivision of their property when the IDP was adopted.

An objective of the IDP is to maintain The City’s Growth Area in a relatively undeveloped state until it is annexed to allow orderly urbanization to proceed when those lands are eventually annexed.

Administration reviewed future scenarios during the evaluation of the proposed amendment, due to a past County administrative error of the Intensive Livestock Operation setback impacts on the applicant.

If the subject lands were to be considered as future Country Residential, City Administration would require that the lands be subdivided and developed to an urban standard, by way of a Local Area Structure Plan which would require approval from The City of Red Deer. This Local Area Structure Plan would require subdivision design and development on each parcel be located to accommodate re-subdivision of the Country Residential lots to an urban standard. A deferred servicing agreement would be registered on each land title created on the additional Country Residential lands identified on Pt. NE 11-38-28-W4M.

**Dialogue:**

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The proposed amendments were circulated to Engineering and Parks for their consideration. Parks advised that this portion of the Red Deer River and Silvan Creek, the River Valley and Tributaries Park Concept Plan has identified Future Open Space, Tree Ecospace/Forested Area, and Proposed Regional Trail alignments. Future subdivision could propose Municipal Reserve and Environmental Reserve (where applicable) for the proposed uses.

**Analysis:**

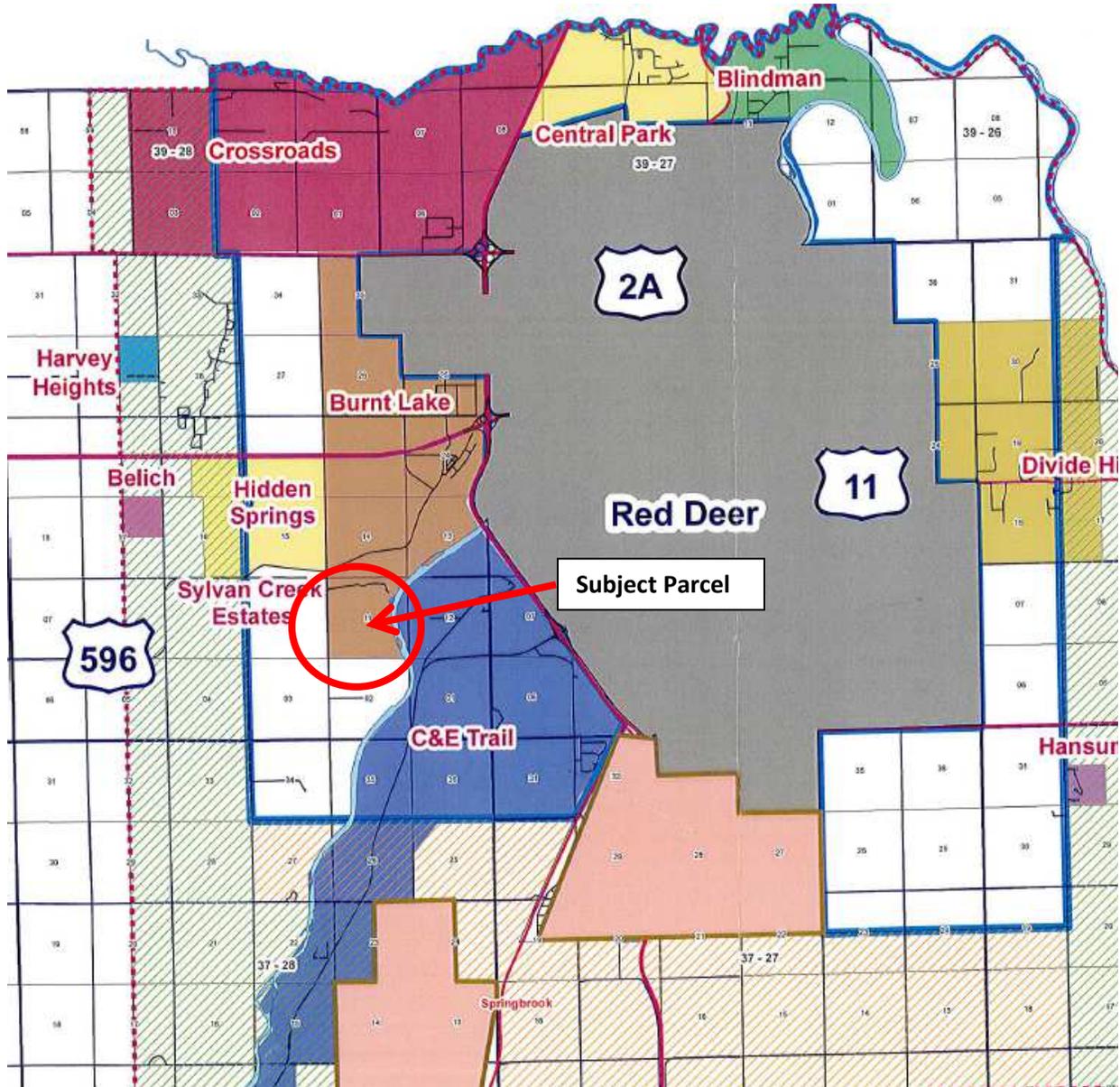
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The Planning Department recommends Council object to the proposed additional Country Residential lands identified on Pt. NE 11-38-28-W4M as the lands are located within The City Growth Area being lands The City intends on annexing in the future. IDP Policy 3.4.3(1)(b)(I) requires the fragmentation of land within The City's Growth Area be limited in an effort to retain them in an undeveloped state until urban development can occur, by discouraging the subdivision and development of land for non-agricultural purposes.

**Attachment:**

1. Attachment 1 – Subject Parcel in Relation to The City of Red Deer Municipal Boundary

Attachment 1: Subject Parcel in Relation to The City of Red Deer Municipal Boundary





March 15, 2017

## Family Services of Central Alberta Grant Request

Community Services Directorate

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

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From 1992-1995 the City of Red Deer provided advances to several organizations who were experiencing difficulties in managing budget fluctuations due to Provincial FCSS Grant payment schedules. Family Services of Central Alberta received \$43, 200, of which, \$32,800 remains outstanding today.

On February 28, 2017, Administration received a formal letter of request from Family Services of Central Alberta to forgive the advance owing by their organization in the amount of \$32,800.

Considering the increasing community needs and demands on FSCA, the challenging economic climate, and the over 20 years this balance has remained outstanding, Administration recommends that Council grant the Family Services of Central Alberta \$32,800 to repay the operating advance provided to them by the City while they awaited receipt of their approved FCSS funds.

### **City Manager Comments:**

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From 1992 – 1995 advances were provided to several organizations due to Provincial FCSS Grant payment schedules. The majority of the groups paid back the advances with the exception of Family Services of Central Alberta and Community and Information Referral Services (CIRS) (now Volunteer Central). Recently, City Council allocated a grant to Volunteer Central with the requirement that a portion of the grant be paid back to the FCSS program in lieu of the outstanding loan. This recommendation was made in view of the fact that the debt was incurred by CIRS and Volunteer Central is essentially a different group.

Council could forgive the debt to Family Services of Central Alberta and restore these funds to the FCSS program. However, this would likely create an inequity with the groups that did reimburse the program and may result in other groups coming to Council.

Following a recent analysis it was established that Family Services of Central Alberta is in a sound financial position and could reimburse the loan over one or two years. I therefore propose that the request be denied.

Craig Curtis  
City Manager



## **Proposed Resolution**

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Resolved that Council of The City of Red Deer having considered the report from the Community Services Directorate, dated March 15, 2017 re: Family Services of Central Alberta Grant Request hereby denies the request for a grant in the sum of \$32,800.

## **Report Details**

### **Background:**

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From 1992-1995 the City of Red Deer provided advances to several organizations who were experiencing difficulties in managing budget fluctuations due to Provincial FCSS Grant payment schedules. At the time, the Provincial FCSS program was reimbursing for work completed, but the organizations didn't have the cash flow to operate the programs in order to receive their reimbursement. The City stepped in to provide advances to the organizations approved for FCSS funds, with the expectation that these advances would be repaid upon receipt of the grant funds from the Province. Advances were paid to the following organizations: Canadian Mental Health, Central Alberta Refugee Effort, Central Alberta Sexual Assault Centre, Central Alberta Women's Emergency Shelter, CIRS (now known as Volunteer Central), Golden Circle, Meals on Wheels – Delbourne, Meals on Wheels – Red Deer, Playschools – Delbourne & Elnora, Red Deer Child Care Society, Red Deer Family Service Bureau (now known as Family Services of Central Alberta), & the Youth and Volunteer Centre.

There were two operating advances provided to Family Services of Central Alberta (formerly Red Deer Family Service Bureau) in the amounts of \$27,500 and \$15,700. The City has a Confirmation of Operating Advance document dated April 22, 1991 and signed by Bob Noble, Executive Director acknowledging the amount of \$43,200.

A request was made by the City in December 1995 for FSCA to repay \$10,400 of the operating advance, which was received in April 1996.

The City has a Confirmation of Operating Advance document dated April 16, 1996 and signed by Jan Kaszuba, Executive Director acknowledging the amount of \$32,800. The document states that the agency "agrees to repay the said sum of money in full to The City of Red Deer whenever requested to do so". In 2007, the City began requesting repayment of these advances annually.

Family Services of Central Alberta met with Administration annually to contemplate whether or not a formal request to Council to waive/grant the outstanding amount owing would be appropriate. In exploring the feasibility of this, the City's CFO reviewed the financial statements of FSCA in early 2015 with the following findings:



- As of December 31, 2014 the cash balance was \$180,623 and the investment balance was \$231,615. This results in a total cash position for the agency of \$412,238. The total cash position for the agency for 2013 and 2012 was \$811,533 and \$694,323 respectively.
- The repayment of the operating advance would reduce the total cash position by about 8% and result in a cash position of \$379,438.
- The financial statements do show the \$32,800 operating advance as a liability. There would be no impact on net assets (accumulated surplus).
- The notes to the 2014 financial statements indicate that the investments are currently earning interest of 0.90% per annum. If the \$32,800 advance was invested for a full year the interest earned would be \$295. This represents 0.008% of the 2014 revenues of \$3.86 million for the agency. Revenues for 2013 and 2012 were \$3.93 M and \$3.94 M respectively.

At that time, it was determined by the City's CFO that their financial situation showed that repayment was an option as they had investments and cash flow in place to make good on the debt. Based on these findings, FSCA committed to continuing repayment conversations throughout 2015 and 2016 with Administration.

### **Discussion:**

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On February 28, 2017, Administration received a formal letter of request from Family Services of Central Alberta for City Council to forgive the advance owing by their organization in the amount of \$32,800. (attached)

### **Analysis:**

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Throughout the duration of time that spanned between the issuance of the advances to present day, Administration recognized that the organizations that received advances played critically important roles in our community, contributed positively to the overall quality of life of Red Deerians, and were committed to supporting each of them in their annual success and longevity. Administration was open to innovative solutions to facilitate the repayments, depending on the circumstances of the day, with respect to each individual organization.

By 2016, the operating advance in question had been outstanding to the City for over 20 years. Over those 20 years, all other organizations that received advances from the City have paid back their advance amounts; some with great hardship and with direct impact to the services they could provide to the community at the time. Any decisions to waive or grant additional dollars to cover the outstanding balance of one organization might be seen as inequitable to those that endured ethical dilemma to reduce programs for the community in order to repay their liabilities.



However, the lack of core operational funding for not for profit organizations tends to be a gap across the Province. Operational sustainability is an issue for many of our local not for profit organizations, and many are at risk during these tight economic times. It is also during these tight economic times that our citizens require greater access to the community supports and programs offered by those organizations at risk, which puts added pressure for these groups to stretch all resources to meet the growing needs and demands.

As of January 2017, one other organization had an outstanding advance owing to the City in the amount of \$9000. This organization was facing dissolution due to lack of operational funding, and had no assets or investments of reference. In the 2017 operating budget debate, due to the egregious circumstances faced by this organization, Council approved a grant to cover their FCSS advance balance owed. While this grant might be viewed as precedence setting by FSCA, Administration has always treated each organization, their circumstances of the day, and their repayment methods as unique.

The City's CFO has not reviewed more recent year end statements in the preparation of this report.

### **Recommendation:**

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Administration recommends that Council grant the Family Services of Central Alberta \$32,800 to repay the 1996 operating advance provided to them by the City while they awaited receipt of their approved FCSS funds.



Where Family  
Comes First

February 28<sup>th</sup>, 2017

City Council  
Red Deer, AB

Attention: Honorable Council Members

Re: Financial Forgiveness

In April of 1996 Red Deer Family Service Bureau now operating as Family Services of Central Alberta received an operating fund of \$32,800.00 to support the operation of the agency. This operating fund is reported in our audited financial statements each year.

Since 2009 Family Services of Central Alberta has been receiving a letter requesting repayment of this operating advance. Every year, with the direction of the Board of Directors, the Executive Director has responded to the Social Planning department in writing to request that the advance be forgiven. Repayment would cause the agency a financial hardship, resulting in us having to re-evaluate services which could result in a reduction of staffing and programs provided.

Our last audited financial statements reflect that our unrestricted net assets are negative \$11,970, with a deficit of \$47,495 and total expenditures of \$2,715,148. This financial situation makes us very vulnerable to any reduction in funding or requirement to pay back this debt. Repayment of the \$32,800 Operating Advance would exacerbate our situation; further eroding our operational sustainability.

It has come to our attention that City Council recently granted another organization in the community financial forgiveness for their Operating Advance. At this time we would like to submit a formal request for Financial Forgiveness of our operating advance.

For the past 46 years we have provided services to children, youth, seniors and families in Red Deer & area. As an organization we continue to strive to meet the growing demands and needs of the community. The repayment of this advance would have a negative impact on our staff, clients and the agency. As an organization we provide employment to 46 staff and provide service to over 6000 clients a year.





Where Family  
Comes First

Family Services of Central Alberta  
5409-50<sup>th</sup> Avenue  
Red Deer, AB T4N 4B7  
Ph: 403-343-6400  
Fax: 403-343-6407  
E-mail: [fsca@fsca.ca](mailto:fsca@fsca.ca)  
Web: [www.fsca.ca](http://www.fsca.ca)

With the tough economic time that we find our community in, we have seen an increase demand for our services coupled with the increased challenge to fundraise. As a non-profit agency we receive funding from various areas including municipal, provincial, federal, and private all of which we are accountable for reporting. Our fundraising efforts would have to be used towards the re-payment when they truly need to be used to support our operational costs such as building repair and maintenance, IT & Communication support, all areas that are not adequately supported by funders.

With the support and direction of our Board of Directors, Family Services of Central Alberta would like to formally request that the City of Red Deer - City Council Forgive this Advance.

We welcome any questions regarding our request.

Thank you for your support in clearing up this matter. As an agency we continue to be grateful for the support of the City.

Regards,

Judy Scott  
Executive Director  
Family Services of Central Alberta

Garth Fitch  
Past Board Chair  
Family Services of Central Alberta



**DATE:** April 05, 2017  
**TO:** Sarah Cockerill, Director of Community Services  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Family Services of Central Alberta Grant Request

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**Reference Report:**

Community Services Directorate, dated March 15, 2017.

**Bylaw Reading:**

At the Monday, April 03, 2017 Regular Council Meeting, Council passed the following resolution:

*“Resolved that Council of The City of Red Deer having considered the report from the Community Services Directorate, dated March 15, 2017 re: Family Services of Central Alberta Grant Request hereby denies the request for a grant in the sum of \$32,800.”*

**Report back to Council:**

No.

**Comments/Further Action:**

This office will send a letter to Family Services of Central Alberta advising of Council's decision.



Frieda McDougall  
Manager

c. Chief Financial Officer



March 23, 2017

## Notice Bylaw 3588/2017

## Repeal of Interpretation Bylaw 3558/2015

Legislative Services

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

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In 2017 Council was asked to amend the Interpretation Bylaw to include provisions regarding the service of notice. At that time, Council requested administration to review the Interpretation Bylaw further for the purpose of updating archaic language. Upon review of the bylaw it has been found that not only is it reflected of an older style of writing, the bylaw itself is not necessary as it is a word for word reiteration of the Interpretation Act. Because provincial legislation prevails, duplicate legislation is not required by The City of Red Deer.

It is recommended that Council adopt Notice Bylaw 3588/2017 which reflects the notice provisions adopted in 2015 and includes the repeal of Interpretation Bylaw 3558/2015.

### **City Manager Comments:**

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I support the recommendation of administration. If first reading is approved this bylaw will be brought for consideration of second and third reading to the April 18, 2017 meeting of City Council.

Craig Curtis  
City Manager

### **Proposed Resolution:**

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That Council consider first reading of Notice Bylaw 3588/2017.

**Discussion:**

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Municipalities have a responsibility to inform the public of its actions. Bylaws are one way in which the City of Red Deer communicates with residents. Interpretation Bylaws have historically used as a tool that are helpful in the understanding of bylaws. In 2017 Council was asked to amend the Interpretation Bylaw to include provisions regarding the service of notice. At that time, Council requested administration to review the Interpretation Bylaw further for the purpose of updating archaic language. Upon review of the bylaw it has been found that not only is it reflected of an older style of writing, the bylaw itself is not necessary as it is a word for word reiteration of the Interpretation Act. Because provincial legislation prevails, duplicate legislation is not required by The City of Red Deer.

**Analysis:**

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The adoption of a Notice Bylaw which will include the repeal of the Interpretation Bylaw has been reviewed by Legal who support this change.

**BYLAW NO 3588/2017**

WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the enforcement of bylaws, the safety, health and welfare of people and the protection of people and property, nuisances, including unsightly property and people, activities and things in, on or near a public place or place that is open to the public.

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

**PART 1 – TITLE, PURPOSE AND DEFINITIONS****Title**

1 This bylaw may be called the “Notice Bylaw”.

**Purpose**

2 The purpose of this bylaw is to provide the criteria for effective service of documents and notices.

**Definitions**

3 In this bylaw, the following definitions apply:

- (a) “**Person**” includes a corporation, and the heirs, executors, administrators or other legal representatives of a person.

**PART II - SERVICE**

4 Unless otherwise specifically stated in a bylaw or enactment, a document may be served on a Person, and is deemed to have been served on the Person, when that document has been:

(a) in the case of an individual:

- (i) personally delivered to the individual,
- (ii) left for the individual at his or her residence with a person on the premises who appears at least eighteen (18) years of age, or
- (iii) sent via mail or registered mail to the individual’s last known address, and

(b) in the case of a corporation:

- (i) left with a director, manager or officer of the corporation,
- (ii) left at the corporation’s registered office, or
- (iii) sent via mail or registered mail to the corporation’s registered office, and

(c) when there is reason to believe that the Person to whom the document is addressed is evading service or no other means of service is available:

(i) by posting in a conspicuous place on the property referred to on the document.

5 If the document is sent via registered mail or posted on the property pursuant to Section 4, then it is deemed to be received by the Person seven (7) days after the day that the document was mailed or posted.

**TRANSITIONAL**

6 Bylaw 3558/2015 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this day of 2017.

READ A SECOND TIME IN OPEN COUNCIL this day of 2017.

READ A THIRD TIME IN OPEN COUNCIL this day of 2017.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2017.

\_\_\_\_\_  
MAYOR

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

Current Interpretation Bylaw

**BYLAW NO. 3558/2015**

Being a bylaw of the City of Red Deer, in the Province of Alberta, respecting the interpretation of Bylaws;

WHEREAS it is desirable to ensure uniformity in the interpretation of City Bylaws;

NOW THEREFORE, THE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

**SHORT TITLE**

1 This bylaw may be called the “The Interpretation Bylaw”.

**PURPOSE**

2 (1) The purpose of this bylaw is:

- (a) to state principles and rules for the interpretation of bylaws;
- (b) to shorten bylaws by avoiding the need for repetition; and
- (c) to promote consistency in the language and form of bylaws.

**APPLICATION**

3 This bylaw applies to the interpretation of every bylaw of the City.

4 A bylaw shall be construed as being in continuous force and shall be applied to circumstances as they arise.

5 A bylaw shall be construed as being remedial and shall be given the fair, large and liberal construction and interpretation that best ensures the attainment of its objects.

6 (1) The preambles of a bylaw are part of the bylaw intended to assist in explaining the bylaw.

(2) In a bylaw:

- (a) tables of contents;
- (b) marginal notes; and
- (c) statutory citations after the end of a section or schedule;

are not part of the bylaw, but are inserted for convenience of reference only.

- (3) Any schedule, appendix, form, table or other document attached to the bylaw is part of the bylaw.
- 7
- (1) Definitions and other interpretation provisions in a bylaw:
    - (a) are applicable to the whole bylaw, including the section containing the definitions or interpretations provisions, except to the extent that a contrary intention appears in the bylaw; and
    - (b) apply to regulations, orders, or notices made under the bylaw except to the extent that a contrary intention appears in the bylaw or in the order or notice.
- 8
- (1) In a bylaw a citation of or reference to another bylaw of the City or to a statute or regulation of the Province, or of Canada, is a citation of or reference to such enactments as amended, whether amended before or after the commencement of the bylaw, statute or regulation in which the citation or reference occurs.
  - (2) In a bylaw, a reference to any statutory provision shall be deemed to include any replacement statutory provision enacted subsequent to the passage of such bylaw.
- 9
- (1) A reference in a bylaw to a series of numbers or letters by the first and last numbers or letters of the series shall be construed as including the number or letter first mentioned and the number or letter last mentioned.
  - (2) A reference in a bylaw to a part, division, section, schedule, appendix or form

shall be construed as a reference to a part, division, section, schedule, appendix, or form of the bylaw in which the reference occurs.

- (3) A reference in a bylaw to a subsection, clause, subclause, paragraph or subparagraph shall be construed as a reference to a subsection, clause, subclause, paragraph or subparagraph of the section, subsection clause, subclause or paragraph, as the case may be, in which the reference occurs.
- (4) A reference in a bylaw to regulations shall be construed as a reference to regulations made under the bylaw in which the reference occurs.

10 When a form is prescribed by or under a bylaw, deviation from it not affecting the substance and not calculated to mislead do not invalidate the form used.

#### AMENDMENTS AND REPEAL

- 11 (1) A bylaw that is repealed and replaced ceases to have effect at the time the new bylaw commences.
- (2) A bylaw that is expressed to expire or otherwise cease to have effect on a particular day shall be construed as ceasing to have effect at the end of that day.
- 12 An amending bylaw shall be construed as part of the bylaw that it amends.
- 13 (1) When a bylaw is repealed in whole or in part, the repeal does not;
  - (a) revive a previous bylaw or thing not in force or existing immediately before the time when the repeal takes effect;
  - (b) affect the previous operation of the bylaw so repealed or anything done or suffered under it.
  - (c) affect any right, privilege, obligation or liability acquired, accrued, accruing or incurred under the bylaw so repealed;
  - (d) affect any offence committed against or a contravention of the bylaw so

repealed, or any penalty, forfeiture or punishment incurred in respect of or under the bylaw so repealed; or

(e) affect any investigation, proceeding or remedy in respect of the right, privilege, obligation, liability, penalty, forfeiture or punishment.

(2) An investigation, proceeding or remedy described in section 13(1)(e) may be instituted, constituted or enforced and the penalty, forfeiture or punishment imposed as if the bylaw had not been repealed.

14 (1) If a bylaw is repealed and a new bylaw is substituted for it:

(a) every person acting under the repealed bylaw shall continue to act as if appointed or elected under the new bylaw until he or she is reappointed or another is appointed or elected in his or her place;

(b) every proceeding commenced under the repealed bylaw shall be continued under and in conformity with the new bylaw so far as may be consistent with the new bylaw;

(c) the procedure established by the new bylaw shall be followed as far as it can be adapted:

(i) in the recovery or enforcement of penalties and forfeitures incurred under the repealed bylaw;

(ii) in the enforcement of rights existing or accruing under the repealed bylaw; and

(iii) in a proceeding in relation to matters that have happened before the repeal.

(d) then, if any penalty, forfeiture or punishment is reduced or mitigated by the new bylaw, the penalty, forfeiture or punishment, if imposed or adjudged after the repeal, shall be reduced or mitigated accordingly;

- (e) any reference in an unrepealed bylaw to the repealed bylaw shall, with respect to a subsequent transaction, matter or thing, be construed as a reference to the provisions of the new bylaw relating to the same subject matter as the repealed bylaw.
- 15
- (1) If a bylaw contains a reference to a number of days expressed to be “clear days” or to “at least” or “not less than” a number of days between 2 events, in calculating the number of days, the days on which the events happen shall be excluded.
  - (2) If a bylaw contains a reference to a number of days not expressed to be “clear days” or “at least” or “not less than” a number of days between 2 events, in calculating the number of days, the day on which the first event happens shall be excluded and the day on which the second event happens shall be included.
  - (3) If in a bylaw a time is expressed to begin after or to be from a specified day, the time does not include that day.
  - (4) If in a bylaw a time is expressed to begin after or to be from a specified day, the time does not include that day.
  - (5) If a bylaw provides that anything to be done within a time after, from, of, or before a specified day, the time does not include that day.
  - (6) If a bylaw contains a reference to a period of time consisting of a number of months after or before a specified day, the number of months shall be counted from, but not so as to include the month in which the specified day falls, and the period shall be reckoned as being limited by and including:
    - (a) the day immediately after or before the specified day, according as the period follows or precedes the specified day; and
    - (b) the day in the last month so counted having the same calendar number as the specified day but, if that last month has no day with the same calendar number, then the last day of that month.

- (7) For the purpose of construing a reference in a bylaw to a specified age expressed as a number of years, a person shall be deemed to have attained the specified age at the beginning of the relevant anniversary of the day of his birth.

#### SERVICE OF DOCUMENTS OR NOTICES

- 16 (1) Unless otherwise specifically stated in a bylaw or enactment, a document may be served on a Person, and is deemed to have been served on the Person, when that document has been:
- (a) in the case of an individual:
    - (i) personally delivered to the individual,
    - (ii) left for the individual at his or her residence with a person on the premises who appears at least eighteen (18) years of age, or
    - (iii) sent via mail or registered mail to the individual's last known address, and
  - (b) in the case of a corporation:
    - (i) left with a director, manager or officer of the corporation,
    - (ii) left at the corporation's registered office, or
    - (iii) sent via mail or registered mail to the corporation's registered office;  
and
  - (c) when there is reason to believe that the Person to whom the document is addressed is evading service or no other means of service is available:
    - (i) by posting in a conspicuous place on the property referred to on the document.

- (2) If the document is sent via registered mail or posted on the property pursuant to Section 16(1), then it is deemed to be received by the Person seven (7) days after the day that the document was mailed or posted.

#### DEFINITIONS

- 17 (1) In a bylaw:
- (a) “Adult” means a person 18 years of age or older;
  - (b) “Assessor” means the person appointed to the position of assessor to direct, manage and administer the assessment and taxation department of the City;
  - (c) “Bylaw Officer or Bylaw Enforcement Officer” means a person appointed as a Bylaw Officer;
  - (d) “Superintendent Officer in Charge” means the officer commanding or the officer in charge, from time to time, of the City Detachment of the RCMP;
  - (e) “City” means the Corporation of the City of Red Deer, in the Province of Alberta, and, where appropriate, shall mean and include all lands within its boundaries;
  - (f) “City Clerk” or “Clerk” means the person appointed as City Clerk of the City and, if absent, the Deputy City Clerk appointed by the City Clerk;
  - (g) “City Lands” means all lands and buildings owned by the City and includes all Highways in the City;
  - (h) “City Manager” means the Chief Administrative Officer of the City;
  - (i) “City Solicitor” means a member of the Law Society of Alberta appointed by the City to advise and represent the City in legal matters;
  - (j) “Commencement” when used with reference to a bylaw, means the time

at which that bylaw comes into force;

- (k) “Council” means the Council of the City elected under the provisions of the Local Authorities Elections Act;
- (l) “Councillor” means a member of Council;
- (m) “Development Officer” means a person appointed to that position;
- (n) “Director of Community Services” means a person appointed by the City Manager to that position;
- (o) “Director of Corporate Services” means a person appointed by the City Manager to that position;
- (p) “Director of Development Services” means a person appointed by the City Manager to that position;
- (q) “Director of Planning” or “Planning Director” means a person appointed by the City Manager to that position;
- (r) “Enactment” means an Act passed by the Government of the Province of Alberta, or the Government of Canada;
- (s) “Emergency Services Manager” means a person appointed to direct, manage and administer the Emergency Services Department;
- (t) “Highway” means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and
  - (i) includes:
    - (a) a sidewalk (including the boulevard portion of the

sidewalk);

- (b) if a ditch lies adjacent to and parallel with the roadway, the ditch; and
  - (c) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be; but
- (ii) does not include a place declared by the Lieutenant Governor in Council not to be a highway;
- (u) (i) “Holiday” includes:
    - (a) New Year’s Day, February Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday in August, Labour Day, Thanksgiving, Remembrance Day, Christmas Day, December 26 (Boxing Day), and all holidays proclaimed or adopted by The City of Red Deer;
    - (b) any day appointed by proclamation of the Governor General in Council or by proclamation of the Lieutenant Governor in Council for a public holiday;
  - (ii) When a holiday falls on an employee’s day off, the first working day following the holiday shall be considered as a day off in lieu of the holiday.
- (v) “Inspections and Licensing Manager” means the person appointed to that position;
  - (w) “License Inspector” means any person authorized to carry out inspection of City licenses;
  - (x) “Minor” means a person under the age of 18 years;

- (y) “Month” means calendar month;
- (z) “Municipal Government Act” or “MGA” means the *Municipal Government Act*, R.S.A., 2000 c M-26 and amendments thereto;
  
- (aa) “Offence” means an offence punishable on summary conviction;
  
- (bb) “Offence ticket” or Violation Ticket” or “Tag” means written notice of breach of any provision of any bylaw in respect of which a specified penalty may be paid to the City in lieu of the accused person appearing in the Provincial Court of Alberta to answer to a Summons issued under the Provincial Offences Procedures Act;
  
- (cc) “Peace Officer” means:
  - (i) a member of the City Detachment of the RCMP;
  - (ii) any employee of the City named as a special constable under the provisions of the *Police Act*;
  
- (dd) “Person” includes a corporation, and the heirs, executors, administrators or other legal representatives of a person;
  
- (ee) “Province” means the Province of Alberta;
  
- (ff) “RCMP” means the Royal Canadian Mounted Police;
  
- (gg) “Safety Codes Officer” means a person appointed to that position under the *Safety Codes Act*;
  
- (hh) “Writing” or “Written” or any similar term includes words represented or reproduced by any mode of representing or reproducing words in visible form, including electronic transmission capable of being copied to document form;
  
- (ii) “Working Day” means any day of the week other than a holiday or a

II

Bylaw No. 3558/2015

Saturday or Sunday.

- 18 (1) In this bylaw:
  - (a) "May" shall be construed as permissive and empowering;
  - (b) "Now" and "Next" shall be construed as referring to the time of commencement of the bylaw containing the word;
  - (c) "Shall" is to be construed as imperative;
  - (d) words importing male persons include female persons, words importing female persons include male persons, and words importing either sex include corporations;
  - (e) words in the singular include the plural and words in the plural include the singular.
- (2) When a word or expression is defined in a bylaw, other parts of speech and grammatical forms of the same word or expression have corresponding meanings.

19 Bylaw No. 3148/95 is hereby repealed.

20 This bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 23<sup>rd</sup> day of November 2015

READ A SECOND TIME IN OPEN COUNCIL this 7<sup>th</sup> day of December 2015

READ A THIRD TIME IN OPEN COUNCIL this 7<sup>th</sup> day of December 2015

AND SIGNED BY THE MAYOR AND CITY CLERK this 7<sup>th</sup> day of December 2015

'TARA VEER'

'FRIEDA MCDOUGALL'

\_\_\_\_\_  
MAYOR

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

**DATE:** April 05, 2017  
**TO:** Samantha Rodwell, Deputy City Clerk  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Notice Bylaw 3588/2017 / Repeal of Interpretation Bylaw  
3558/2015

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**Reference Report:**

Legislative Services Department dated March 23, 2017.

**Bylaw Reading:**

At the Monday, March 20, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3588/2017, the Notice Bylaw, a bylaw to provide the criteria for effective service of documents and notices and to repeal the Interpretation Bylaw 3558/2015.

**Report back to Council:** Yes. This Bylaw will come back for consideration of second and third readings at the Tuesday, April 18, 2017 Council Meeting.



Frieda McDougall  
Manager

- c. City Solicitor  
Corporate Meeting Administrator



April 3, 2017

## Alarm Bylaw Revisions

Municipal Policing Services

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

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The Governance and Policy Committee directed Administration to amend the Alarm Bylaw to incorporate verification of one zone alarms prior to police attendance, review the fee structure for false alarms and require the alarm companies to report the locations of new alarm system installations.

This report addresses the above noted direction in addition to recommending the elimination of Alarm Permits and increasing penalties associated to offences.

Administration has reviewed the Alarm Bylaw and is recommending a new updated Bylaw no. 3591/2017 to replace Bylaw 3194/98.

### **City Manager Comments:**

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I support the recommendation of Administration. If Bylaw 3591/2017 is given first reading, this bylaw will come back to Council for second and third reading at the Tuesday, April 18, 2017 Council Meeting.

Craig Curtis  
City Manager

### **Proposed Resolution**

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That Council consider First Reading of Bylaw 3591/2017 at this time.



## Report Details

### Background:

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On May 13, 2013 Community Services presented a report to the Governance and Policy Committee (GPC) relative to the Alarm Bylaw. At that time the RCMP was experiencing a high volume of false alarms which were time consuming administratively and operationally. Additionally the RCMP determined that a number of residences and businesses had not acquired alarm permits. The intent of the recommendation was to provide efficiencies by decreasing attendance by the RCMP to false alarms and ensure property owners acquired the necessary permits.

The resolutions of the GPC were:

Resolved that the Governance & Policy Committee, having considered the report from Community Services dated May 13, 2013 re: amendment to the Alarm Bylaw, hereby

Endorses amendment to the Alarm Bylaw relative to residential and business alarm system, to require alarm companies to verify one zone alarms prior to police attendance, and directs administration to prepare the necessary bylaw amendment for Council's consideration

Supports a review of the fee structure with various options for false alarms and directs administration to prepare the necessary bylaw amendments for Council's consideration

Endorses amendments to the Alarm Bylaw requiring alarm companies to report to the City locations of new alarm system installations to increase compliance for reporting, and directs administration to prepare the necessary bylaw amendments for Council's consideration

### Discussion:

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The GPC directive to prepare the amendments to the Alarm Bylaw provided an opportunity to review the bylaw in its entirety. The recommended revisions to the Alarm Bylaw would align with current practices, technology and update the bylaw from its original writing in 1998.

Proposed changes to the bylaw include:

- I. **Verify alarm calls:** Based on changes in RCMP policy, the current practice of the RCMP is to attend alarms when multiple zone alarms have been activated or the alarm has been verified. The adoption of this practice resulted in a significant decrease in the number of alarms attended by the RCMP.



Under the new Bylaw the alarm monitoring company must verify an alarm is not false, during hours that the premise is normally occupied, prior to reporting the event to the RCMP. Failing to do so is now an offence under the new Bylaw.

2. **Review of Fee Structure:** An increase to Response Fees was approved by Council during the 2017 Operating Budget.

	Previous	Approved
<b>Response Fees</b>		
False Alarm in Residential Building	\$20	\$80
False Alarm in Commercial or other type of building under 500 m <sup>2</sup> in size	\$40	\$121
False Alarm in Commercial or other type of building over 500 m <sup>2</sup> in size	\$60	\$121
<b>Offence Penalties</b>	<b>Current</b>	<b>Proposed</b>
First Offence	\$50	\$150
Second and subsequent offences(s)	\$250	\$500

The current offence penalties are low and do not encourage responsible alarm system management on the part of the alarm holder or alarm monitoring company. The proposed offence penalties have been researched by Legal Services and are in line with other municipalities in Alberta.

3. **Requirement for Alarm Company to report:** The administrative recommendation to GPC was that the Alarm Company provides the City of Red Deer with the locations of any new alarm installations to ensure for permit compliance. This requirement is no longer relevant given the removal of the permitting requirements from the new Bylaw.
4. **Keyholders:** The current bylaw states than anyone with an audible alarm is required to provide the RCMP with a list of contact persons (key holders) who can attend the property and provide access. This section has been removed as alarm



companies maintain this information as part of their service. It is not the responsibility of the RCMP to retain or maintain this information.

5. **Permits:** Permits are revoked for activating more than three false alarms within a six month period or failure to pay the response fee within 30 days. Only one permit has been revoked in the past seven years. Of note, the RCMP will respond to a verified alarm whether or not a permit has been issued or revoked. Furthermore, the permit database is never current; people relocate without notifying the appropriate department and new alarms are installed regularly throughout the City without permits. Presently the database is updated monthly by cross referencing RCMP attendance at false alarms against the permit database; this process is cumbersome and time consuming. In 2016, the total value of permits invoiced was \$12 500 with administration staff costs estimated at \$5 460. It is anticipated that the increase in the Response Fees approved in the 2017 Operating Offence combined with the proposed increase to Offence Penalties will encourage residents and alarm monitoring companies to responsibly manage monitored alarms (change behavior) and allow administrative support to effectively reallocate time towards other priorities. As such, the requirement for alarm permits has been removed from the new Bylaw.

Changes to the Bylaw provide an opportunity to initiate an awareness campaign to educate residents and alarm service providers as to amendments related to permits, fees and offences. Community Services will be working with Communications to create the messaging associated with the Bylaw and is proposing a three month grace period prior to full implementation in order to inform alarm holders and alarm monitoring companies.

### **Analysis:**

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These changes have been reviewed from a risk management perspective, reflect current practices, are consistent with other jurisdictions and will decrease support required from administrative staff. Therefore Administration is recommending first reading of Bylaw 3591/2017.

**BYLAW NO 3591/2017**

WHEREAS, pursuant to Section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, the purpose of a municipality includes the development and maintenance of safe and viable communities and the provision of services, facilities or other things that, in the opinion of Council, are necessary or desirable for the municipality;

AND WHEREAS, responding to False Alarms increases the cost of providing Police Service and may reduce the ability for police to respond to other emergency events, in this manner creating unnecessary risks for Police Service and the general public;

AND WHEREAS Council of the City of Red Deer considers it desirable and necessary to establish a bylaw to reduce False Alarms.

NOW THEREFORE COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

**Title**

1. This bylaw may be called "The Alarm Bylaw".

**Purpose**

2. The purpose of this bylaw is to assist in the reduction of False Alarms requiring a response from Police Service.

**Definitions**

3. In this bylaw, the following definitions apply:
  - (a) "**Alarm Holder**" means the owner, lessee, tenant or occupant of a building or unit which has an Alarm System;
  - (b) "**Alarm System**" means any device designed to activate an alarm signal upon detecting:
    - (i) an unauthorized entry to a building or onto property; or
    - (ii) an Emergency within a building or at a property.
  - (c) "**Emergency**" includes a situation in which there is imminent danger to public safety or of serious harm to property requiring Police Service;
  - (d) "**False Alarm**" means the activation of an Alarm System where:
    - (i) no unauthorized entry has occurred or been attempted; or
    - (ii) no Emergency exists;

and includes circumstances where the Alarm System has been activated as a result of:

- (i) testing;
  - (ii) mechanical failure, malfunction or faulty equipment;
  - (iii) inadvertence, mistake, omission or negligence;
  - (iv) atmospheric conditions, vibrations, power failure or communications failure.
- (e) **“Municipal Tag”** means a document alleging an offence issued pursuant to the authority of a bylaw of the City;
- (f) **“Police Service”** means the Royal Canadian Mounted Police (RCMP); and
- (g) **“Response Fee”** means the fee that may be charged to an Alarm Holder as a result of a False Alarm.

#### **False Alarm Response Fees**

4. Where the Police Service has determined that a False Alarm has occurred, the Alarm Holder shall be liable to pay a Response Fee to the City in the amount set out in Schedule “A”. The Response Fee shall be due and payable thirty (30) days after the date the Response Fee is invoiced by the City.
5. The determination of whether or not a False Alarm has occurred shall be made by the RCMP member who is dispatched or responds to the Alarm System activation.

#### **Monitoring of Alarm Systems**

6. Subject to Section 7, no person who is in the business of monitoring, responding or receiving signals from Alarm Systems will advise the Police Service of an alarm that is received during hours when the premises in which the Alarm System is located is normally occupied, without first verifying with the Alarm Holder that the alarm is not a False Alarm.
7. Section 6 does not apply to an Alarm System installed in a financial institution, school, law enforcement premises, including a correctional facility or courthouse, or a business licensed to sell firearms.
8. No person shall provide, use, maintain, install or permit the use, maintenance or installation of an Alarm System that is capable of automatically calling or otherwise sending notice of an alarm to the Police Service or 911.

#### **Appeal Process**

9. A decision by the Police Service to charge a Response Fee under this Bylaw may be appealed to the Red Deer Appeal and Review Board within fourteen (14) days of the date of the invoice in accordance with the procedures set out in *The Appeal Boards Bylaw*.

**Offences and Penalties**

10. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable to a specified penalty set out in Schedule "A".
11. Any person who contravenes the same provision of this bylaw twice is guilty of a second offence and is liable to a specified penalty for a second offence as set out in Schedule "A".
12. In the case of an offence that is of a continuing nature, a contravention constitutes an offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine of \$100 for each day that the offence continues.

**Municipal Tag**

13. A Municipal Tag may be issued to any person where there are reasonable and probable grounds to believe the person has contravened any provision of this bylaw.
14. If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify:
  - (a) the name of the person;
  - (b) the offence;
  - (c) the fine amount;
  - (d) that the fine amount shall be paid within 14 days of the issuance of the Municipal Tag; and
  - (e) any other information as may be required.

**Payment in Lieu of Prosecution**

15. Where a Municipal Tag is issued in respect of an offence, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay the penalty specified within the time period indicated on the Municipal Tag.

**Violation Ticket**

16. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, a Violation Ticket may be issued pursuant to the *Provincial Offences Procedure Act*.
17. Despite Section 16, a Violation Ticket may be immediately issued to any person where there are reasonable and probable grounds to believe that person has contravened any provision of this bylaw.
18. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
  - (a) impose the specified penalty established by this bylaw for the offence and permit a person to make a voluntary payment; or



**SCHEDULE "A"**

<b>Response Fees</b>	
Residential	<b>\$80</b>
Non-Residential	<b>\$121</b>
<b>Offences</b>	
<b>Penalty</b>	
First Offence	<b>\$150</b>
Second and subsequent Offence	<b>\$500</b>



Originally submitted to the May 21,  
2013 GPC Meeting.

**DATE:** May 13, 2013  
**TO:** Governance and Policy Committee  
**FROM:** Warren Dosko, RCMP Superintendent  
**SUBJECT:** Amendments to the Alarm Bylaw

Document #1358113

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## Background

In the overall review of the Red Deer RCMP operations a number of areas have been identified as potential opportunities to improve efficiencies. This report focuses on responding to and the administration of residential and business alarms, associated fines and alarm permit compliance. In 2012 the RCMP responded to 2,470 false alarms – 53% were businesses and 47% residential calls. Of all the alarm calls received by the police, 97% were false alarms. Over the course of a year the time to respond to and administer false alarms is considerable. Also in the course of documentation of alarms it has been found that approximately 20% of false alarms occur at residences / businesses that have not acquired the required permit.

Changes are being proposed for consideration to the current City of Red Deer By-law number 3017/90 & A-92, and 3194/98 which are The City's bylaws that regulate and control alarm systems and the required permitting.

Three changes are being proposed:

1. The addition of a new section to align the City of Red Deer By-Law with the RCMP service policy requiring one zone alarm verification prior to police attendance.
2. An increase to fines for police attendance to false alarms to more accurately reflect the true cost of delivering this service and increase the proportion of cost recovery.
3. Bylaw amendments that require any companies installing new alarms report these locations to the City of Red Deer.

## Definitions:

Verified alarm means there is confirmation that a criminal offence has or is taking place (e.g. witness, security guard, alarm company employee, real time video monitor, person responsible).

Panic alarm means a domestic disturbance alarm and any alarm where the RCMP has a partnering agreement.

## **Discussion**

### **Verified One Hit Alarms**

The present alarm by-law does not place a requirement on the alarm companies to verify an alarm prior to calling the police. Evidence in research indicates alarm calls to the police were reduced as much as 30% when alarm companies were required to make more than one call to the permit holder to check the validity of the alarm.

Alarm verification in jurisdictions varies. Some, like Edmonton, require alarm companies to “make all reasonable efforts” to verify that the alarm is not a false alarm prior to contacting the police. But if the alarm company advises that they have tried, the police will attend. The challenge with this approach is that it is difficult to gather the appropriate evidence to hold an alarm company accountable for this level of verification.

In the summer of 2011, the “H” Division of the RCMP (Nova Scotia) implemented a new province wide alarm response policy. The key component to the policy was a requirement for alarm companies to verify any “one zone” alarm incidents. This means that if a door sensor went off and there were no other zones triggered, the RCMP would not respond unless the potential unauthorized entry was verified. Under this policy the RCMP would still respond to multi-zone, glass break, panic, hold-up alarms as well as any alarm to a school or financial institution during business hours. This policy has been reported to have reduced the number of false alarms by 75% in Nova Scotia.

St. Albert introduced a similar policy change to their alarm by-law and they experienced a 74% reduction in false alarm calls to the police in the first two months of 2013.

The RCMP National Policy states that a member will respond to the following:

- Alarm at a law enforcement premise, correctional facility, or law court
- Robbery or hold-up alarm
- Panic alarm
- Alarm at a retail business licenced to sell firearms
- Any verified alarm
- Any other alarm covered by divisional or detachment directives

### Financial Implications

The following chart depicts the cost of what it would cost if the police responded to all false alarms in 2012.

	<b>Time per False alarm</b>	<b>Cost per False alarm</b>	<b>Time per year</b>	<b>Cost per year</b>
<b>RCMP Officer time</b> Officers time on driving to and from the location, doing a walk around the property/building, speaking with the property representative, completing notes and reports	68 min *	\$71.00	2,791 hrs.	\$175,370
<b>Program administration</b> False alarm tracking, issuing false alarm invoices, sending notices	15 min	\$9.00	617 hrs.	\$22,230
<b>Operational Support Time</b> Support staff time on review of the electronic file and operational data base	15 min	\$9.00	617 hrs.	\$22,230
<b>Total</b>	<b>98 min</b>	<b>\$89.00</b>	<b>4,025 hrs.</b>	<b>\$219,830</b>

\*The time for a residential alarm is based upon one member responding and the cost for a business alarm is based upon two members responding.

A portion of the alarm revenue would be lost with a reduction in the false alarm calls as the City currently charges the permit holder when a false alarm is received. If the Red Deer results are typical of those obtained in Nova Scotia and St. Albert, there is an anticipated decrease of \$55,417 (75% of \$73,890) in revenue resulting from 75% fewer invoices being issued. In 2012, \$73,890 in revenue was collected from alarm permits and false alarm fees. The total amount has been used in the calculation as it difficult to separate these two amounts (permits and false alarms) as they are collected in one account and would require some significant effort. At this point administration feels that the estimate provided is a conservative figure. The time diverted from answering false alarms would be approximately equivalent to 1.5 additional officers over the year.

Revisions to the bylaw would include a statement similar to the following:

- I. No person shall contact the police to advise them of an alarm unless it is a:
  - a. Multi zone alarm
  - b. Panic alarm
  - c. Duress alarm
  - d. Glass break alarm
  - e. Domestic violence alarm, or
  - f. Verified as a valid alarm

### **Fee for False Alarms**

The City of Red Deer currently charges \$20.00 for a residential false alarm and \$40.00 or \$60.00 (depending on size of premise) for a business false alarm. The above chart is a conservative calculation of current costs for The City to respond to a false alarm, on average approximately \$90.00 per false alarm.

It is recommended that both the residential and business fines be doubled to more accurately reflect a stronger proportion of the actual cost of delivering this service.

	Current Fine	Proposed Fine
Residential False Alarm	\$20	\$40
Business False Alarm	\$40	\$80
	\$60	\$120

It is felt that by adjusting these fines it will also serve to mitigate the lost revenue from the 75% reduction in false alarm invoices.

### **Alarm Company's Requirement to Report**

Section 3 of the by-law states:

*"No person shall install, keep, use or permit to installation, keeping or use of an alarm system in a building unless he is the holder of a valid permit ..."*

Current practice indicates that approximately 20% of false alarms occur at residences / businesses who have not acquired the necessary permit. At present there is no mechanism for the City to track where alarms are being installed. By requiring the alarm companies to report the addresses where alarms have been installed, it would allow the city to cross reference the permit data base to ensure compliance with the bylaw as well as placing responsibility on the alarm companies to ensure that the appropriate permitting is in place.

The purpose or goal of this recommended change is to increase permit compliance and decrease the administration cost (approximately 3 hours per week @ \$35.00/hour = \$105 /week) to monitor compliance.

Overall the intent is to reduce the amount of time officers currently spend on false alarms to allow time for other duties and place an increased responsibility on the alarm companies who are selling a system whereby a portion of the service is provided by the police.

### **Recommendation**

That the GPC provide its direction on bylaw amendments relative to residential and business alarm systems in the following areas:

1. A requirement by the alarm company to verify one zone alarms prior to police attendance
2. A review of the fines for false alarms
3. A requirement of the alarm companies to report to The City installation of new alarm system locations to increase compliance for reporting



**Governance & Policy Committee  
Decision – May 21, 2013**

**Governance & Policy Committee**

**DATE: May 23, 2013**

**TO: Greg Scott, Director of Community Services**

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

**SUBJECT: Alarm Bylaw/Community Services Report dated May 13, 2013**

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**Decisions:**

The following resolutions were passed during the Governance & Policy Committee meeting held on Tuesday, May 21, 2013:

Resolved that the Governance & Policy Committee, having considered the report from Community Services dated May 13, 2013 re: Amendments to the Alarm Bylaw, hereby endorses amendments to the Alarm Bylaw relative to residential and business alarm systems, to require alarm companies to verify one zone alarms prior to police attendance, and directs administration to prepare the necessary bylaw amendment for Council's consideration.

Resolved that the Governance & Policy Committee, having considered the report from Community Services dated May 13, 2013 re: Amendments to the Alarm Bylaw, hereby supports a review of the fee structure with various options for false alarms and directs administration to prepare the necessary bylaw amendments for Council's consideration.

Resolved that the Governance & Policy Committee, having considered the report from Community Services dated May 13, 2013 re: Amendments to the Alarm Bylaw, hereby endorses amendments to the Alarm Bylaw requiring alarm companies to report to the City locations of new alarm system installations to increase compliance for reporting, and directs administration to prepare the necessary bylaw amendments for Council's consideration.

Resolved that the Governance & Policy Committee, having considered the report from Community Services dated May 13, 2013 re: Amendments to the Alarm Bylaw, hereby supports a review of the fines with respect to non-conformance to the Alarm Bylaw, and directs administration to prepare the necessary bylaw amendments for Council's consideration.

Frieda McDougall  
Legislative Services Manager

c: Warren Dosko, RCMP Superintendent

Current Alarm Bylaw

**BYLAW NO. 3194/98**

Being a bylaw of the City of Red Deer, in the Province of Alberta, to regulate and control alarm systems and to require permits therefor;

WHEREAS Council of the City has the authority under section 7(a) of the *Municipal Government Act* to enact bylaws respecting the health and welfare of people and the protection of people and property;

WHEREAS Council of the City deems it desirable and necessary in order to protect and preserve the safety and welfare of its citizens that alarm systems be regulated and controlled so as to minimize false alarms;

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

SHORT TITLE

1 This bylaw may be called the “Alarm Bylaw”.

INTERPRETATION

2 In this bylaw:

“alarm signal” means a telephone request for emergency police services;

“alarm installation company” means a person or corporation engaged in the business of installing alarms for a fee or financial reward;

“alarm system” includes a device or devices designed to activate an alarm signal but excludes a device that is installed in a vehicle;

“<sup>1</sup>City Manager” means the City Manager for The City of Red Deer;

“excessive false alarms” means more than three false alarms in any six month period;

“false alarm” means an alarm signal which results in a response by the R.C.M.P. where unauthorized entry to the alarmed premises has not occurred and no police emergency exists, but does not include:

- (i) any false alarm which the permittee can demonstrate was caused by a storm, lightning, fire, earthquake or act of God;  
or
- (ii) any false alarm which the permittee can demonstrate was actually caused by the act of some person other than the permittee, including the permittee’s officers, agents, employees, independent contractors or any other person subject to the direct or indirect control of the permittee;

“keyholder” means a person who does not live at the premises protected by an alarm but who is capable of providing entry to such premises;

“Manager” means the Chief of Police of the Red Deer Detachment of the Royal Canadian Mounted Police (R.C.M.P.), or his designate;

“permit” means a permit or license issued under this bylaw;

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<sup>1</sup> 3194/A-2007

“response fee” means the fee payable by the permittee for each false alarm at the permittee’s premises.

#### REQUIREMENT TO HOLD A PERMIT

- 3 No person shall install, keep, use or permit the installation, keeping or use of an alarm system in any building without being the holder of a valid alarm permit.
- 4 No person shall operate an alarm monitoring service company in the City without being the holder of a valid alarm monitoring service license.
- 5 No alarm installation company and no person employed by an alarm installation company shall install an alarm system in a building unless the owner or occupant of the building is the holder of a valid alarm permit.

#### ISSUE OF PERMIT

- 6 The Manager shall issue an alarm system permit upon receipt of a completed application and payment of the permit fee.
- 7 <sup>1</sup>Deleted
- 8 The Manager shall maintain a register of the names and addresses of all permit and license holders together with the details of such permits and licenses.

4

Bylaw No. 3194/98

- 9 An alarm system permit is not transferable. A new application must be made and the applicable fee paid after each location change for an existing alarm system.

#### PERMIT FEE

- 10 The fee to be paid by the applicant shall be:
- (a) \$25.00 for a permit for an alarm system located in a residential building;
  - (b) \$25.00 for a permit for an alarm system installed in any other type of building; and
  - (c) <sup>2</sup>Deleted

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<sup>1</sup> 3194/A-2010

<sup>2</sup> 3194/A-2010

## AUDIBLE ALARM SYSTEMS

- 11 (1) No person shall install, maintain or use an alarm system which is capable of generating an audible alarm continuously for a period of greater than fifteen (15) minutes after each activation.
- (2) This section shall not apply to an alarm system installed in a residential building.
- 12 (1) Every person maintaining an audible alarm shall keep posted a notice in a form approved by the Chief of Police containing such information as the Chief of Police may, from time to time, require.
- (2) Such notice shall be posted near the audible alarm in such a position as to be legible from the ground level adjacent to the premises where the audible alarm system is located.

## KEYHOLDERS

- 13 (1) Every person maintaining an audible alarm shall keep the Chief of Police informed, by notice in writing, of the names and telephone numbers of the persons to be contacted in the event that the audible alarm is activated.
- (2) Every person providing an alarm monitoring service shall maintain a list of keyholders.
- (3) The keyholder:

6

Bylaw No. 3194/98

- (a) shall be available to receive telephone calls made in respect of the audible alarms;
- (b) shall be capable of affording access to the premises where the audible alarm is located; and
- (c) shall attend at the premises where the audible alarm is located within 20 minutes of being requested to do so by the alarm monitoring service or a member of the R.C.M.P.

#### MONITORING OF ALARM SYSTEM

- 14 A person who monitors an alarm system and who informs any member of the R.C.M.P. that the monitored alarm has been activated, shall cause a person capable of affording access to the premises where the alarm is located to attend at such premises within twenty (20) minutes of such notice.
- 15 No person shall use, maintain or install, or permit the use, maintenance or installation of any alarm system which transmits a message to any telephone number assigned to the R.C.M.P.

#### RESPONSE FEE

- 16 Where a false alarm is activated, the permittee shall on demand pay a response fee to the City;
- (a) in the sum of \$20.00 for a false alarm at a residential building;

- (b) in the sum of \$40.00 for a false alarm at a business having a gross floor area of 500 square metres or less;
- (c) in the sum of \$60.00 for a false alarm at a business having a gross floor area greater than 500 square metres.

#### REVOCACTION OF PERMIT

- 17 The Manager may, after providing the affected party an opportunity to be heard:
- (a) revoke and refuse to reinstate any alarm system permit if:
    - (i) the permittee has contravened any of the provisions of this bylaw; or
    - (ii) the alarm system activates excessive false alarms; or
    - (iii) the permittee has failed to pay the response fee within 30 days of demand for payment;
  - (b) <sup>1</sup>Deleted

- 18 The Manager may revoke an alarm system permit where the alarm system ceases to be actively used and there is no further need for a permit.

#### NOTIFICATION OF REVOCATION

- 19 Upon revoking a permit, the Manager shall notify the permittee of the revocation by notice in writing delivered or sent by registered mail addressed to the permittee at the permittee's last known address. The notice of revocation shall contain a description of the appeal process available to the permittee. A copy of the notice of revocation of an alarm system permit shall be sent to the alarm monitoring service company.

#### REINSTATEMENT OF PERMIT

- 20 (1) Where a permit has been revoked, the Manager shall not reinstate such permit without further application and payment of a fee of \$200.00 and payment of any other sums payable under this bylaw.
- <sup>2</sup>(2) Notwithstanding the foregoing, where an alarm system permit license is revoked in error, the Manager shall reinstate such permit without fee or charge.

---

<sup>1</sup> 3194/A-2010

<sup>2</sup> 3194/A-2010

## APPEAL OF REVOCATION OF PERMIT

<sup>1</sup><sup>2</sup> A permittee whose permit has been revoked has the right to appeal that decision to the Red Deer Appeal & Review Board within 14 days of the date of revocation, in accordance with the relevant procedures as outlined in The City of Red Deer Committees Bylaw.

## OFFENCES AND PENALTIES

22 Any person who breaches any provision of this bylaw is guilty of an offence and shall pay a specified penalty of:

- (i) \$50.00 for a first offence; and
- (ii) \$250.00 for a second or subsequent offence.

## VIOLATION TICKETS

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

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<sup>1</sup> 3194/A-2007

<sup>2</sup> 3194/A-2009

MISCELLANEOUS

24           Should any provision of this bylaw be found void or unenforceable, then it is the express intention of Council of the City that such void or unenforceable sections be severed from this bylaw and the balance remain in full force and effect.

25           Bylaw No. 3017/90 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this     9           day of February A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this   9           day of February A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this    6           day of April     A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this 6   day of April     A.D. 1998.

“G. D. Surkan”

“Kelly Kloss”

\_\_\_\_\_  
MAYOR

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

**DATE:** April 05, 2017  
**TO:** Scott Tod, Municipal Policing Services Manager  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Alarm Bylaw Revisions 3591/2017 / Repeal of 3194/98

---

**Reference Report:**

Municipal Policing Services, dated April 3, 2017.

**Bylaw Reading:**

At the Monday, March 20, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3591/2017, the Alarm Bylaw, a bylaw to assist in the reduction of False Alarms requiring a response from Police Service and to repeal the current Alarm Bylaw 3194/98.

**Report back to Council:** Yes. This Bylaw will come back for consideration of second and third readings at the Tuesday, April 18, 2017 Council Meeting.



Frieda McDougall  
Manager

- c. Director of Community Services  
Corporate Meeting Administrator



March 20, 2017

## Proposed Amendment of the Land Use Bylaw Bylaw 3357/Q-2017

Planning Department

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

---

A proposal has been to amend the Land Use Bylaw to increase maximum site coverage for a specific street, Little Close in the Laredo Neighbourhood, from 40% to 50%. Administration proposes to use the results of this application to inform the overall development standards review occurring in the future as part of the overall Land Use Bylaw update.

The Planning Department recommends Council proceed with First Reading to Land Use Bylaw amendment 3357/Q-2017.

### **City Manager Comments:**

---

I support the recommendation of Administration. If first reading of Bylaw 3357/Q-2017 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on May 1, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

### **Proposed Resolution:**

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That Council consider First Reading of Bylaw 3357/Q-2017 at this time.

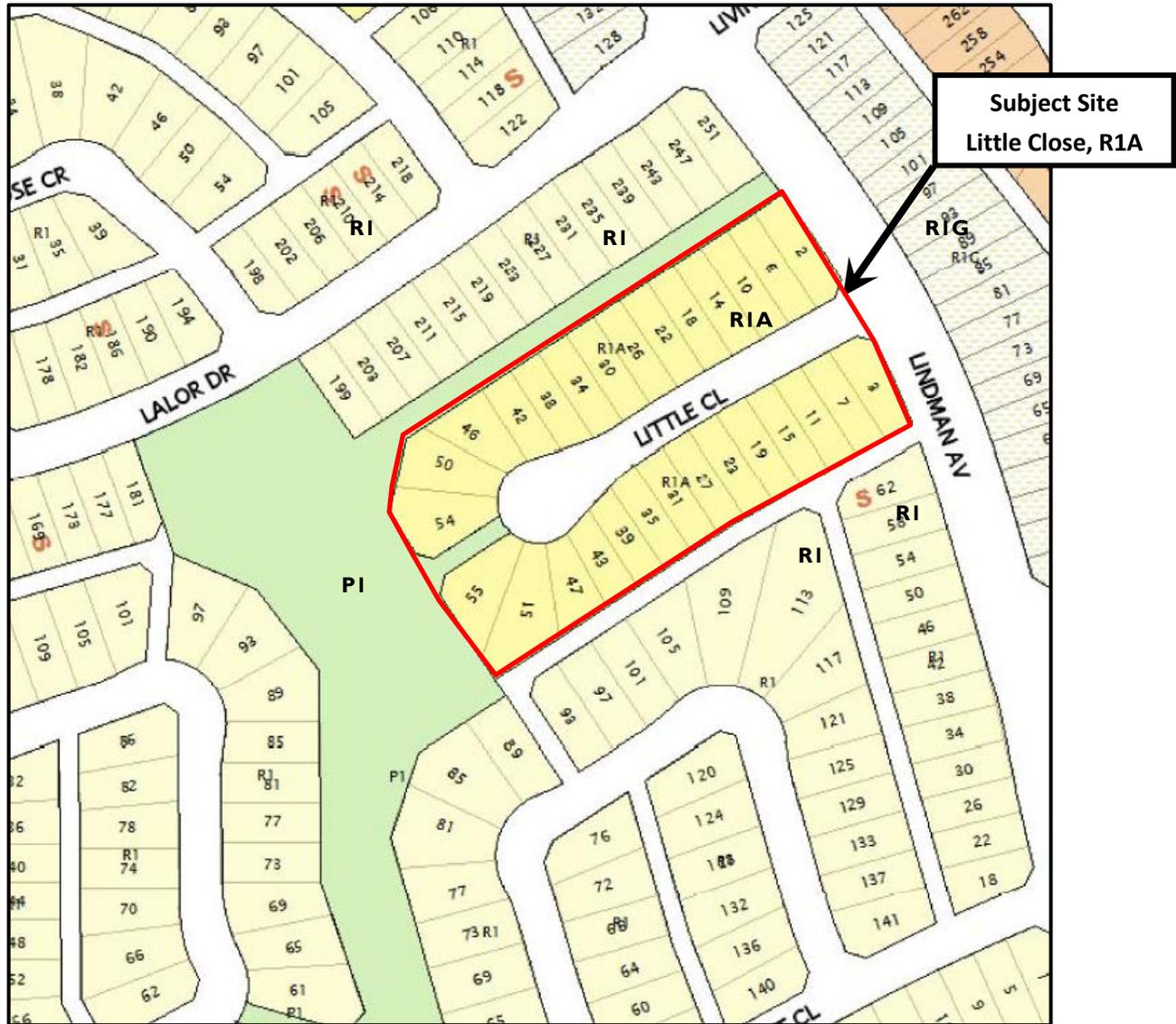
## Report Details

### Background:

A proposal has been to amend the Land Use Bylaw by changing maximum site coverage for a specific street, Little Close in the Laredo Neighbourhood, from 40% to 50%.

The subject site is Little Close, west of Lindman Ave in Laredo neighbourhood (See Figure 1). Since the adoption of Lancaster/Vanier East Neighbourhood Area Structure Plan in 2011 the property has been designated R1A - Residential (Semi-Detached Dwelling) District.

Figure 1 - Subject Property – Land Use District Map



To date, The City has issued eighteen (18) semi-detached dwelling unit development permits at Little Close, with twelve (12) of development permits requesting and receiving variances approvals.

Variations have been granted for maximum site coverage on twelve (12) lots out of twenty eight (28) of the lots at Little Close, which vary from 42.9% to 47.7% site coverage.

Ten (10) lots remaining undeveloped & two are under construction.

**Site Characteristics:**

Existing Land Use: RIA - Residential (Semi-Detached Dwelling) District

Figure 2 - Map showing twelve (12) of approved dwelling with variances in the past at Little Close

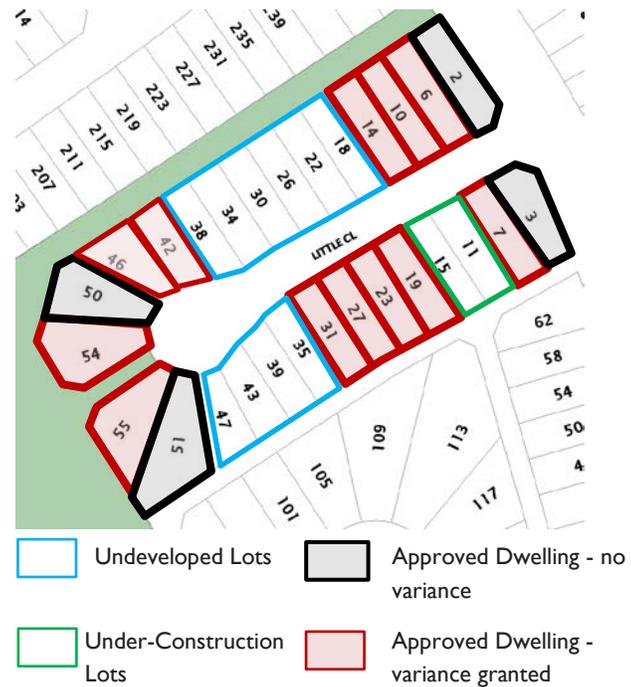


Table I - Adjacent Surrounding Land Uses:

Direction	Existing District	Existing Use
North	RI - Residential (Low Density) District	Low density residential development
East	RIG - Residential (Small Lot) District	Small lot detached housing with mandatory front attached garages
South	RI - Residential (Low Density) District	Low density residential development
West	PI - Parks and Recreation District	Land for parks and recreation areas

**Discussion:**

A proposal has been to amend the Land Use Bylaw by changing maximum site coverage for a specific street, Little Close in the Laredo Neighbourhood, from 40% to 50%.

Figure 3 shows the fourteen (14) lots requested for future site coverage variances through this Land Use Bylaw amendment, requesting an overlay district to increase site coverage maximum from 40%-50%.

In general, the purposes of site coverage development standards are to prevent adverse over development, to protect sunlight for both the building lot and adjacent properties.

The Land Use Bylaw Section '1.3 Definitions' define Site Coverage as:

*"the area of a Site covered by a Structure with a roof. For example, Principal Building(s) and all Buildings on foundations movable sheds, and covered decks"*.

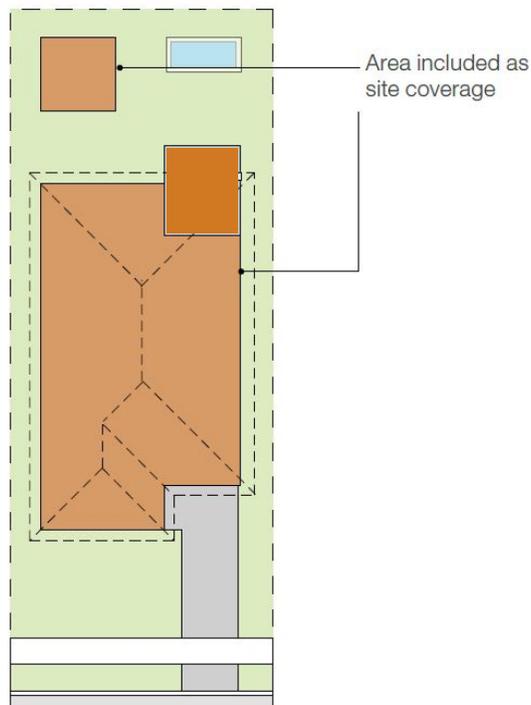
Application rationale states that the market is now demanding covered decks and veranda, which considers as part of site coverage as per current Land Use Bylaw definition. The applicant has observed an increase in demand for covered decks over the past 10 years. At Little Close, additional roof area on decks & veranda are causing additional site coverage requirements.

For example as shown in the Figure 4, the shaded areas (brown color) are included in site coverage calculations.

Figure 3 - Map showing fourteen (14) future lots requested for site coverage variances at Little Close



Figure 4 – Site Coverage Example



Following images shows the current built and under constructions semi-detached dwellings on Little Close:

Image 1 - View of Little Close looking south-west



Image 2 - View of front elevation of semi-detached dwellings



Image 3 - View of Municipal Reserve along north side



Image 4 - View of south side back lane



Within The City, the applicant has developed similar streets with numerous variance requests resulting in greater site coverage which have already fully developed:

- Clearview Ridge on Cody Place (15 variances)
- Vanier Woods East on Vista Close (11 variances)

Figure 5 – Clearview Ridge on Cody Place (15 variances)

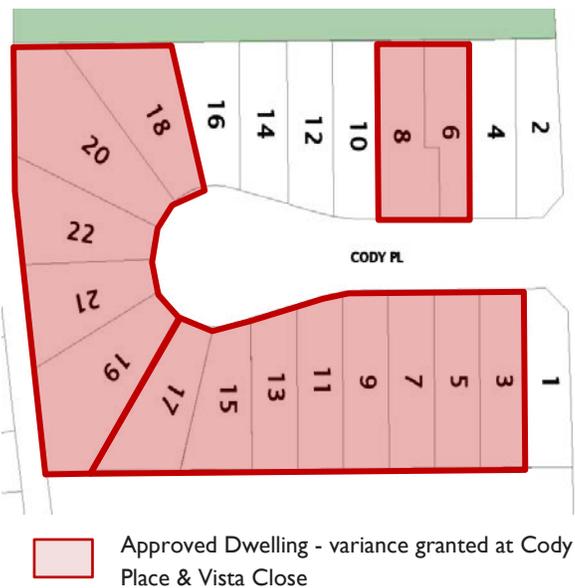


Figure 6 – Vanier Woods East on Vista Close (11 variances)



Site coverage variance is one of many factors of development challenges throughout the city. When several variances are granted within an area, such as Cody Place, the result is a change in development standards. Site coverage development standard maximums set the expectations of current and future landowners. Incremental variances results in uncertainty and changes in expectation for landowners in the area. The proposed overlay district provides clarity to future landowners of site coverage expectations and minimizes future unknown variance requests.

Comparison of various Alberta municipalities of site coverage maximum development standards indicates City of Red Deer's development standards for maximum site coverage are lower than average (See Table 2). In Alberta, an average site coverage maximum for comparable RIA districts is 46.9%. Table 2 compares maximum & average maximum site coverages in Alberta Municipalities.

Table 2 - Maximum Site Coverage (Semi-Detached Lots) Comparison in Alberta

Municipality	District	Max. Site Coverage
Red Deer	RIA Residential	40% of Site Area (includes garage and accessory buildings)
Airdrie	Low Density Residential	60% of Site Area
Leduc	RSD District (Duplex Side-By-Side)	45% of Site Area & 40% with attached garage
Edmonton	(RF4) Semi-detached Residential Zone	45% of Site Area
Calgary	One / Two Dwelling (R-2) District	50% of Site Area
Wood Buffalo	R2 - Low Density Residential District	45% of Site Area, Including Accessory Buildings
Lethbridge	R-CM-20 - Comprehensively Planned Medium Density Residential	45% Inclusive of all buildings on a parcel
Medicine Hat	Low Density Residential District (R-LD)	45% of Site Area
Average Site Coverage Maximum	n/a	46.9%

### **Dialogue & Consultation**

An information package and comment sheet detailing the application sent to 42 landowners within 100 metres of the subject site. No objections received from any adjacent landowner.

No outstanding concerns were raised by Administration. Engineering department indicated minimal impact to storm water management. Inspections and Licensing indicated no impacts to landscaping requirements.

## **Analysis:**

---

Administration is recommending:

### Consideration of site specific application

Administration proposes an overlay district applicable only to Little Close, allowing the consideration of an increased site coverage maximum of 50% as a research project to assist in future development standards review of site coverage as part of the overall Land Use Bylaw rewrite project.

Planning recommends Council proceed with first reading of site specific application, overlay district to allow 50% site coverage maximum on Little Close due to the following rationale:

1. Higher site coverages would have minimal impact to neighbours due to the majority of lots in the north and west being surrounded by municipal reserve.
2. Increase of site coverage up to 50% would have minimal impact on storm water drainage.
3. City of Red Deer's site coverage average is lower than most of other similar size municipalities in Alberta, 50% maximum site coverage is closer to the average maximum site coverage (46.9%) in Alberta.
4. The overlay district provides clarity to future landowners of site coverage expectations and minimizes future unknown variance requests.
5. The site specific overlay district would provide clear direction to Administration and applicants, and increase application process efficiencies due to fewer variance requests.



Schedule "A"



Proposed Amendment to Land Use Bylaw 3357/2006



**Add Overlay Constraint:**



Little Close Overlay - Bylaw Section 7.16

**Proposed Amendment**

Map: 13 / 2017

Bylaw: 3357 / Q-2017

Date: Mar. 23, 2017

**DATE:** April 05, 2017  
**TO:** Aman Jhaver, Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Bylaw 3357/Q-2017 Proposed Amendment of the Land Use Bylaw (Little Close – change of site coverage)

---

**Reference Report:**

Planning Department dated March 20, 2017.

**Bylaw Reading:**

At the Monday, April 03, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3357/Q-2017 (a bylaw to amend the Land Use Bylaw by changing the maximum site coverage for a specific street, Little Close in the Laredo Neighbourhood from 40% to 50%).

**Report back to Council:** Yes. This Bylaw will be advertised and will come back for a Public Hearing and consideration of second and third readings at the Monday, May 1, 2017 Council Meeting.



Frieda McDougall  
Manager

- c. Director of Planning Services  
Manager of Planning  
Corporate Meeting Administrator



March 20, 2017

## Proposed Amendment of the Land Use Bylaw

### Bylaw 3357 / T – 2017

Within NW ¼ Sec 26; 38-27-W4 (Evergreen)

Planning Department

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

---

An application has been received for a land use redesignation for approximately 0.43 hectares within the Evergreen neighbourhood. Bylaw 3357/T-2017 proposes to redesignate one site from AI- Future Urban Development District to R3 - Residential (Multiple Family) District and another site from PS - Public Service (Institutional or Government) District to RIWS - Residential (Wide Shallow Lot) District. The proposed redesignations conform to the Evergreen Neighbourhood Area Structure Plan

The Planning Department recommends Council give First Reading to proposed Land Use Bylaw 3357 / T – 2017.

### **City Manager Comments:**

---

I support the recommendation of Administration. If first reading of Bylaw 3357/T-2017 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on May 1, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

### **Proposed Resolution:**

---

That Council consider first reading of Bylaw 3357/T-2017 at this time.

## Report Details

### **Background:**

---

The subject sites are situated within the Evergreen neighbourhood. The Evergreen Neighbourhood Area Structure Plan identifies these two sites as community amenity sites and includes the following policy (page 30):

#### **Community Amenity Sites**

Two community amenity sites have been located within the Evergreen neighbourhood to accommodate the possible development of community uses such as: temporary care, assisted living, adult or regular day care, place of worship, or other uses proposed and approved by the City.

Both sites have been located as part of the Evergreen community node in close proximity to walking trails and transit stops to facilitate their use. These sites will be advertised for sale through local media and the City of Red Deer website for one year; if the sites are not purchased for their intended use, they will be developed as R3 multi-family or RIWS residential development as shown on Figure 7 - Land Use Concept Plan.

If both the central community amenity site and neighbourhood commercial site are not sold for their intended purpose, and both are rezoned to R3, the two sites may be combined into one R3 site.

The required advertising (at least nine times over one year) has been carried out; therefore the developer can apply to have these areas redesignated to the applicable residential districts.

## Evergreen NASP Land Use Concept

Figure 7 - Land Use Concept Plan.



**Legend**

- |                    |                              |                        |
|--------------------|------------------------------|------------------------|
| R1 Low Density     | Community Amenity Sites      | Potential PUL or Lane  |
| R1WS Wide Shallow  | C3 Neighbourhood Convenience | Potential Transit Stop |
| R1G Small Lot      | Municipal Reserve (MR)       | Protected Parking Area |
| R1A Semi-Detached  | Environmental Reserve (ER)   | Road Widening          |
| R2T Town House     | Public Utility Lot (PUL)     | Shadow Plan            |
| R2 Medium Density  | Stormwater Management (PUL)  | NASP Boundary          |
| R3 Multiple Family | Well Site                    |                        |

## Discussion:

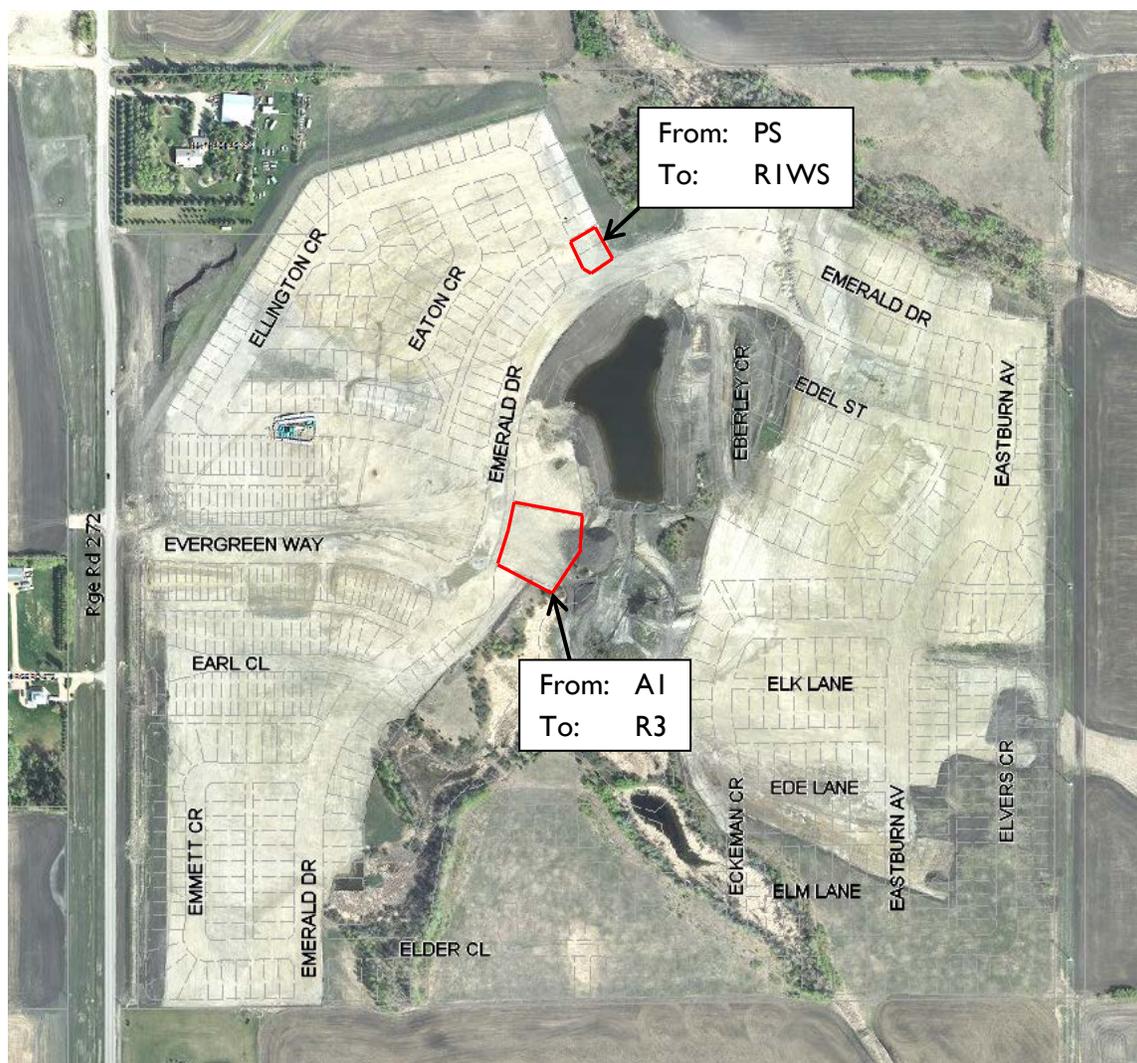
The proposed redesignations conform to the Evergreen Neighbourhood Area Structure Plan.

## Dialogue

The proposed redesignation was not referred to area landowners as it conforms to the Evergreen NASP. In addition, although Phases 1 and 3 of Evergreen have received conditional subdivision approval, the subdivision plan has not been registered at Land Titles, so there are no other landowners in close proximity to these two sites.

The proposed bylaw was referred to applicable city departments. There were no objections to the proposal.

## Location



## Analysis:

The proposed redesignations conform to the Evergreen Neighbourhood Area Structure Plan.



Schedule "A"

 *Proposed Amendment to Land Use Bylaw 3357/2006*



Change District:

-  PS to R1WS - Residential (Wide/Shallow Lot) District
-  A1 to R3 - Residential (Multiple Family) District

**Proposed Amendment**

Map: 16 / 2017  
 Bylaw: 3357 / T-2017  
 Date: Feb. 21, 2017

**DATE:** April 05, 2017  
**TO:** Orlando Toews, Senior Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Bylaw 3357/T-2017 Proposed Amendment of the Land Use  
Bylaw (Within NW ¼ Sec 26; 38-27-W4 - Evergreen)

---

**Reference Report:**

Planning Department dated March 20, 2017.

**Bylaw Reading:**

At the Monday, April 03, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3357/T-2017 (a bylaw to amend the Land Use Bylaw by redesignating one site from AI-Future Urban Development District to R3-Residential (Multi Family) District and another site from PS-Public Service (Institutional or Government) District to RIWS – Residential (Wide Shallow Lot) District).

**Report back to Council:** Yes. This Bylaw will be advertised and will come back for a Public Hearing and consideration of second and third readings at the Monday, May 1, 2017 Council Meeting.



Frieda McDougall  
Manager

- c. Director of Planning Services  
Manager of Planning  
Corporate Meeting Administrator



March 20, 2017

Proposed Road Closure Bylaw

Bylaw 3589 / 2017

Proposed Amendment of the Land Use Bylaw

Bylaw 3357 / R – 2017

Lane in Block 21, Plan 7604S (Riverside Meadows)

Planning Department

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

---

Land and Economic Development has initiated a proposed lane (road) closure and land use redesignation for a  $\pm 122.6 \text{ m}^2$  (1,320 sq. ft.) area of lane on the north side of 60 Street between 53 and 54 Avenue. The road closure and redesignation from road to C3 – Commercial (Neighbourhood Convenience) District will facilitate its sale and consolidation with the adjacent commercial lot to the east.

The Planning department recommends Council give First Reading to both:

- proposed Road Closure Bylaw 3589 / 2017, and
- proposed Land Use Bylaw 3357 / R – 2017.

### **City Manager Comments:**

---

I support the recommendation of Administration. If first reading of Bylaw 3589/2017 and Bylaw 3357/R-2017 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on May 1, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

### **Proposed Resolution:**

---

That Council consider first reading of Bylaw 3589/2017 and Bylaw 3357/R-2017 at this time.

## Report Details

### **Background:**

---

The subject area is an undeveloped lane and the proposal is to close and redesignate it so that it can be sold and consolidated with the adjacent C3 parcel to the east. There is a medium pressure ATCO gas line and power line in the lane and these will require a right-of-way to protect this infrastructure. Once the lane is closed and redesignated it will be sold and consolidated with 6004 - 53 AV (Lots 29 & 30, Block 21, Plan 7604S) immediately east of the subject lane.

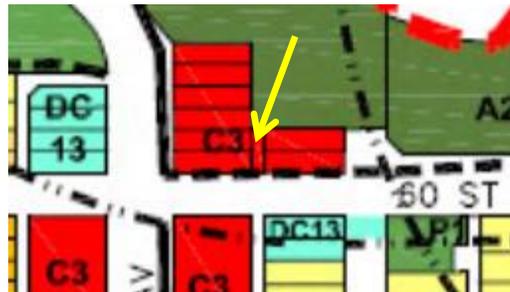
### **Discussion:**

---

The subject lane is undeveloped and its closure, redesignation, sale and consolidation with the adjoining commercial lot to the east will facilitate future redevelopment.

### **Dialogue**

No dialogue was carried out with area landowners as the road closure and redesignation conform to the Riverside Meadows Area Redevelopment Plan, which contemplates this closure and redevelopment as illustrated in the following excerpt from the ARP's Map 3 Proposed Land Use Concept.



The proposed bylaw was referred to applicable city departments and utility companies. There were no objections as long as a utility right-of-way is provided to protect the gas line and power infrastructure.

### Location



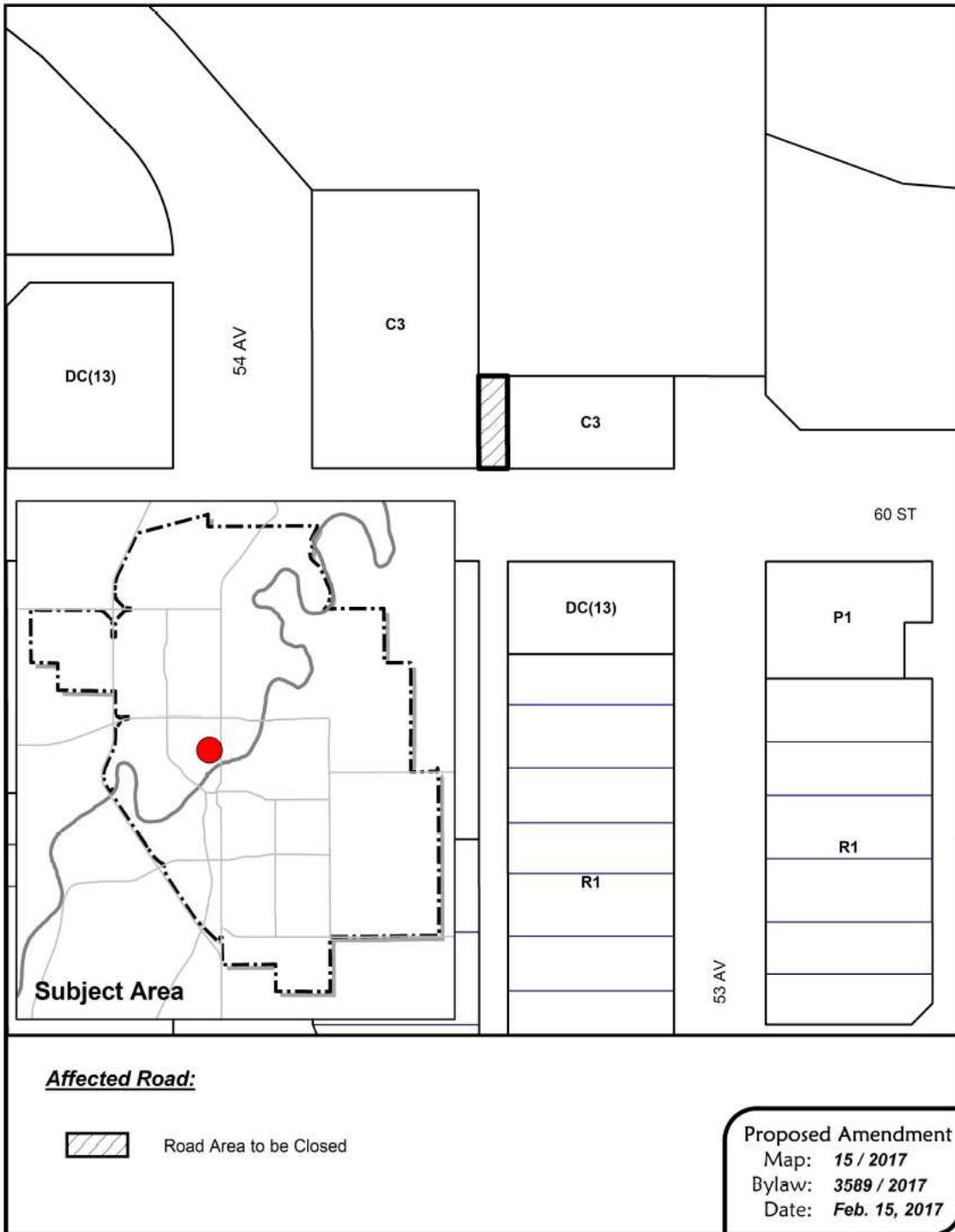
### Analysis:

The proposed closure and redesignation of the undeveloped lane conform to the Riverside Meadows ARP.





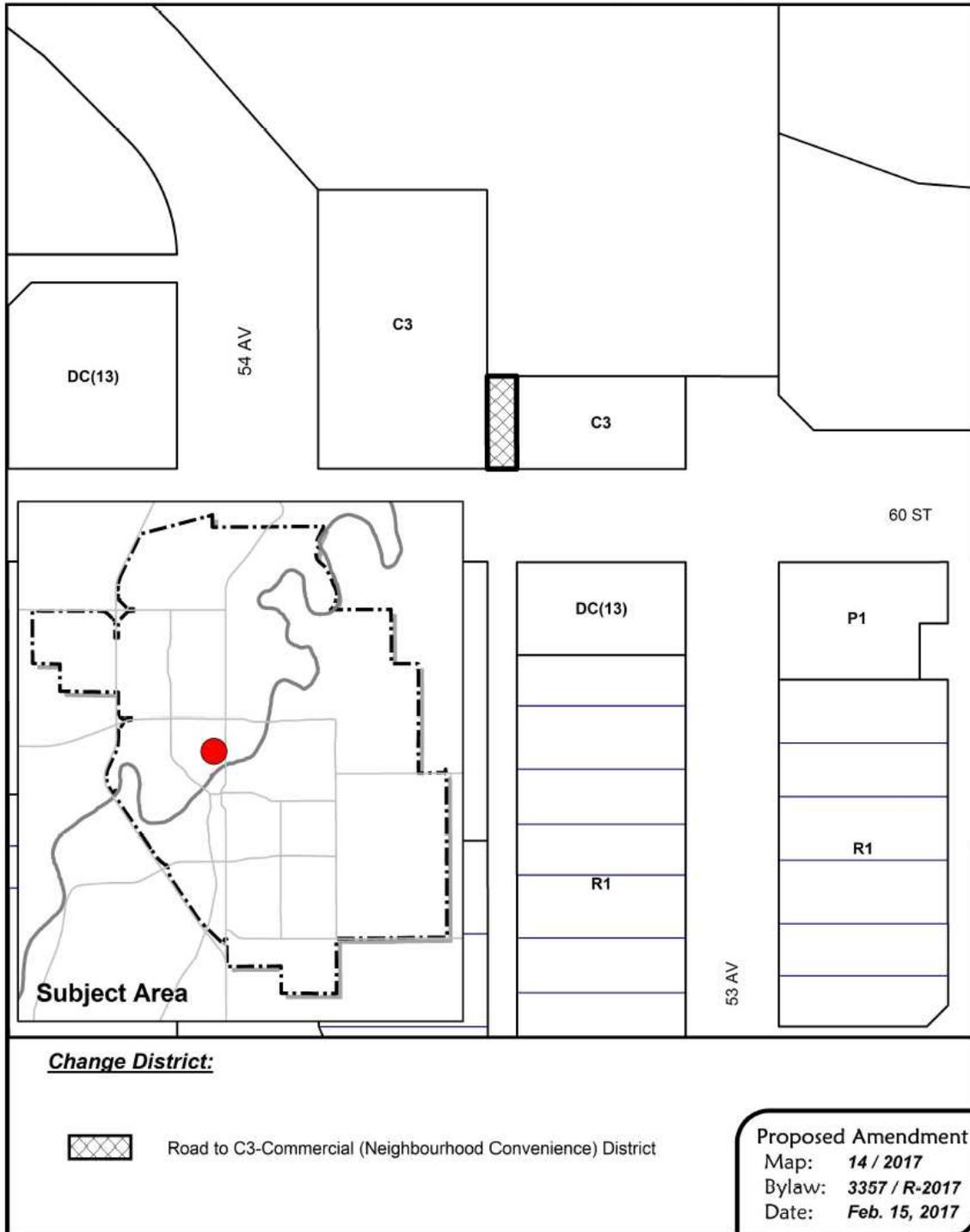
Road Closure Bylaw 3589/2017





Schedule "A"

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



**DATE:** March 22, 2017  
**TO:** Orlando Toews, Senior Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Proposed Road Closure Bylaw 3589/2017 & Proposed  
Amendment of the Land Use Bylaw 3357/R-2017

---

**Reference Report:**

Planning Department, dated March 20, 2017.

**Resolution:**

At the Monday, March 20, 2017 Regular Council Meeting, Council gave first reading to Proposed Road Closure Bylaw 3589/2017 (122.6m<sup>2</sup> (1,320 sq. ft.) area of lane on the north side of 60<sup>th</sup> Street between 53<sup>rd</sup> and 54<sup>th</sup> Avenue); and Proposed Amendment of the Land Use Bylaw 3357/R-2017 (redesignate same from road to C3-Commerical (Neighbourhood Convenience) District).

**Report back to Council:**

Yes. These Bylaws will be advertised and will come back for a Public Hearing and consideration of second and third readings at the Monday, May 1, 2017 Council Meeting.



Frieda McDougall  
Manager

- c. Director of Planning Services  
Manager of Planning  
Corporate Meeting Administrator



March 27, 2017

## Repeal of Campaign Contribution & Expense Disclosure Bylaw

Bylaw 3590/2017

### Consideration of Second and Third Reading

Legislative Services

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

---

**Summary:**

The attached report is being brought forward from the Monday, March 20, 2017 City Council meeting.

#### **Recommendation:**

That Council consider second and third reading of Bylaw 3590/2017.

#### **Background:**

---

At the Monday, March 23, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3590/2017, a bylaw to repeal the Campaign Contribution and Expense Disclosure Bylaw 3492/2013.

#### **Proposed Resolution:**

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That Bylaw 3590/2017 (a bylaw to repeal the Campaign Contribution and Expense Disclosure Bylaw 3492/2013) be read a second time.

That Bylaw 3590/2017 be read a third time.



Originally submitted to the March 20, 2017 Council Meeting.

March 20, 2017

## Repeal of Campaign Contribution and Expense Disclosure Bylaw 3492/2013

Legislative Services

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

---

Pursuant to the changes made to the *Local Authorities Election Act* (LAEA) in 2013, The City's Campaign Contribution and Expense Disclosure Bylaw has been reviewed and deemed to be redundant. Repeal of the Bylaw is recommended.

### **City Manager Comments:**

---

I support the recommendation of Administration. If Bylaw 3590/2017 is given first reading, this bylaw will come back to Council for second and third readings at the April 3, 2017 Council Meeting.

Craig Curtis  
City Manager

### **Proposed Resolution**

---

That Council consider First Reading of Bylaw 3590/2017 at this time.

## Report Details

### **Background:**

---

In 2007, Council passed its first Campaign Contribution and Expense Disclosure Bylaw. The purpose of the Bylaw was to support transparency and accountability and was endorsed by Red Deer City Council, Red Deer Public School District #104 and the Red Deer Catholic Regional Division #39. The City has had a Campaign and Expense Disclosure bylaw since that time.

### **Legislation:**

---

Prior to 2013, the adoption of a bylaw was optional. In 2013, section 147 of the *Local Authorities Election Act* was added, compelling municipal candidates to disclose contributions and expenses. At that time, the legislation also allowed for a school board to pass its own bylaw in this regard.

**Discussion:**

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The Red Deer Public School District #104 and the Red Deer Catholic Regional Division #39 are currently passing their own bylaws to require the disclosure of campaign contributions and expenses for School Trustee candidates in the 2017 election.

The City of Red Deer does not usually adopt legislation by bylaw that has already been established by another order of government. The Campaign Contribution and Expense Disclosure Bylaw was originally adopted for the purposes of candidate understanding and clarity; however, with the changes to the legislation in 2013 and in anticipation of the stand-alone bylaws being adopted by the respective school boards, The City's bylaw is no longer required. The requirements for campaign contributions and expense reporting are sufficiently outlined in the LAEA.

**Recommendation:**

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That Council consider pass Bylaw 3590/2017 repealing the Campaign Contribution and Expense Disclosure Bylaw 3492/2013.



**DATE:** April 05, 2017  
**TO:** Samantha Rodwell, Deputy City Clerk  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Bylaw 3590/2017 – repeal of Campaign Contribution & Expense Disclosure Bylaw

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**Reference Report:**

Legislative Services, dated March 27, 2017.

**Resolution:**

At the Monday, April 3, 2017 Regular Council Meeting, Council passed second and third readings of Bylaw 3590/2017 – a bylaw to repeal the Campaign Contribution and Expense Disclosure Bylaw 3492/2013.

**Report back to Council:** No.



Frieda McDougall  
Manager

- c. Corporate Meeting Support  
Project Coordinator, Legislative Services



March 27, 2017

## Proposed Amendment of the Land Use Bylaw Bylaw 3357/KK-2016 Consideration of Second and Third Reading

Legislative Services

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

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#### Summary:

The attached report is being brought forward from the Monday, March 6, 2017 City Council meeting.

#### **Recommendation:**

That Council consider second and third reading to Land Use Bylaw Amendment 3357/KK-2016.

#### **Background:**

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At the Monday, March 6, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3357/KK-2016, an amendment to the Land Use Bylaw to allow "Commercial Entertainment Facility", "Commercial Recreation Facility", and "Office" as discretionary uses at 5589-47 Street in Riverlands.

In accordance with Section 606 of the Municipal Government Act, Bylaw 3357/KK-2016 was required to be advertised for two consecutive weeks. Advertisements were placed in the Red Deer Advocate on March 10, 2017 and March 17, 2017. A Public Hearing will be held on Monday, April 3, 2017 at 6:00 p.m. during Council's regular meeting.

#### **Proposed Resolution:**

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That Bylaw 3357/MM-2016 (an amendment to the Land Use Bylaw to allow "Commercial Entertainment Facility", "Commercial Recreation Facility", and "Office" as discretionary uses at 5589-47 Street in Riverlands) be read a second time.

That Bylaw 3357/KK-2016 be read a third time.

# **Land Use Bylaw**

## **3357/KK-2016**

### **Comments Received**

**From:** Lyle Beck [mailto:\_\_\_\_\_]  
**Sent:** March 21, 2017 2:51 PM  
**To:** Legislative Services  
**Subject:** Recovery of some lost uses for 5589-47 Street - Amendment 3357/KK-2016

### City of Red Deer / City Council Letter for Agenda

I had this building built as a commercial building with one residence on the second floor where I continue to reside. From that time to present the building has been majority commercial and with all the recent development will continue to be going forward. The majority of development is new development while zoning was DC-21 but when zoning for the building recently changed from DC-21 to Primarily Residential lost many commercial uses for the building and am requesting three be kept as discretionary uses.

On one side of the building (N.E.) is currently vacant City owned land that is zoned Commercial. Running parallel for the entire length of our building is a Cronquist Business Park building (which is more similar to our building) and has also been zoned Commercial. To note all three uses in this amendment are Permitted uses in the Commercial zoning. On the other side of the building (S.W) is the Quarry Condo that is zoned Primarily Residential. It is on this side, closest to the Quarry, where the offices are located. Offices are a good use here to transition from the Quarry side to the rest of the building.

The building has been redeveloped over the past five years and there have been no problems with the offices along with the other uses in the building in regards to noise, parking, traffic etc.

In summary I have lived and worked in Riverlands for 20 years and prior to any Riverlands planning built a unique mixed use commercial building. I understand City plans and am looking forward to at some point seeing it progress. I am only seeking three additional uses being discretionary which were lost, along with other uses, when zoning recently changed. Our building is a developed commercial building which does have differences to say the Quarry Condo or bare land that has yet to be developed that are zoned Primarily Residential.

Thank you,

Lyle Beck

March 18, 2017

The City of Red Deer  
Planning Department

Attention – City Planner

Re: Proposed Land Use Bylaw Amendment 3357/K-2017  
Additional Uses at 5589 - 47<sup>th</sup> Street

I am President of The Quarry Condominium Board of the noted facility and wish to reply to the above request for a Bylaw Amendment.

Our Board objects the the Additional Use from the original Bylaw which represented the wishes of the residents and business of areas of the Riverlands.

We agree with Mr. Lyle Beck, part owner of the 5589 - 47<sup>th</sup> Street building in that the amendment does not concur with the original intent of the Bylaw.

As a representative of The Quarry Condominium which represents one business and 29 residents our submission the City of Red Deer several years ago still stands in that we have concerns regarding entertainment use in the Riverlands area.

We appose the change.

Yours truly,



Gary Seher  
President  
The Quarry Condominium  
5590 - 45 th Street  
Red Deer

The City of Red Deer  
Planning Department

Attention – City Planner

Re: Proposed Land Use Bylaw Amendment 3357/K-2017  
Additional Uses at 5589 - 47<sup>th</sup> Street

I am an owner who resides in The Quarry Condominium. I wish to respond to Bylaw Amendment noted above.

I object the Additional Use from the original Bylaw which represented the wishes of the residents and business of areas of the Riverlands.

I agree with Mr. Lyle Beck, part owner of the 5589 - 47<sup>th</sup> St. building in that the amendment does not concur with the original intent of the Bylaw.

As an owner in The Quarry Condominium which consists of one business and 29 residential units I am in agreement with our submission to the City of Red Deer several years ago. I have concerns regarding the use becoming a commercial entertainment facility or commercial recreation facility for the property at 5589 47 Street. Mr. Beck currently has tenants that have provided a great transition from our residential building to office and commercial use. I cannot imagine an entertainment facility or recreation facility being located next door to a residential building.

I oppose the change.

Yours truly,

  
Dianne Farioin

5590 - 45 Street  
Red Deer

**The City of Red Deer  
Planning Department**

**Attention: City Planner**

**Re: Proposed Land Use Bylaw Amendment 3357/K-2017  
Additional Uses at 5589 - 47 Street, Red Deer, AB.**

I'm an owner that resides at the Quarry Condominium. I'm responding to the Bylaw Amendment noted above.

I object the ADDITIONAL USE from the original BYLAW which represented the wishes of the residents and businesses of areas of the Riverlands.

I agree with Mr. Lyle Beck, owner of the 5589 -47th Street building in that the amendment does not concur with the original intent of the Bylaw.

As an owner in The Quarry Condominium which consists of one business and 29 residential units I am in agreement with our submission to the City of Red Deer several years ago. I have concerns regarding the use becoming a commercial entertainment facility or commercial recreation facility for the property at 5589 -47 Street, Red Deer. Mr. Beck currently has tenants that have provided a great transition from our residential building to office and commercial use.

I oppose the change.

Yours truly,

  
Sylvia Townsend

5590 - 45 Street,  
AB.

The City of Red Deer  
Planning Department

Attention: City Planner

Re: Proposed Land Use Bylaw Amendment 3357/K-2017

Additional uses at 5589-47 Street

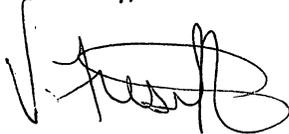
I am an owner who resides in the Quarry Condominium. I wish to respond to the Bylaw Amendment noted above.

I object the Additional Use from the original Bylaw which represented the wishes of the residents and businesses of areas in the Riverlands.

As an owner in the Quarry Condominium which consists of one business and 29 residential units I am in agreement with our submission to the City of Red Deer several years ago. I have concerns regarding the use becoming a commercial entertainment facility or commercial recreation facility for the property at 5589 47 Street. I cannot imagine an entertainment facility or recreation facility being located next door to a residential building.

I OPPOSE THE CHANGE.

Yours truly,

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

Vi Fesik

5590 45 Street

Red Deer, Ab

March 22, 2017

The City of Red Deer Planning Department

Attention-City Planner

Re: Proposed Land Use Bylaw Amendment 3357/K-2017 Additional Uses at 5589-47 Street.

I am an Owner of the Quarry Condominium and I wish to reply to the above request for a Bylaw Amendment.

I object to the Additional Use from the original Bylaw which represented the wishes of the residents and business of the areas of the Riverlands.

I agree with Mr. Lyle Beck, part owner of the 5589-47st building in that the amendment does not concur with the original intent of the Bylaw.

I as an owner of a resident in the Quarry Condominium and I wish to make my opinion known. The submission the City of Red Deer made several years ago still stands in that we have CONCERNS regarding entertainment use in the Riverlands area.

It is our home and in an area that has qualities that residing in this area would be altered forever. Changes to accommodate an entertainment venture would remove the park like setting so close to the river; which all residents of Red Deer come out to enjoy on regular bases. I have also personally observed changes in our area already from having a drinking establishment added to the Riverlands; from higher traffic and speeding in the area with also unsavory conduct in the later hours of the evenings.

I oppose the change.

Yours truly,

Linda Halushka-Brown

  
Quarry Condominium

5590-45th Street

Red Deer

March 22, 2017

The City of Red Deer Planning Department

Attention-City Planner

Re: Proposed Land Use Bylaw Amendment 3357/K-2017 Additional Uses at 5589-47 Street.

I am an Owner of the Quarry Condominium and I wish to reply to the above request for a Bylaw Amendment.

I object to the Additional Use from the original Bylaw which represented the wishes of the residents and business of the areas of the Riverlands.

I agree with Mr. Lyle Beck, part owner of the 5589-47st building in that the amendment does not concur with the original intent of the Bylaw.

I as an owner of a resident in the Quarry Condominium and I wish to make my opinion known. The submission the City of Red Deer made several years ago still stands in that we have CONCERNS regarding entertainment use in the Riverlands area.

It is our home and in an area that has qualities that residing in this area would be altered forever. Changes to accommodate an entertainment venture would remove the park like setting so close to the river; which all residents of Red Deer come out to enjoy on regular bases. I have also personally observed changes in our area already from having a drinking establishment added to the Riverlands; from higher traffic and speeding in the area with also unsavory conduct in the later hours of the evenings.

I oppose the change.

Yours truly,

Allan Brown

A handwritten signature in black ink, appearing to be 'Allan Brown', with a long horizontal line extending to the right.

Quarry Condominium

5590-45th Street

Red Deer



February 17, 2017

Originally Submitted to the  
March 6, 2017 Council Meeting.

## Amendments to the Land Use Bylaw

### Bylaw 3357/KK-2016

### Site Exception for Additional Commercial Uses at 5589 – 47<sup>th</sup> Street

Planning Department

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

On December 5, 2016, Council tabled consideration of Bylaw 3357/KK-2016 and directed it be brought back to the Council Meeting of March 6, 2017.

The Planning Department recommends Option 1: Consider First Reading of Bylaw 3357/KK-2016 for the following reasons:

1. Additional uses for 5589 – 47<sup>th</sup> Street will provide increased redevelopment flexibility for the property, which was requested by the landowner; and
2. The additional uses are proposed to be discretionary which enables the Development Authority to impose conditions of approval to ensure compatibility with residential uses, or to refuse the application should the use be deemed incompatible.

#### **City Manager Comments:**

I support the recommendation of Administration. If first reading of Bylaw 3357/KK-2016 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on April 3, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

#### **Proposed Resolution**

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Land Use Bylaw Amendment 3357/KK-2016.

That Council consider First Reading of Bylaw 3357/KK-2016 at this time.



## Report Details

### Background:

Council directed Administration to meet with area property owners regarding potential impacts identified at the October 24, 2016 Public Hearing for the Riverlands Area Redevelopment Plan 2016 update and related Land Use Bylaw (LUB) amendments including:

1. Further clarify any change in uses between the current and proposed Plans identifying where use losses have occurred;
2. Clarify the green space allocation adequacy within the Plan and provide Council with a map of all green space in the Plan; and
3. Review the pedestrian link ("green spine") as it pertains to existing businesses.

These meetings resulted in two (2) requested amendments to the LUB. Bylaw 3357/KK-2016, the subject of this Council agenda item, for additional uses specific to 5589 – 47<sup>th</sup> Street, and Bylaw 3357/MM-2016 to add residential uses above the ground floor of buildings located in the Riverlands Commercial (RL-C) District.

These amending Bylaws were presented to Council at the December 5, 2016 meeting, but were subsequently tabled to allow for public consultation. A copy of the Council resolution is attached.

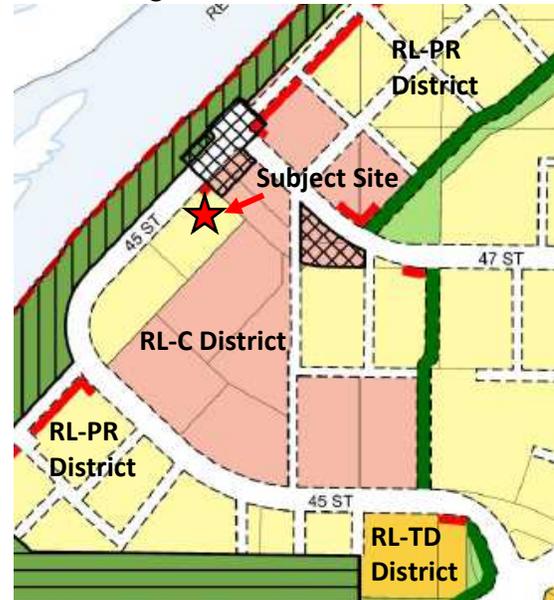
### Discussion:

The subject site is designated Riverlands Primarily Residential (RL-PR) District under the LUB. Adjacent properties are designated Riverlands Commercial (RL-C), Riverlands Primarily Residential (RL-PR), and Environmental Preservation (A2) Districts.

Site Location



Surrounding Land Use Districts





The RL-PR District is mainly intended for residential uses; however several commercial uses are contemplated as Riverlands is envisioned to have a mix of residential, commercial, and office uses throughout. The commercial uses currently contemplated in the RL-PR District have been carefully selected to be uses that are deemed compatible with the primary residential function of the district. A copy of the RL-PR District is attached.

### **Dialogue:**

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The proposed amendments were circulated to City Departments; all issues raised have been resolved.

The proposed amendments were also circulated to landowners within 100 m of the subject property. One (1) landowner submitted comments stating they are against the proposed amendment as it will result in increased noise, garbage, parking problems, rowdy behavior, disturbance of wildlife, and disruption of the previously placid existence of The Quarry residents. A copy of the submission is attached. Please note that the landowner's comments refer to Bylaw 3357/K-2017. Attributing a 2017 Bylaw number to this amendment was done in error and the amending Bylaw number has been changed back to the original Bylaw number presented to Council on December 5, 2016.

The landowner who submitted comments brought up concerns with the potential impacts the additional uses may have on the residential uses within the RL-PR District. The additional uses specifically for 5589 – 47<sup>th</sup> Street are proposed to be discretionary and any applications for development will need to adhere to the development standards of the LUB, including but not limited to, on-site parking requirements, and site design to address garbage collection. The discretionary nature of the proposed additional uses will also enable the Development Authority to attach conditions of development approval including, but not limited to, restricted hours of operation. If the proposed development is not considered compatible with the residential uses, the Development Authority may refuse the application.

### **Analysis:**

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The additional commercial and office uses proposed under Bylaw 3357/KK-2016 are supported by the Municipal Development Plan as Riverlands is part of the greater downtown area. They are also supported by the Riverlands ARP (2016) because they help further achieve the vision of a mixed-use, high density, urban neighbourhood.

The RL-PR District was originally created to include commercial uses that were considered compatible with the residential focus of the district. The inclusions of “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as uses specific to 5589 – 47<sup>th</sup> Street are considered acceptable as long as they are discretionary uses. The discretionary nature of these additional uses will enable the Development Authority to impose limits such as limiting the hours of operation, or to refuse the application if the proposed development will not be suitable for a primarily residential area of Riverlands. Attachment 3 contains definitions of all of the proposed additional uses for your reference.

### **Option 1: Consider First Reading of Bylaw 3357/KK-2016**

Adding “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as uses specifically to 5589 – 47<sup>th</sup> Street will provide increased redevelopment flexibility for



the property, which is what the landowner had requested. The additional uses are proposed to be discretionary which enables the Development Authority to impose conditions to ensure compatibility with residential uses, or to refuse the application should the use be deemed incompatible.

**Option 2: Expand “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as a Use for all Properties Designated Riverlands Primarily Residential (RL-PR) District**

For the same reasons stated above, Council may wish to have “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as discretionary uses in all properties designated RL-PR District. These additional uses provide increased redevelopment flexibility and the discretionary nature of the proposed uses will enable the merits of each application to be assessed with the primary residential function of the district.

**Option 3: Table Bylaw 3357/KK-2016**

Council may table consideration of Bylaw 3357/KK-2016 for four (4) months and direct staff to do additional consultation with landowners with properties designated RL-PR, and to undergo a more thorough analysis of adding “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as uses in the RL-PR District.

**Recommendation:**

The Planning Department recommends Option 1: Consider First Reading of Bylaw 3357/KK-2016 for the following reasons:

1. Additional uses for 5589 – 47<sup>th</sup> Street will provide increased redevelopment flexibility for the property, which was requested by the landowner; and
2. The additional uses are proposed to be discretionary which enables the Development Authority to impose conditions of approval to ensure compatibility with residential uses, or to refuse the application should the use be deemed incompatible.

Attachments:

1. Bylaw 3357/KK-2016
2. Attachment 1 – December 5, 2016 Council Decision
3. Attachment 2 – Riverlands Primarily Residential (PR-PR) District
4. Attachment 3 – “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” Definitions
5. Attachment 4 – Landowner Comments



**Attachment 1: December 5, 2016  
Council Decision**



Council Decision – December 5, 2016

**DATE:** December 8, 2016  
**TO:** Tara Lodewyk, Director of Planning Services  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Riverlands Area Redevelopment Plan Bylaw 3574/2016 and  
Land Use Bylaw Amendment 3357/Q-2016  
Land Use Bylaw Amendment 3357/KK-2016  
Land Use Bylaw Amendment 3357/MM-2016

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**Reference Report:**

Planning Department, dated November 29, 2016

**Resolution:**

At the Monday, December 5, 2016 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/KK-2016 (a Land Use Bylaw Amendment to include Commercial Entertainment Facility, Commercial Recreation Facility, and Office at 5589-47 Street) until the March 6, 2017 Council Meeting to allow for a public consultation.

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/MM-2016 (a Land Use Bylaw Amendment to include a Multi-Family Residential Uses within mixed use buildings above the ground floor within the Riverlands Commercial District) until the March 6, 2017 Council Meeting to allow for public consultation.

**Bylaw Reading:**

At the Monday, December 5, 2016 Regular Council Meeting, Council gave second and third reading to Bylaw 3574/2016 (the Riverlands Area Redevelopment Plan); and Bylaw 3357/Q-2016 (a Land Use Bylaw amendment required to carry out the vision of the Riverlands Area Redevelopment Plan).

**Report back to Council:** Yes

**Comments/ Further Action:**

This office will amend the Bylaw and distribute in due course.

Council Decision – December 5, 2016  
Riverlands Area Redevelopment Plan  
Page 2



Frieda McDougall  
Manager

/attach

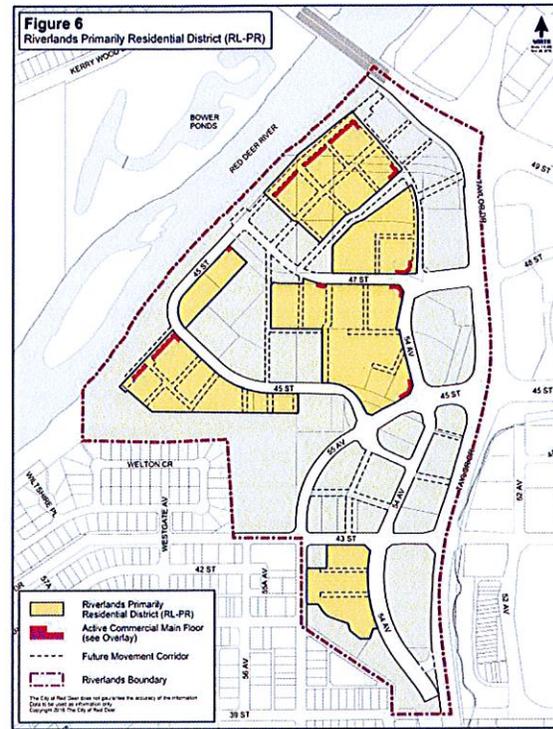
- c. Planning Services Manager  
Corporate Meeting Coordinator

**Attachment 2: Riverlands Primarily Residential (RL-PR)  
District**

## 10.4 Riverlands Primarily Residential District (RL-PR)

### General Purpose

To facilitate the redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally west of 54<sup>th</sup> Avenue (Figure 6). The Riverlands Primarily Residential District is to accommodate a mix of Residential housing types, with Commercial uses compatible with the primarily Residential function of this District. Residential Dwelling Units shall be a component of any Principal Building within the Riverlands Primarily Residential District.



### 10.4.1 Permitted Uses

- (a) Drive thrus are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as Active Commercial Main Floors, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Primarily Residential District:
  - (i) Accessory Building
  - (ii) Artist Gallery
  - (iii) Artist Studio
  - (iv) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
  - (v) Business Incubator
  - (vi) Commercial Service Facility (excluding financial or insurance services outlet, animal veterinary clinic or dog grooming salon, Commercial School or Day Care Facility)
  - (vii) Convenience Food Store
  - (viii) Home music instructor/instruction (two students)
  - (ix) Home Occupation which, in the opinion of the Development Officer, will not generate additional parking
  - (x) Information Service Provider
  - (xi) Live Work Unit

- (xii) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xiii) **Mixed Use Commercial/Office with Dwelling Units**
- (xiv) **Multi-Attached Building** (excluding 2 storey townhouses and row houses, triplexes, and fourplexes)
- (xv) **Multiple Family Building**
- (xvi) **Open Space**
- (xvii) **Show Home or Raffle Home**
- (xviii) **Signs**
  - i. **A-board Sign;**
  - ii. **Awning Sign;**
  - iii. **Canopy Sign;**
  - iv. **Fascia Sign;**
  - v. **Freestanding Sign;**
  - vi. **Neighbourhood Identification Sign;**
  - vii. **Painted Wall Sign;**
  - viii. **Projecting Sign;**
  - ix. **Property Management Sign;**
  - x. **Under-Canopy Sign;**
  - xi. **Wall Sign; and**
  - xii. **Window Sign**
- (xix) **Specialty Food Store**
- (xx) **Utilities**

#### 10.4.2 Discretionary Uses

- (a) Drive thrus are not allowed in the Riverlands Primarily Residential District.
- (b) With the exception of the portions of Sites identified in Figure 6 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Primarily Residential District:
  - (i) **Accessory Use**
  - (ii) **Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016**
  - (iii) **Assisted Living Facility**
  - (iv) **Commercial Service Facility (excluding financial or insurance services outlet)**
  - (v) **Community Entrance Feature**
  - (vi) **Home music instructor/instruction (six students)**
  - (vii) **Home Occupation which will generate additional parking**
  - (viii) **Multi-Attached Building**
  - (ix) **Outdoor display of goods and sales**
  - (x) **Restaurant**
  - (xi) **Seasonal Sales Area**
  - (xii) **Social Organization**
  - (xiii) **Temporary surface parking lot**

**10.4.3 Riverlands Primarily Residential District Development Standards**

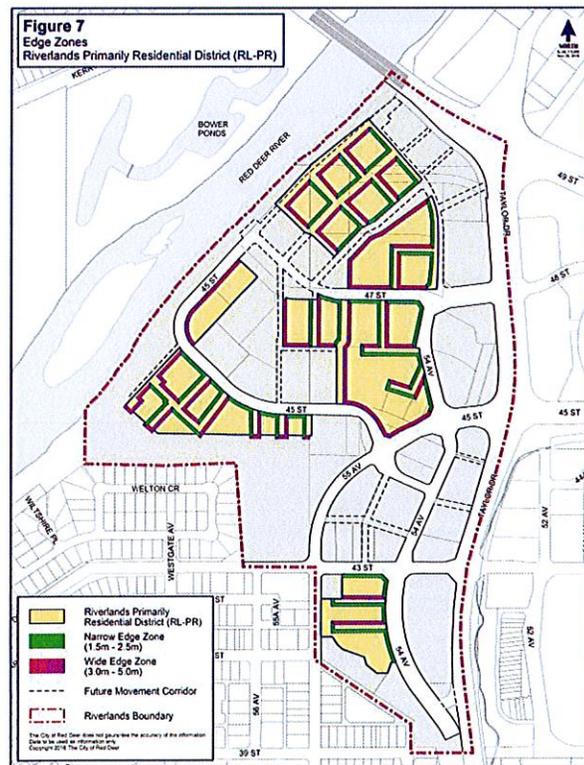
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.4 Riverlands Primarily Residential District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, the Overlay District shall prevail.
- (b) Any development permit application for a principle Building on 5581 – 45<sup>th</sup> Street (Lot 2 Block 1 Plan 762 1616) shall be circulated to landowners between 85 Welton Crescent and 138 Welton Crescent for comment.

**10.4.3.1 Building setbacks**

- (a) Building setbacks from Streets, **Movement Corridors**, or **Public Spaces** are established by the **Edge Zone**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

**10.4.3.2 Edge Zones**

- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Primarily Residential District, in accordance the Riverlands Primarily Residential District **Edge Zone** (Figure 7):
  - (i) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
  - (ii) **Wide Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (b) **Edge Zone** development standards are split into two (2) categories; **Commercial Edge Zones** and **Residential Edge Zones**. Section 10.6.3.1 **Commercial Edge Zones** shall be applied where the abutting **Main Floor** contains (or will contain) **Commercial** uses. Section 10.6.3.2 **Residential Edge Zones** shall be applied where the abutting **Main Floor** contains (or will contain) **Residential** uses.



See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

#### **10.4.3.3 Live Work Unit Development Standards**

- (a) The following shall not be varied by the Development Authority:
  - (i) The “work” portion shall be operated at the **Main Floor** level and the “live” portion shall be located above the **Main Floor**.
  - (ii) The “work” portion shall be operated by a resident of the “live” portion.
  - (iii) Each Live Work Unit shall have individual Street level access.
  - (iv) A Live Work Unit shall not have a front attached garage.
  - (v) The following uses may be considered as the “work” portion of a Live Work Unit:
    - i. **Artist Gallery**;
    - ii. **Artist Studio**;
    - iii. Beauty shop, hair salon, barber shop, massage business, tanning salon, and fitness centre;
    - iv. Counseling service;
    - v. Office;
    - vi. Repair or sales or apparel, crafts, and jewelry that are made on the premise;
    - vii. **Merchandise Sales**; and
    - viii. Other similar **Commercial** uses approved by the Development Authority
  - (vi) A Live Work Unit shall not be individually separated through any subdivision or condominium plan.

**Attachment 3: “Commercial Entertainment Facility”,  
“Commercial Recreation Facility”, and “Office”  
Definitions**

## **“Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” Definitions**

**Commercial Entertainment Facility** means an enclosed facility in which:

- (a) a fee is charged to the public for the provision of a performance, or
- (b) a minimum fee is charged for admission to the facility or the sale of any item, food, or beverage therein, which includes the provision of a performance and,

without limiting the generality of the foregoing, may include facilities for movies, live theatres, and dancing, but does not include an adult mini theatre or a facility in which lap dancing is performed, or a late night club.

**Commercial Recreational Facility** means a facility in which the public participate in recreational activity, and without limiting the generality of the foregoing, may include amusement arcades, billiard or pool halls, bowling alleys, fairs, gymnasiums, racquet courts, roller skating, and simulated golf but does not include a gaming or gambling establishment.

**Office** means a development that provides professional, management, administrative, consulting, and health care services, such as the offices of doctors, lawyers, accountants, engineers, architects, clerical, secretarial, employment, telephone answering and similar office support services.

## **Attachment 4: Landowner Comments**



Name: Bryan Caddy of The Quarry

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**General comments regarding the proposed Land Use Bylaw amendment 3357/K-2017 – adding “Commercial Entertainment Facility”, “Commercial Recreation Facility”, and “Office” as Discretionary Uses specifically for 5589 – 47<sup>th</sup> Street:**

The proposed change will inevitably result in increased noise, garbage, parking problems, rowdy behavior, disturbance of the wildlife and disruption of the previously placid existence of the residents of The Quarry.

Therefore I am against. There

have been a series of proposed amendments to the “master plan” since I first saw it. They all make life at the Quarry worse and are gradually chipping away at what we were told was going to

happen. This is not fair!

Thank you.

*Bryan Caddy*

**DATE:** April 05, 2017  
**TO:** Jolene Tejkl, Senior Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Bylaw 3357/KK-2016 – a Bylaw to amend the Land Use Bylaw –  
Discretionary Uses at 5589-47 Street (Riverlands)

---

**Reference Report:**

Planning Department, dated February 17, 2017

**Resolution:**

At the Monday, April 03, 2017 Regular Council Meeting, Council passed second and third readings of Bylaw 3357/KK-2016 (a Bylaw to amend the Land Use Bylaw to allow 'Commercial Entertainment Facility', 'Commercial Recreation Facility', and 'Office' as discretionary uses at 5589-47 Street in Riverlands).

**Report back to Council:** No.

**Comments/Further Action:**

This office will amend the Bylaw and distribute copies in due course.



Frieda McDougall  
Manager

- c. Director of Planning Services  
Manager of Planning



March 27, 2017

## Proposed Amendment of the Land Use Bylaw Bylaw 3357/MM-2016 Consideration of Second and Third Reading

Legislative Services

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

---

#### Summary:

The attached report is being brought forward from the Monday, March 6, 2017 City Council meeting.

#### **Recommendation:**

That Council consider second and third reading to Land Use Bylaw Amendment 3357/MM-2016.

#### **Background:**

---

At the Monday, March 6, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3357/MM-2016, an amendment to the Land Use Bylaw to include uses above the ground floor of buildings within the Riverlands Commercial District.

In accordance with Section 606 of the Municipal Government Act, Bylaw 3357/MM-2016 was required to be advertised for two consecutive weeks. Advertisements were placed in the Red Deer Advocate on March 10, 2017 and March 17, 2017. A Public Hearing will be held on Monday, April 3, 2017 at 6:00 p.m. during Council's regular meeting.

#### **Proposed Resolution:**

---

That Bylaw 3357/MM-2016 (an amendment to the Land Use Bylaw to include uses above the ground floor of buildings within the Riverlands Commercial District) be read a second time.

That Bylaw 3357/MM-2016 be read a third time.

# **Land Use Bylaw 3357/MM-2016**

**Comments Originally Received at  
the March 6, 2017 Council Meeting**



Name: Scott Bloomfield

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**General comments regarding the proposed Land Use Bylaw amendment 3357/L-2017 -  
Add Residential Uses Above the Ground Floor of Buildings in the RL-C District**

I am concerned that I do not see a movement corridor represented between my property and the property directly to the east in Figure 4 and would like some kind of formal explanation as to the future Movement Corridor that has been given to my neighbour's property again directly to my east.

Also I would like to see some kind of improvement to the north side of 43 st that is perhaps a side walk as it is clear in the winter that the City land in front of my store is clearly used as a walkway. The change to a bike path has taken away parking and clearly the area requires a side walk for safety reasons. I must point out that the Red Deer Senior Center is on this side of 43 st with no side walk.

Thank you.  
Thanks Scott.



February 17, 2017

Originally submitted to the  
March 6, 2017 Council  
Meeting.

## Amendments to the Land Use Bylaw

### Bylaw 3357/MM -2016

### Residential Uses Above Ground Floor of Buildings

### Riverlands Commercial (RL-C) District

Planning Department

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

On December 5, 2016, Council tabled consideration of Bylaw 3357/MM-2016 and directed it be brought back to the Council Meeting of March 6, 2017.

Planning Department recommends Option 1: Consider First Reading of Bylaw 3357/MM-2016 for the following reasons:

1. Adding residential uses above the ground floor of buildings will provide increased redevelopment flexibility in the RL-C District; and
2. If approved as a discretionary use, it will not preclude the ability for existing developments to continue as is, and apply for intensification/expansion in the future.

#### **City Manager Comments:**

I support the recommendation of Administration. If first reading of Bylaw 3357/MM-2016 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on April 3, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

#### **Proposed Resolution**

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Land Use Bylaw Amendment 3357/MM-2016.

That Council consider First Reading of Bylaw 3357/MM-2016 at this time.



## Report Details

### **Background**

---

After the October 24, 2016 Public Hearing for the Riverlands Area Redevelopment Plan 2016 update and related Land Use Bylaw amendments, Council directed administration to meet with area property owners regarding potential impacts identified at the Public Hearing including:

1. Further clarify any change in uses between the current and proposed Plans identifying where use losses have occurred;
2. Clarify the green space allocation adequacy within the Plan and provide Council with a map of all green space in the Plan; and
3. Review the pedestrian link ("green spine") as it pertains to existing businesses.

These meetings resulted in two (2) requested amendments to the LUB. Bylaw 3357/K-2017 for additional uses specific to 5589 – 47<sup>th</sup> Street, and Bylaw 3357/MM-2016, the subject of this Council agenda item, to add residential uses above the ground floor of buildings located in the Riverlands Commercial (RL-C) District.

These amending Bylaws were presented to Council at the December 5, 2016 meeting, but were subsequently tabled to allow for public consultation. A copy of the Council resolution is attached. Administration was directed to bring the amending bylaws back to Council at their March 6, 2017 meeting.

### **Discussion:**

---

The RL-C District is currently the only land use district in the Riverlands area that does not allow for the consideration of mixed-use residential/commercial developments. The intent of the RL-C District, when it was originally drafted, was to implement ARP Policy 4.2.3 to enable legally pre-existing or legally approved developments in the Cronquist Business Park to continue their use, and apply for intensification and/or expansion of these developments. A copy of the RL-C District is attached.

### **Dialogue:**

---

The proposed amendments were circulated to City Departments; all issues raised have been resolved.

The proposed amendments were also circulated to all landowners with properties designated RL-C District and landowners within 100 m of the RL-C District boundary. One (1) landowner submitted comments stating they are against the proposed amendment as it will result in increased noise, garbage, parking problems, rowdy behavior, disturbance of wildlife, and disruption of the previously placid existence of The Quarry residents. A copy of the submission is attached. Please note that the landowner's comments refer to Bylaw 3357/L-2017. Attributing a 2017 Bylaw number to this amendment was done in error and the amending Bylaw has been changed back to the original Bylaw number presented to Council on December 5, 2016.



Adding residential above the ground floor of buildings is proposed to be a discretionary use. Any applications for development will need to adhere to the development standards of the LUB, including but not limited to, on-site parking requirements, and site design to address garbage collection. The discretionary nature of the proposed residential use will also enable the Development Authority to refuse an application if it is not considered compatible with the existing uses.

### **Analysis:**

The proposed residential uses above the ground floor of buildings are supported throughout the Municipal Development Plan, and are consistent with the Riverlands ARP (2016). Policy 4.2.3 of the ARP speaks directly to the existing Cronquist Business Park and enables legally pre-existing or legally approved developments to continue their use and be able to apply for intensification and/or expansion as a discretionary use. When drafting the RL-C District, Planning omitted residential uses based on the direction contained in Policy 4.2.3 of the APR. That said having a residential component will not necessarily preclude the existing developments to continue their use and be able to apply for intensification and/or expansion. Bylaw 3357/MM-2016 is proposing to have residential uses above the ground floor as a discretionary use so the Development Authority can assess the potential impacts a residential use may have on existing developments.

Bylaw 3357/MM-2016 also proposes to amend the RL-C District General Purpose and Section 10.6.6 Dwelling Units for Riverlands District as they currently do not support the addition of residential uses in the RL-C District.

#### **Option 1: Consider First Reading of Bylaw 3357/MM-2016**

Adding residential uses above the ground floor of buildings will provide increased redevelopment flexibility in the RL-C District and if approved as a discretionary use, will not preclude the ability for existing developments to continue as is, and apply for intensification/expansion in the future.

#### **Option 2: Site Exception for 5569 – 47<sup>th</sup> Street**

Council could approve the residential use above the ground floor of buildings specifically for the 5569 – 47<sup>th</sup> (Body Basics) as this landowner in particular requested the amendment and Planning did not receive any comments from landowners expressing their support to include residential uses. When the Riverlands land use districts were originally created, effort was made to distinguish between the various districts. The RL-C District is currently the only land use district in Riverlands that does not contemplate residential uses, which was done to achieve ARP Policy 4.2.3 that states legally pre-existing or legally approved developments in the Cronquist Business Park are able to continue their use, and apply for intensification and/or expansion of these developments.

#### **Option 3: Table Bylaw 3357/MM-2016**

Council may table consideration of Bylaw 3357/MM-2016 for four (4) months and direct staff to do additional consultation with landowners with properties designated RL-C, and to undergo a more thorough analysis of the listed permitted and discretionary uses to assess the suitability of adding residential uses above the ground floor of buildings.



**Recommendation:**

---

The Planning Department recommends Option 1: Consider First Reading of Bylaw 3357/MM-2016 for the following reasons:

1. Adding residential uses above the ground floor of buildings will provide increased redevelopment flexibility in the RL-C District; and
2. If approved as a discretionary use, it will not preclude the ability for existing developments to continue as is, and apply for intensification/expansion in the future.

Attachments:

1. Bylaw 3357/MM-2016
2. Attachment 1 – December 5, 2016 Council Decision
3. Attachment 2 – Riverlands Commercial (RL-C) District
4. Attachment 3 – Landowner Comments



**Attachment 1: December 5, 2016  
Council Decision**

**Council Decision – December 5, 2016**

**DATE:** December 8, 2016

**TO:** Tara Lodewyk, Director of Planning Services

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

**SUBJECT:** Riverlands Area Redevelopment Plan Bylaw 3574/2016 and  
Land Use Bylaw Amendment 3357/Q-2016  
Land Use Bylaw Amendment 3357/KK-2016  
Land Use Bylaw Amendment 3357/MM-2016

---

**Reference Report:**

Planning Department, dated November 29, 2016

**Resolution:**

At the Monday, December 5, 2016 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/KK-2016 (a Land Use Bylaw Amendment to include Commercial Entertainment Facility, Commercial Recreation Facility, and Office at 5589-47 Street) until the March 6, 2017 Council Meeting to allow for a public consultation.

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/MM-2016 (a Land Use Bylaw Amendment to include a Multi-Family Residential Uses within mixed use buildings above the ground floor within the Riverlands Commercial District) until the March 6, 2017 Council Meeting to allow for public consultation.

**Bylaw Reading:**

At the Monday, December 5, 2016 Regular Council Meeting, Council gave second and third reading to Bylaw 3574/2016 (the Riverlands Area Redevelopment Plan); and Bylaw 3357/Q-2016 (a Land Use Bylaw amendment required to carry out the vision of the Riverlands Area Redevelopment Plan).

**Report back to Council:** Yes

**Comments/ Further Action:**

This office will amend the Bylaw and distribute in due course.

Council Decision – December 5, 2016  
Riverlands Area Redevelopment Plan  
Page 2

A handwritten signature in black ink, appearing to read "Frieda McDougall". The signature is written in a cursive style with a large initial "F" and "M".

Frieda McDougall  
Manager

/attach

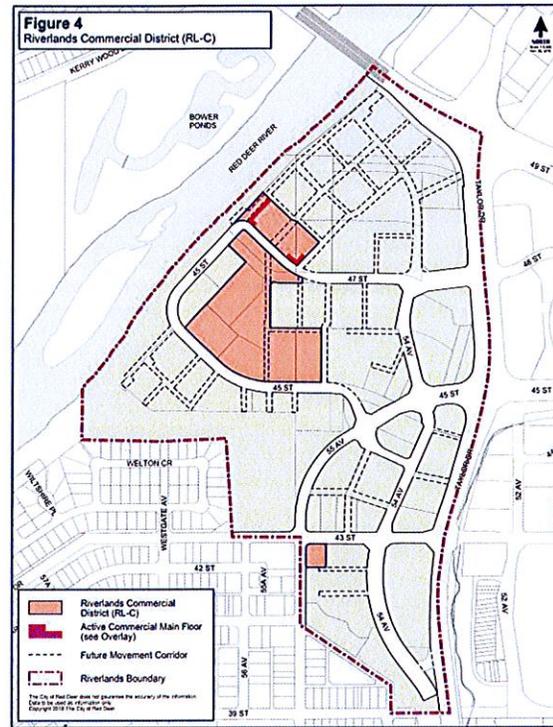
- c. Planning Services Manager  
Corporate Meeting Coordinator

## **Attachment 2: Riverlands Commercial (RL-C) District**

## 10.3 Riverlands Commercial District (RL-C)

### General Purpose

To facilitate the redevelopment of the Riverlands area of Downtown Red Deer consistent with Riverlands Area Redevelopment Plan 2016, specific to the lands generally located on the centre-west portion of Riverlands between 45<sup>th</sup> Street and 47<sup>th</sup> Street, including lands located in the existing Cronquist Business Park (Figure 4). The Riverlands Commercial District functions primarily as a Commercial/Office area with no Residential to reflect existing Commercial/Office uses occurring in Cronquist Business Park.



### 10.3.1 Permitted Uses

- (a) Drive thrus are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Permitted Uses in the Riverlands Commercial District:
  - (i) Accessory Building
  - (ii) Any Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016
  - (iii) Artist Gallery
  - (iv) Artist Studio
  - (v) Business Incubator
  - (vi) Commercial Entertainment Facility
  - (vii) Commercial Recreation Facility
  - (viii) Commercial Service Facility
  - (ix) Grocery Store
  - (x) Health and Medical Service
  - (xi) Hotel
  - (xii) Information Service Provider
  - (xiii) Market

- (xiv) **Merchandise Sales** (excluding industrial goods and agricultural and industrial motor vehicles or machinery)
- (xv) **Microbrewery**
- (xvi) **Open Space**
- (xvii) **Office**
- (xviii) **Print Centre**
- (xix) **Radio, Television and Recording Studio**
- (xx) **Restaurant without drive thru**
- (xxi) **Specialty Food Store**
- (xxii) **Signs**
  - i. **A-board Sign;**
  - ii. **Awning Sign;**
  - iii. **Canopy Sign;**
  - iv. **Fascia Sign;**
  - v. **Freestanding Sign;**
  - vi. **Neighbourhood Identification Sign;**
  - vii. **Painted Wall Sign;**
  - viii. **Projecting Sign;**
  - ix. **Property Management Sign;**
  - x. **Under-Canopy Sign;**
  - xi. **Wall Sign; and**
  - xii. **Window Sign**
- (xxiii) **Utilities**

### 10.3.2 Discretionary Uses

- (a) Drive thrus are not allowed in the Riverlands Commercial District.
- (b) With the exception of the portions of Sites identified in Figure 4 as **Active Commercial Main Floors**, which are governed by Section 10.5 Riverlands Active Commercial Main Floors Overlay District of this Part, the following uses are Discretionary Uses in the Riverlands Commercial District:
  - (i) **Accessory Use**
  - (ii) **Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/Q-2016 on December 5, 2016**
  - (iii) **Community Entrance Feature**
  - (iv) **Drinking Establishment (adult entertainment prohibited)**
  - (v) **Gaming or Gambling Establishment**
  - (vi) **Institutional Service Facility (excluding detention and correction centres)**
  - (vii) **Liquor, Beer and/or Wine Sales**
  - (viii) **Microbrewery**
  - (ix) **Outdoor display of goods and sales**
  - (x) **Parking Structure**
  - (xi) **Public and Quasi Public Buildings**
  - (xii) **Seasonal Sales Area**
  - (xiii) **Social Organization**
  - (xiv) **Temporary surface parking lot**

- (xv) Temporary surface parking lot for a minimum of ten (10) years, from the passing of Bylaw 3357/Q-2016 on December 5, 2016, on the remnant portion of Lot 1 Block 3 Plan 802 0453 and Lot 8A Block 7 Plan 3824 TR that will be located south of the 47<sup>th</sup> Street (Alexander Way) Street realignment.

**10.3.3 Riverlands Commercial District Development Standards**

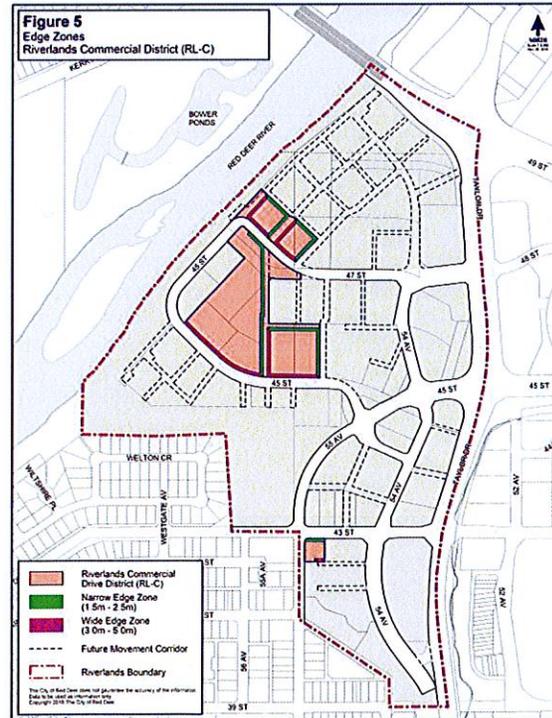
- (a) Some Sites in this District will be subject to the uses and development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District. Where the development standards in Section 10.6 of this Part and the uses in Section 10.3 Riverlands Commercial District contradict or will not serve to achieve the uses or development standards contained in Section 10.5 Riverlands Active Commercial Main Floors Overlay District, the Overlay District shall prevail.

**10.3.3.1 Building setbacks**

- (a) Building setbacks from Streets, **Movement Corridors**, and **Public Spaces** are established by **Edge Zones**. Applicable **Edge Zone** development standards are described below and in Section 10.6.3.
- (b) All other Yard setbacks are established in Section 10.6.2 Building Setbacks

**10.3.3.2 Edge Zones**

- (a) The following **Edge Zone** minimums and maximums shall be applied to new Buildings in the Riverlands Commercial District, in accordance with the Riverlands Commercial District Edge Zone (Figure 5):
  - (i) **Narrow Edge Zone**, minimum 1.5 m, maximum 2.5 m; and
  - (ii) **Wide Edge Zone**, minimum 3.0 m, maximum 5.0 m.
- (b) **Edge Zone** development standards for all uses in this District are contained in Section 10.6.3.1 Commercial Edge Zones.



See Figure 10 Commercial Edge Zone Illustration in Section 10.6.3.1 and Figure 11 Residential Edge Zone Illustration in Section 10.6.3.2

## **Attachment 3: Landowner Comments**



Name: Bryan Caddy of The Quarry

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**General comments regarding the proposed Land Use Bylaw amendment 3357/L-2017 – Add Residential Uses Above the Ground Floor of Buildings in the RL-C District**

See Attached comments for  
what appears to be the same  
3357(R) 2017.

Please photocopy them &  
separate the pages if you  
wish. I do not own  
a photocopier and cannot  
possibly spare the time to  
keep up with all the  
amendments individually.  
Thanks.

Bryan.

Thank you.



Name: Bryan Caddy of the Quarry

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ -mail Address: \_\_\_\_\_

**General comments regarding the proposed Land Use Bylaw amendment 3357/K-2017-- adding "Commercial Entertainment Facility", "Commercial Recreation Facility", and "Office" as Discretionary Uses specifically for 5589 - 47<sup>th</sup> Street:**

The proposed change will inevitably result in increased noise, garbage, parking problems, rowdy behavior, disturbance of the wildlife and disruption of the previously placid existence of the residents of The Quarry.

Therefore I am against. There have been a series of proposed amendments to the "master plan" since I first saw it. They all make life at the Quarry worse and are gradually chipping away at what we were told was going to happen.

Thank you. This is not fair!  
*Bryan Caddy*

**DATE:** April 05, 2017

**TO:** Jolene Tejkl, Senior Planner

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

**SUBJECT:** Bylaw 3357/MM-2016 – a Bylaw to amend the Land Use Bylaw  
– to include residential uses above the ground floor of  
buildings within the Riverlands Commercial District)

---

**Reference Report:**

Planning Department, dated February 17, 2017

**Resolution:**

At the Monday, April 03, 2017 Regular Council Meeting, Council passed second and third readings of Bylaw 3357/MM-2016 (a Bylaw to amend the Land Use Bylaw to include uses above the ground floor of buildings within the Riverlands Commercial District).

**Report back to Council:** No.

**Comments/Further Action:**

This office will amend the Bylaw and distribute copies in due course.



Frieda McDougall  
Manager

- c. Director of Planning Services  
Manager of Planning



March 27, 2017

## Proposed Amendment of the Land Use Bylaw Bylaw 3357/M-2017 Consideration of Second and Third Reading

Legislative Services

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

---

#### Summary:

The attached report is being brought forward from the Monday, March 6, 2017 City Council meeting.

#### **Recommendation:**

That Council consider second and third reading to Land Use Bylaw Amendment 3357/M-2017.

#### **Background:**

---

At the Monday, March 6, 2017 Regular Council Meeting, Council gave first reading to Bylaw 3357/M-2017, an amendment to the Land Use Bylaw to reduce the time Election Signs may be placed and limit the number of signs any one candidate may have.

In accordance with Section 606 of the Municipal Government Act, Bylaw 3357/M-2017 was required to be advertised for two consecutive weeks. Advertisements were placed in the Red Deer Advocate on March 10, 2017 and March 17, 2017. A Public Hearing will be held on Monday, April 3, 2017 at 6:00 p.m. during Council's regular meeting.

#### **Proposed Resolution:**

---

That Bylaw 3357/M-2017 (an amendment to the Land Use Bylaw to reduce the time Election Signs may be placed and limit the number of signs any one candidate may have) be read a second time.

That Bylaw 3357/M-2017 be read a third time.



Report originally submitted to  
the March 6, 2017 Council  
Meeting.

February 17, 2017

## Land Use Bylaw Amendment No. 3357/M-2017

### Election Signs

Inspections and Licensing

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

---

At the Monday, February 6, 2017 Regular Council Meeting, Council passed the following resolutions:

*“Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated January 18, 2017 re: Election Signs hereby directs Administration to prepare a Land Use Bylaw amendment that limits the number of signs for any one candidate to one sign in each of the designated locations.” and;*

*“Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated January 18, 2017 re: Election Signs hereby directs that Administration prepare a Land Use Bylaw amendment that limits the placement of Election Signs to between Nomination Day and Election Day in an election year or 4 weeks prior to a bi-election.”*

Administration recommends that Council give first reading to *Land Use Bylaw Amendment No. 3357/M-2017*, with a return to Council on April 3, 2017, for a Public Hearing and subsequent second and third readings.

#### **City Manager Comments:**

---

This bylaw follows the direction established by Council with regard to the placement of election signs. However the limitation of one sign per area does raise some social equity issues as discussed previously by Council. If first reading of Bylaw 3357/M-2017 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on Monday, April 3, 2017 at 6:00 p.m. during Council's regular meeting.

Craig Curtis  
City Manager

#### **Proposed Resolution**

---

That Council consider first reading of Bylaw 3357/M-2017 at this time.



## Report Details

### **Background:**

---

This *Land Use Bylaw* amendment was initiated by a Notice of Motion (NOM), which was submitted at the March 17, 2014, Council meeting by Councillors Lawrence Lee and Ken Johnston. From that NOM, Administration reviewed the timeline in which Election Signs may be in place, as well as the number of signs a candidate may have at each designated location.

#### **1. Time Frame**

By shortening the amount of time Election Signs are permitted to be in place reduces the visual impact signs have during the course of the Election. A reduction of sign proliferation could be achieved by changing the placement date to Nomination Day, which occurs 4 weeks prior to the election, in the case of municipal elections.

Current regulations permit Election Signs to be erected on September 1; therefore, amending the *Land Use Bylaw* to the points noted above, would reduce the time frame for placement of Election Signs by a few weeks.

#### **2. Number of Signs**

At the February 6, 2017 Regular Council Meeting, Council approved changes to the designated Election Sign locations. With the approved changes and revisions, there are 33 designated locations for the 2017 Election. An overall map of the designated locations is provided in Appendix 3.

As per the Council resolution, the proposed *Land Use Bylaw* amendment will limit each candidate to have only one sign in each designated location for Municipal, Provincial and Federal Elections. This would reduce sign proliferation, however, limits exposure for the candidates to 33 signs throughout the entire city.

A potential impact would be that in order for candidates to increase exposure, each would in turn place the maximum size (3m<sup>2</sup> and 3.6m high) of sign at each location, causing the same visual blight that numerous signs for one candidate creates. Also, intersections around designated locations may become congested with signs, rather than candidates spreading them out the length of the designated location.

### **Analysis:**

---

If the time frame for the placement of Election Signs was changed from September 1 to Nomination Day, this provides for a shorter term in which the signs are permitted, from 6 weeks to 4 weeks.



In addition, adding a regulation to limit the number of signs per candidate, per designated location may reduce sign proliferation at each location during the course of the Election.

Administration has sent an informational letter to the School Board Trustees and all political parties notifying them of the proposed changes and the Council Public Hearing meeting date.

Administration recommends Council give First Reading to proposed Bylaw 3357/M-2017 to amend the *Land Use Bylaw* to make revisions to Section 3.3(4) and 3.4(12), in order to reduce the time Election Signs may be placed and limit the number signs any one candidate may have.



## **Appendix I: February 6, 2017 Council Resolution**

The following page contains the full Council resolution in relation to Election Signs from the February 6, 2017 Regular Council Meeting.

*“Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated January 18, 2017 re: Election Signs hereby approves changes to the Designated Election Sign locations, as follows:*

- 1. Revisions to the following existing designated locations:
  - a. 9C – Remove the area between Carrington Drive and Carleton Avenue*
  - b. 30 – Move the designated location to the west on 55 Street; and**
- 2. Removal of the following existing designated locations:
  - a. 3 – Taylor Drive south (west side) from 28 Street to 22 Street*
  - b. 9B – 67 Street west and northbound from east of Gaetz Lakes Sanctuary*
  - c. 10 – 77 Street east bound (south side) east of Northey to Gaetz Avenue*
  - d. 23 – 30 Avenue south bound (west side) from 22 Street to 19 Street*
  - e. 26 – 30 Avenue north bound (east side) from north of College Heights to south of Rge Rd 272 (Riverbend) intersection; and**
- 3. Addition of the following new designated location:
  - a. On the North side of 19 Street from Vermont Avenue to 200m east of Vermont Avenue.**
- 4. Renumbering of designated sign locations accordingly.” and;*

*“Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated January 18, 2017 re: Election Signs hereby directs Administration to prepare a Land Use Bylaw amendment that limits the number of signs for any one candidate to one sign in each of the designated locations.”and;*

*“Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated January 18, 2017 re: Election Signs hereby directs that Administration prepare a Land Use Bylaw amendment that limits the placement of Election Signs to between Nomination Day and Election Day in an election year or 4 weeks prior to a bi-election.”*

## **Appendix 2: March 17, 2014 Notice of Motion**

The following page contains the full Notice of Motion submitted by Councillors Lawrence Lee and Ken Johnston at the March 17, 2014 Regular Council Meeting.

***“Therefore be it Resolved*** that Council of The City of Red Deer direct administration to prepare a Land Use Bylaw amendment that will:

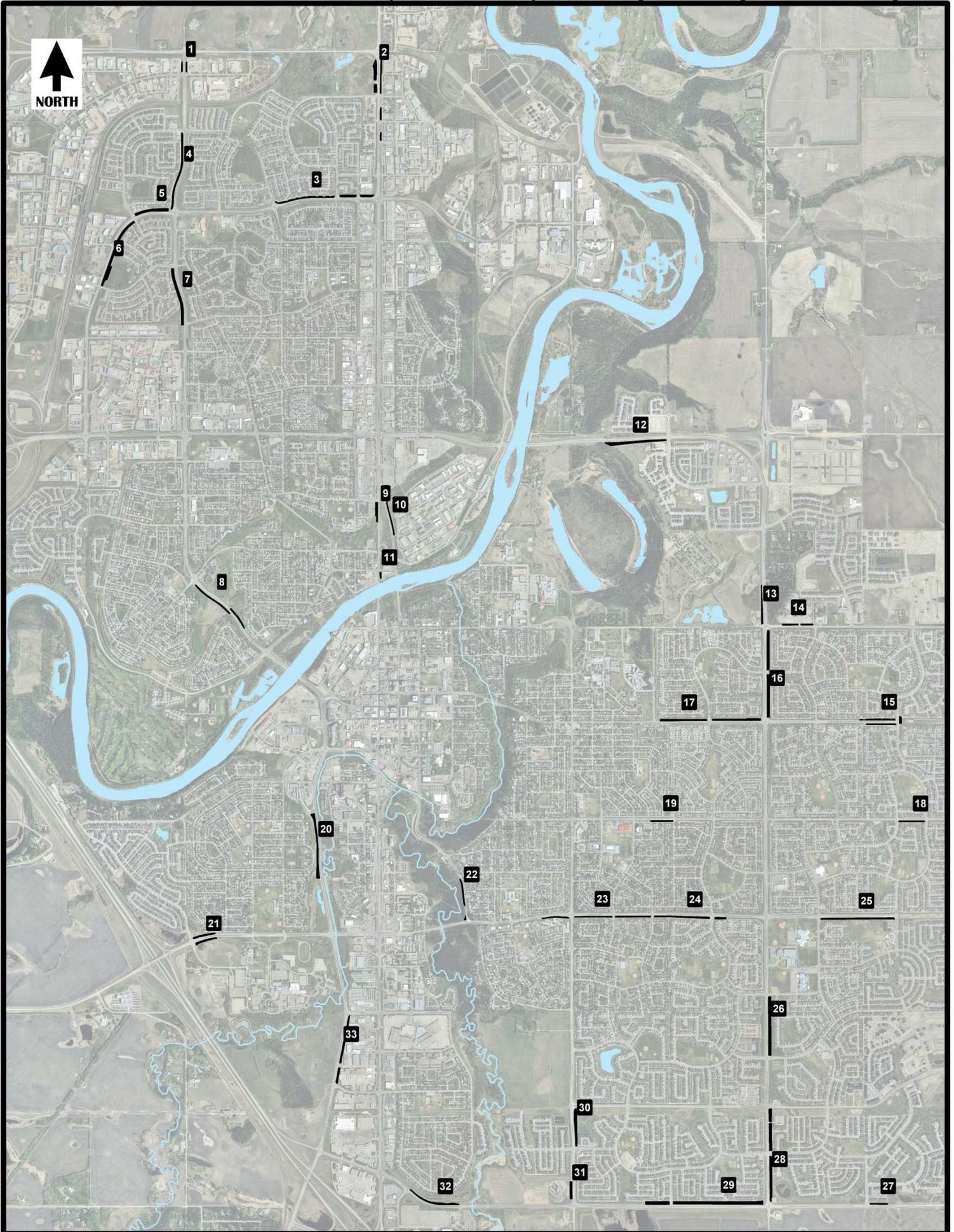
- 1. Permit signs to be put into place as of nomination day in the year of a municipal election or on the dropping of the writ for provincial and federal elections; and*
- 2. Limit the number of signs for any one candidate to one sign per contiguous designated sign location.”*

Prior to voting on the Notice of Motion, the following motion was introduced:

*“Resolved that Council of The City of Red Deer, having considered the Notice of Motion as presented by Councillor Lawrence Lee and Councillor Ken Johnston, on March 17, 2014 re Election Signs, hereby agrees to table consideration of this item for consideration in the overall context of the Election Report due for Council’s consideration in the year prior to the 2017 Municipal Election.”*

## **Appendix 3: Overall Designated Location Map**

The following page is the overall map showing all the Designated Locations as approved on the February 6, 2017 Regular Council Meeting.



**DATE:** April 05, 2017  
**TO:** Beth McLachlan, Development Officer  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Bylaw 3357/M-2017 – a Bylaw to amend the Land Use Bylaw –  
reduce the time Election Signs may be placed and to limit the  
number of signs any one candidate may have

---

**Reference Report:**

Planning Department, dated February 17, 2017

**Resolution:**

At the Monday, April 03, 2017 Regular Council Meeting, Council passed second and third readings of Bylaw 3357/M-2016 (a Bylaw to amend the Land Use Bylaw to reduce the time Election Signs may be placed and limit the number of signs any one candidate may have).

**Report back to Council:** No.

**Comments/Further Action:**

This office will amend the Bylaw and distribute copies in due course.



Frieda McDougall  
Manager

- c. Deputy City Clerk  
Inspections & Licensing Manager  
Director of Planning Services  
Project Coordinator, Legislative Services