

CITY COUNCIL

AGENDA

Monday, July 07, 2014 – Council Chambers, City Hall

Call to Order:	2:30 PM
Recess:	5:00 PM to 6:00 PM

I. IN CAMERA MEETING

- I.1. Land Matter (FOIP - Section 25 (I))

2. MINUTES

- 2.1. Confirmation of the Minutes of the Monday, June 23, 2014 Regular Council Meeting

(Agenda Pages 1 – 14)

3. POINT OF INTEREST

4. REPORTS

- 4.1. Development / Redevelopment Policy Options in Riverview Park (Additional Agenda Item)

(Agenda Pages 15 – 23)

- 4.2. Reserves Consolidation Report

(Agenda Pages 24 – 29)

- 4.3. NE High School Site Concept Planning

(Agenda Pages 30 – 41)

4.4. Red Deer Multi-Use Aquatic Centre Ad Hoc Committee Report

(Agenda Pages 42 – 76)

5. BYLAWS

5.1. LUB Amendment 3357/N-2014
Correction
Consideration of Three Readings of the Bylaw

(Agenda Pages 77 – 79)

5.1.a. Consideration of First Reading of the Bylaw

5.1.b. Consideration of Second Reading of the Bylaw

5.1.c. Permission for Third Reading of the Bylaw

5.1.d. Consideration of Third Reading of the Bylaw

5.2. Chicken Bylaw 3517/2014 - Consideration of Second and Third Reading of the Bylaw.

(Agenda Pages 80 – 102)

5.2.a. Consideration of Second Reading of the Bylaw

5.2.b. Consideration of Third Reading of the Bylaw

6. ADJOURNMENT



U N A P P R O V E D - M I N U T E S
of The Red Deer City Council Regular Meeting
held on Monday, June 23, 2014
commenced at 2:30 p.m.

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

City Manager, Craig Curtis
Acting Director of Communications, Tara Shand
Director of Community Services, Sarah Cockerill
Director of Corporate Services, Paul Goranson
Director of Development Services, Elaine Vincent
Acting Director of Human Resources, Tracy Bruce
Director of Planning Services, Kim Fowler
City Solicitor, Michelle Baer
City Clerk, Frieda McDougall
Deputy City Clerk, Samantha Rodwell
Corporate Meeting Coordinator, Bev Greter
Corporate Meeting Coordinator, Ashley Eistetter
ITS Manager, Dan Newton
Development & Licensing Supervisor, Erin Stuart
Planning Manager, Tara Lodewyk
City Planner, Orlando Toews
City Planner, Dayna Nebozenko
City Planner, Tony Lindhout
Engineering Services Manager, Frank Colosimo
Chief Financial Officer, Dean Krejci

ABSENT: Councillor Buck Buchanan



I. IN CAMERA MEETING

Moved by Councillor Dianne Wyntjes, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer agrees to enter into an In Camera Meeting on June 23, 2014 at 2:32 p.m. and hereby agrees to exclude the following:
All members of the Media; and
All members of the Public.

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

MOTION CARRIED

Moved by Councillor Paul Harris, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer agrees to revert to an open meeting of Council on Monday, June 23, 2014 at 4:13 p.m.

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

MOTION CARRIED

Councillor Lee left Council Chambers at 4:01 p.m. and returned at 4:05 p.m.

2. MINUTES

2.1. Confirmation of the Minutes of the Monday, June 9, 2014 Regular Council Meeting



Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby approves the Minutes of the June 9, 2014 Regular Council Meeting as transcribed.

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

MOTION CARRIED

Council recessed at 4:13 p.m. and reconvened at 4:18 p.m.

3. PRESENTATION

3.1. Launch of The City of Red Deer's New Website

Dan Newton, ITS Manager was in attendance to launch The City's new website.

4. REPORTS

4.1. Financial Reports Submitted for Information:

2013 Capital Budget Information Report

2013 Operating Budget Variances Report

2013 Reserves Report

Dean Krejci, Chief Financial Officer, presented the above reports for Council's information.

4.2. Alberta Health Services - EMS Contract



Moved by Councillor Ken Johnston, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer, having considered the report from Development Services, dated June 1, 2014, re: Alberta Health Services – EMS Contract, hereby

1. Accepts the Alberta Health Services – EMS contract terms of 5 years, beginning July 1, 2014 and ending March 31, 2019, with the option for two, 2 year extensions.
2. Endorses the Memorandum of Understanding attached to the report in support of the new contract.
3. Directs Administration to bring forward to the 2014 Mid-Year Budget Review a financial analysis of the contract impact, for Council's consideration.

IN FAVOUR: Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Lawrence Lee

MOTION CARRIED

5. BYLAWS

5.1. Land Use Bylaw Amendment 3357/F-2014 RIN and RIG Review RIG Pilot Project Consideration of First Reading of the Bylaw

Moved by Councillor Lynne Mulder, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer, hereby agrees to lift from the table consideration of Land Use Bylaw Amendment 3357/F-2014.



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

MOTION CARRIED

Moved by Councillor Frank Wong, seconded by Councillor Ken Johnston

FIRST READING: That Bylaw 3357/F-2014 (Land Use Bylaw Amendment – proposed changes to the RIN – Residential (Narrow Lot) District and the RIG – Residential (Small Lot) District of the Land Use Bylaw) be read a first time.

Prior to consideration of first reading, the following amendment was introduced:

Moved by Councillor Frank Wong, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer having considered the report from the Planning Department, dated June 6, 2014 re: Land Use Bylaw Amendment #3357/F-2014 (revised) hereby agrees to amend the proposed bylaw by adding the following clause:

Section 4.3.1(2)(g) Table 4.3(1) RIG Residential (Small Lot) District Regulations is amended by deleting the existing “30.0m Lot Depth Minimum” Requirement and replacing it with the following new “32.0m Lot Depth Minimum” Requirement.

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

OPPOSED: Councillor Ken Johnston, Councillor Lynne Mulder, Councillor Paul Harris

MOTION TO AMEND CARRIED



First reading of the Bylaw as amended was then considered.

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

OPPOSED: Councillor Ken Johnston

MOTION CARRIED

Council recessed at 5:16 p.m. and reconvened at 5:59 p.m.

6. PUBLIC HEARINGS

6.1. Land Use Bylaw Amendment 3357/G-2014 Rezoning of two lots in Laredo from PS to RIG Consideration of Second and Third Readings of the Bylaw

Mayor Tara Veer declared open the Public Hearing for Land Use Bylaw Amendment 3357/G-2014 which provides for the rezoning of two lots in Laredo from PS to RIG. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Lawrence Lee, seconded by Councillor Paul Harris

SECOND READING: That Bylaw 3357/G-2014 Land Use Bylaw Amendment-
Rezoning of two lots in Laredo from PS to RIG be read a
second time

IN FAVOUR: Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Dianne Wyntjes

OPPOSED: Councillor Frank Wong

**MOTION CARRIED**

Moved by Councillor Lawrence Lee, seconded by Councillor Paul Harris

THIRD READING: That Bylaw 3357/G-2014 be read a third time.

IN FAVOUR: Mayor Tara Veer, Councillor Dianne Wyntjes, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Paul Harris, Councillor Tanya Handley

OPPOSED: Councillor Frank Wong

MOTION CARRIED

**6.2. Land Use Bylaw Amendment 3357/I-2014
Rezoning of Phase 6 of Timberstone Park
Consideration of Second and Third Readings of the Bylaw**

Mayor Tara Veer declared a pecuniary interest as her family owns land in this area and left Council Chambers at 6:05 p.m. Deputy Mayor Lynne Mulder assumed the Chair.

Deputy Mayor Lynne Mulder declared open to the Public Hearing for Land Use Bylaw Amendment 3357/I-2014 which provides for rezoning of Phase 6 of Timberstone Park. As no one was present to speak for or against the Land Use Bylaw Amendment, Deputy Mayor Lynne Mulder declared the Public Hearing closed.

Moved by Councillor Ken Johnston, seconded by Councillor Frank Wong

SECOND READING: That Bylaw 3357/I-2014 Land Use Bylaw Amendment – an amendment to rezone Phase 6 of Timberstone Park from A1 Future Urban Development District to R1-Residential (Low Density) District and P1 – Parks and Recreation District) be read a second time.

IN FAVOUR: Councillor Tanya Handley, Councillor Paul Harris, Councillor



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

ABSENT: Mayor Tara Veer

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3357/I-2014 be read a third time.

IN FAVOUR: Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer

MOTION CARRIED

Mayor Veer returned to Council Chambers at 6:08 p.m.

**6.3. Land Use Bylaw Amendment 3357/H-2014
Eco Industrial Park Overlay District
Consideration of Second and Third Readings of the Bylaw**

Mayor Tara Veer declared open to the Public Hearing for Land Use Bylaw Amendment 3357/H-2014 which provides for the rezoning of two lots in Laredo from PS to RIG. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Paul Harris, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3357/H-2014 (Land Use Bylaw Amendment – an amendment to incorporate an Eco Industrial Park Overlay



District) be read a second time.

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

MOTION CARRIED

Moved by Councillor Paul Harris, seconded by Councillor Ken Johnston

THIRD READING: That Bylaw 3357/H-2014 be read a third time.

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

MOTION CARRIED

7. UNFINISHED BUSINESS

7.1. Urban Chickens

Bylaw 3517/2014 Chicken Bylaw Consideration of First Reading

Ms. Joyce Boon, consultant for the Urban Chickens Pilot Project, was in attendance to answer questions.

Moved by Councillor Lawrence Lee, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of the Urban Chickens Report dated June 4, 2014.



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

MOTION TO LIFT FROM THE TABLE CARRIED

Moved by Councillor Paul Harris, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department dated June 4, 2014 re: Urban Chickens hereby declares the Urban Chicken Pilot concluded.

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

MOTION CARRIED

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

FIRST READING: That Bylaw 3517/2014, Chicken Bylaw, be read a first time.

Prior to consideration of first reading, the following motion to amend was introduced

Moved by Councillor Ken Johnston, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department dated June 4, 2014 re: Urban Chickens agrees to amend Section 7 of Bylaw 3517/2014 as follows:

- 7) The maximum number of licenses that may be issued for the year in which this Bylaw comes into force shall be sixty five (65). Each subsequent year, the maximum number of Chicken Licenses that may be issued shall be one Chicken



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License per one thousand five hundred (1500) persons based on the population of The City of Red Deer as determined in the most recent census.

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

OPPOSED: Councillor Tanya Handley

MOTION TO AMEND CARRIED

Moved by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department dated June 4, 2014 re: Urban Chickens agrees to amend Section 5 (b) of Bylaw 3517/2014 as follows:
(5) (b) Paying a license fee of \$23.00 per chicken.

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

Consideration of first reading of the bylaw, as amended, was then on the floor.

IN FAVOUR: Mayor Tara Veer, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Lawrence Lee, Councillor Tanya Handley

MOTION CARRIED

Moved by Councillor Lynne Mulder, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department, dated June 4, 2014 re: Urban Chickens, subject to successful passage of the Chicken Bylaw, directs Administration to bring a report back



to Council in one year's time (by June 30, 2015) with the impacts to the community and any issues that have arisen in the course of monitoring backyard chickens for the first year.

IN FAVOUR: Mayor Tara Veer, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

OPPOSED: Councillor Paul Harris, Councillor Tanya Handley

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department, dated June 4, 2014 re: Urban Chickens, hereby directs that subject to successful passage of the Chicken Bylaw:

- 1) Current chicken pilot participants will be granted a first right to the licenses available under the new Chicken Bylaw; and
- 2) That existing pilot participants who currently have up to six chickens are permitted to keep current chickens for the life of the chickens provided the participants are in compliance with the remainder of the bylaw.

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

MOTION CARRIED

8. ADDITION TO THE AGENDA

8.1. Land Matter



Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer agrees to add consideration of a Land Matter to the Monday, June 23, 2014 Council Agenda.

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

MOTION CARRIED

Moved by Councillor Lynne Mulder, seconded by Councillor Paul Harris

Resolved that Council of The City of Red Deer having considered the In Camera report from Development Services, Planning Services and Corporate Services dated June 18, 2014, re: Land Matter hereby endorses the strategy as submitted to the In Camera meeting on Monday, June 23, 2014.

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

MOTION CARRIED

9. ADJOURNMENT

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to adjourn the June 23, 2014 Regular Council Meeting of Red Deer City Council at 8:40 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Tanya Handley, Councillor Paul Harris, Councillor Ken Johnston, Councillor Lawrence Lee,



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Councillor Lynne Mulder, Councillor Frank Wong, Councillor
Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



THE CITY OF

Red Deer

July 4, 2014

Development/Redevelopment Policy Options in Riverview Park

Development Services

Report Summary & Recommendation:

This report provides a summary of the 2014 ParklandGEO slope stability report and its impact on development/redevelopment options in the Riverview Park area of Red Deer. The report highlights the needs for rip rap toe stabilization to prevent further toe of the slope regression and provides two alternatives:

- 1) Allowing development/redevelopment while toe stabilization funding is being pursued
- 2) Placing a temporary hold on development/redevelopment until toe stabilization funding is secured and the toe stabilization work has been completed

Administration recommends that The City of Red Deer approve rip rap toe stabilization funding for the Riverview Park Area in the 2015 Capital Plan subject to a funding plan being developed. Such plan may include municipal, provincial, federal and landowner contributions. Administration further recommends that development/redevelopment be allowed to occur, using an escarpment overlay of 50 years, during the period in which funding sources for toe stabilization are pursued.

City Manager Comments:

I support Administration's recommendation to proceed with toe stabilization Option #1. Administration is directed to proceed with development of a funding plan including application and advocacy for funding under the new Provincial Community Resilience Program.

In terms of development I support Administrations recommendation of Option #2.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Development Services dated July 4, 2014 RE: Development / Redevelopment Policy Options in Riverview Park hereby:

1. Approves Toe Stabilization Option 1: Rip rap toe stabilization funding for the Riverview Park Area in the 2015 Capital Plan subject to development of a funding plan including application and advocacy for funding under the new Provincial Community Resilience Program.
2. Approves Development /Redevelopment Option 2: To allow development/redevelopment to occur, using an escarpment overlay of 50 years, during the period in which funding sourced for toe stabilization are pursued.

**Background:**

Riverview Park was annexed into The City of Red Deer in 2009. Since annexation occurred, the land has not yet been integrated into the City of Red Deer's Land Use Bylaw due to identifiable risk to homes in the area and the need for detailed study of the slope. As such, the Red Deer County Land Use Bylaw governs the Riverview Park area.

The slope along Riverview Park is particularly unstable because of the continuous regression of the toe of the slope based upon the River's course.

In 2012, The City of Red Deer commissioned a report from Parkland Geotechnical Consulting Ltd. (ParklandGEO) assessing the slope stability of Riverview Park. This report highlighted that urgent action was required for the house located at Lot #7 (6258 Cronquist Drive) and that action was considered prudent on Lot #12 (6228 Cronquist Drive) however was not considered as urgent. The key recommendation for action on these two houses was based on the following:

"Both houses are within the <1.3 Factor of Safety (FOS) in relation to the stability of the slope. Reinforcement of the escarpment toe will increase the FOS for the other homes on the escarpment in Riverview Park but it will not increase the FOS for Lots 7 and 12."

Based on this information, Council provided direction to Administration to purchase and demolish the homes conditional to grant funding being received from the Province of Alberta. Grant funding was provided by the Province of Alberta, and Administration implemented the direction of Council. Residents of Riverview Park received copies of the 2012 report and were able to meet with City officials to discuss the implications of the report.

The 2012 report not only highlighted the impacts to residents of Riverview Park, it also highlighted the risk to Heritage Ranch, a large city recreation area located on the inside bend of the Red Deer River west of highway 2 and near the Riverview Park development. Development in Heritage Ranch includes buildings located on the east side of the park near the high river bank. Other developments on the site include recreation fields and corrals near the Heritage Ranch main building and restrooms and shelters in the flood plain. The high bank slope crest elevation near the Heritage Ranch building is about 880 m to 882 m and the toe is about 852 m, so the slope is approximately 28 to 30 m high.

The 2012 report highlighted that the closest buildings to the slope of the bank of the river at Heritage Ranch are also at risk, although the upper slope below the buildings appears to be very stable at the present time. The recommendations for Heritage Ranch at the time of the 2012 report included:

- 1) Ensuring hook up to City Services
- 2) Continued slope monitoring
- 3) Good general care measures for maintenance of slope and crest top areas



Since the execution of the grant agreement and the purchase and demolition of the two homes, Administration has been working to complete the following:

- a) Land Use Bylaw Amendment to rezone the land from its current County zoning to City of Red Deer land use zoning;
- b) Completion of an escarpment overlay;
- c) MDP amendment to bring the land into City jurisdiction;
- d) Access to City Services.

In 2013, ParklandGEO was contracted to complete a review and an updated slope assessment of the Riverview Park area and was asked to prepare risk maps showing the likely top of bank regression if no toe stabilization measures were implemented for the following four development horizons: current day, 50, 75 and 100 year horizon. This work was necessary to inform the escarpment overlay requirements to ensure Riverview Park can be incorporated into The City of Red Deer's land use framework. ParklandGEO completed this work and on April 8th, 2014 provided its report to Administration for review.

This report highlighted that the 2014 results were consistent with the 2012 results however the impact on potential zoning was more magnified than anticipated. No homes were outside of the necessary Factors of Safety and the rates of regression on all properties (with the exception of Lot 6, 6264 Cronquist Drive) were consistent with the 2012 report. Soil sampling for the home at 6264 Cronquist Drive has informed the estimated time line of regression of house moving from 31.5 years to 14) Reference Page 16 of the 2014 report and Page 33 of the 2012 report.

The assessment of top of bank development risk is made in terms of potential loss of property or potential damage to structures due to slope movement as quantified by the Factor of Safety (FOS). In the case where the slope face is too steep or unstable, a development setback is recommended to provide a suitable buffer between the crest and the proposed development in question. The generally accepted slope stability convention and recommended setback is as follows:

- FOS less than 1.1 - slopes lower are considered to be at imminent risk of failure.
- FOS 1.1 to 1.3 - slopes are considered to be marginally stable but may be prone to localized failures under adverse conditions or variations of soils, ground water, erosion and other factors.
- FOS greater than 1.3 are considered to be stable. FOS of 1.3 is the recommended setback for property lines or municipal infrastructure.
- The recommended setback for permanent structures is a FOS of 1.5.

Each of the risk maps present the projected top of bank location (FOS of 1.1) for each of the development horizons as well as the development setback lines for both FOS of 1.3 and FOS of 1.5. Attached as Appendix A, you will find the risk maps which highlight where the escarpment overlay would be drawn based on this assessment of risk assuming that no rip rap toe stabilization work has been completed.



Rip Rap Toe Stabilization

One of the key recommendations arising from both the 2012 and 2014 ParklandGEO reports is the need for rip rap toe stabilization. In response to this report and as part of the 2014 - 10 year capital plan, Council approved rip rap toe stabilization for Riverview Park in 2017 to allow time for The City to secure grant funding. To try and ensure grant funding, The City of Red Deer had requested funds initially under the Flood Recovery Erosion Control (FREC) program for the toe stabilization of Riverview Park. As new funding was released, The City of Red Deer continued to request and apply for provincial funding to cover the cost of toe stabilization. The City applied under the Flood Recovery Task Force 2013 for the Resilience and Mitigation Framework Funding for this same project. Current estimated costs to complete the rip rap toe stabilization are approximately \$6.315 M.

On June 18th, The City of Red Deer was advised that the application for FREC was denied however The Province referred The City to a new program for funding, the Alberta Community Resilience Program. The application and program details were announced by the Province on July 3, 2014 and The City is reviewing the program criteria to submit an application as soon as possible. Provincial funding and support for rip rap toe stabilization is likely an area where a provincial advocacy plan may be appropriate for next steps.

Policy Options:

The policy options, and their variations, depend on how Council wishes to address toe stabilization and interim development.

Toe Stabilization

In examining the 2014 ParklandGEO report, Page 16 highlights the regression of the toe that continues to occur in the Riverview Park area. On an average year, anywhere between 150 mm to 650 mm of slope disappears into the river. This highlights the need for toe stabilization to mitigate these risks. In consideration of toe stabilization The City of Red Deer has the following options:

- Option 1:** Advance the Riverview Park \$6.315 M project from 2016 to 2015 and pursue funding from all available sources and immediately launch an advocacy strategy to pursue all funding options
- Option 2:** Advance the River Park \$6.315M project from 2016 to 2015 and fund from municipal funding sources
- Option 3:** Leave the project as is in the capital plan subject to a grant application being approved

Recommendation: Administration recommends Option 1.



Development/Redevelopment prior to toe stabilization

Option 1: Temporarily Suspend development/redevelopment while toe stabilization funding is being pursued.

While all funding opportunities are being pursued, development/redevelopment would be temporarily suspended until such time as a funding plan has been developed and the toe stabilization work can be completed. Once the toe stabilization work is complete, development/redevelopment would be allowed to occur based on an escarpment overlay (setback). The escarpment setback would be done based on 'present day' Factors of Safety analysis; meaning the actual slope values at the time the rip rap toe stabilization is complete.

Option 2: Allow development/redevelopment to occur, using an escarpment overlay of 50 years, during the period in which funding sources for toe stabilization are pursued.

Provide a balanced approach to development/redevelopment while recognizing the need to implement enhanced risk mitigation and safety measures while toe stabilization funding is pursued. This temporary measure will provide opportunity for existing or new applications to be processed based on an escarpment overlay of 50 years. This is an enhanced level of risk mitigation to the typical development setbacks we put along river escarpments with stable toes. Once the toe stabilization work is complete, the escarpment overlay would be updated to reflect 'present day' Factors of Safety analysis; meaning the actual slope values at the time the rip rap toe stabilization is complete.

Recommendation: Administration recommends Option 2.

Recommendations:

Administration recommends that:

Toe Stabilization Option 1: The City of Red Deer approve rip rap toe stabilization funding for the Riverview Park Area in the 2015 Capital Plan subject to a funding plan being developed.

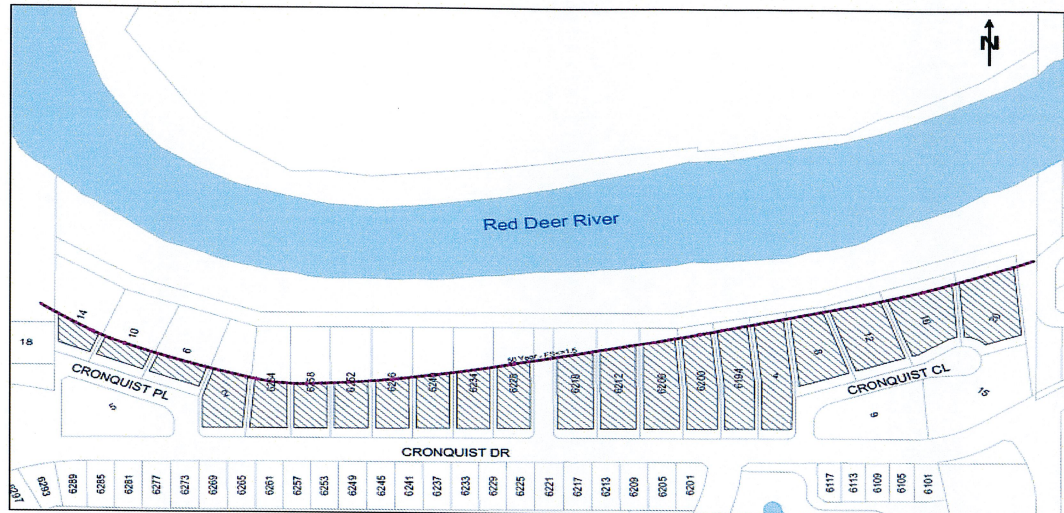
Development/Redevelopment Option 2: Allow development/redevelopment to occur, using an escarpment overlay of 50 years, during the period in which funding sources for toe stabilization are pursued.

Next Steps:

Based on the direction of Council a Land use Bylaw will be prepared to meet the development/redevelopment option chosen by Council. It is anticipated that this bylaw would be back in front of Council in August for consideration of first reading.



Appendix A: Toe Stability Maps



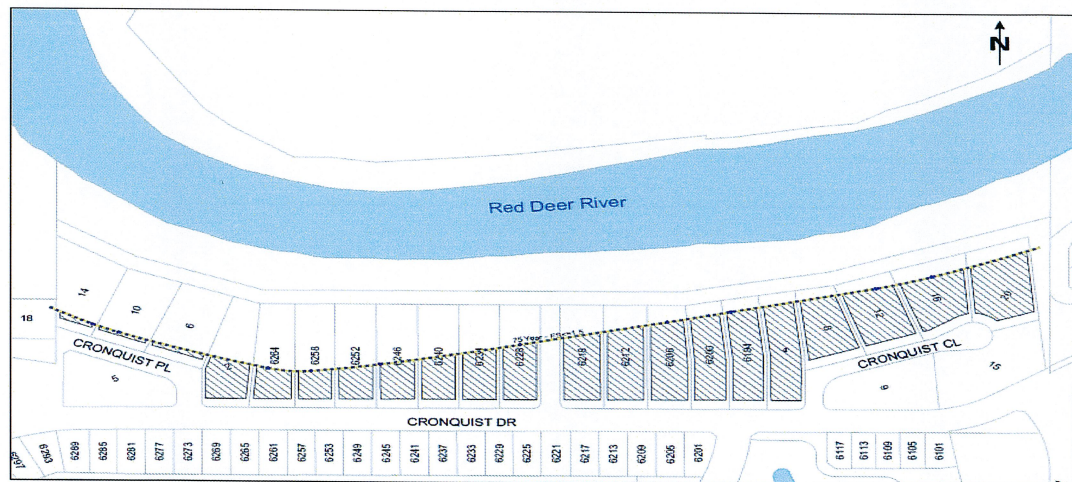
Map 1 - Buildable Area for 50 Year Recommended Setback of FS 1.5

Buildable Area 50 Year Recommended Setback (FS <= 1.5)*

* See Parkland GEO Geotechnical Investigation -
Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer,
Parkland GEO
Cartography: Engineering Graphics
Date: June 6, 2014



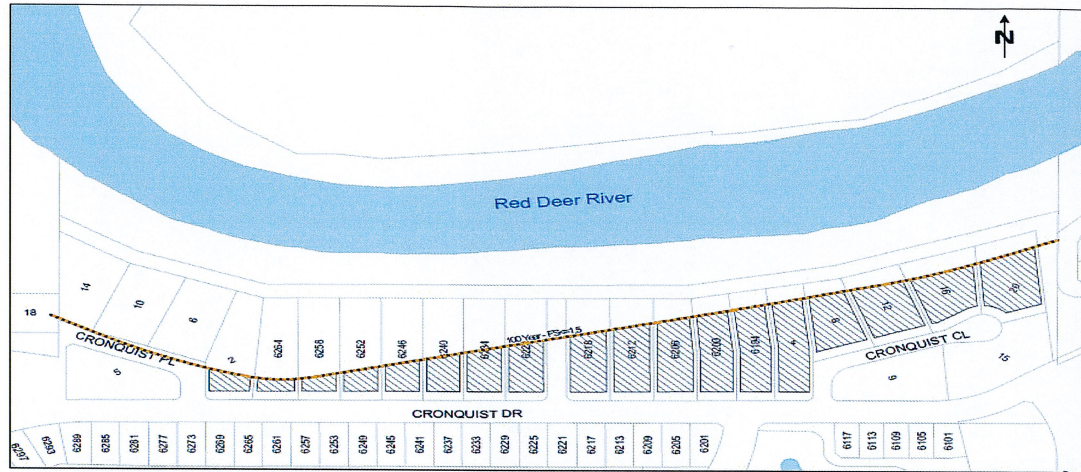
Map 2 - Buildable Area for 75 Year Recommended Setback of FS 1.5

Buildable Area 75 Year Recommended Setback (FS <= 1.5)*

* See Parkland GEO Geotechnical Investigation -
Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer,
Parkland GEO
Cartography: Engineering Graphics
Date: June 6, 2014



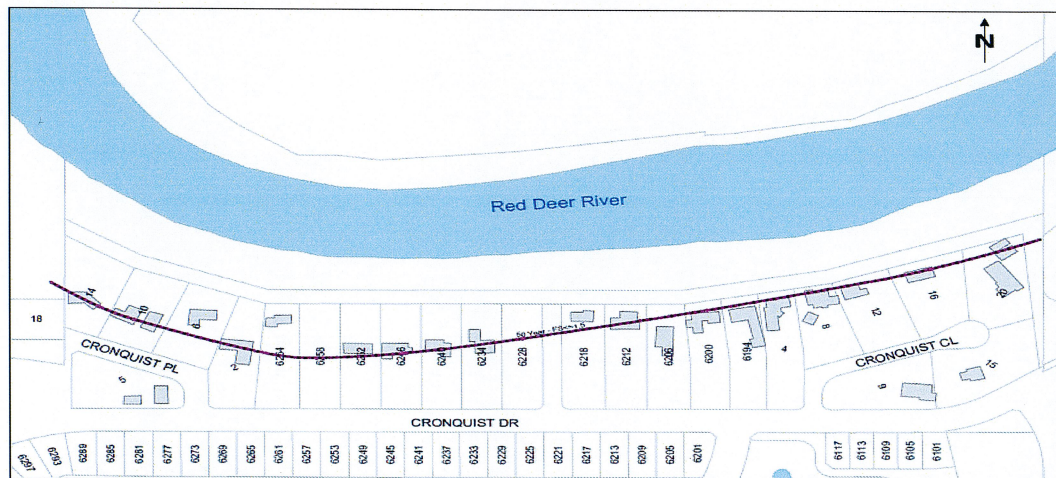
Map 3 - Buildable Area for 100 Year Recommended Setback of FS 1.5

Buildable Area 100 Year Recommended Setback (FS <= 1.5)*

* See Parkland GEO Geotechnical Investigation - Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer, Parkland GEO Geotechnical Investigation
Cartography: Engineering Graphics
Date: June 6, 2014



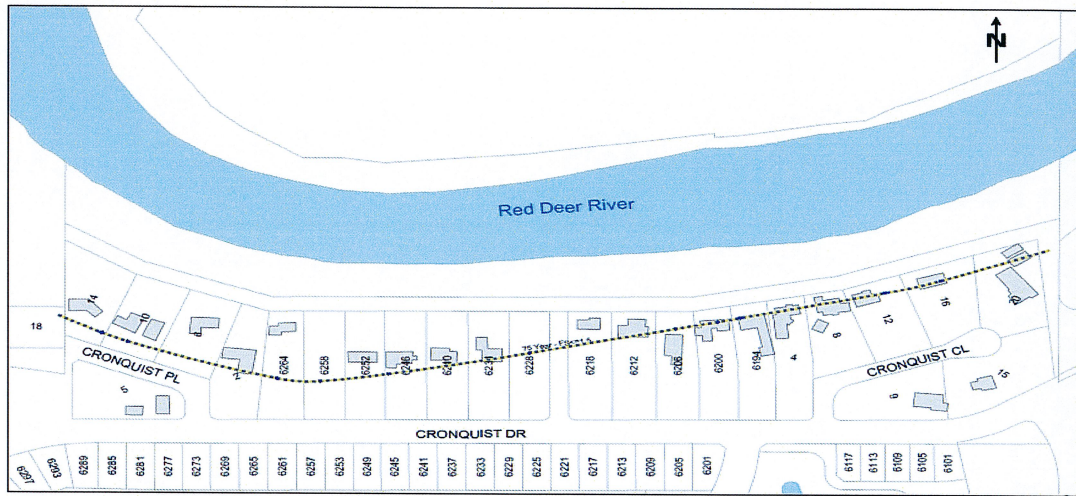
Map 4 - 50 Year Recommended Setback of FS 1.5

50 Year Recommended Setback (FS <= 1.5)*

* See Parkland GEO Geotechnical Investigation - Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer, Parkland GEO Geotechnical Investigation
Cartography: Engineering Graphics
Date: June 6, 2014



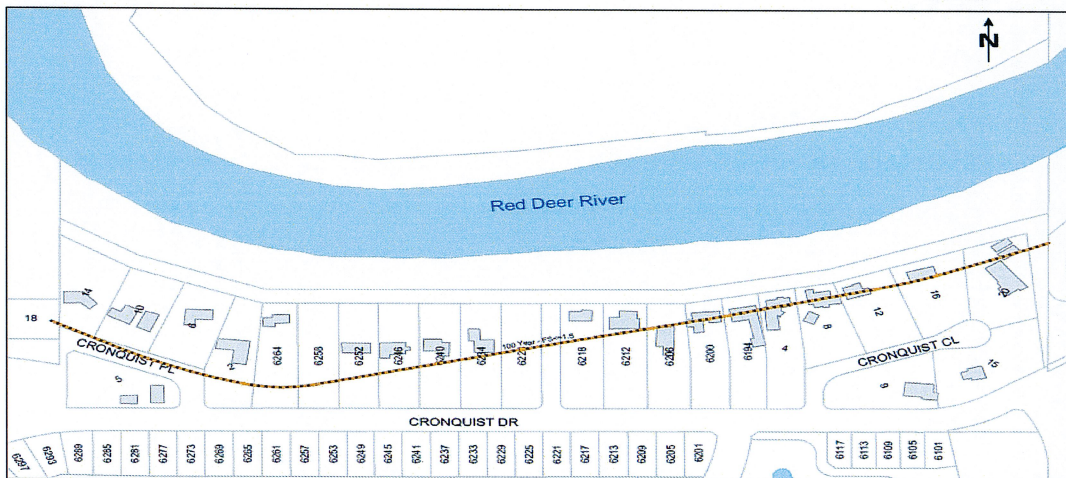
Map 5 - 75 Year Recommended Setback of FS 1.5

***** 75 Year Recommended Setback (FS=1.5)*

* See Parkland GEO Geotechnical Investigation -
Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer,
Parkland GEO
Cartography: Engineering Graphics
Date: June 6, 2014



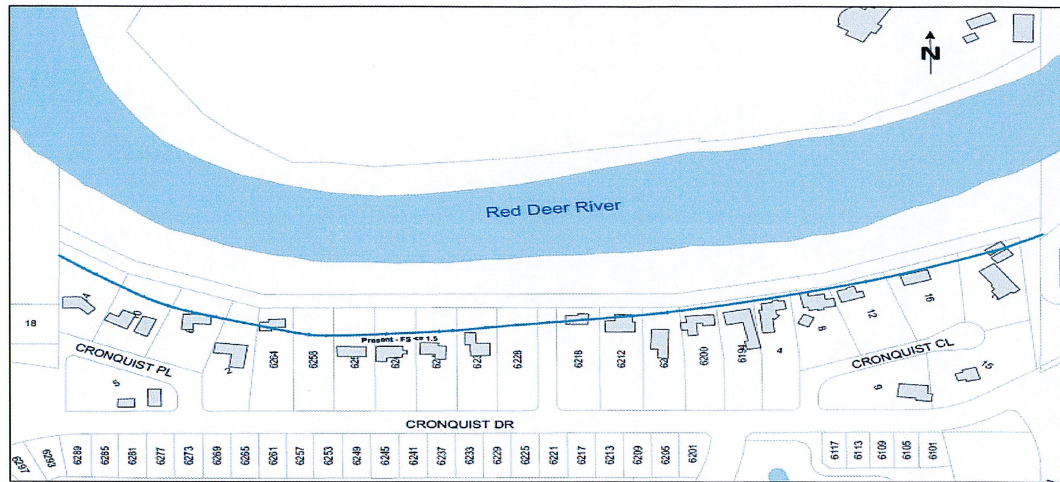
Map 6 - 100 Year Recommended Setback of FS 1.5

***** 100 Year Recommended Setback (FS=1.5)*

* See Parkland GEO Geotechnical Investigation -
Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer,
Parkland GEO
Cartography: Engineering Graphics
Date: June 6, 2014



Map 8 - Present Factor of Safety of $FS \leq 1.5^*$

Present (FS≤1.5)

* See Parkland GEO Geotechnical Investigation - Riverview Park Development Setback Project #: RD4727



Source: The City of Red Deer,
Parkland GSO
Cartography: Engineering Graphics
Date: June 7, 2014

FILE COPY

DATE: July 8, 2014
TO: Elaine Vincent, Director of Development Services
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Development / Redevelopment Policy Options
in Riverview Park

Reference Report:

Development Services, dated July 4, 2014.

Resolution:

At the Monday, July 7, 2014 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Development Services dated July 4, 2014 re: Development / Redevelopment Policy Options in Riverview Park hereby

1. Approves Toe Stabilization Option 1: Rip rap toe stabilization funding for the Riverview Park Area in the 2015 Capital Plan subject to development of a funding plan including application and advocacy for funding under the new Provincial Community Resilience Program.
2. Approves Development / Redevelopment Option 2: To allow development/redevelopment to occur, using an escarpment overlay of 50 years, during the period in which funding source for toe stabilization are pursued

Report back to Council: Yes

Comments/Further Action:

This item will be brought back for Council's consideration of first reading of the related Land Use Bylaw Amendment on August 18, 2014.



for Frieda McDougall
Manager

- c. F. Colosimo, Engineering Services Manager
K. Fowler, Director of Planning Services
P. Goranson, Director of Corporate Services
M. Baer, City Solicitor
Corporate Meeting Coordinator



June 27, 2014

Reserves Consolidation

Financial Services

Report Summary & Recommendation:

A reserve review was held with Council at a Governance & Policy Committee (GPC) meeting in July 2013 and feedback was received. All the reserves were classified into categories. Council gave direction to research reserves to see if it was possible to reduce the number of reserves to the number of categories.

Recommendation:

Administration requests Council to approve the recommendations.

City Manager Comments:

I support the recommendations of Administration with respect to the consolidation of reserves with the exception of the Heritage Fund. As outlined in the purpose for this reserve I would recommend it remain split between operating and capital.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer, having considered the report from Financial Services, dated June 27, 2014 RE: Reserves Consolidation hereby approve the following:

1. That Council approve the reserve consolidation as described in Table I
2. Approve the purpose statements for each recommended reserve as described in Table I
3. Retain the Red Deer Heritage fund as both operating and capital
4. Split both the Parking and Land Development reserves into operating and capital reserves like the utility reserves
5. Change the name of the Tax Stabilization Reserve (TSR) to the "Operating Reserve – Tax Supported"
6. Eliminate the Downtown Revitalization Reserve policy and associated funding
7. Maintain the emergency reserve, user rate stabilization reserve/working capital, and funding initiatives categories until further analysis is done with the financial sustainability work
8. Have a separate reserve for tax supported reserves for both capital asset growth and replacement
9. Not split Fleet reserves into tax and self-supported components



Report Details

Background:

Council asked Administration to review reserves and the possibility of lowering the number to what's required. We went to GPC in July 2013 and received feedback on reserves. All the reserves were classified into categories. Council gave direction to research reserves and see if it was possible to reduce the number of reserves to the number of categories.

The Reserve Policy was approved by Council in September 2013. Since then we have reviewed reserves supporting documentation and have worked with applicable departments and Division Controllers. We then received feedback and confirmation of our recommendations from the Audit Committee on March 13/14 and May 15/14. Based on feedback and direction of Council and the Audit Committee we have made recommendations for each reserve

Discussion:

We currently have 45 reserves including utility reserves. With the recommendations it will reduce that number to 25 (8 tax supported, 6 self-supported and 11 utility supported as described in Table I).

For each of the recommended reserves, purpose statements were created as described in Table I.

Currently the Red Deer Heritage Fund is categorized as both operating and capital. Based on agreement between the City of Red Deer and the Waskasoo Museum Foundation, funds from the reserve must be used for the "purpose of preservation, interpretation, and restoration of historical buildings, structures, and sites in the City of Red Deer and immediate area including necessary research and studies relative to the above." We recommend classifying the reserve as operating as most of the more recent expenses have been operating in nature although the reserve could still be used to fund capital items as required.

For the Parking and Land Development reserves that include both operating and capital, we recommend that Administration quantify and split between operating and capital like the utility reserves.

We recommend calling the "Tax Stabilization Reserve" the "Operating Reserve – Tax Supported" in order to align the name with its purpose.

For the Downtown Revitalization Reserve we recommend transferring the funds to the CPR and closing the reserve as Downtown projects can be funded from the CPR. Currently the



policy was only approved for one year and ends December 31, 2014. If the reserve is transferred to the CPR then we would recommend not renewing the policy after 2014.

We recommend keeping the emergency reserve, user rate stabilization/working capital, and funding initiatives reserve categories until further analysis is done on the financial sustainability project. Currently no reserves are assigned to these categories.

For tax supported capital reserves that include both growth and replacement, we recommend splitting the reserves into separate reserves. We have assumed that the Capital Projects Reserve is 100% growth as the City hasn't started funding tax supported depreciation.

We recommend not splitting the Equipment fund into tax and self supported components because:

- There is an increase in administrative effort required as 32% (about 150 vehicles) of the current Fleet units are used for multiple purposes (tax, self-supported, and/or capital) some of which change from year to year. Each of these units would have to be analyzed individually to split the surplus between the purposes.
- It would increase the number of Fleet reserves by an estimated 8-12 reserves which would complicate the administration of reserves instead of simplifying it
- The risk of error is higher because of the additional analysis and reserves to manage

Analysis:

Recommendations:

1. That Council approve the reserve consolidation as described in Table I
2. Approve the purpose statements for each recommended reserve as described in Table I
3. Categorize the Red Deer Heritage fund as specifically operating rather than both operating and capital
4. Split both the Parking and Land Development reserves into operating and capital reserves like the utility reserves
5. Change the name of the Tax Stabilization Reserve (TSR) to the "Operating- Reserve – Tax Supported"
6. Eliminate the Downtown Revitalization Reserve policy and associated funding
7. Maintain the emergency reserve, user rate stabilization reserve/working capital, and funding initiatives categories until further analysis is done with the financial sustainability work
8. Have a separate reserve for tax supported reserves for both capital asset growth and replacement
9. Not split Fleet reserves into tax and self-supported components

Table 1 - Reserve recommendations and where we started along with reserve categories

Recommended (14 reserves)	Purpose	Original (34 reserves)
Emergency Reserve		
Operating Reserve - Tax Supported		
Operating Reserve - Tax Supported	For emergencies, user rate stabilization/working capital, and funding initiatives (such as one-time items and carry forwards)	Tax Stabilization Reserve
		Golden Circle Maintenance
		Personnel Safety Reserve
		Police
		Legion Track/Equipment Maintenance
		Hosting Major Events
		Emergency Services Safety Awards
		Sign Maintenance for City Subdivision Developments
		Pond Maintenance Funds
		Community Services Directorate
User Rate Stabilization Reserve/Working Capital		
Finance a Specific Purpose		
Perpetual Care	Interest earned in this reserve is used to fund maintenance of the City's cemeteries, indefinitely	Perpetual Care
Red Deer Heritage Fund	Eligible projects must serve the purpose of preservation, interpretation, and restoration of historical buildings, structures, and sites that are approved by the Waskasoo Museum Foundation and City Council	Red Deer Heritage Fund
Old Court House	This reserve is intended for future development of community arts programming and facilities	Old Court House
Public Art	To fund internal public art projects and used to match external community group funding for public art projects	Public Art
Debt Repayment Reserve		
Debt Repayment Reserve	For tax supported debt repayments and to provide a stable source of funding for capital projects	Debt Repayment Reserve

Capital Reserve (Growth)		
Capital Projects Reserve	To help pay for tax supported capital projects	Capital Project Reserve
		Normandeau Society Facilities
		River Bend Capital
		Public Reserve - Roads R/W
		Fibre Network Renewal
		Public Realm Upgrades
		AS400 Server
		RPC Infrastructure
		Downtown Projects
Municipal Reserve - Land	To purchase new parkland	Public Reserve - General
		Public Reserve - Bower Woods
Capital Asset Replacement		
Equipment Fund (includes growth)	For the purchase of: a.) fuelling; b.) growth and replacement fleet equipment; c.) growth and replacement radio equipment	Equipment Fund
		Fuel Tank Reserve (Fleet)
		Radio Replacement Fund
Future Special Projects Reserve		
Offsite Levies Reserve		
Various Offsite Levies	To fund future capital projects that are needed to extend City infrastructure to new development areas	Various Offsite Levies
		RPC Rec Levies
Self Supported (Operating & Capital)		
Parking (to split into operating & capital reserves)	Used to stabilize rates and fund parking related capital projects	Parking
Land Development Reserve (to split into operating & capital reserves)	Used to purchase raw land and to finance subdivision development	Land Development Reserve
Other		
Archives Deferred Revenue	To fund special projects identified by Archives	Archives



AUDIT COMMITTEE

DATE: May 15, 2014

TO: City Council

FROM: Audit Committee

SUBJECT: Reserves Consolidation Report; 2013 Reserves Report; and 2013 Capital Budget Information

At the May 15, 2014 meeting of the Audit Committee, the Audit Committee reviewed the Reserves Consolidation – Additional Information Report, the 2013 Reserves Report and the 2013 Capital Budget Information Report. After discussion, the Audit Committee introduced and passed the following motions:

“Resolved that the Audit Committee, having considered the Reserves Consolidation update report dated May 15, 2014 and presented by administration, hereby receives this report for information, and endorses the reserve consolidation report and purpose statement and forwards this to open Council for consideration.”

“Resolved that the Audit committee, having considered the 2013 Reserves Report dated May 8, 2014 and presented by administration, hereby receives the report for information and forwards this to open Council for consideration.”

“Resolved that the Audit committee, having considered the 2013 Capital Budget Information Report dated May 15, 2014 and presented by administration, hereby receives the report for information, and forwards this to open Council for consideration.”

The above is submitted for Council’s consideration.

Sincerely,

Councillor Paul Harris
Chair, Audit Committee

c: Michelle Andrew, Corporate Controller
Dean Krejci, Chief Financial Officer
John Fluney, Financial Analyst
Mary Bovair, Financial Analyst

DATE: July 8, 2014
TO: Dean Krejci, Financial Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Reserves Consolidation

Reference Report:

Financial Services, dated June 27, 2014

Resolutions:

At the Monday, July 7, 2014 Regular Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer, having considered the report from Financial Services, dated June 27, 2014, re: Reserves Consolidation hereby approves the following:

1. The reserve consolidation as described in Table I
2. Approve the purpose statements for each recommended reserve as described in Table I
3. Retain the Red Deer Heritage fund as both operating and capital
4. Split both the Parking and Land Development reserves into operating and capital reserves like the utility reserves
5. Change the name of the Tax Stabilization Reserve (TSR) to the "Operating Reserve – Tax Supported"
6. Eliminate the Downtown Revitalization Reserve policy and associated funding
7. Maintain the emergency reserve, user rate stabilization reserve/working capital, and funding initiatives categories until further analysis is done with the financial sustainability work
8. Have a separate reserve for tax supported reserves for both capital asset growth and replacement
9. Not split Fleet reserves into tax and self-supported components

Report back to Council: No



For Frieda McDougall
Manager

- c. P. Goranson, Director of Corporate Services
M. Bovair, Financial Analyst
J. Fluney, Financial Analyst



June 9, 2014

NE High School Site Concept Planning

RECREATION, PARKS & CULTURE

Report Summary & Recommendation:

Administration has been working with three school authorities, Red Deer Catholic Regional School Division No. 39, Red Deer Public School District No. 104, and the Greater North Central Francophone Education Region No. 2, to develop preliminary options for the future planning of three diverse high schools that will be jointly sited and will include competitive sports field facilities.

Administration recommends that Council adopt the three documents: Memorandum of Understanding; the Terms of Reference for the Site Design Committee; and the Memorandum of Understanding for the Governance of the Site Design Committee.

City Manager Comments:

I support Administration's recommendation as a first step in the development of a joined school site.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer, having considered the report from Recreation, Parks and Culture dated June 9, 2014 RE: NE High School Site Concept Planning hereby adopts the following three documents, as presented to the Monday, July 7, 2014 Council Meeting:

- Memorandum of Understanding between: The City of Red Deer, Red Deer Catholic Regional School Division NO. 39, Red Deer Public School District NO. 104 and The Greater North Central Francophone Educational Region NO. 2
- Terms of Reference for the Red Deer Multi-Site School Development Site Design Committee
- Memorandum of Understanding for the Red Deer Multi-Site School Development Site Design Committee between: The City of Red Deer, Red Deer Catholic Regional School Division NO. 39, Red Deer Public School District NO. 104 and The Greater North Central Francophone Educational Region NO. 2



Report Details

Background:

The Municipal Government Act (Section 670(1)) provides authority for a municipality and school authorities to enter into an agreement for the purposes of allocating municipal and school reserve lands.

The City along with the Red Deer Catholic Regional School Division No. 39, Red Deer Public School District No. 104, and the Greater North Central Francophone Education Region No. 2 are parties to a long-standing agreement: Providing for the Allocation of Municipal Reserve for Site with Schools.

In 2013, Council approved a capital budget for the purchase and site servicing of a 56 acre site located in the southerly portion of section 26 within the City of Red Deer (Plan 142 0727, Block 1, Lot1) to serve as a future site for high schools and community sport fields. The site is anticipated to be built out over 10-25 years, dependent on provincial funding for high school construction and population growth.

In December 2013, the three school authorities including student representation, City administration and representatives from Alberta Education participated in a "Joint Site Planning Workshop". The workshop was a value management exercise with a goal towards visioning the incorporation of three new high schools representing three distinct school jurisdictions onto one site. The workshop sought to investigate synergies that could be realized across the school boards and the community.

Using the outcomes of the workshop, the parties have been working jointly to develop preliminary options for the site concept plan for the three high schools and community sports fields.

In February 2014 the Government of Alberta announced funding for St. Joseph's, the new Catholic High School with construction slated to commence in 2015.

The City's Planning Department is working on the Area Structure Plan and site servicing will commence this summer.

Discussion:

Over the past few months, representatives from the three School Authorities and The City have been meeting on a regular basis to draft documents to help guide the overall vision for future planning, governance of the site concept planning committee and dispute resolution:

1. Memorandum of Understanding (MOU);
2. Terms of Reference for the Site Design Committee; and
3. Red Deer Multi-Site School Development Site Design Committee Governance Memorandum of Understanding.

The documents are attached.



The MOU expresses the participants' shared vision and principles by which they commit to work together to plan, develop and use the site. The participants agree to collaborative planning for the development and construction of a multi-use site which serves the educational, recreational, spiritual, cultural, social and emotional needs of students and the community far into the future, but acknowledge that their primary objective is to develop schools which meet the educational needs of their students.

The School Authorities have agreed that the site will be developed with a 'campus style' model, where some facilities have shared use between school authorities with access by the community. The unique identities of each board will be maintained through the construction of 'private' spaces intended for use by each individual school authority

The Terms of Reference for the Site Design Committee will enable the parties to move forward with the site concept planning with terms that outline how the committee will be governed (Red Deer Multi-Site School Development Site Design Committee Governance Memorandum of Understanding).

The participants have agreed to move these documents forward for consideration / approval through their respective authorities. In the past month, all three school authorities have adopted the MOU through formal resolution.

Analysis:

Although the MOU is not legally binding and places no legal obligation on the participants, each party agrees that it is an essential document to guide future planning and development of the site in the best interest of all.

Administration recommends that Council adopt the Memorandum of Understanding, the Terms of Reference for the Site Design Committee and Red Deer Multi-Site School Development Site Design Committee Governance Memorandum of Understanding.



MEMORANDUM OF UNDERSTANDING

Made this ____ day of _____, 2014

Among:

THE CITY OF RED DEER

- and -

RED DEER CATHOLIC REGIONAL SCHOOL DIVISION NO. 39

- and -

RED DEER PUBLIC SCHOOL DISTRICT NO. 104

- and -

THE GREATER NORTH CENTRAL FRANCOPHONE EDUCATION REGION NO. 2

(the Participants)

Purpose:

- A.** The participants are working together to achieve a common vision for the development and use of a 56 acre site (legally described as Plan 142 0727, Block 1, Lot 1) in the southerly portion of Section 26 within the City of Red Deer. The site is currently owned by the City and will to serve as the future home of as many as three high schools, one from each participating school authority, as well as community sports fields.
- B.** The City and the school authorities are parties to a long-standing Joint Use Agreement for Recreational Lands and School Grounds which allows the general public to access schools and school grounds subject to conditions, including availability.
- C.** This Memorandum of Understanding (MOU) is intended to serve as a reference of authority for the participants as they make plans and decisions, collectively and independently, related to the development and use of the site.
- D.** This MOU expresses the participants' shared vision and the principles by which they commit to work together to plan, develop and use the site. This vision respects each participant's needs while maximizing beneficial synergies whenever appropriate. The principles contained within this MOU express the values and principles which the participants agree should underlie any future MOUs and legal agreements which are drafted to further or formalize their arrangements.
- E.** The participants acknowledge that this MOU is not legally binding and places no legal obligation on them.

Definition

1. Within this MOU, the “Project” means the multi-use site described in Paragraph A, or the participants’ work and undertakings related to its use and development, including but not limited to aspects such as planning, design, construction, management, maintenance, operation, and repair, as the case may be.

Shared Vision

2. The participants have a shared vision of collaborating to plan for the development and construction of a multi-use site which serves the educational, recreational, spiritual, cultural, social and emotional needs of students and the community far into the future, but acknowledge that their primary objective is to develop schools which meet the educational needs of their students.

Principles

3. The participants agree to the following fundamental principles which will guide how they work on the Project:

Accountability: Each participant must realistically identify their respective needs and interests, recognizing that there are limited resources and that the needs of the participants must be balanced against one another.

Participation: All processes should actively solicit the input and participation of all decision-makers.

Collaboration: Participants contribute to shared proposals and shape them into decisions that meet the concerns of all group members as much as possible.

Cooperation: Participants should strive to reach the best possible decision for the group and all of its members, rather than competing for personal preferences.

Consultation and Communication: It is only through regular, ongoing consultation and communication that the respective needs and interests of the participants can be identified, explored, understood and prioritized.

Innovation and Flexibility: Limited resources and evolving educational frameworks direct the participants to be open to new and innovative methods of meeting their needs and interests. Reaching a solution that will work for everyone will require inspired innovation, compromise, and adaptability.

Respect and Autonomy: The participants will respect each other’s religious, linguistic and cultural identities in their decision-making.

Balance: The Project will integrate opportunities for community access and partnerships while balancing the need to maximize the opportunities for shared spaces partnerships with the importance of this facility to students' daily lives.

Common Interests

4. Incorporating the Principles above, the participants commit to work towards a Project that embraces the following essential components:

4.1 Design and Land Use:

- (a) The plans for the Project will recognize and understand the site is part of a larger neighbourhood community. The integration of uses, connections, form, massing and character of buildings and site design will be a positive addition to the neighbourhood.
- (b) The Project will actively embrace the Neighbourhood Planning Principles through its building design and site planning.
- (c) The Project will actively engage the principles of sustainability through its design, operations, and educational opportunities.
- (d) The Project's zoning will be flexible enough to respond to future needs on the site.
- (e) The Project and site design will encourage alternate active and diverse modes of student transportation thereby reducing impacts to the environment, minimizing onsite parking, and optimizing student health.
- (f) The Project will make the best and most efficient utilization of the land.

4.2 Education

- (a) The Project allows for individual and shared education options;
- (b) The Project establishes creative and collaborative supports for students that foster health and wellness; and
- (c) The Project maximizes the potential and options for student education.

4.3 Recreational

- (a) The Project incorporates flexible sports field designs that allow hosting of provincial or elite level competition; and
- (b) The Project encourages flexible recreational opportunities.

Future Documentation

5. The participants acknowledge that there will need to be additional MOUs which establish how the participants to this MOU will govern themselves, make decisions, resolve disputes and communicate throughout the Project.
6. The participants acknowledge that there will need to be formal legal agreements entered into which establish amongst other things: the nature of the relationship between the participants, shared access and use of the facility, facility operations maintenance and management, construction rights

and obligations of each participant. On their execution, any legal Agreement will supersede this MOU or those portions of this Memorandum that the legal agreement addresses.

Working Groups and/or Committees

7. The participants agree that they will establish committees, subcommittees and/or working groups, to address specific issues, likely including the following:
 - (a) Site Design Committee
 - (b) School Design Committee(s)
 - (c) Operations Committee
 - (d) Governance Committee
8. Committees and/or working groups should include representatives from each school authority as well as the City who will report to and from their respective authorities as the Project proceeds.
9. The participants will approve Terms of Reference for each committee or working group. Terms of Reference should set out membership parameters, scope of authority, reporting and accountability mechanisms, decision-making processes, and a dispute resolution process.

Decision Making

10. The participants agree to adopt a consensus based decision-making process within their Governance MOU where participants contribute to a shared proposal and shape it into a decision that meets the concerns of all group members as much as possible.
11. The Governance MOU should:
 - (a) provide participants with equal input into decision-making processes, as much as possible;
 - (b) identify a means for dissenting participants to identify their concerns early on in the process and address whether dissenting participants should be required to supply an alternative proposal or a process for generating one;
 - (c) confirm that consensus based decision-making means that all participants will agree to a resolution that can be supported, even if it is not the preferred option for the individual participant.

Land and Use of Land

12. The participants acknowledge that the City is currently the registered owner of the site, and the site may, in full or in part, be designated as Municipal Reserve (MR), School Reserve (SR) or Municipal and School Reserve (MSR) by the City pursuant to the MGA.
13. The participants acknowledge that the designation of the land as MR, SR, or MSR is not intended to preclude the incorporation of enhanced student supports within the Project, such as coffee shops, or health or fitness centers which may be commercial in nature, provided always that such supports must primarily serve the student population and must be subordinate and incidental to the primary uses on the site.

- 14.** The site will be rezoned to accommodate the Project, and will be subdivided. The subdivided parcels and/or the building envelopes may be sold, leased or registered to a school authority in accordance with the MGA or under separate agreement(s), as appropriate.
- 15.** Any portion of the site which has been sold or leased to a school authority or which has been registered in the school authority's name and which is later declared surplus to the school authority's needs must be transferred back to the City.

General

- 16.** When difficulties arise among the participants, the participants will work together to resolve such difficulties in a respectful way and with a spirit of cooperation and collaboration.
- 17.** This MOU may be amended with the mutual written consent of the participants.
- 18.** This MOU will remain in effect unless terminated with the mutual written consent of all participants.

By signing below the parties agree that the terms of this Memorandum of Understanding accurately reflect their respective and mutual understandings and intentions related to the Project.

The City of Red Deer**Red Deer Catholic Regional Division No. 39**

(Authorized Signatory)

Printed Name: _____

Date: _____

Printed Name: _____

Date: _____

Red Deer Public School District No. 39**The Greater North Central Francophone
Education Region No. 2**

(Authorized Signatory)

Printed Name: _____

Date: _____

Printed Name: _____

Date: _____



**RED DEER MULTI-SITE SCHOOL DEVELOPMENT SITE DESIGN COMMITTEE
TERMS OF REFERENCE**

1. Purpose

- To develop recommendations which will inform the development of formal land use and development plans for the site, and in particular will identify and recommend:
 - a site and design framework for the NE Multi-Use School Site located within the southerly portion of Section 26, in the City of Red Deer
 - where buildings, playing fields, parking areas should be located,
 - how future growth should be accommodated,
 - general parameters for building size, scope and scale,
 - areas for shared use or common areas within the site,
 - such other matters as are required for the orderly, efficient and collaborative development and use of the site by the participating entities

2. Key Duties and Responsibilities

- Reporting to and from the members' respective boards or authorities as the project proceeds
- Monitor reports from other committees or working groups as to the status of the project
- Develop all formal communications, reports, presentations necessary for the public, City Council, media, or the participating boards and authorities

3. Composition

- The committee will consist of 8 members, including 2 representatives per participating entity: Red Deer Public School Board, Red Deer Catholic Regional Division, Conseil scolaire Centre-Nord, and the City of Red Deer.
- Committee members are appointed by and serve at the direction of their respective board/division/authority.
- An alternate representative may be appointed by the entity and may attend committee meetings in a committee member's absence.
- The committee shall appoint the chair from within its membership who will facilitate the committee's discussions and decision-making processes, as per the Governance MOU.

4. Meetings

- Meetings shall be called as deemed necessary by the chair and committee members.

DATED this _____ day of _____, 2014.



**RED DEER MULTI-SITE SCHOOL DEVELOPMENT SITE DESIGN COMMITTEE
GOVERNANCE MEMORANDUM OF UNDERSTANDING**

Made this _____ day of _____, 2014.

Among:

THE CITY OF RED DEER

- and -

RED DEER CATHOLIC REGIONAL DIVISION NO. 39

- and -

RED DEER PUBLIC SCHOOL DISTRICT NO. 104

- and -

THE GREATER NORTH CENTRAL FRANCOPHONE EDUCATION REGION NO. 2

(the Participants)

1. The participants have agreed that the work and decision-making of the Site Design Committee shall be undertaken using a consensus – driven process. The consensus process has been adopted by the participants in recognition that:
 - a) each participant must have input into the committee's processes;
 - b) each participant has interests/expectations for the site which must be respected and which should not be sacrificed (but which may be compromised) in the final design plans for the site;
 - c) by including input from all participants, any resulting proposals/decisions may better address all potential concerns;
 - d) a consensus process generates as much agreement as possible and can set the stage for greater cooperation in implementing the resulting decisions.
2. Quorum
Quorum for committee meetings is 4 members, with at least one member present representing each participant.
3. Decision Making
 - a) The participants shall make decisions by consensus.
 - b) Decisions made by consensus require the unanimous support of all members.

- c) Before calling for consensus, the Chair shall ensure that each member understands that giving consent does not necessarily mean that the proposal is considered as one's first choice.
- d) If consensus is not achieved, each dissenting member will be asked to present his or her concerns on the proposal, potentially starting another round of discussion to address or clarify the concern. The proposal should then be amended, re-phrased or ridered in an attempt to address the concerns of the decision-makers.

4. Dispute Resolution

- a) When members disagree on a matter and consensus has not been reached through the above process, a member may give written notice to the committee which identifies the disagreement and initiates the resolution process described below.
- b) The matter in dispute shall be referred to the City Manager and the Superintendent/Head of each School Authority. Within 7 days of the notice identifying the disagreement, they will resolve the disagreement and provide a written record of the resolution to the participants or they will advise the participants that no resolution has been reached.
- c) If no agreement is reached under 4(b), a mediator shall be selected by all participants within seven (7) days. Facilitated mediation shall take place and must be concluded within 30 days of the disagreement being referred to mediation. Each participant will share equally in the cost of the mediation.
- d) If mediation cannot resolve the matter, the participants must refer the matter to a joint meeting of City Council and the School Authorities for discussion and final resolution.
- e) If the matter is referred to a joint meeting under 4(d), such meeting must be convened and a decision must be issued within 30 days. At the joint meeting:
 - (i) each participant shall have one (1) vote;
 - (ii) all decisions require a majority vote;
 - (iii) a tie vote shall be considered a loss;
 - (iv) the decision of the joint meeting shall be final and binding.

5. Record of Meetings

The committee will ensure that its decisions are recorded in a form of minutes, which will be made available to the participants on request.

6. Conflict of Interest

No member shall be considered to have a conflict of interest in a matter under consideration simply because of his/her employment or affiliation with their appointing participant entity. Where a member has a conflict of interest beyond that described above, the participating entity shall rescind

that member's appointment and shall appoint another member to serve in their stead for the duration of the term of the Committee.

7. Meeting Procedure

The committee may establish its own rules of procedure, but must always act in accordance with the Terms of Reference and any Memorandum of Understanding between the participants.

The City of Red Deer

Red Deer Catholic Regional Division No. 39

(Authorized Signatory)

Printed Name: _____

Date: _____

Red Deer Public School District No. 39

Printed Name: _____

Date: _____

**The Greater North Central Francophone
Education Region No. 2**

(Authorized Signatory)

Printed Name: _____

Date: _____

Printed Name: _____

Date: _____

DATE: July 8, 2014
TO: Shelley Gagnon, Recreation Parks & Culture Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: NE High School Site Concept Planning

Reference Report:

Recreation, Parks & Culture, dated June 9, 2014

Proposed Resolution:

At the Monday, July 7, 2014 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks and Culture dated June 9, 2014 re: NE High School Site Concept Planning hereby agrees to adopt the following three documents, as presented to the Monday, July 7, 2014 Council Meeting:

1. Memorandum of Understanding between: The City of Red Deer, Red Deer Catholic Regional School Division NO. 39, Red Deer Public School District NO. 104 and The Greater North Central Francophone Educational Region NO. 2
2. Terms of Reference for the Red Deer Multi-Site School Development Site Design Committee
3. Memorandum of Understanding for the Red Deer Multi-Site School Development Site Design Committee between: The City of Red Deer, Red Deer Catholic Regional School Division NO. 39, Red Deer Public School District NO. 104 and The Greater North Central Francophone Educational Region NO. 2

Report back to Council: No



for Frieda McDougall
Manager

- c. S. Cockerill, Director of Community Services
K. Fowler, Director of Planning Services
F. Colosimo, Engineering Services Manager



June 23, 2014

Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee Report

RECREATION, PARKS & CULTURE

Report Summary & Recommendation:

Over the past decade there has been considerable discussion about the value of incorporating an indoor 50-metre multi-use pool into the inventory of recreation facilities. The *Red Deer Multi-Use Aquatic Centre Review Committee Ad Hoc Committee* was formed to review essential information and make recommendations to City Council regarding the proposed aquatic facility. The Committee chose the four principles of Accessibility, Fiscal Responsibility, Community-Focused, and Sustainability as lenses for their discussions and decision-making processes. Based on information that is currently available, the Committee passed *resolutions* on guiding principles, amenities, dive tank, LEED, site, cost estimate, and aquatic standards, and *recommendations* were made regarding construction phasing and the future of the Michener Centre as an aquatic facility.

These resolutions and recommendations along with the attached final report submitted by the Committee are for Council's consideration to inform the community amenity plan and 2015-2024 Capital Budget Plan.

City Manager Comments:

It is recommended that City Council accept the recommendations of the Red Deer Multi Use Aquatic Center Review Ad Hoc Committee report for information at this time and, as originally proposed, for consideration in conjunction with the prioritization of the Community Amenity Survey and the 2015 – 2034 Capital Budget Plan.

While the Terms of Reference for this Committee included the Committee's exploration of revenue opportunities that contribute to the development cost that may be identified during the project and the exploration of existing operational agreements and/or partnerships, I would recommend that these items be deferred and be undertaken by administration as priorities are identified within the Community Amenity Plan.

Craig Curtis
City Manager



Proposed Resolution

That the report from the Red Deer Multi-Use Aquatic Center Review Ad Hoc Committee be accepted as information.

Report Details

Background:

During the 2014 Capital Budget debate, Council approved a resolution in which administration and council develop and undertake an engagement process about the Aquatic Centre with the community. **November 26, 2013 Council Resolution:**

Whereas Red Deerians have envisioned and have been working together for decades to become a destination for sports tourism in Alberta and Western Canada, and

Whereas throughout the past number of years Red Deer City Council and administration have heard repeatedly from the community the desire for an aquatics centre with a 53 meter pool that would allow Red Deer to host national and international competitions, and

Whereas 80 percent of Albertans live within two hours travel by vehicle from Red Deer which affords us an ideal host location, and

Whereas the population of Red Deer is increasing by 3% a year, and will reach nearly 150,000 by 2027 (the earliest year a centre could be completed with our current plan), and

Whereas the economic benefit for Red Deer and the region of a facility that allows Central Alberta to host national and international competitions will have a substantial influence on the hospitality and tourism industries, as well as broaden our economic base, and

Whereas the facility will provide recreational opportunities for seniors, youth, and families and deepens the quality of life in Red Deer, and

Whereas this facility would provide quality training facilities for future aquatic athletes, and

Whereas Red Deer has a history of excellence, forward-looking leadership, and has a “can-do” attitude — citizens tell us to figure out how to make things happens, not to find reasons why things can’t be done,

Therefore be it resolved that administration and council develop and undertake an engagement process about the Aquatic Centre with the community which explores both the benefits and issues — social, economic and operational, and

Be it further resolved that The City of Red Deer create an ad hoc committee, early in 2014, consisting of members of the Aquatics Centre, the general public, as well as other



orders government, to further develop and determine the phasing of an aquatics centre with the Central Alberta Aquatic Centre and to explore grants, major sponsorships, and fundraising strategies; and

Be it further resolved *a report come back to Council by October 2014, for Council to make a determination about the phased construction of an aquatics centre and its placement in the capital plan.*

At the March 17, 2014 City Council meeting, after considering a report regarding Dialogue and Engagement, a resolution was approved to establish the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee. **March 17, 2014 Council Resolution:**

Resolved *that Council of The City of Red Deer having considered the report from the Office of the City Manager, dated March 12, 2014, re: Dialogue and Engagement: Community Amenities, hereby agrees to establish the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee and approves the following terms of reference for the Committee, with the recruitment for members to commence immediately.*

Recruitment for committee membership began immediately. Ads were placed in the Red Deer Advocate seeking individuals interested in committee membership, applications were accepted, and members were appointed at the April 14, 2014 Regular Council meeting.

April 14, 2014 Council Resolution:

Resolved *that Council of The City of Red Deer hereby appoints the following to serve as citizen representatives on the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee as follows:*

Curtis Bouteiller	Citizen Representative
Serge Gingras	Citizen Representative
David Lustgarten	Citizen Representative
Garfield Marks	Citizen Representative
Michelle Quigg	Citizen Representative
(John) Paul Stewart	Citizen Representative

Resolved *that Council of The City of Red Deer hereby agrees to amend the resolution regarding the Multi-Use Aquatics Centre Review Ad Hoc Committee terms of reference as adopted on March 17, 2014 by changing the Council membership from one (1) to two (2) members.*

Resolved *that Council of The City of Red Deer hereby appoints the following to serve as Council representatives on the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee as follows:*

Councillor Dianne Wyntjes
Councillor Lawrence Lee



Resolved that Council of The City of Red Deer hereby appoints the following to serve as Central Alberta Aquatic Committee Representatives on the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee as follows:

Jack Cuthbertson
Grant Howell

The Recreation Parks & Culture Manager acted as a liaison to the committee. City staff attended the meetings as required to provide support and information to the Committee. Upon consent of the Committee, a Facilitator (Darlene Wilson) was engaged to maximize the efficiency of the Committee process given the timeline and necessary deliverables.

Over the past nine weeks, the Committee has met 10 times, totaling more than thirty hours.

Discussion:

As per the Terms of Reference, the Committee began its work with an extensive orientation. This orientation included the review of a number of City Planning documents and other relevant studies and information, a presentation by the Central Alberta Aquatic Committee, and a presentation by MTA + MJMA Architects and Associates (2011 Red Deer Multi-Use Aquatic Centre reports). The purpose of this orientation was to ensure that all committee members shared a common understanding and knowledge of the base subject.

The committee then developed a set of principles that would help guide their decisions. These principles included: Accessibility, Fiscal Responsibility, Community Focused and Sustainable.

These principles were then applied to the decision making process for identifying the included amenities and location identification, as well as the discussions related to the outdoor pool and future of Michener Centre in the provision of aquatic services for the city.

The attached report provides a summary of the committees work and discussions including additional comments for Council consideration.

Analysis:

The Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee respectfully submits the following resolutions for Councils information and consideration to inform the community amenity plan and 2015-2024 Capital Budget Plan:



1. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a multi-use aquatic centre in Red Deer to include the following amenities:
 - ten lane pool (54 metres), with two bulkheads
 - hot tub
 - moveable floor
 - outdoor leisure pool (25 metres)
 - childcare area
 - retail space
 - concession space
 - wellness area
 - flexible meeting space
 - multi-purpose room
 - swim club space
 - timekeeping space
 - sauna/steam room
 - spectator seating
 - sunbathing terrace
2. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a separate diving tank to be included in a multi-use aquatic facility in Red Deer, and forwards this to Council for consideration.”
3. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Committee, having considered the options for LEED Certification, hereby agrees to proceed on the basis that LEED shadow processes be achieved at a minimum.”
4. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed a location for a multi-use aquatic facility, hereby endorses the Rotary Recreation Park site for a multi-use aquatic centre in Red Deer, and forwards this to Council for consideration.”
5. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Committee, having considered cost estimates for the multi use aquatic facility, hereby endorses an estimated total amount of \$74.65 M, which includes the 2013 estimated cost of \$71.15 M for the recommended indoor facility and the \$3.5 M estimated cost of the recommended outdoor pool. This does not include any green features or LEED principles.”
6. **“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Committee, hereby recommends that the Red Deer multi-use aquatic facility be built to meet the FINA standards for national competitions. **Note:** FINA (Fédération Internationale de Natation) standards will allow the proposed facility to compete for provincial and national competitions.



Further, the Committee puts forward the following recommendations:

1. **Phasing.** Based on costing information presented to the Committee, construction phasing is not recommended as a fiscally responsible or cost effective option for the proposed aquatic facility.
2. **Michener Centre.** The Committee strongly expressed that The City of Red Deer cannot afford to lose the existing aquatic facilities of the Michener Centre. As well, the Committee recommended that The City of Red Deer should pursue all avenues to keep the Michener Aquatic Centre open and maintain it as an aquatic facility, and should consider the pursuit of partnerships and/or a potential “gifting” of the facility from the Province.

Finally, the term of this Committee continues until the Organizational Meeting of City Council in October 2014, which, if required by City Council, may allow the Committee to address the final two points of the Terms of Reference. These two points are:

- Make recommendation to Council on alternative revenue opportunities that contribute to the development cost
- Explore existing operational agreements and/or partnerships

Further direction by Council on these points is requested.

Red Deer Multi-Use Aquatic Centre Ad Hoc Committee Report

June 2014

If you change the way you look at things, the things you look at change. Wayne Dyer

RESOLUTIONS OF THE COMMITTEE:

1. *“**Resolved** that the Red Deer Multi-Use Aquatic Centre Review Committee, having discussed decision making principles, hereby agrees to the following decision-making principles: Accessibility, community focused, sustainability and fiscal responsibility.”*
2. *“**Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a multi-use aquatic centre in Red Deer to include the following amenities:*
 - *ten lane pool (54 metres), with two bulkheads*
 - *hot tub*
 - *moveable floor*
 - *outdoor leisure pool (25 metres)*
 - *childcare area*
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 - *concession space*
 - *wellness area*
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 - *sauna/steam room*
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 - *sunbathing terrace*
3. *“**Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a separate diving tank to be included in a multi-use aquatic facility in Red Deer, and forwards this to Council for consideration.”*
4. *“**Resolved** that the Red Deer Multi-Use Aquatic Centre Review Committee, having considered the options for LEED Certification, hereby agrees to proceed on the basis that LEED shadow processes be achieved at a minimum.” Note: LEED refers to Leadership in Energy and Environmental Design.*

5. ***“Resolved** that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed a location for a multi-use aquatic facility, hereby endorses the Rotary Recreation Park site for a multi-use aquatic centre in Red Deer, and forwards this to Council for consideration.”*
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Executive Summary

Over the past decade there has been considerable discussion about the need for and the value of incorporating an indoor 50-metre multi-use pool into the inventory of recreation facilities. The *Red Deer Multi-Use Aquatic Centre Review Committee Ad Hoc Committee* was formed to review essential information and make recommendations to City Council regarding the proposed aquatic facility.

The Committee chose the four principles of Accessibility, Fiscal Responsibility, Community-Focused, and Sustainability as lenses for their discussions and decision-making processes. Based on information that is currently available, the Committee passed *resolutions* on guiding principles, amenities, dive tank, LEED, site, cost estimate, and aquatic standards, and made *recommendations* regarding construction phasing and the future of the Michener Centre as an aquatic facility. Potential timing of the construction of the proposed project emerged as a major consideration and concern for the Committee, and is addressed in the Comments section of the report.

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 - C. Methodology for Choosing the Site
6. Resolutions and Recommendations
7. Comments
8. Appendix

1. BACKGROUND TO THE COMMITTEE AND COMMITTEE MEMBERSHIP

During the 2014 Capital Budget debate, Council approved a resolution in which administration and council develop and undertake an engagement process about the Aquatic Centre with the community. **November 26, 2013 Council Resolution:**

Whereas Red Deerians have envisioned and have been working together for decades to become a destination for sports tourism in Alberta and Western Canada, and

Whereas throughout the past number of years Red Deer City Council and administration have heard repeatedly from the community the desire for an aquatics centre with a 53 meter pool that would allow Red Deer to host national and international competitions, and

Whereas 80 percent of Albertans live within two hours travel by vehicle from Red Deer which affords us an ideal host location, and

Whereas the population of Red Deer is increasing by 3% a year, and will reach nearly 150,000 by 2027 (the earliest year a centre could be completed with our current plan), and

Whereas the economic benefit for Red Deer and the region of a facility that allows Central Alberta to host national and international competitions will have a substantial influence on the hospitality and tourism industries, as well as broaden our economic base, and

Whereas the facility will provide recreational opportunities for seniors, youth, and families and deepens the quality of life in Red Deer, and

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Whereas Red Deer has a history of excellence, forward-looking leadership, and has a “can-do” attitude — citizens tell us to figure out how to make things happens, not to find reasons why things can’t be done,

Therefore be it resolved that administration and council develop and undertake an engagement process about the Aquatic Centre with the community which explores both the benefits and issues — social, economic and operational, and

Be it further resolved that The City of Red Deer create an ad hoc committee, early in 2014, consisting of members of the Aquatics Centre, the general public, as well as other orders of government, to further develop and determine the

phasing of an aquatics centre with the Central Alberta Aquatic Centre and to explore grants, major sponsorships, and fundraising strategies; and

Be it further resolved a report come back to Council by October 2014, for Council to make a determination about the phased construction of an aquatics centre and its placement in the capital plan.

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Council agreed to the terms of reference for the committee, with recruitment for membership to begin immediately. Ads were run in the Red Deer Advocate seeking individuals interested in committee membership, applications were accepted, and members were appointed at the April 14, 2014 Regular Council meeting. **April 14, 2014**

Council Resolution:

Resolved that Council of The City of Red Deer hereby appoints the following to serve as citizen representatives on the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee as follows:

<i>Curtis Bouteiller</i>	<i>Citizen Representative</i>
<i>Serge Gingras</i>	<i>Citizen Representative</i>
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Councillor Lawrence Lee*

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*Jack Cuthbertson
Grant Howell*

A member of City Administration (Shelley Gagnon) acted as a liaison to the committee. City staff attended the meetings as required to provide support and expertise to the Committee. Upon consent of the Committee, a Facilitator (Darlene Wilson) was engaged to maximize the efficiency of the Committee process given the timeline and necessary deliverables.

2. TERMS OF REFERENCE

Purpose: To advise Council on the size, location, included amenities, cost and phasing of a multi-use aquatic center that considers the current and future needs of Red Deer. This information will also serve to inform the overall community amenity plan.

Committee Outcomes:

1. Review the documents approved by Council as planning tools, which will include but are not limited to:
 - a. Red Deer Multi-Use Aquatic documents, including:
 - i. Comparative Site Analysis, March 2011
 - ii. Centre Conceptual Model, August 2011
 - iii. Business Plan, October 2011

iv. Cost Revision, March 2013

b. Red Deer Rotary Recreation Park & South Site Study Report, August
2010

2. Develop a set of Principles to guide the decisions of this committee for the final vision of the Multi-Use Aquatic Centre.
3. Consult with the aquatic user groups.
4. Give consideration to the future of Michener Centre in the future provision of aquatic services to the city.
5. Give consideration to the proposed change in size of the outdoor pool contained in the conceptual model.
6. Make recommendation to Council on the location, size of and amenities to be included.
7. Make recommendation to Council on costs and possible construction phasing.
8. Report to Council on alternative revenue opportunities that contribute to the development cost that may be identified during the project.
9. Explore existing operational agreements and/or partnerships.

Meetings shall be called as deemed necessary by the Chair and Committee members. The Committee shall submit reports of activities to Council on an as needed basis, or as requested by Council, together with such other presentations that the Committee may deem advisable. The Committee will submit a final report to Council with recommendations for consideration. The Committee term shall continue for the 2014 calendar year.

3. MEETING SCHEDULE

The Committee set out a meeting schedule, as follows.

- April 30—Committee Orientation (2 hours)
- May 6—Information Gathering (3.5 hours)
 - Central Alberta Aquatic Centre Task Group
 - Red Deer Multi-Use Aquatic Centre Studies, Ted Watson, MJ/MA
 - Community Assets Needs Assessment Study, Kay Kenny, RPC
 - Province of AB Michener Centre Update, Jerry Hedlund, RPC
- May 7—Information Gathering (3.5 hours)
 - Rotary Recreation Park & South Site Study, Kari-Anne Gaume, Group 2
 - Demographics, Trends, Population, Growth, Scott Cameron, SPD
 - Aquatic Needs/Recreation Centre Outdoor Pool, Tammy Greba, RPC
 - Committee Charter formation, Darlene Wilson, Facilitator
- May 13—Form Principles (3.5 hours)
- May 20—Form Principles (2 hours)
- May 28—Apply Principles to Decisions about Amenities (3.5 hours)
 - Aquatic Trends Presentation, Andy Cuthbertson, CAAC
- June 5—Apply Principles to Decisions about Amenities/Site (6 hours)
 - Clarification of LEED standards, Jerry Hedlund, RPC
- June 18—Apply Principles to Decisions about Amenities/Site (3 hours)
 - Update from City Staff to Support Decision-Making, Jerry Hedlund, Kay Kenny, Tammy Greba, RPC

- June 23—Conclude discussion/recommendations on the future of the Michener Centre, costs and potential construction phasing (3 hours)
- June 26—Approve Report to City Council (1 hour)

4. ORIENTATION AND BACKGROUND INFORMATION

Over the past decade there has been considerable discussion about the value of incorporating an indoor 50-metre multi-use pool into the inventory of recreation facilities. There has also been considerable consultation with the public, including various stakeholder groups and committees. To date most discussion on a site for the multi-use facility has focused on a Greenfield site (new build/site) or an existing site—specifically the Rotary Recreation Park. Recent changes in the provincial political landscape have introduced the Michener Centre as another potential site for the facility. Upon City Council recommendation to revisit the concept of a multi-use aquatic facility in Red Deer, the *Multi-Use Aquatic Centre Review Committee Ad Hoc Committee* was formed. An initial orientation meeting for Committee members included a review of the Terms of Reference, followed by two information sessions to inform/update all participants on the work to date on a potential multi-use aquatic centre in Red Deer. Early in the process a Chair and Vice Chair were chosen and a schedule of meetings dates was confirmed. Committee members received all relevant documentation as described in the Terms of Reference. From that point the Committee spent valuable time formulating guiding principles for the project in order to make informed decisions and determine the best course of direction for a proposed multi-use aquatic centre.

5. METHODOLOGY

To maximize efficiencies given the rigorous timeline, the Facilitator began by guiding the Committee through a process to form a *team charter* based on Committee input; this charter promoted group clarity on ground rules, purpose, communication, decision-making, and conflict resolution. The Facilitator chose all components of the Committee process (tools, activities, etc.) with four factors in mind: *time*, *transparency*, *equal voice* (for all participants), and *optimal deliverables to City Council*. In addition, the Facilitator introduced the Committee Partnership Agreement, which focused on *defining and exchanging partnership* (what we hope to accomplish), *working interdependently*, *listening deeply*, and *accepting responsibility and accountability* for the quality of cooperation and outcomes.

A) Developing Principles. Adopting a vision statement and Principles early in the process provided clarity for making all decisions regarding the proposed aquatic facility. The vision of the group was clarified as in the Terms of Reference (TOR): *To advise Council on the size, location, included amenities, cost and phasing of a multi-use aquatic center that considers the current and future needs of Red Deer*. After a discussion on values and principles the committee went through an extensive process that allowed for individual brainstorming—which initially resulted in 30+ themes, from which four (4) core principles with descriptors emerged. **The Committee chose the following**

Principles:

- **Accessibility** (easy to reach; can be used by all)
 - Is inclusive (leaves no one behind)
 - Is physically accessible (to people, parking, transportation access)

- **Fiscal Responsibility** (responsibility with public money)
 - Is a sound investment
 - Debt Management (considers/manages this debt in relation to other debts)
 - Considers existing infrastructure
 - Considers sponsorship/partnership opportunities
 - Considers operating costs
 - Is timely (recognizes the best economic environment in which to build)
- **Community Focused** (meets people's needs)
 - Recognizes Red Deer Strategic Plans (Red Deer Identity & Vision)
 - Is an aquatics destination
 - Is inclusive
 - Is visually appealing – contributes to community pride
 - Is creative
- **Sustainability** (ability to be sustained, supported, upheld)
 - Is high quality/multi-use
 - Is environmentally responsible
 - Considers LEED principles

B) Methodology for Prioritizing Amenities. To begin, the Committee was asked to review the Principles and assign a weight to each Principle (criterion) that reflected its relative importance to them (3=high importance; 2=moderate importance; 1=low importance). Committee members were reminded that (a) this was not considered a “ranking” process per se (i.e. listing by importance) and Principles could receive the

same weighting if participants so chose and (b) participants were not “weighting” each bullet but the Principle as a “package.” All participant scores were averaged, and the resulting weights for each Principle were as follows: Accessibility (2.65), Fiscal Responsibility (2.7), Community Focused (2.75), and Sustainability (2.0). For consistency in results, weights were considered holistic and applied to decisions regarding both amenities *and* site.

Amenities: *Options/considerations.* Participants were asked to submit all possible options/considerations for amenities *inside* and *outside* the pool, as well as possible *sustainable features*. This list was discussed in detail and refined as shown in *Appendix A—Committee Members Amenities Worksheet*.

Amenities: *Subjective Ranking.* Based on their knowledge and experience participants were asked to subjectively rank their top ten (10) choices of amenities for *inside* the proposed building out of twenty (20) listed amenities. Participants were also asked to subjectively rank their top ten (10) *outside* amenities.

Amenities: *Decision-Making Matrix—Unweighted/Weighted Rankings.* Again, based on their knowledge and experience, participants were asked to consider the list of indoor and outdoor amenities through the lens of each of the four (4) established Principles (criteria). They used an agreed-upon scale to “score” each amenity (see *Appendix A*). Participant scores for each amenity were totaled for an overall “unweighted” score. To determine an overall “weighted” score for each amenity, all participant scores for each criterion (principle) were added and this total was multiplied by the established weighting (i.e. sustainability = weighting of 2.0). These four weighted totals (from the four principles) were then added

together, resulting in a cumulative “weighted” score. It is noted that there was very little discrepancy between the weighted and unweighted results.

C) Methodology for Choosing the Site. Given their participation in an extensive information gathering process, participants were asked to thoughtfully consider and then share their current preference(s) for site (quick check), and their reasoning for such (why). These preferences for site were recorded. Questions of clarification were encouraged and suggestions were recorded visually. After a second check on their preference for site, the discussion/clarification process was repeated, this time focusing on Principles exclusively—thus the three sites were evaluated according to their potential to meet the criteria of *accessibility*, *fiscal responsibility*, *community focus*, and *sustainability*. Through this process the Committee determined that **based on the information the Committee has to-date, the existing Rotary Recreation Park Site fits the criteria best**, followed by the Michener Centre, and then a Greenfield Site. It is noted that although the City did not specify an option for a Greenfield site, after some discussion members of the Committee focused on the North of 11A Major Area Structure Plan (Hazlett Lake) development as having the most “current” potential as a Greenfield site.

6. RESOLUTIONS AND RECOMMENDATIONS

The processes of developing Principles, prioritizing amenities, considering options for amenities, subjectively ranking amenities, applying principles via a decision-making matrix, and participating in a quick check/why process allowed for excellent discussion and debate and enabled Committee members to make timely decisions about the proposed aquatic facility. The resulting resolutions and recommendations follow.

A) Resolutions. The Committee passed the following resolutions:

1. **Principles:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Committee, having discussed decision making principles, hereby agrees to the following decision-making principles: Accessibility, community focused, sustainability and fiscal responsibility.”*
2. **Amenities:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a multi-use aquatic centre in Red Deer to include the following amenities:*
 - *ten lane pool (54 metres), with two bulkheads*
 - *hot tub*
 - *moveable floor*
 - *outdoor leisure pool (25 metres)*
 - *childcare area*
 - *retail space*
 - *concession space*
 - *wellness area*
 - *flexible meeting space*
 - *multi-purpose room*
 - *swim club space*
 - *timekeeping space*
 - *sauna/steam room*
 - *spectator seating*
 - *sunbathing terrace*
3. **Dive Tank:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a separate diving tank to be included in a multi-use aquatic facility in Red Deer, and forwards this to Council for consideration.”*
4. **LEED:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Committee, having considered the options for LEED Certification, hereby agrees to proceed on the basis that LEED shadow processes be achieved at a minimum.”*
5. **Site:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed a location for a multi-use aquatic facility, hereby endorses the Rotary Recreation Park site for a multi-use aquatic centre in Red Deer, and forwards this to Council for consideration.”*

6. **Cost Estimate:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Committee, having considered cost estimates for the Red Deer multi-use aquatic facility, hereby endorses an estimated total amount of \$74.65 M, which includes the 2013 estimated cost of \$71.15 M for the recommended indoor facility and the \$3.5 M estimated cost of the recommended outdoor pool. This does not include any green features or LEED principles.”* **Note:** Cost implications of LEED shadowing were unknown to the Committee at this time.
7. **Aquatic Standards:** *“Resolved that the Red Deer Multi-Use Aquatic Centre Review Committee, hereby recommends that the Red Deer multi-use aquatic facility be built to meet the FINA standards for national competitions. Note:* FINA (Fédération Internationale de Natation) standards will allow the proposed facility to compete for provincial and national competitions.)

B) Recommendations. The Committee put forward the following recommendations:

1. **Phasing.** Based on costing information presented to the Committee, construction phasing is not recommended as a fiscally responsible or a cost effective option for the proposed aquatic facility.
2. **Michener Centre.** The Committee strongly expressed that the City of Red Deer cannot afford to lose the existing aquatic facilities of the Michener Centre. As well, the Committee recommended that the City of Red Deer should pursue all avenues to keep the Michener Aquatic Centre open and maintain it as an aquatic facility, and should consider the pursuit of partnerships and/or a potential “gifting” of the facility from the Province.

7. COMMENTS

A) Timing. The Committee process was completed within a relatively short time frame, and as such the Committee relied on data, information and reporting assembled by the City of Red Deer, and made “best decisions” based on the information available to them *at this time*. The Committee clearly chose the Rotary Recreation Park Site as the best fit, according to the established Principles, for the proposed aquatic facility.

A recurring theme throughout Committee discussions focused on the difficulty of making a decision without knowing if/when City Council would approve the aquatics project.

The sentiment emerged that the timing of a decision might affect the choice of site for the aquatics facility. If construction of this facility were delayed for a lengthy period of time it would be in the best interest of the City to review the site choice based on circumstances and a review of available land and information at that time (i.e. Michener Centre or North of 11A Major Area Structure Plan). Uncertainty surrounding the future of the Michener Centre emerged as a concern and major consideration in site choice.

B) Timing and Inflation. Related to the topic of timeliness, the Committee strongly reiterated their concern for rising inflationary costs associated with each year that this aquatic project is delayed. The current (2013) cost estimates were projected at \$71.15M for the indoor facility, and \$3.5M for the outdoor pool. Projected inflationary impact on existing Aquatic Center calculations are as follows:

Inflationary impact on Aquatic Center Calculations

	Indoor Facility cost ('000)	Outdoor Pool cost ('000)	Combined cost ('000)
2015	\$80,656	\$3,968	\$84,624
2016	\$84,285	\$4,146	\$88,431
2017	\$88,078	\$4,333	\$92,411
2018	\$92,041	\$4,528	\$96,569
2019	\$96,183	\$4,731	\$100,914
2020	\$100,512	\$4,944	\$105,456
2021	\$105,035	\$5,167	\$110,202
2022	\$109,761	\$5,399	\$115,160
2023	\$114,700	\$5,642	\$120,342
2024	\$119,862	\$5,896	\$125,758

*Note: Numbers were inflated from 2013 estimates using 2015 City of Red Deer Capital Budget guidelines.

The Committee encourages Council to look at all possible sources of funding to support this investment in our community.

C) Essential Features. Throughout their discussions the Committee reiterated the significance of several features that did not necessarily qualify as “amenities” but were considered as integral to the entire project; essentially the Committee did not want these features to be “lost in the process.” This included:

- **Several design principles** that focused on connectedness and accessibility, and included a walking related amenity (i.e. corridor or covered promenade feature), trails linking the facility, bike racks, transit service availability, covered shelter, and the like.
- **CPTED** (Crime Prevention Through Environmental Design)—although recognized as standard building practice today—significant consideration of these standards particularly if a downtown location was chosen.

D) Enhanced Accessibility. There was significant discussion surrounding the concept of accessibility as an “amenity” itself, and Committee members suggested that *enhanced accessibility* might be an important consideration in a new facility, not only to meet the Principle of accessibility, but also to offer a unique feature in Red Deer aquatics.

Examples of enhanced accessibility included allocation for a pool lift, wide elevators, and accessible seating.

E) Outdoor Pool. The Committee stressed the significance of building an outdoor pool in conjunction with the indoor facility, as well as the importance of “synergy between the inside and outside pool areas,” including ample “deck area” for the many sunbathers who enjoy the outdoor pool experience.

F) Number of Lanes per Capita. The Central Alberta Aquatic Centre noted that Red Deer is currently experiencing a deficit in number of lanes available per capita, particularly in comparison to other Alberta cities. Concurrent with the expressed need for timeliness in moving forward with a new aquatic facility was an expressed desire to “catch up” to other comparable cities in terms of the number of lanes available per capita (see *Appendix B*).

G) First-Class Facility. In sync with the Committee’s principles of fiscal responsibility, community-focus, and sustainability, the Committee expressed a strong mandate to build a “first-class facility” that is both “high quality” and an “aquatics destination.” This facility will draw people from across the region, province, and potentially the country with the opportunity to have a positive economic impact in our city. This facility would enhance the reputation of Red Deer as a premier destination.

8. NEXT STEPS

The Committee will submit this final report along with their resolutions and recommendations to Council at the July 7, 2014 Council Meeting. This meets their major deliverable as per the terms of reference. This information will serve to inform the overall community amenity project as well as the 2015-2024 Capital Budget Plan.

The term of this Committee continues for the remainder of the 2014 calendar year, which, if required by City Council, may allow the Committee to address the final two points of the Terms of Reference after the initial report to Council is submitted in June/July 2014.

These two points are:

- Make recommendation to Council on alternative revenue opportunities that contribute to the development cost that may be identified during the project.

- Explore existing operational agreements and/or partnerships.

Further direction from Council is required.

Appendix A

Committee Members Amenities Worksheet

Name: _____

Level of Satisfaction – 5 pt Scale (*Committee chose this scale)

- ☐ 5 = Extremely satisfied that meets criteria
 4 = Very satisfied that meets criteria
 3 = Moderately satisfied that meets criteria
☐ 2 = Slightly satisfied that meets criteria
☐ 1 = Not at all satisfied that meets criteria

Indoor- Building	Accessibility	Fiscal Responsibility	Community Focus	Sustainability	TOTAL
54 m pool –10 lane (w/BH)					
54 m pool – 8 lane (w/BH)					
Moveable floor					
Separate Dive Tank					
Warm up/Leisure pool					
Hot tub					
Child's hot tub					
Sauna					
Kids/tots play pool					
Steam Room					
Flow Rider					
Viewing gallery/spectator seating					
On Deck Dryland workout area					
Youth Games Room					
Concession/eating area					
Multipurpose Rooms					
Fitness/Wellness Studio					
Fitness Equipment Area					
Childminding					
Accessibility - all					

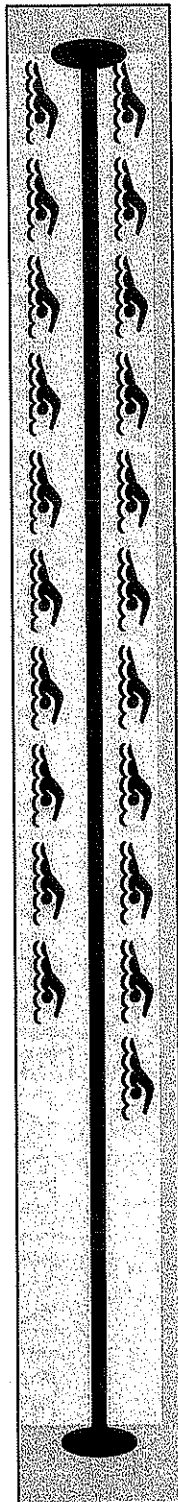
Retail Spaces for business					
“Main Street Walking Corridor” design					
Outside/Exterior Features	Accessibility	Fiscal Responsibility	Community Focus	Sustainability	TOTAL
Outdoor Leisure/Lap Pool (25 m)					
Kids’ pool					
Splash pad					
Sunbathing Area/Terrace					
Playground area					
Picnic area					
Group picnic area / Shelter					
Outdoor gym / workout area					
Concession					
*The Committee discussed these features below in detail					
Trails linking - Bike racks					
Transit service – covered shelter					
Walking Corridor (Covered Promenade Feature)					
Building Sustainable Features	Accessibility	Fiscal Responsibility	Community Focus	Sustainability	TOTAL
LEED certified					
LEED shadow					

CPTED					
Visual Appearance of building					
*The list below was deemed too detailed for Committee consideration					
BIG windows-natural light					
Green Roof					
Natural Ventilation					
Natural (indirect) Daylighting					
Solar photovoltaic panels					
Solar water heating					
Solar wall					
Rain water reuse					
Reduce Water Consumption					
Intelligent Control Systems					
Shading Devices					
High Performance Bldg. Envelope					
Zoned Lighting Control					
Rain Water Cistern for Irrigation					
Naturalized Biofilter Pond					
Plug-ins for Electric Cars					

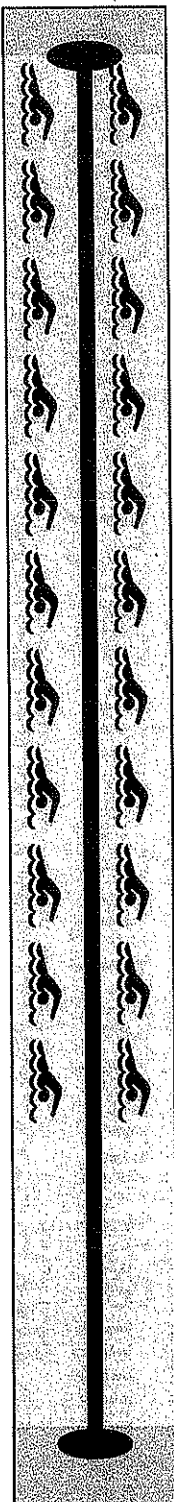
Appendix B
Central Alberta Aquatic Committee Data
2011 Population vs Number of Lanes

Population vs Number of Lanes (2011 census figures)

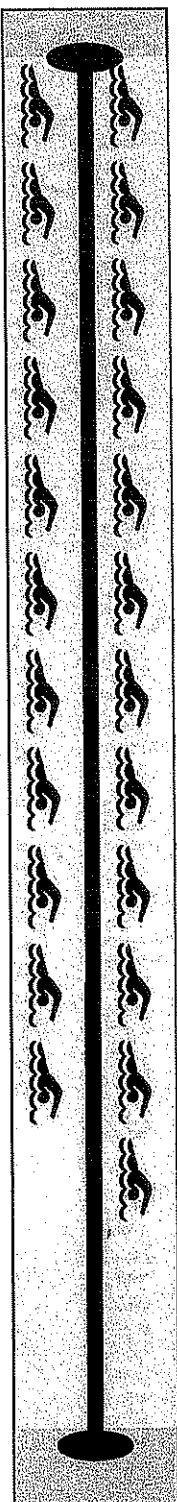
Lethbridge
2088 people
per lane



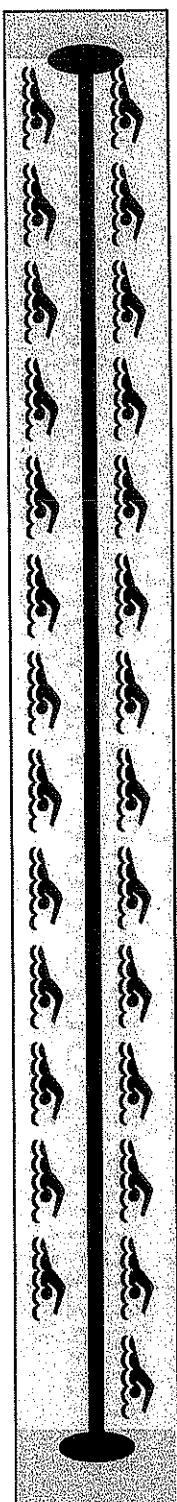
Fort McMurray
2186 people
per lane



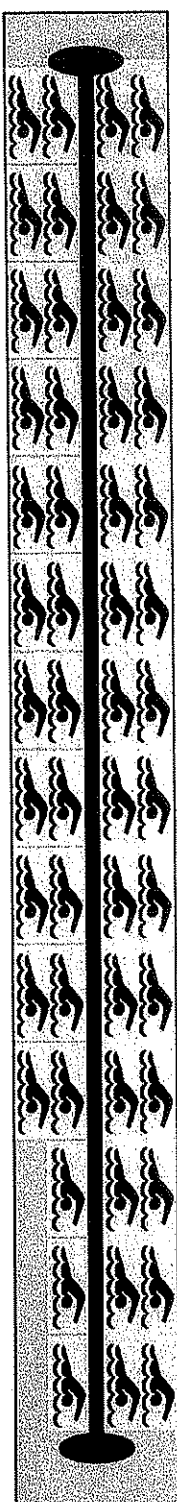
Grande Prairie
2293 people
per lane



Medicine Hat
2728 people
per lane



Red Deer
5327 people
per lane



*Compiled by the
C. A. H. C.*



RED DEER MULTI-USE AQUATIC CENTRE REVIEW AD HOC COMMITTEE

DATE: June 18, 2014

TO: City Council

FROM: Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

RE: Multi-Use Aquatic Centre Diving Tank

At the June 18, 2014 meeting, the Committee discussed a diving tank for the new Red Deer multi-use aquatic facility. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a separate diving tank to be included in a multi-use aquatic facility in Red Deer, and forwards this to Council for consideration.”

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "David Lustgarten", written over a horizontal line.

David Lustgarten

Chair, Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

/li

c: Shelley Gagnon, Recreation, Parks & Culture Manager



RED DEER MULTI-USE AQUATIC CENTRE REVIEW AD HOC COMMITTEE

DATE: June 18, 2014
TO: City Council
FROM: Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee
RE: Multi-Use Aquatic Centre Amenities

At the June 18, 2014 meeting, the Committee discussed amenities for the new Red Deer multi-use aquatic facility. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed amenities to be included in a multi-use aquatic facility, hereby endorses a multi-use aquatic centre in Red Deer to include the following amenities:

ten lane pool (54 metres), with two bulkheads	flexible meeting space
hot tub	multipurpose room
moveable floor	swim club space
outdoor leisure pool (25 metres)	timekeeping space
childcare area	sauna/steam room
retail space	spectator seating
concession space	sunbathing terrace
wellness area	

and forwards this to Council for consideration.”

Respectfully submitted,

David Lustgarten
Chair, Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

/li

c: Shelley Gagnon, Recreation, Parks & Culture Manager



RED DEER MULTI-USE AQUATIC CENTRE REVIEW AD HOC COMMITTEE

DATE: June 18, 2014

TO: City Council

FROM: Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

RE: Multi-Use Aquatic Centre Location

At the June 18, 2014 meeting, the Committee discussed a location for the new Red Deer multi-use aquatic facility. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having discussed a location for a multi-use aquatic facility, hereby endorses the Rotary Recreation Park site for a multi-use aquatic centre in Red Deer, and forwards this to Council for consideration.”

Respectfully submitted,



David Lustgarten
Chair, Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

/li

c: Shelley Gagnon, Recreation, Parks & Culture Manager



RED DEER MULTI-USE AQUATIC CENTRE REVIEW AD HOC COMMITTEE

DATE: June 26, 2014
TO: City Council
FROM: Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee
RE: Multi-Use Aquatic Centre Final Report

At the June 26, 2014 meeting, the Committee discussed the final report for the new Red Deer multi-use aquatic facility. Following the discussion, the motion as set out below was introduced and passed:

“Resolved that the Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee, having considered the final report for a multi-use aquatic facility in Red Deer, hereby endorses the final report, and forwards this to Council for consideration.”

Respectfully submitted,



David Lustgarten
Chair, Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee

/li

c: Shelley Gagnon, Recreation, Parks & Culture Manager

LEGISLATIVE SERVICES

July 9, 2014

David Lustgarten
Red Deer Multi-Use Aquatic Centre Ad Hoc Committee
43 Dentoom Close
Red Deer, AB T4R 3G6

Re: Red Deer Multi-Use Aquatic Centre Ad Hoc Committee Report

Dear Mr. Lustgarten,


On behalf of Red Deer City Council, thank you for your presentation on the Red Deer Multi-Use Aquatic Centre Ad Hoc Committee Report that was delivered at the Monday, July 7, 2014 Regular Council Meeting. Council appreciated receiving the report for their files.

Following your presentation, Council adopted the resolution as set out below:

Resolved that Council of The City of Red Deer, having considered the report from the Recreation, Parks & Culture Department dated June 23, 2014 and the Red Deer Multi-Use Aquatic Centre Ad Hoc Committee report dated June 2014, re: Red Deer Multi-Use Aquatic Centre Review Ad Hoc Committee Report hereby agrees to receive the report as information, as outlined in the Terms of Reference for the Committee, to inform the overall community amenity plan.

As outlined, this report will now be used to inform the Community Amenity Plan. Please extend our appreciation to all Committee members for their efforts in bringing this work to Council.

Sincerely,



for Frieda McDougall
Legislative Services Manager

- c. Shelley Gagnon, Recreation, Parks & Culture Manager
Grant Howell, Central Alberta Aquatic Centre Representative
Jack Cuthbertson, Central Alberta Aquatic Centre Representative
Curtis Bouteiller, Citizen Representative
Serge Gingras, Citizen Representative
Garfield Marks, Citizen Representative
Michelle Quigg, Citizen Representative
(John) Paul Stewart, Citizen Representative
Councillor Dianne Wyntjes, Red Deer City Council
Councillor Lawrence Lee, Red Deer City Council

DM 1546700



June 25, 2014

Bylaw 3357/N-2014 - Land Use Bylaw Amendment To correct Omnibus Amendment 3357/E-2014

Planning Department

Report Summary & Recommendation:

City Council on Monday, June 9, 2014 gave second and third readings to the omnibus Land Use Bylaw Amendment 3357/E-2014.

Subsequently it was discovered that the Bylaw contained a wording error. In Bylaw 3357/E-2014, items 9 and 10 were adopted as follows:

- 9 Section **6.2 I2 Industrial (Business Service) District** is amended by deleting from **Discretionary Uses Table (I)(b)** the following Discretionary Use:

“(iii) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities”

- 10 Section **6.2 I2 Industrial (Business Service) District** is amended by adding to **Discretionary Uses Table (I)(b)** the following new Discretionary Use:

“(iii) Medical Marihuana Facility (MMF)”

The correct wording should have read as:

- 9 Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by deleting from **Discretionary Uses Table (I)(b)** the following Discretionary Use:

“(iii) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities”

- 10 Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by adding to **Discretionary Uses Table (I)(b)** the following new Discretionary Use:

“(iii) Medical Marihuana Facility (MMF)”

In discussions with Legislative Services and the Legal Department, it was determined that the wording error must be corrected by bylaw under Section 68 of the Municipal Government Act which reads as follows:



“68 (1) If a mistake is made during the revision of a bylaw and the bylaw adopting the revised bylaw has been passed, the mistake may be corrected by bylaw.

(2) The bylaw correcting the mistake is deemed to have been made as if all the requirements respecting the passing and approval of the bylaw for which the revised bylaw was substituted have been complied with.”

The amending bylaw may be given three successive readings in one night with no need for a public hearing as there is no change proposed to the original intent of Bylaw 3357/E-2014.

Planning staff recommend that Council give the required three readings to Bylaw No. 3357/N-2014.

City Manager Comments:

I support the recommendation of administration, that Council consider three readings of Land Use Bylaw Amendment 3357/N-2014

Craig Curtis
City Manager

Proposed Resolution

That Council consider three readings of Land Use Bylaw Amendment 3357/N-2014 at this time.

BYLAW NO. 3357/N-2014

Being a Bylaw to amend Bylaw No. 3357/E-2014, a Land Use Bylaw Amendment of The City of Red Deer as described herein.

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

Bylaw No. 3357/E-2014 is hereby amended as follows:

By deleting sections 9 and 10 in their entirety and replacing with the following revised Sections 9 and 10:

9. Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by deleting from **Discretionary Uses Table (1) (b)** the following Discretionary Use:

 “(iii) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities”
10. Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by adding to the **Discretionary Uses Table (1) (b)** the following new Discretionary Use:

 “(iii) Medical Marihauna Facility (MMF)”

READ A FIRST TIME IN OPEN COUNCIL this	day of	2014.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2014.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2014.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2014.

MAYOR

CITY CLERK

Council Decision – July 7, 2014

DATE: July 8, 2014
TO: Tara Lodewyk, Planning Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Bylaw 3357/N-2014 – Land Use Bylaw Amendment to correct Amendment 3357/E-2014

Reference Report:

Planning Services, dated June 25, 2014

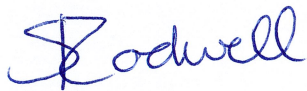
Bylaw Readings:

At the Monday, July 7, 2014 Regular Council Meeting, Council gave three readings to Land Use Bylaw Amendment 3357/N-2014 – An amendment to correct Omnibus amendment 3357/E-2014. A copy of the Bylaw is attached.

Report back to Council: No

Comments/Further Action:

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



for Frieda McDougall
Manager
/attach.

- c. K. Fowler, Director of Planning Services
- O. Toews, Senior Planner

BYLAW NO. 3357/N-2014

FILE COPY

Being a Bylaw to amend Bylaw No. 3357/E-2014, a Land Use Bylaw Amendment of The City of Red Deer as described herein.

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

Bylaw No. 3357/E-2014 is hereby amended as follows:

By deleting sections 9 and 10 in their entirety and replacing with the following revised Sections 9 and 10:

9. Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by deleting from **Discretionary Uses Table (1) (b)** the following Discretionary Use:

“(iii) Manufacturing, processing, distribution, repair, servicing, and/or rental facilities”

10. Section **6.2 I2 Industrial (Heavy Industrial) District** is amended by adding to the **Discretionary Uses Table (1) (b)** the following new Discretionary Use:

“(iii) Medical Marihuana Facility (MMF)”

READ A FIRST TIME IN OPEN COUNCIL this	7 th	day of	July	2014.
READ A SECOND TIME IN OPEN COUNCIL this	7 th	day of	July	2014.
READ A THIRD TIME IN OPEN COUNCIL this	7 th	day of	July	2014.
AND SIGNED BY THE MAYOR AND CITY CLERK this	7 th	day of	July	2014.

“Tara Veer”

MAYOR

“Frieda McDougall”

CITY CLERK



June 25, 2014

Chicken Bylaw No. 3517/2014

Consideration of Second & Third Reading

Inspections and Licensing

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, June 23, 2014 Regular Council meeting.

Recommendation:

That Council consider giving second and third readings to Bylaw No. 3517/2014.

City Manager Comments:

Council's consideration of second and third reading for Chicken Bylaw 3517/2014, a bylaw to regulate the keeping of chickens in urban areas is requested.

Craig Curtis
City Manager

Report Details

Background:

At the Monday, June 23, 2014 Regular Council Meeting, Council gave first reading to the Chicken Bylaw 3517/2014. The bylaw is being brought forward for consideration of second and third readings at this time.



Report Submitted Previously at
the Monday, June 23, 2014
Council Meeting

June 04, 2014

Urban Chickens

Inspections and Licensing

Report Summary & Recommendation:

Following the completion of the pilot project approved by Red Deer City Council, Council has the option of either permitting or not permitting chickens within the City of Red Deer. Should they choose to allow them, the three options for their consideration include the adoption of a Chicken Bylaw, a Land Use Bylaw amendment, or a hybrid of both. If Council chooses not to allow chickens, a resolution is required to conclude the pilot project, and Council should give consideration to whether or not to grant pilot project registrants a specified time to arrange for new homes for existing chickens, or to allow existing chickens until the end of their life span.

Administration's recommendation is that Council give first reading to the Chicken Bylaw to permit the keeping of chickens within the City of Red Deer with the regulations as contained within the bylaw. In addition, Administration recommends that a report be brought back to Council in one year's time with the impacts to the community and any issues that have arisen in the course of monitoring for the first year.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of the Urban Chickens Report as presented to the June 23, 2014 Council Meeting.

That Council consider first reading of Chicken Bylaw 3517/2014 at this time.

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department, dated June 4, 2014 re: Urban Chickens, hereby declares the Urban Chicken Pilot concluded and directs Administration to bring a report back to Council in one year's time (by June 30, 2015) with the impacts to the community and any issues that have arisen in the course of monitoring backyard chickens for the first year.



Report Details

Background:

The initial chicken pilot project was approved by City Council on February 21, 2012. Administration was directed to undertake a pilot project that included the review of existing chicken operations to assess the issues and impact of chickens, as well as a public engagement piece to determine the level of support for chickens.

Following the one year period, Administration returned to Council on February 19, 2013 requesting that Council extend the existing pilot project, with further detailed direction and parameters provided to Administration in conducting the pilot. The specific details approved by resolution included:

- A maximum of six backyard chickens, no roosters.
- A requirement for all existing chicken owners to register with The City of Red Deer and the information that would be required as part of that registration.
- Citizens were permitted to register chickens within 4 months of the Council decision; following that period, no other persons were permitted to own chickens.
- Administration to keep engaged with the urban chicken community through CLUCK.
- Administration to continue monitoring, discuss strategies with the community and respond to complaints. Any issues related to noise, smells, or other similar items would be enforced through the Community Standards Bylaw as "Nuisances".
- Administration to conduct site visits of each registrant.

A significant amount of work, including site visits and public consultation, has occurred since last year, and Administration is now bringing forward a report summarizing the observations and research completed and outlining the options for Council to consider.

Discussion:

Essentially, Council has the decision of either permitting or not permitting the keeping of chickens within the City of Red Deer.

Permit Chickens

If Council elects to permit chickens, there are three options for consideration. These include:

- I) The adoption of a Chicken Bylaw that is similar to other City of Red Deer animal control bylaws, such as the Dog Bylaw and the Cat Bylaw.



The proposed bylaw contains regulations related to the:

- number of chickens allowed
- prohibition of roosters or on site slaughtering
- sale of eggs and the care and welfare of the chickens.

Licensing of chickens is required with penalties for non-compliance. The recommended maximum number of available chicken licenses that may be issued per annum is also regulated, being set at one license per 1,000 persons within the city, allowing for a current total of 97 licenses. As the population increases, as is expected with the census this year, the total number of chicken licenses permitted would increase proportionally. One license would be issued per site and would allow for a maximum of four chickens registered on that license; thus, allowing for a maximum total of 388 chickens throughout the city. There would be a nominal fee associated with the license and the license would be renewed annually.

A significant distinction between urban and rural areas is being made with the proposed bylaw. Properties annexed from the County of Red Deer remain zoned to permit agricultural uses, which under the County Land Use Bylaw, allow for both the raising of livestock, as well as the production of eggs. Also, properties zoned within The City's Land Use Bylaw as A1 or A2, would continue to allow agricultural uses as either permitted or discretionary uses. These properties would not be subject to the regulations contained within the Chicken Bylaw. For the remaining areas, a definition of an "Urban Area" is included within the proposed bylaw, and the purpose is stated as regulated and controlling the keeping of chickens within Urban Areas. Accordingly, livestock uses, as permitted in the rural areas, are not permitted in the urban area.

Variance requests, such as increasing the number of chickens permitted or reducing site area, are not permitted in the Chicken Bylaw, as consideration of a variance is only enabled through the Land Use Bylaw. In addition, should Council wish to repeal the bylaw in the future, the raising of chickens would be eliminated and the right of an individual to raise chickens would end when their current license expired.

Enforcement under a Chicken Bylaw would be simple in a sense, as it would be completed in the same manner as the Dog Bylaw, with violation tickets being issued to the chicken owner and an existing system which could be duplicated to address enforcement of the bylaw.

- 2) The adoption of a Land Use Bylaw amendment that would regulate the districts in which chickens may be kept.

The Land Use Bylaw can also regulate the locations that coops may be permitted (front/side/rear yard setbacks), the size of a coop, and the size of any penned area. The use of accessory buildings is currently contained within the Bylaw, including



regulations, and would form the basis for regulating coop size and location without the need for an extensive amendment.

Although many regulations could be captured within the Land Use Bylaw, the bylaw does not allow for the regulation of animal welfare. Decisions would be appealable to the Subdivision and Development Appeal Board and there is a risk of variances being approved (eg. varying the number of chickens permitted for a property).

- 3) A hybrid solution, which would require passing both a Chicken Bylaw and a Land Use Bylaw amendment. This approach provides for the most comprehensive and certain regulatory scheme, as it allows The City to address both animal welfare and land uses considerations.

Prohibit Chickens

If Council proceeds to prohibit the keeping of chickens, a resolution would be required to conclude the pilot project and the adoption of a Chicken Bylaw that expressly prohibits the keeping of chickens.

Consideration should also be given to the pilot project registrants for the chickens currently owned. Registrants have stated these concerns, as many of these chickens are pets and are part of their family's lives. In addition to the approval of a Chicken Bylaw that expressly prohibits the keeping of chickens, Council could:

- a) Require that all pilot project registrants find new homes for their existing chickens immediately.
- b) Grant registrants until December 31, 2014 to find new homes for any existing chickens.
- c) Approve provisions within the Chicken Bylaw that "grandfather" any existing chickens for the remainder of their lives.

Analysis:

Public Consultation

A considerable amount of consultation has taken place since February 2013, both with the general public, as well as pilot project registrants.

Site visits were conducted with 30 out of the 35 registrants, which included a tour of the coop area to observe the chicken operation, and a questionnaire. Each visit was conducted by The City's consultant, Joyce Boon, and the responses to the questionnaire and Ms. Boon's observations are summarized within her report. Throughout the project, Ms. Boon worked closely with an employee of Alberta Agriculture and Rural Development, Ms. Adrienne Herron, who also attended a number of the site visits to observe the chicken operations.



The observations were positive, and included such things as minimal noise and smell. Coops included a range of sizes and designs, with a number of them being hand made by the registrants, and all were located either in the rear yard or the side yard of the property. While the majority of the registrants' properties were zoned for single family dwellings, it should be noted that there was one participant who lived within a semi-detached dwelling (duplex) and one within a manufactured home.

In February 2014, Administration sent a letter to all persons living within 100 metres of all project registrants, to inform them that they lived within 100 metres of a home that was involved in the pilot project and seeking feedback on whether they were aware there were chickens nearby, if they had any concerns or issues related to those chickens, and whether or not they would support bylaw regulations that would allow chickens.

The timeline allowed the project to be operational for a period of one year prior to obtaining feedback. A total of 1,850 letters were sent out, with 478 returned, a 25.84% response rate. Appendix iv and v within the Consultant's report summarizes the comments that were received from that mailout. Of those letters returned, 287 were in support of bylaw regulations, 170 were not, and 21 were undecided. Interestingly, of the 457 responses, only 179 of the individuals were aware there were chickens within 100 metres of them. Of those individuals, 120 were supportive of a bylaw and 59 were opposed.

Following that consultation, Administration also enlisted the public for consultation at The City's Let's Talk event held on April 12, 2014 at Parkland Mall. Administration was available to discuss chickens and the pilot project with the public, who were also encouraged to complete an online survey that ran on The City's website from April 11-25.

The results of the survey did not show a significant split between those in support of a bylaw (52.41%) and those that are not (47.78%), but does give a representation of what the public would like in relation to chicken bylaw regulations.

Attached to this report are copies of all surveys and letters received from the public from the April 2014 survey, including the comments received from the online portion, are included for Council's review and consideration.

Complaints

A total of four complaints were received throughout the course of the pilot project – two which formed part of the comments received from the survey sent out to landowners living within 100 metres of a pilot project registrant, and two that were received separately.

Three of the four complaints related to noise and smell. A Compliance Officer conducted site inspections for all complaints, and each were reviewed using the Community Standards Bylaw. One of the complaints related to noise from a rooster, which was not permitted under the guidelines for the project. The owner did comply and remove the rooster from his property. The other two complaints were reviewed and it was determined that neither



complaint constituted a “nuisance” as defined under the Community Standards Bylaw. No further complaints were received on either address.

The other complaint received was regarding a rooster running at large and The City’s Compliance Officer, in conjunction with Alberta Animal Services, responded to the call and apprehended the rooster.

Comparison of Other Municipalities

A review of what other municipalities’ practices are regarding chickens was completed by the Consultant, and a comparison broken down into municipalities that allow chickens and those that do not, is included within the Consultant’s report.

In general, there are several municipalities throughout Alberta, as well as Canada, which do permit chickens. The majority of those municipalities use their animal control bylaws to regulate chickens, as well as other animals.

A number of municipalities have been in contact with Administration regarding The City of Red Deer’s pilot project, as they are currently researching the feasibility and many are waiting to see the outcome within Red Deer, prior to making a decision.

Number of Chickens

Although the pilot project allowed for up to six chickens per dwelling, Administration is recommending the Chicken Bylaw allow for a maximum of four. As it is difficult to know how many residents would start raising chickens, four chickens would be less of an impact for adjacent land owners. This recommendation is similar to that contained within Vancouver’s regulations, which also limits the maximum number of chickens to four.

The average number of chickens per registrant household is 4.84%. There are 15 families registered in the project that have more than 4 chickens, and 15 that have 4 or less. It would be Administration’s recommendation that those families with more be given until December 31, 2014 to comply with the regulation of four chickens.

For more detailed information related to the research completed, and the results of public consultation, Council should refer to the Consultant’s report, submitted on June 9, 2014 by Joyce Boon.

Revised version per amendments made at the June 23, 2014 Council Meeting

BYLAW NO. 3517/2014**BEING A BYLAW OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA,
TO REGULATE THE KEEPING OF CHICKENS IN URBAN AREAS**

WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws for municipal purposes respecting: the safety, health and welfare of people and the protection of people and property; wild and domestic animals, and activities in relation to them; and the enforcement of bylaws; and

WHEREAS pursuant to section 8 of the *Municipal Government Act* the council of a municipality may, in a bylaw, regulate or prohibit and to provide for a system of licences, permits and approvals.

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

1. This bylaw may be called the “Chicken Bylaw”.
2. For the purposes of this bylaw:
 - (a) **“Chicken License”** means a license issued by the City Manager pursuant to this Bylaw authorizing the license holder to keep Urban Chickens on a specific property within an Urban Area;
 - (b) **“Coop”** means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens, that is no larger than 10 m² in floor area, and no more than 2.4m in height;
 - (c) **“Hen”** means a domesticated female chicken;
 - (d) **“Municipal Tag”** means a document alleging an offence issued pursuant to the authority of a Bylaw of the City;
 - (e) **“Outdoor Enclosure”** means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;
 - (f) **“Peace Officer”** has the same meaning as in the *Provincial Offences Procedure Act*;
 - (g) **“Rooster”** means a domesticated male chicken;

- (h) **“Urban Chicken”** means a Hen that is at least 16 weeks of age;
- (i) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*;
- (j) **“Urban Area”** means lands located within the City on which agricultural operations, including but not limited to the keeping of livestock are neither a permitted or discretionary use under the City’s Land Use Bylaw.

Purpose

- 3. The purpose of this bylaw is to regulate and control the keeping of chickens within Urban Areas.

Prohibitions

- 4. In an Urban Area, no person shall:
 - (a) keep a Rooster;
 - (b) keep a Hen, other than an Urban Chicken for which a valid Chicken License has been issued.

Chicken License

- 5. A person may apply to keep no more than (4) Urban Chickens by:
 - (a) submitting a completed application, on the form approved by the City Manager, and
 - (b) paying a licence fee of \$23.00.
- 6. The City Manager may not issue or renew a Chicken License unless satisfied that:
 - (a) the applicant is the owner of the property on which the Urban Chickens will be kept, or that the owner of the property has provided written consent to the application;
 - (b) the land use districting of the property on which the Urban Chickens will be kept allows the placement of a Coop for the keeping of Urban Chickens;

- (c) the applicant resides on the property on which the Urban Chickens will be kept;
 - (d) the applicable fee has been paid; and
 - (e) all required information has been provided.
7. The maximum number of Chicken Licenses that may be issued for the year in which this Bylaw comes into force shall be sixty five (65). Each subsequent year, the maximum number of Chicken Licenses that may be issued shall be one Chicken License per one thousand five hundred (1500) persons based on the population of the City of Red Deer as determined in the most recent census.
8. The City Manager may refuse to grant or renew a Chicken License for the following reasons:
- (a) the applicant or license holder does not or no longer meets the requirements of this bylaw for a Chicken License;
 - (b) the applicant or license holder:
 - i. furnishes false information or misrepresents any fact or circumstance to the City Manager or a Peace Officer;
 - ii. has, in the opinion of the City Manager based on reasonable grounds, contravened this bylaw whether or not the contravention has been prosecuted;
 - iii. fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of Urban Chickens;
 - iv. fails to pay any fee required by this or any applicable Bylaw; or
 - (c) in the opinion of the City Manager based on reasonable grounds it is in the public interest to do so.
9. If the City Manager refuses to grant or renew a Chicken License, the applicant may appeal the decision to the Red Deer Appeal & Review Board, in accordance with the procedures set out in the City of Red Deer Appeal Boards Bylaw.

10. A Chicken License is valid only for the period January 1 to December 31 in the year for which it is issued.

11. A Chicken License is not transferable from one person to another or from one property to another.

12. A person to whom a Chicken License has been issued shall produce the license at the demand of the City Manager or a Peace Officer.

Keeping of Urban Chickens

13. A person who keeps Urban Chickens must:

- (a) provide each Hen with at least 0.37 m² of interior floor area, and at least 0.92 m² of Outdoor Enclosure, within the Coop;
- (b) provide and maintain, in the Coop, at least one nest box per coop and one perch per Hen, that is at least 15 cm long;
- (c) keep each Hen in the Coop at all times;
- (d) provide each Hen with food, water, shelter, light, ventilation, care, and opportunities for essential behaviours such as scratching, dust-bathing, and roosting, all sufficient to maintain the Hen in good health;
- (e) maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;
- (f) construct and maintain the Coop to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;
- (g) keep a food container and water container in the Coop;
- (h) keep the Coop secured from sunset to sunrise;
- (i) remove leftover feed, trash, and manure in a timely manner;
- (j) store feed within a fully enclosed container;

- (k) and manure within a fully enclosed container, and store no more than 3 cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with City bylaws;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
- (n) keep Hens for personal use only.

14. No person who keeps Urban Chickens shall:

- (a) sell eggs, manure, meat, or other products derived from Hens;
- (b) slaughter a Hen on the property;
- (c) dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens; and
- (d) keep a Hen in a cage, kennel, or any shelter other than a Coop.

Offence and Penalties

15. A person who contravenes any provision of this Bylaw is guilty of an offence.

16. A person who is guilty of an offence is liable to a fine in an amount not less than \$100.00.

17. Without restricting the generality of section 16, the fine amount established for use on Municipal Tags and for Violation Tickets if a voluntary payment option is offered is \$150.00.

Municipal Tag

18. A Peace Officer is authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

19. A Municipal Tag may be issued to such person:

- (a) either personally; or

(b) by mailing a copy to such person at his or her last known post office address.

20. The Municipal Tag shall be in a form approved by the City Manager and shall state:

(a) the name of the Person;

(b) the offence;

(c) the specified penalty established by this Bylaw for the offence;

(d) that the penalty shall be paid within 14 days of the issuance of the Municipal Tag; and

(e) any other information as may be required by the City Manager.

Payment in Lieu of Prosecution

21. Where a Municipal Tag is issued pursuant to this Bylaw, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the City the penalty specified within the time period indicated on the Municipal Tag.

Violation Ticket

22. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.

23. Despite section 22, a Peace Officer is authorized and empowered to issue a Violation Ticket to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.

24. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:

(a) specify the fine amount established by this Bylaw for the offence; or

(b) require a person to appear in court without the alternative of making a voluntary payment.

Voluntary Payment

25. A person who commits an offence may

- (c) if a Violation Ticket is issued in respect of the offence; and
- (d) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

Obstruction

26. No Person shall obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

Powers of City Manager

27. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (d) establish forms for the purposes of this Bylaw; and
- (e) delegate any powers, duties or functions under this Bylaw to a City employee.

General

28. Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other City Bylaw, or any requirement of any lawful permit, order or licence.

Severability

29. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Enactment

30. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ A FIRST TIME IN OPEN COUNCIL this 23 day of June 2014.

READ A SECOND TIME IN OPEN COUNCIL this day of 2014.

READ A THIRD TIME IN OPEN COUNCIL this day of 2014.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2014.

MAYOR

CITY CLERK

Original presented to the June 23, 2014 Council Meeting
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BYLAW NO. 3517/2014**BEING A BYLAW OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA,
TO REGULATE THE KEEPING OF CHICKENS IN URBAN AREAS**

WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws for municipal purposes respecting: the safety, health and welfare of people and the protection of people and property; wild and domestic animals, and activities in relation to them; and the enforcement of bylaws; and

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 - (d) **“Municipal Tag”** means a document alleging an offence issued pursuant to the authority of a Bylaw of the City;
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- (c) the applicant resides on the property on which the Urban Chickens will be kept;
 - (d) the applicable fee has been paid; and
 - (e) all required information has been provided.
7. The maximum number of Chicken Licenses that may be issued for the year in which this Bylaw comes into force shall be one hundred (100). Each subsequent year, the maximum number of Chicken Licenses that may be issued shall be one Chicken License per one thousand (1000) persons based on the population of the City of Red Deer as determined in the most recent census.
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(e) maintain the Coop in good repair and sanitary condition, and free from vermin and noxious or offensive smells and substances;

(f) construct and maintain the Coop to prevent any rodent from harbouring underneath or within it or within its walls, and to prevent entrance by any other animal;

(g) keep a food container and water container in the Coop;

(h) keep the Coop secured from sunset to sunrise;

(i) remove leftover feed, trash, and manure in a timely manner;

(j) store feed within a fully enclosed container;

- (k) and manure within a fully enclosed container, and store no more than 3 cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with City bylaws;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
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Powers of City Manager

27. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may:

(a) carry out any inspections to determine compliance with this Bylaw;

(b) take any steps or carry out any actions required to enforce this Bylaw;

(c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;

(d) establish forms for the purposes of this Bylaw; and

(e) delegate any powers, duties or functions under this Bylaw to a City employee.

General

28. Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other City Bylaw, or any requirement of any lawful permit, order or licence.

Severability

29. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Enactment

30. This Bylaw shall come into force and effect when it has received third reading and has been duly signed.

READ A FIRST TIME IN OPEN COUNCIL this day of 2014.

READ A SECOND TIME IN OPEN COUNCIL this day of 2014.

READ A THIRD TIME IN OPEN COUNCIL this day of 2014.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2014.

MAYOR

CITY CLERK

DATE: July 8, 2014
TO: Howard Thompson, Inspections & Licensing Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Chicken Bylaw 3517/2014
Consideration of Second & Third Reading

Reference Report:

Inspections and Licensing, dated June 25, 2014

Bylaw Readings:

At the Monday, June 23, 2014 Regular Council Meeting, prior to consideration of Bylaw 3517/2014, the Chicken Bylaw, the following motion to amend was introduced and passed:

Resolved that Council of The City of Red Deer having considered the report from the Inspections & Licensing Department dated June 4, 2014 re: Urban Chickens agrees to amend Section 5 (b) of Bylaw 3517/2014 as follows:

(5) (b) Paying a license fee of \$28.00 per chicken.

Council then gave second and third reading to the Chicken Bylaw 3517/2014, as amended, - a bylaw to regulate the keeping of chickens in urban areas. A copy of the bylaw is attached.

Report back to Council: Yes, as per June 23rd Council resolution as described in the resulting decision letter.

Comments/Further Action:

This item will report back to Council in one year's time (by June 30, 2015) with the impacts to the community and any issues that have arisen in the course of monitoring backyard chickens for the first year.



for Frieda McDougall
Manager
/attach.

- c. K. Fowler, Director of Planning Services
E. Stuart, Inspections & Licensing Supervisor
Corporate Meeting Coordinator

BYLAW NO. 3517/2014

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**BEING A BYLAW OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA,
TO REGULATE THE KEEPING OF CHICKENS IN URBAN AREAS**

WHEREAS pursuant to section 7 of the *Municipal Government Act* the council of a municipality may pass bylaws for municipal purposes respecting: the safety, health and welfare of people and the protection of people and property; wild and domestic animals, and activities in relation to them; and the enforcement of bylaws; and

WHEREAS pursuant to section 8 of the *Municipal Government Act* the council of a municipality may, in a bylaw, regulate or prohibit and to provide for a system of licences, permits and approvals.

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

1. This bylaw may be called the "Chicken Bylaw".
2. For the purposes of this bylaw:
 - (a) **"Chicken License"** means a license issued by the City Manager pursuant to this Bylaw authorizing the license holder to keep Urban Chickens on a specific property within an Urban Area;
 - (b) **"Coop"** means a fully enclosed weather proof structure and attached Outdoor Enclosure used for the keeping of Urban Chickens, that is no larger than 10 m² in floor area, and no more than 2.4m in height;
 - (c) **"Hen"** means a domesticated female chicken;
 - (d) **"Municipal Tag"** means a document alleging an offence issued pursuant to the authority of a Bylaw of the City;
 - (e) **"Outdoor Enclosure"** means a securely enclosed, roofed outdoor area attached to and forming part of a Coop having a bare earth or vegetated floor for Urban Chickens to roam;
 - (f) **"Peace Officer"** has the same meaning as in the *Provincial Offences Procedure Act*;
 - (g) **"Rooster"** means a domesticated male chicken;

- (c) the applicant resides on the property on which the Urban Chickens will be kept;
- (d) the applicable fee has been paid; and
- (e) all required information has been provided.
7. The maximum number of Chicken Licenses that may be issued for the year in which this Bylaw comes into force shall be sixty five (65). Each subsequent year, the maximum number of Chicken Licenses that may be issued shall be one Chicken License per one thousand five hundred (1500) persons based on the population of the City of Red Deer as determined in the most recent census.
8. The City Manager may refuse to grant or renew a Chicken License for the following reasons:
- (a) the applicant or license holder does not or no longer meets the requirements of this bylaw for a Chicken License;
 - (b) the applicant or license holder:
 - i. furnishes false information or misrepresents any fact or circumstance to the City Manager or a Peace Officer;
 - ii. has, in the opinion of the City Manager based on reasonable grounds, contravened this bylaw whether or not the contravention has been prosecuted;
 - iii. fails to pay a fine imposed by a court for a contravention of this Bylaw or any other applicable Bylaw related to the keeping of Urban Chickens;
 - iv. fails to pay any fee required by this or any applicable Bylaw; or
 - (c) in the opinion of the City Manager based on reasonable grounds it is in the public interest to do so.
9. If the City Manager refuses to grant or renew a Chicken License, the applicant may appeal the decision to the Red Deer Appeal & Review Board, in accordance with the procedures set out in the City of Red Deer Appeal Boards Bylaw.

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- (k) and manure within a fully enclosed container, and store no more than 3 cubic feet of manure at a time;
- (l) remove all other manure not used for composting or fertilizing and dispose of same in accordance with City bylaws;
- (m) follow biosecurity procedures recommended by the Canadian Food Inspection Agency to reduce potential for disease outbreak; and
- (n) keep Hens for personal use only.

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14. No person who keeps Urban Chickens shall:

- (a) sell eggs, manure, meat, or other products derived from Hens;
- (b) slaughter a Hen on the property;
- (c) dispose of a Hen except by delivering it to a farm, abattoir, veterinarian, or other operation that is lawfully permitted to dispose of Hens; and
- (d) keep a Hen in a cage, kennel, or any shelter other than a Coop.

Offence and Penalties

15. A person who contravenes any provision of this Bylaw is guilty of an offence.
16. A person who is guilty of an offence is liable to a fine in an amount not less than \$100.00.
17. Without restricting the generality of section 16, the fine amount established for use on Municipal Tags and for Violation Tickets if a voluntary payment option is offered is \$150.00.

Municipal Tag

18. A Peace Officer is authorized and empowered to issue a Municipal Tag to any person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
19. A Municipal Tag may be issued to such person:
- (a) either personally; or

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25. A person who commits an offence may

- (c) if a Violation Ticket is issued in respect of the offence; and
- (d) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

Obstruction

26. No Person shall obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this Bylaw.

Powers of City Manager

27. Without restricting any other power, duty or function granted by this Bylaw, the City Manager may:

- (a) carry out any inspections to determine compliance with this Bylaw;
- (b) take any steps or carry out any actions required to enforce this Bylaw;
- (c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;
- (d) establish forms for the purposes of this Bylaw; and
- (e) delegate any powers, duties or functions under this Bylaw to a City employee.

General

28. Nothing in this Bylaw relieves a person from complying with any Federal or Provincial law or regulation, other City Bylaw, or any requirement of any lawful permit, order or licence.

Severability

29. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.