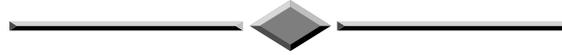




A G E N D A



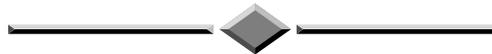
FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN

THE COUNCIL CHAMBERS, CITY HALL

MONDAY, January 25, 2010

COMMENCING AT 3:00 P.M.



- (1) Confirmation of the Minutes of the Regular Council Meeting of Monday, January 11, 2010 and Council Budget Meeting of Wednesday, January 13, 2010.
- (2) **PRESENTATION**
 1. Alberta Public Works Association – *Presentation by Tim Zapf, Alberta Public Works Association Board Member, of Project of the Year Award to City of Red Deer Employee - Shane Rajotte*
- (3) **UNFINISHED BUSINESS**
 1. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signage* (Consideration of First Reading of the Bylaw) ..1
 2. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/JJ-2009 - Open House / Show Home Signs* (Consideration of First Reading of the Bylaw) ..14

3. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/MM-2009 – Rezoning of 0.37 acres of Land from R1 to P1 and from R1 to Road / Proposed Municipal Reserve / Westlake Neighbourhood / City of Red Deer / Trademark West Park Inc.*
(Consideration of Third Reading of the Bylaw) ..38

- (4) **PUBLIC HEARINGS**
 1. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/OO-2009 – Front Access Single Wide Attached Garages – Block M, Plan 1528 HW, Block B, Plan 257 HW and Block B, Plan 4867KS) / Mature Neighbourhood Parkvale Overlay District and Changes to the Parkvale Community Modest Infill Design Guidelines*
(Consideration of Second and Third Readings of the Bylaw) ..45

 2. Parkland Community Planning Services – Re:
 - a) *Bylaw 3398/A-2009 - Amendment to the West QE2 Major Area Structure Plan*
(Consideration of Second and Third Readings of the Bylaw)

 - b) *Bylaw 3399/A-2009 - Amendment to the Queens Business Park Industrial Area Structure Plan*
(Consideration of Second and Third Readings of the Bylaw) ..54

- (5) **REPORTS**
 1. Financial Services Manager – *Re: 2010 Operating Budget* ..93

 2. Land Sales Specialist – *Re: Approval of Lease Extension for Professional Building* ..96

 3. Culture Superintendent & Public Art Coordinator – *Re: Alto Reste Administration Building Public Art* ..99

4. City Assessor – *Re: Business Revitalization Zone (BRZ) Business Tax Bylaw Amendment 3196/A-2010 – To set the BRZ Tax Rate for 2010* ..104
(Consideration of Three Readings of the Bylaw)
 5. Environmental Services Manager – *Re: Utility Bylaw Amendment 3215/A-2010 – Effective March 1, 2010 / 2010 Environmental Services Department Service Plan* ..106
(Consideration of Three Readings of the Bylaw)
 6. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/B-2010 – Rezoning from R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District Lot 4, Block 2, Plan 24 H.W. (6821 – 59 Avenue) / Wolfe Investments Inc / Tim McRae / Century 21* ..127
(Consideration of First Reading of the Bylaw)
 7. Returning Officer / Legislative & Administrative Services Manager – *Re: 2010 Municipal Election – Monday, October 18, 2010 & Election Bylaw 3445/2010* ..132
(Consideration of Three Readings of the Bylaw)
 8. Legislative & Administrative Services Manager – *Re: Council Committees – Impacts of Growth* ..156
-
- (6) CORRESPONDENCE
 - (7) PETITIONS AND DELEGATIONS
 - (8) NOTICES OF MOTION
 - (9) ADMINISTRATIVE INQUIRIES

(10) **BYLAWS**

1. **3357/F-2009** - Land Use Bylaw Amendment - *Dynamic Signage & Show Home Open House* ..162
(1st Reading) ..1
2. **3357/JJ-2009** - Land Use Bylaw Amendment - *Open House Show Home Signs* ..167
(1st Reading) ..14
3. **3357/MM-2009** - Land Use Bylaw Amendment - *Rezoning of 0.37 Acres of Land from R1 to P1 and from R1 to Road / Proposed Municipal Reserve / Westlake Neighborhood / City of Red Deer / Trademark West Park Inc.* ..168
(3rd Reading) ..38
4. **3357/OO-2009** - Land Use Bylaw Amendment - *Front Access Single Wide Attached Garages - Block M, Plan 1528 HW, Block B, Plan 257 HW and Block B, Plan 4867KS) / Mature Neighborhood Parkvale Overlay District and Changes to the Parkvale Community Modest Infill Design Guidelines.* ..170
(2nd & 3rd Reading) ..45
5. **3398/A-2009** - Amendment to the *West QE2 Major Area Structure Plan* ..171
(2nd & 3rd Reading) ..54
6. **3399/A-2009** - Amendment to the *Queens Business Park Industrial Area Structure Plan* ..172
(2nd & 3rd Reading) ..54
7. **3357/B-2010** - Land Use Bylaw Amendment - *Rezoning from R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District: Lot 4, Block 2, Plan 24 H.W.(6821 - 59 Avenue) / Wolfe Investments Inc / Tim McRae / Century 21* ..173
(1st Reading) ..127
8. **3196/A-2010** - Business Revitalization Zone (BRZ) *Business Tax Bylaw Amendment to Set BRZ Tax Rate for 2010.* ..175

	(3 Readings)	..104
9.	3215/A-2010 - Utility Bylaw Amendment - <i>Schedules A, B & D - Rates Effective March 1, 2010</i>	..176
	(3 Readings)	..106
10.	3445/2010 - Election Bylaw for the 2010 Election	..190
	(3 Readings)	..132

(11) **COMMITTEE OF THE WHOLE**

Christine Kenzie

To: admin@publicworks.ca
Subject: Presentation of Project of the Year Award to Shane Rajotte - Red Deer City Council Chambers
- January 25, 2010

Stacy:

This is to confirm that the presentation of the APWA Project of the Year Award to Shane Rajotte will take place during the Monday, January 25, 2010 Red Deer City Council Meeting. The Council meeting will start at 3:00 P.M. and this presentation will be made shortly after the meeting is called to order. Please be in Council Chambers by 3:00 P.M. The Mayor will indicate when it is time to do the presentation. Council Chambers is located on the 2nd Floor of City Hall (4914 - 48 Avenue)

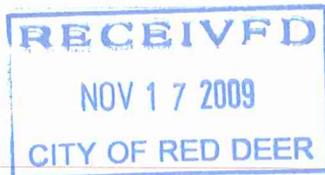
You were to confirm that Shane would be available to receive the award during this meeting.

Let me know if you require any additional information.

Christine Kenzie
Council Services Coordinator

Legislative & Administrative Services
City of Red Deer
Phone: 403.356.8978 Fax: 403.346.6195
christine.kenzie@reddeer.ca

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



November 11, 2009

Attention: Mayor and Council
City of Red Deer
PO Box 5008
Red Deer AB T4N 3T4

Dear Mayor and Council,

The Alberta Public Works Association was pleased to present Shane Rajotte with a Project of the Year award on October 6, 2009. The Association would like to formally present this award to Shane in front of Mayor and Council at a regular council meeting.

The Project of the Year Awards recognizes excellence in the construction, management, and administration of public works projects in Alberta. In 2005, the APWA added in a category that recognizes communities that celebrate Public Works Week.

Submitted by: City of Red Deer
Partners: Alberta Public Works Association
Name of Project: Emerging Leader

Shane was recently appointed to the Alberta Public Works Association Board of Directors as the co-chair for the Central Idea Group. Shane is a valued employee with the City of Red Deer and is an integral part of their management team. Shane has demonstrated leadership as part of the chapter's Equipment Rodeo team and his contributions were an integral part of making the rodeo a success.

Please contact Stacy Byer, Executive Director at 403-990-2792 to confirm a time and date.

Sincerely,

Carry Grant, President
Alberta Public Works Association

/sb
November 11, 2009

Unfinished Business Item No. 1



DATE: January 18, 2010
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/F-2009 – Dynamic Signage
Land Use Bylaw Amendment 3357/JJ-2009 – Open House / Show Home Signs

History:

Land Use Bylaw Amendment 3357/F-2009 has been presented to Council and tabled for further consideration on the following dates:

- August 24, 2009
- September 21, 2009
- October 5, 2009
- November 2, 2009
- December 14, 2009

Due to the length of the December 14, 2009 Council Meeting, consideration of Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage) and Land Use Bylaw Amendment 3357/JJ-2009 (Open House/Show Home Signs) were tabled to the Monday, January 25, 2009 Council Meeting.

Recommendation:

That Council consider:

- 1) Passing a resolution lifting from the table consideration of first reading of Land Use Bylaw Amendment 3357/F-2009 and
- 2) Passing a resolution lifting from the table consideration of first reading of Land Use Bylaw Amendment 3357/JJ-2009.

A handwritten signature in black ink, appearing to read 'Elaine Vincent'.

Elaine Vincent
Manager



Originally Presented to Council on
Monday, December 14, 2009

DATE: December 7, 2009

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/F-2009
Dynamic Signage

History:

At the Monday, August 24, 2009 Council Meeting, Land Use Bylaw Amendment 3357/F-2009 was tabled for four weeks to the Monday, September 21, 2009 Council Meeting.

At the Monday, September 21, 2009 Council Meeting, administration requested that this report be delayed for an additional two weeks. Consideration of Land Use Bylaw Amendment 3357/F-2009 was tabled to the Monday, October 5, 2009 Council Meeting.

At the Monday, October 5, 2009 Council Meeting the following resolutions were introduced and passed:

“Resolved that Council of the City of Red Deer agrees to amend Land Use Bylaw Amendment 3357/F-2009, page 2, 6(e) by deleted the wording “3 seconds” and replacing it with “5 seconds”.”

MOTION CARRIED

“Resolved that Council for the City of Red Deer agrees to table Land Use Bylaw Amendment 3357/F-2009 for up to six weeks to allow administration time to clarify the linear distance measurement if a business is located on the corner of an intersection.”

MOTION CARRIED

Subsequently, at the November 2, 2009 Council Meeting a further tabling resolution was passed, as follows:

“Resolved that Council of the City of Red Deer hereby agrees to table further consideration of Land Use Bylaw Amendment 3357/F-2009 for up to eight weeks to allow administration opportunity to further consider:

- the legality of banning dynamic signs altogether
- 3 or 5 second timing
- the method of sign interval- measurement

Page 2

Dynamic Signage & Show Home Open House

- defining third party / public service advertising
- whether C4 designations should be included."

MOTION CARRIED

Discussion

A report from Parkland Community Planning Services, dated December 7, 2009 is attached regarding changes made to address Council's comments and questions to Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage). A separate report from Parkland Community Planning Services is included on this agenda with respect to Show Home and Open House signs (Land Use Bylaw Amendment 3357/JJ-2009).

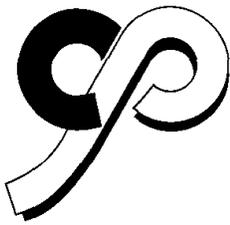
Recommendation:

That Council consider:

- 1.) Passing a resolution lifting from the table consideration of Land Use Bylaw Amendment 3357/F-2009; and
- 2.) First reading of Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009.

A handwritten signature in black ink, appearing to read 'Elaine Vincent', with a large, stylized flourish at the end.

Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcps.ab.ca

DATE: December 7, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009
(Dynamic signage)

Background

The proposed bylaw amendment dealing with regulating dynamic signage was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions. The proposed bylaw amendment was brought back to Council, October 5 and November 2, 2009 and was tabled for further amendments.

This report will:

- Identify the 5 outstanding matters pertaining to dynamic signage regulation including legality of banning dynamic signs, location of dynamic signs, method of measuring separation distance between signs, length of dynamic sign message display, and public service announcements on dynamic signs.
- Describe the impact on The Westerner & Red Deer College (as they currently have dynamic signs).
- Present options for Council to weigh on the specifics of regulating this style of signage.
- Provide a recommendation to allow Council to proceed with making a decision.

Dynamic Signage

The proposed amendments related to dynamic signs are in response to requests by both the Municipal Planning Commission and Red Deer College to better address this type of signage in the City of Red Deer. As relevant information was contained in

previous reports, the original Council reports and bylaw amendments are attached for further reference.

Outstanding Topics

During previous Council discussion on the proposed bylaw amendment, regarding dynamic signs (reader board signs), several key issues were identified by City Council members, these include any legal constraints to regulating or banning dynamic signs, appropriate commercial locations (districts) in which to allow dynamic signs, how to appropriately measure and maintain a distance between signs, the length of time for each advertising message, and public service ads on dynamic signs.

Legal Constraints

1. Legal Council is providing a separate report which will address the issues of banning dynamic signs. It must be noted that should Council opt not to proceed with any regulations and to ban future dynamic signs existing dynamic signs would be grandfathered. The Red Deer College has requested an amendment to their existing dynamic sign and an alternate bylaw has been prepared (bylaw amendment 3357/KK-2009) in order to process the Red Deer College bylaw amendment request.

Location

2. Should Council opt to allow/regulate some dynamic signs the appropriate location (commercial land use districts) must be determined.

Council may either choose to allow dynamic signs within C4 Commercial (Major Arterial) district and C2A Commercial (Regional Shopping Centre) district, or to limit dynamic signs to only C2A district. (Attached in Appendix A are areas within the City zoned C4 and C2A).

The majority of C4 zoning within the city is along Gaetz Avenue and areas adjacent to 67th Street. (see Appendix A for identification of C4 districts within the city). Allowing a limited number of dynamic signs within C4 districts would support the commercial operators desire to advertise by way of dynamic signs. However, the inclusion of dynamic signs within this district may cause a decrease in public safety due to driver distraction and may not be aesthetically desirable.

If dynamic signs were not permitted within C4, the placement of dynamic signs within commercial districts in the City would be very limited. The only commercial district to consider dynamic signage would be C2A Commercial (Regional Shopping Centre) district. However within the areas zoned C2A in the major entryways, dynamic signs are proposed to be prohibited with the following bylaw amendment:

“Delete section 3.12 (2)(g) and replace with the following new sub-section:

Notwithstanding any other provision of this Bylaw, no billboard signs, and no dynamic signs shall be permitted on lands situated in the major entry areas.”

The only remaining areas along Gaetz Ave where dynamics signs could be considered are those lots zoned C2A, being Parkland Mall, Bower Mall and Village Mall (refer to Appendix A for map reference).

Method of Measurement

3. After determining the appropriate districts in which to allow the signs, a method of measurement for the separation distance between dynamic signs is required.

Measurement could occur as linear measurement or a radial distance of measurement. Administration recommends for reasons of ease of measurement and clarity, that radius measurement be used.

Length of Message Display Time

4. The proposed amendment also addresses the length of dynamic sign message display time. Council has discussed both 3 seconds and 5 seconds.

The land use bylaw amendment has been changed, following the council motion, to increase the display time to 5 seconds. The intent is to decrease the potential for driver distraction by giving more time to view the message, along with fewer messages being displayed and by doing so improving public safety.

Public Service Announcements

5. Allow public service announcements on dynamic signs.

Based on requests from City Councillors and Red Deer College and in recognition that existing dynamic signs display public service announcements administration has now included within the proposed bylaw amendments a definition of public service announcement to be permitted on all dynamics signs. The intent is to permit advertising of community interest and charitable events or notices.

Options

The various options and issues are provided for Council's consideration in Table 1.

Table 1 Dynamic Sign Regulations:

Issue	Decision	Action
Location	Allow in C4 & C2A	Proceed with Bylaw amendment 3357/F-2009
	Allow in C2A only	Within proposed bylaw amendment 3357/F-2009 strike C4 wording in section 3.4 (14) (h)
Method of separation distance measurement	Radius measurement	Proceed with Bylaw amendment 3357/F-2009
	Linear measurement	Within bylaw amendment 3357/F-2009 remove wording from section 3.4 (14) (h)(iii) and replace with "not be within 150 linear metres, of an existing dynamic sign, measured on the same side of the street,"
Message Display Timing	5 second display time	Proceed with Bylaw amendment 3357/F-2009
	3 second display time	Within proposed bylaw amendment 3357/F-2009 section 3.4 (14) (e) strike 5 seconds and replace with 3 seconds
Public Service Announcements	Allow public service announcements	Proceed with Bylaw amendment 3357/F-2009
	Not allow public service announcements	Within bylaw amendment 3357/F-2009 Section 3.3 (1) remove public service announcements definition and section 3.4 (14) (d)

Issue	Decision	Action
		strike wording "may display public service announcements but"

Red Deer College Request

Red Deer College submitted a request to amend the Land Use Bylaw to allow their existing reader board (dynamic) sign to contain sponsorship signage including phone numbers, website addresses and tag lines (corporate sayings for example COKE – "just for the taste of it"). Currently the Land Use Bylaw only permits the name and logo of the sponsor to appear on sponsorship signage and sponsorship signage is only permitted on the static (non-reader board) portion of the Red Deer College sign.

The proposed bylaw amendment will address signage for both the Westerner and Red Deer College, both being Public Services sites over 17 ha (Collicutt Centre is a PS site at 13.5 ha). The proposed bylaw will permit both organizations to continue with the current practice of third party advertising, advertising for their events and public service announcements. The proposed bylaw amendment will provide regulations for any proposed future dynamic signage on their sites. Under the proposed amendment, two dynamic signs will be permitted on each site.

As the existing dynamic signs on these sites were granted permits prior to the creation of this proposed bylaw amendment if new dynamic sign regulations were approved (for example the 5 second display timing) any new regulations would not apply to either the Westerner or Red Deer College on existing signs, as existing signs will be grandfathered (legal, non-conforming uses).

If Red Deer College or the Westerner, replace or place an additional new sign then the new sign would be subject to any proposed future bylaw amendments.

Current Status

Two proposed bylaw amendments have been prepared. If Council decides to proceed with regulations regarding dynamic signs bylaw amendment 3357/F-2009 (with amendments dependant on option decisions in Table 1) should proceed with first reading.

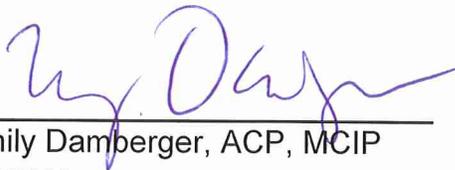
The second alternate bylaw amendment 3357/KK-2009 has been prepared if Council decides not to allow any further dynamic signs in the city. This bylaw addresses the

Red Deer College request and will provide regulations for future dynamic signage on PS sites over 17 ha.

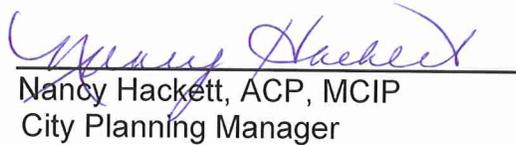
Recommendation

Given the range of issues related to dynamic signage administration has set out various options to be considered by Council. After review of these options it is respectfully recommended that Council proceed with first reading of land use bylaw amendment 3357/F-2009 (as written or with changes based on the options provided).

Sincerely,



Emily Damberger, ACP, MCIP
Planner

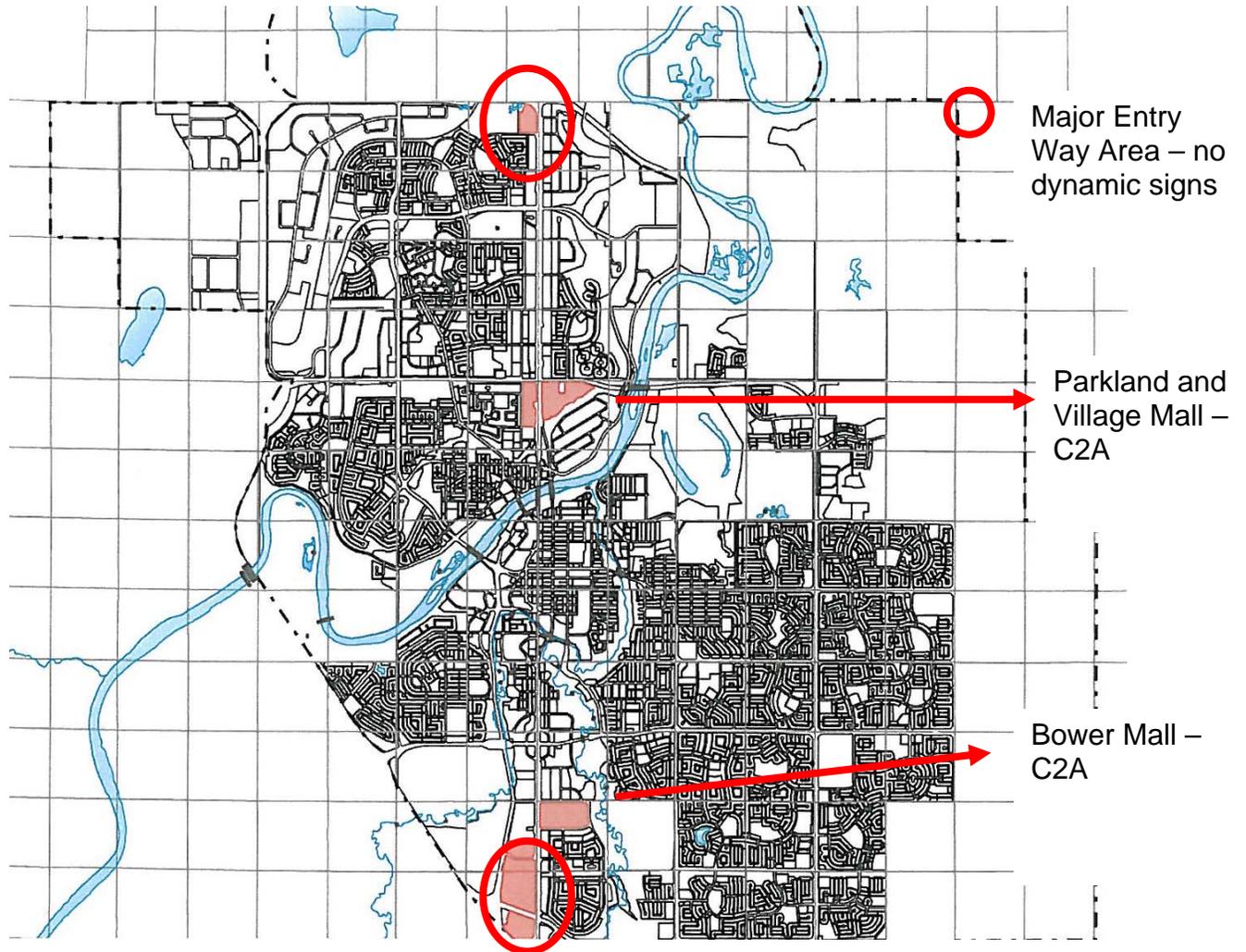


Nancy Hackett, ACP, MCIP
City Planning Manager

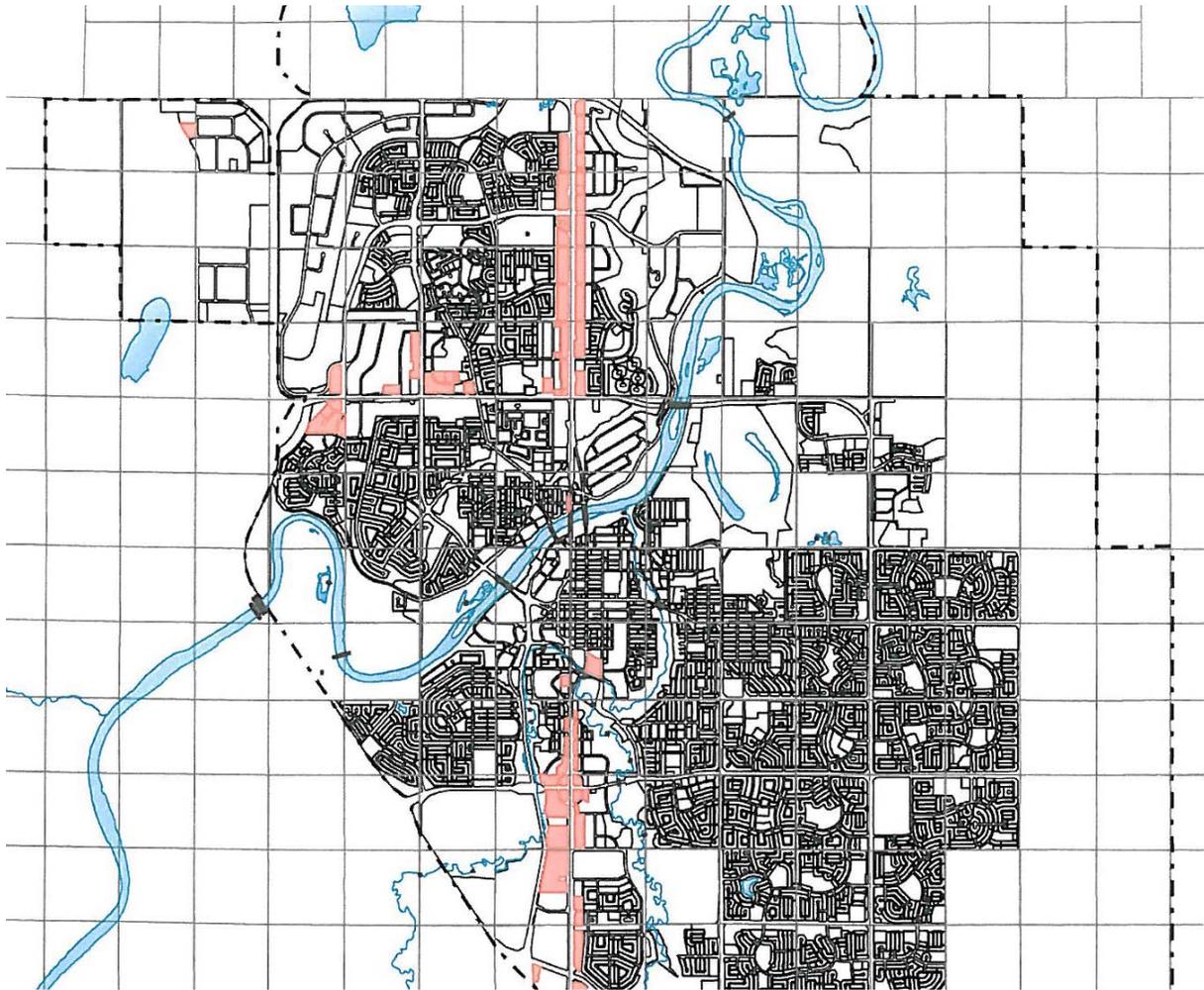
cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek

Appendix A

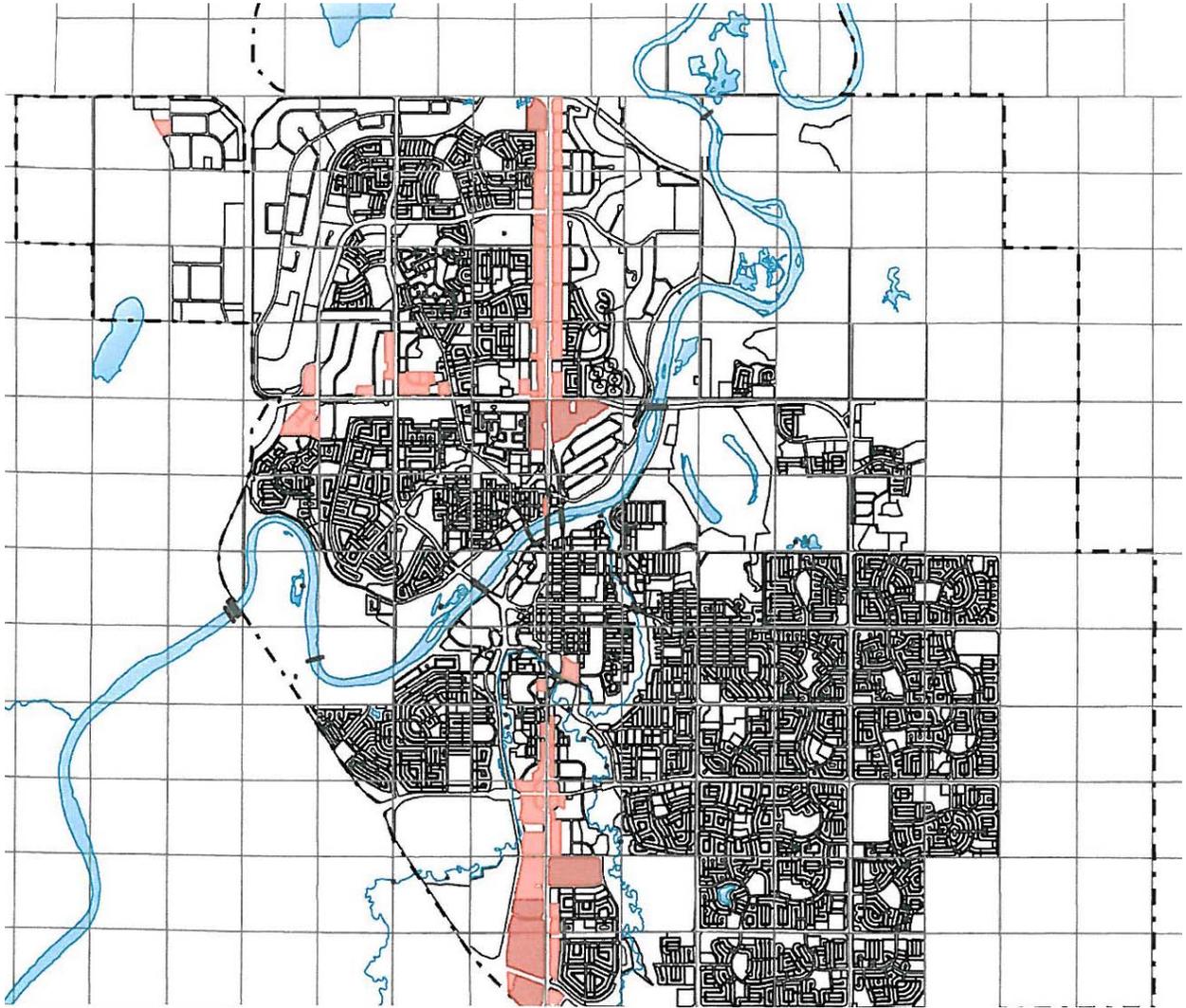
C2A Land Use Districts – salmon coloured areas



C4 Land Use Districts – Pink areas



C2 and C4 Land Use Districts



Comments:

There are three options for your consideration regarding the Dynamic Signage/Open House/ Show Home Signs. We support the grandfathering of the existing signs for the Westerner and Red Deer College. We support allowing dynamic signage as a permitted use in the C2A Commercial (Regional Shopping Centre) district. Dynamic Signs should not be permitted at this time in the C4 Commercial (Major Arterial) district pending further discussion of the vision for Gaetz Avenue as a whole taking into consideration lighting, landscaping, access and banners. If Council considers first reading of the Land Use Bylaw Amendments, a Public Hearing would be held on Monday, February 22, 2010 at 6:00 p.m. in Council Chambers during Council's Regular Meeting.

"Morris Flewwelling"
Mayor

"Craig Curtis"
City Manager

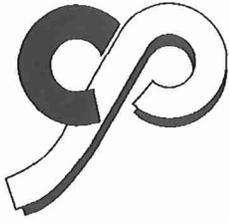


**Request: Report for Inclusion
on a Council Agenda**

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:		Emily Damberger	
Department & Telephone Number:		PCPS 403-343-3394	
REPORT INFORMATION			
Preferred Date of Agenda:		December 14, 2009	
Subject of the Report (provide a brief description)		Reader Boards/Dynamic Signs	
Is this Time Sensitive? Why?		Request from City Council to bring back within 8 weeks of Nov.2, 2009	
What is the Decision/Action required from Council?		First reading consideration by Council	
Please describe Internal/ External Consultation, if any.		Consulted City Departments and external stakeholders, Red Deer College and The Westerner	
Is this a Committee of the Whole item?		no	
How does the Report link to the Strategic Plan? Be Authentic – Distinctive Character Goal (DC 5)			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes were consulted, no outstanding issues			
Has Financial Services been consulted? Are there any budget implications? Please describe. No, they were not consulted, potentially budget implication through inspections and licensing now processing reader board permit applications.			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Emily Damberger, PCPS (403)-343-3394
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address) Red Deer College - Janet Gilmore 403.356.4952, Janet.Gilmore@rdc.ab.ca The Westerner – John Harms, 403.309.0200, jharms@westerner.ab.ca			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

ORIGINAL

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcps.ab.ca

DATE: December 7, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009
(Dynamic signage)

Background

The proposed bylaw amendment dealing with regulating dynamic signage was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions. The proposed bylaw amendment was brought back to Council, October 5 and November 2, 2009 and was tabled for further amendments.

This report will:

- Identify the 5 outstanding matters pertaining to dynamic signage regulation including legality of banning dynamic signs, location of dynamic signs, method of measuring separation distance between signs, length of dynamic sign message display, and public service announcements on dynamic signs.
- Describe the impact on The Westerner & Red Deer College (as they currently have dynamic signs).
- Present options for Council to weigh on the specifics of regulating this style of signage.
- Provide a recommendation to allow Council to proceed with making a decision.

Dynamic Signage

The proposed amendments related to dynamic signs are in response to requests by both the Municipal Planning Commission and Red Deer College to better address this type of signage in the City of Red Deer. As relevant information was contained in

previous reports, the original Council reports and bylaw amendments are attached for further reference.

Outstanding Topics

During previous Council discussion on the proposed bylaw amendment, regarding dynamic signs (reader board signs), several key issues were identified by City Council members, these include any legal constraints to regulating or banning dynamic signs, appropriate commercial locations (districts) in which to allow dynamic signs, how to appropriately measure and maintain a distance between signs, the length of time for each advertising message, and public service ads on dynamic signs.

Legal Constraints

1. Legal Council is providing a separate report which will address the issues of banning dynamic signs. It must be noted that should Council opt not to proceed with any regulations and to ban future dynamic signs existing dynamic signs would be grandfathered. The Red Deer College has requested an amendment to their existing dynamic sign and an alternate bylaw has been prepared (bylaw amendment 3357/KK-2009) in order to process the Red Deer College bylaw amendment request.

Location

2. Should Council opt to allow/regulate some dynamic signs the appropriate location (commercial land use districts) must be determined.

Council may either choose to allow dynamic signs within C4 Commercial (Major Arterial) district and C2A Commercial (Regional Shopping Centre) district, or to limit dynamic signs to only C2A district. (Attached in Appendix A are areas within the City zoned C4 and C2A).

The majority of C4 zoning within the city is along Gaetz Avenue and areas adjacent to 67th Street. (see Appendix A for identification of C4 districts within the city). Allowing a limited number of dynamic signs within C4 districts would support the commercial operators desire to advertise by way of dynamic signs. However, the inclusion of dynamic signs within this district may cause a decrease in public safety due to driver distraction and may not be aesthetically desirable.

If dynamic signs were not permitted within C4, the placement of dynamic signs within commercial districts in the City would be very limited. The only commercial district to consider dynamic signage would be C2A Commercial (Regional Shopping Centre) district. However within the areas zoned C2A in the major entryways, dynamic signs are proposed to be prohibited with the following bylaw amendment:

“Delete section 3.12 (2)(g) and replace with the following new sub-section:

Notwithstanding any other provision of this Bylaw, no billboard signs, and no dynamic signs shall be permitted on lands situated in the major entry areas.”

The only remaining areas along Gaetz Ave where dynamics signs could be considered are those lots zoned C2A, being Parkland Mall, Bower Mall and Village Mall (refer to Appendix A for map reference).

Method of Measurement

3. After determining the appropriate districts in which to allow the signs, a method of measurement for the separation distance between dynamic signs is required.

Measurement could occur as linear measurement or a radial distance of measurement. Administration recommends for reasons of ease of measurement and clarity, that radius measurement be used.

Length of Message Display Time

4. The proposed amendment also addresses the length of dynamic sign message display time. Council has discussed both 3 seconds and 5 seconds.

The land use bylaw amendment has been changed, following the council motion, to increase the display time to 5 seconds. The intent is to decrease the potential for driver distraction by giving more time to view the message, along with fewer messages being displayed and by doing so improving public safety.

Public Service Announcements

5. Allow public service announcements on dynamic signs.

Based on requests from City Councillors and Red Deer College and in recognition that existing dynamic signs display public service announcements administration has now included within the proposed bylaw amendments a definition of public service announcement to be permitted on all dynamics signs. The intent is to permit advertising of community interest and charitable events or notices.

Options

The various options and issues are provided for Council's consideration in Table 1.

Table 1 Dynamic Sign Regulations:

Issue	Decision	Action
Location	Allow in C4 & C2A	Proceed with Bylaw amendment 3357/F-2009
	Allow in C2A only	Within proposed bylaw amendment 3357/F-2009 strike C4 wording in section 3.4 (14) (h)
Method of separation distance measurement	Radius measurement	Proceed with Bylaw amendment 3357/F-2009
	Linear measurement	Within bylaw amendment 3357/F-2009 remove wording from section 3.4 (14) (h)(iii) and replace with "not be within 150 linear metres, of an existing dynamic sign, measured on the same side of the street,"
Message Display Timing	5 second display time	Proceed with Bylaw amendment 3357/F-2009
	3 second display time	Within proposed bylaw amendment 3357/F-2009 section 3.4 (14) (e) strike 5 seconds and replace with 3 seconds
Public Service Announcements	Allow public service announcements	Proceed with Bylaw amendment 3357/F-2009
	Not allow public service announcements	Within bylaw amendment 3357/F-2009 Section 3.3 (1) remove public service announcements definition and section 3.4 (14) (d)

Issue	Decision	Action
		strike wording "may display public service announcements but"

Red Deer College Request

Red Deer College submitted a request to amend the Land Use Bylaw to allow their existing reader board (dynamic) sign to contain sponsorship signage including phone numbers, website addresses and tag lines (corporate sayings for example COKE – “just for the taste of it”). Currently the Land Use Bylaw only permits the name and logo of the sponsor to appear on sponsorship signage and sponsorship signage is only permitted on the static (non-reader board) portion of the Red Deer College sign.

The proposed bylaw amendment will address signage for both the Westerner and Red Deer College, both being Public Services sites over 17 ha (Collicutt Centre is a PS site at 13.5 ha). The proposed bylaw will permit both organizations to continue with the current practice of third party advertising, advertising for their events and public service announcements. The proposed bylaw amendment will provide regulations for any proposed future dynamic signage on their sites. Under the proposed amendment, two dynamic signs will be permitted on each site.

As the existing dynamic signs on these sites were granted permits prior to the creation of this proposed bylaw amendment if new dynamic sign regulations were approved (for example the 5 second display timing) any new regulations would not apply to either the Westerner or Red Deer College on existing signs, as existing signs will be grandfathered (legal, non-conforming uses).

If Red Deer College or the Westerner, replace or place an additional new sign then the new sign would be subject to any proposed future bylaw amendments.

Current Status

Two proposed bylaw amendments have been prepared. If Council decides to proceed with regulations regarding dynamic signs bylaw amendment 3357/F-2009 (with amendments dependant on option decisions in Table 1) should proceed with first reading.

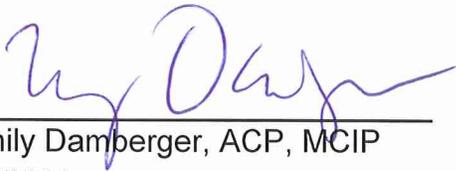
The second alternate bylaw amendment 3357/KK-2009 has been prepared if Council decides not to allow any further dynamic signs in the city. This bylaw addresses the

Red Deer College request and will provide regulations for future dynamic signage on PS sites over 17 ha.

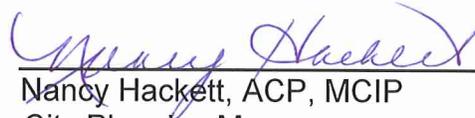
Recommendation

Given the range of issues related to dynamic signage administration has set out various options to be considered by Council. After review of these options it is respectfully recommended that Council proceed with first reading of land use bylaw amendment 3357/F-2009 (as written or with changes based on the options provided).

Sincerely,



Emily Damberger, ACP, MCIP
Planner

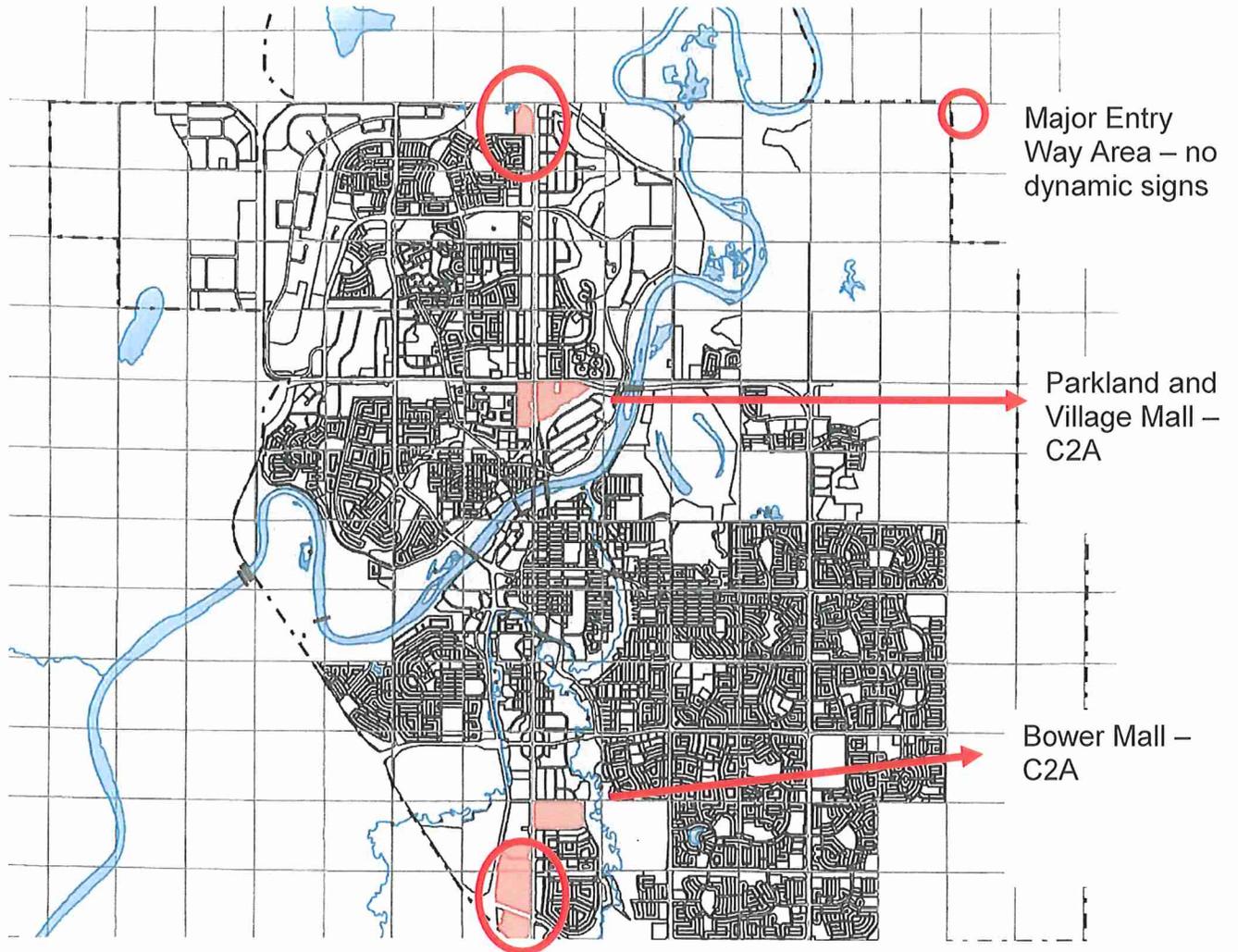


Nancy Hackett, ACP, MCIP
City Planning Manager

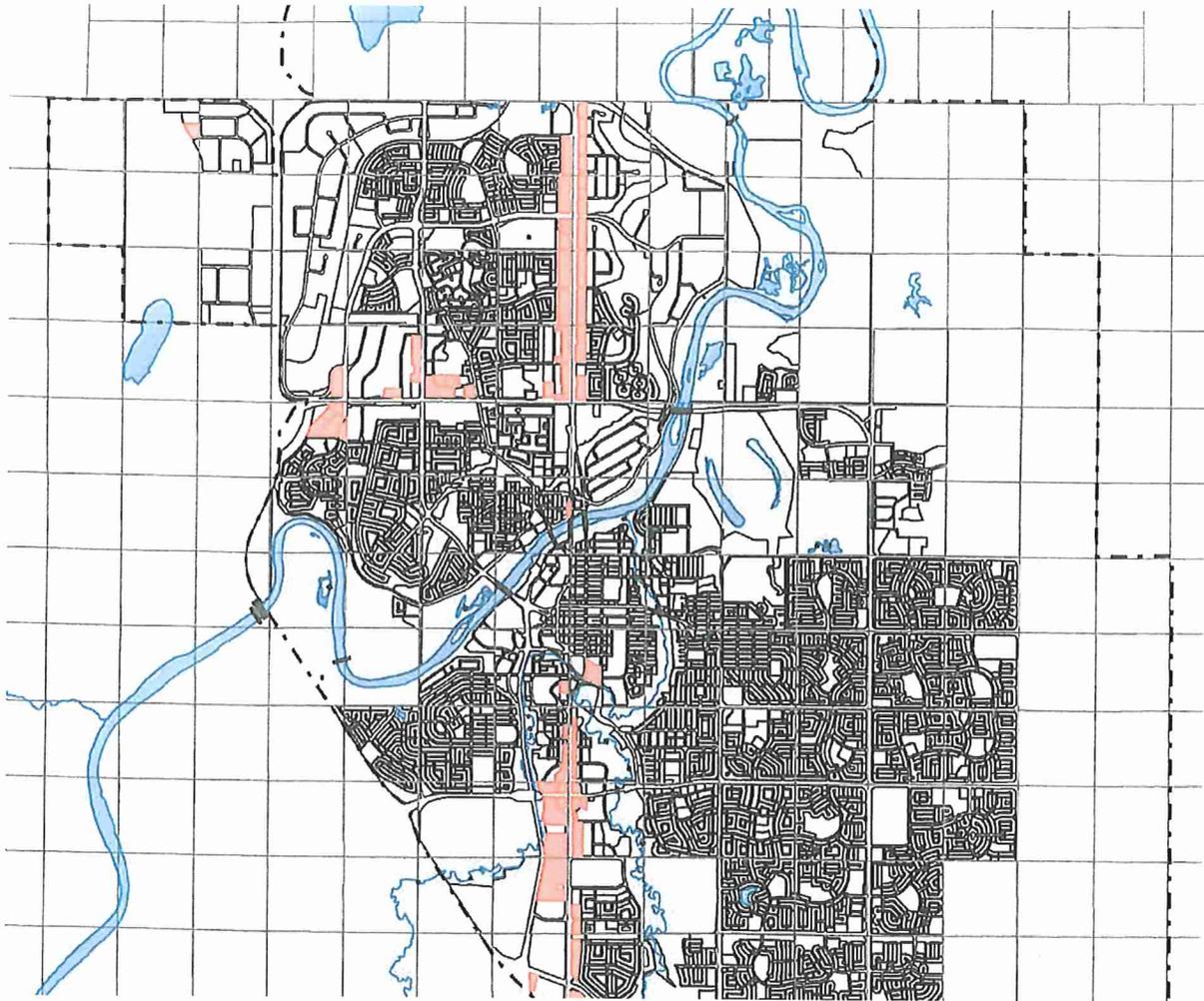
cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek

Appendix A

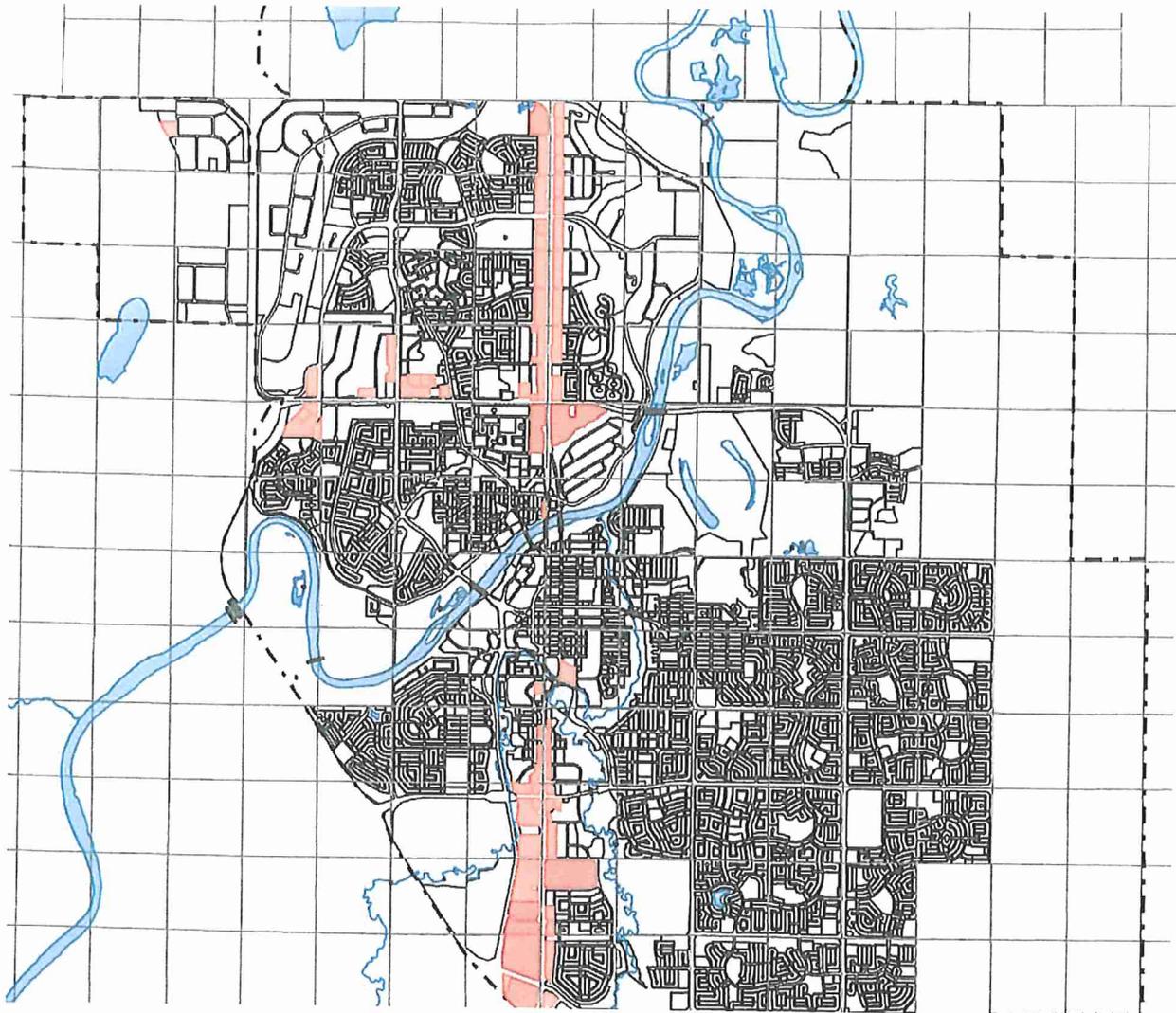
C2A Land Use Districts – salmon coloured areas



C4 Land Use Districts – Pink areas



C2 and C4 Land Use Districts



Backup

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

From: Emily Damberger
Sent: January 18, 2010 9:46 AM
To: Christine Kenzie
Subject: RE: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

No won't be changing the report, there are not any new issues, I will respond. Yes going with the Dec 14th report.

From: Christine Kenzie
Sent: January 18, 2010 9:36 AM
To: Emily Damberger
Subject: FW: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Emily -- will you be following up on the questions from Janet Gilmore re LUB 3357/F-2009 - Dynamic Signs? Will you be changing your report --- or are we going with what was submitted at the December 14th Council Meeting?

Christine Kenzie
Council Services Coordinator
Legislative & Administrative Services
City of Red Deer
Phone: 403.356.8978 Fax: 403.346.6195
christine.kenzie@reddeer.ca

From: Elaine Vincent
Sent: January 18, 2010 8:13 AM
To: Frieda McDougall; Christine Kenzie
Subject: FW: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Can you look into this and advise...

Elaine Vincent
Manager, Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8134
Fax: 403-346-6195
elaine.vincent@reddeer.ca

From: Craig Curtis
Sent: Sunday, January 17, 2010 6:31 AM
To: Elaine Vincent

2010/01/18

Subject: FW: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

They have to attend a hearing but although Council changed the timing, there was always I believe an understanding that only the existing signs are grandfathered not new signs.

From: Janet Gilmore [mailto:Janet.Gilmore@rdc.ab.ca]

Sent: January 15, 2010 3:42 PM

To: Emily Damberger; Legislative Services

Cc: Craig Curtis; MayorMailbox; Board_JHarms; Michael Donlevy

Subject: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Hello Emily and Elaine (Vincent)!

My colleagues, John Harms and Michael Donlevy met today to discuss the current status of the Bylaw Amendment (stated above) and wanted to:

- confirm that we had the most current correspondence from Legislative Services and Parkland Community Planning Services on the subject; and
- express a concern with two issues that are outlined in the document from Parkland Community Planning Services

Would you please confirm the following:

- **Emily:** the *most up to date correspondence* from Parkland Community Planning Services on the subject was from yourself to Elaine Vincent dated **December 7th**
- **Elaine:** the *most up to date correspondence* from Legislative Services on the subject was from yourself **to City Council** dated **December 7th**; and that *first reading* of the bylaw amendments will indeed be on **January 25th**

(We just want to ensure that we have the most current correspondence that is being contemplated by City Council for next/first reading).

In general, we wanted to express concern and disappointment on two points that are now before City Council on the matter:

- **Message display timing** from 3-seconds to 5-seconds
- A new passage that was introduced under "Red Deer College Request"; last paragraph that states, ***"if Red Deer College or the Westerner, replace or place an additional new sign then the new sign would be subject to any proposed future bylaw amendments"***

In the case of the message display timing, prior to the amendment going to City Council ***all parties were in agreement to the 3-second timing***; Westerner/RDC/Parkland Community Planning Services; in the second case, we were under the impression that both RDC/Westerner signs were to be "grandfathered" for altered or replaced structures under this bylaw. These understandings were the outcome of a 2+ year negotiating process between all parties; we had assumed that we were all on the same page and we had no issues to resolve. ***Could you please advise what our recourse is on this subject? Do we have to attend a public hearing to resolve these outstanding issues?***

Please advise,

Sincerely,

Janet Gilmore, MBA

Associate Vice President | Marketing & Communications

Red Deer College | 100 College Blvd. | Red Deer | Alberta | T4N 5H5

work 403.356.4952 | cell 403.896.6855 | fax 403.343.4080

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2010/01/18

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BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

To: janet.gilmore@rdc.ab.ca
Cc: Elaine Vincent; Emily Damberger
Subject: RE: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS
Attachments: January 18 2010 Memo From Elaine LUB 3357F 2009.pdf

I am replying to your email on behalf of Elaine Vincent regarding Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signs. I can confirm that the most up to date correspondence from Legislative Services regarding Land Use Bylaw Amendment 3357/F-2009 will be the memo from Elaine to City Council dated January 18, 2010 and that first reading of Land Use Bylaw 3357/F-2009 will be considered by Council on Monday, January 25, 2010. A copy of the memo to City Council, dated January 18, 2010 is attached for your information. This memo will be included with the reports previously submitted to Council on December 14, 2009.

Once the January 25th Council Agenda is prepared, I will advise you (by Thursday this week) when this item is scheduled to be considered by Council.

Let me know if you require any additional information.

Christine Kenzie
 Council Services Coordinator
 Legislative & Administrative Services
 City of Red Deer
 Phone: 403.356.8978 Fax: 403.346.6195
 christine.kenzie@reddeer.ca

From: Janet Gilmore [mailto:Janet.Gilmore@rdc.ab.ca]
Sent: January 15, 2010 3:42 PM
To: Emily Damberger; Legislative Services
Cc: Craig Curtis; MayorMailbox; Board_JHarms; Michael Donlevy
Subject: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Hello Emily and Elaine (Vincent)!

My colleagues, John Harms and Michael Donlevy met today to discuss the current status of the Bylaw Amendment (stated above) and wanted to:

- confirm that we had the most current correspondence from Legislative Services and Parkland Community Planning Services on the subject; and
- express a concern with two issues that are outlined in the document from Parkland Community Planning Services

Would you please confirm the following:

- **Emily:** the **most up to date correspondence** from Parkland Community Planning Services on the subject was from yourself to Elaine Vincent dated **December 7th**
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indeed be on **January 25th**

(We just want to ensure that we have the most current correspondence that is being contemplated by City Council for next/first reading).

In general, we wanted to express concern and disappointment on two points that are now before City Council on the matter:

- **Message display timing** from 3-seconds to 5-seconds
- A new passage that was introduced under "Red Deer College Request"; last paragraph that states, "**if Red Deer College or the Westerner, replace or place an additional new sign then the new sign would be subject to any proposed future bylaw amendments**"

In the case of the message display timing, prior to the amendment going to City Council **all parties were in agreement to the 3-second timing**: Westerner/RDC/Parkland Community Planning Services; in the second case, we were under the impression that both RDC/Westerner signs were to be "grandfathered" for altered or replaced structures under this bylaw. These understandings were the outcome of a 2+ year negotiating process between all parties; we had assumed that we were all on the same page and we had no issues to resolve. **Could you please advise what our recourse is on this subject? Do we have to attend a public hearing to resolve these outstanding issues?**

Please advise,
Sincerely,

Janet Gilmore, MBA
Associate Vice President | Marketing & Communications
Red Deer College | 100 College Blvd. | Red Deer | Alberta | T4N 5H5
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Christine Kenzie

From: Emily Damberger
Sent: January 18, 2010 10:21 AM
To: 'Janet Gilmore'
Cc: Elaine Vincent; Christine Kenzie
Subject: RE: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Hi Janet,

Thank you for your email requesting clarification. Yes the report that was intended to go to the December 14th meeting is the most up to date information, the December 7th report. The intent is for this report to be presented at the Jan 25th Council meeting, however the agenda has yet to be reviewed and Christine from LAS will send you an email to confirm the time and date.

Council is aware of your concern regarding the 3 versus 5 second display time from previous Council Meetings, however this was a Council motion and Council will need to decide on the matter.

The first August 9th, 2009 Council report states, and all subsequent reports, states that all existing signs will be grandfather (legal but non-conforming) and any new signs, constructed after adoption of the proposed bylaw amendment, would be required to meet the new regulations. The existing Westerner and Red Deer College signs will be grandfathered however if there are new signs replacing these existing signs then they would have to meet the new regulations. The only outstanding issue if either the Westerner or Red Deer College puts up a new signs could be the 5 second display time, all other issues have been addressed, sponsor advertising, public notices, third party advertising would all be permitted with the new regulations. Thank you for your time and patience, hopefully all concerns and issues can be resolved and regulations that support the community, Red Deer College and the Westerner can be adopted.

Please call me if you would like to discuss further.

Thank you,

Emily

From: Janet Gilmore [mailto:Janet.Gilmore@rdc.ab.ca]
Sent: January 15, 2010 3:42 PM
To: Emily Damberger; Legislative Services
Cc: Craig Curtis; MayorMailbox; Board_JHarms; Michael Donlevy
Subject: Land Use Bylaw Amendment 3357/F-2009 - DYNAMIC SIGNS

Hello Emily and Elaine (Vincent)!

My colleagues, John Harms and Michael Donlevy met today to discuss the current status of the Bylaw Amendment (stated above) and wanted to:

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2010/01/18

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Please advise,
Sincerely,

Janet Gilmore, MBA

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CHAPMAN RIEBEEK LLP

Barristers & Solicitors

NICK P. W. RIEBEEK*
LORNE E. GODDARD, Q.C.
SUZANNE M. ALEXANDER-SMITH

DONALD J. SIMPSON*
NANCY A. BERGSTROM*
MICHELLE A. BAER

GARY W. WANLESS*
GAYLENE D. BOBB*
JENNIFER L. CARVER**

*Denotes Professional Corporation

**Denotes Student-at-Law

Your file:

Our file:

Direct Email: dsimpson@chapmanriebeek.com

November 3, 2009

City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4

Attention: Frieda McDougall, Deputy City Clerk

Dear Frieda:

RE: Procedure for Reconsideration of a Motion – Dynamic Sign Bylaw Amendment

This letter is further to our recent discussion in which you indicated that a few weeks ago a draft amendment to the Land Use Bylaw regarding Dynamic Signage was presented to Council. Instead of giving first reading to the bylaw, Council directed that the minimum duration of the images on a dynamic sign be amended from 3 seconds to 5 seconds. In light of this, your question was whether or not Council would still be able to modify this timing issue when it considers the readings of the Land Use Bylaw Amendment or whether that would breach the Procedural Bylaw provision against reconsideration of a previous motion.

Section 35 of the Procedure Bylaw reads as follows:

“35 If a motion is voted on by Council, the same matter dealt with in the motion cannot be reconsidered by Council unless:

- (1) a general election has been held; or
- (2) six months has passed since the date that the motion was considered; or
- (3) a motion to reconsider is passed.”

Council’s motion was a direction to administration to revise the text of the bylaw. This motion has since been acted upon and presumably the bylaw that will be brought back to Council for consideration of first reading will have the text change directed by Council. Accordingly, the motion has in fact been implemented and that matter is concluded.

300, 4808 Ross Street Red Deer, Alberta T4N 1X5

Telephone: (403) 346-6603

Fax: (403) 340-1280

Email: info@chapmanriebeek.com

Changes to a bylaw on second or third reading, and in this case following a public hearing, are standard practice. Indeed, it would be contrary to the whole intent of the Municipal Government Act if Council were prohibited from making any text changes to the bylaw after the public hearing. **Accordingly, it is our opinion that at second or third reading, Council certainly has the option of reverting to the original wording of the bylaw, i.e. back to 3 seconds instead of 5.**

A change of this nature would not amount to a reconsideration of the matter within the meaning of Section 35. The motion dealt with a rewording of the report to Council whereas second and third readings of a bylaw amendment are concerned with the passage of the bylaw itself. While the wording of Section 35 says that "the same matter dealt with in the motion cannot be reconsidered by Council" it is our view that the correct way to read this section is as though the words "in a subsequent motion" were added to this phrase.

One of the main policy reasons for the inclusion of Section 35 in the Procedural Bylaw is to avoid a situation where a Municipal Council passes a series of contradictory motions on the same subject. That situation is not at issue in this case since Council has yet to pass a bylaw on the subject.

I trust this information is satisfactory.

Yours truly,

CHAPMAN RIEBEEK LLP

Per:

DONALD J. SIMPSON

DJS/jh
Encl.

cc. Nick Riebeek
Elaine Vincent

LEGISLATIVE & ADMINISTRATIVE SERVICES
January 26, 2010

Janet Gilmore
Red Deer College
Box 5005
Red Deer, AB T4N 5H5

Dear Ms Gilmore:

**Re: Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signs
Land Use Bylaw Amendment 3357/JJ-2009 – Open House/Show Home Signs**

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3357/F-2009* and *Land Use Bylaw Amendment 3357/JJ-2009* at the City of Red Deer's Council meeting held Monday, January 25, 2010. For your information, copies of the bylaws are attached.

Council also passed the following resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager dated January 18, 2010 and the Parkland Community Planning Services dated December 7, 2009 re Land Use Bylaw Amendment No. 3357/F-2009 (Dynamic Signage), hereby supports the location of dynamic signs in C2A only with a proviso for an examination in C4 areas within the next three months as the vision for Gaetz Avenue is articulated."

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager dated January 18, 2010 and the Parkland Community Planning Services dated December 7, 2009 re Land Use Bylaw Amendment No. 3357/F-2009 (Dynamic Signage), hereby supports the use of radial measurement for determining the location of dynamic signage."

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager dated January 18, 2010 and the Parkland Community Planning Services dated December 7, 2009 re Land Use Bylaw Amendment No. 3357/F-2009 (Dynamic Signage), hereby supports a three second display timing for dynamic signage."

...2/

Land Use Bylaw Amendment 3357/F-2009 – Dynamic Signs

January 26, 2010

Page 2

Land Use Bylaw Amendment 3357/F-2009 provides for regulations for dynamic signs including the location of dynamic signs within C4 Commercial (Major Arterial) District and C2A Commercial (Regional Shopping Centre) Districts, method of measuring separation distance between signs, length of dynamic sign message display and public service announcements on dynamic signs. *Land Use Bylaw Amendment 3357/JJ-2009* provides for a small amendment to a portion of the Land Use Bylaw dealing with signs that do not require permits as follows: “Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period of up to two hours before and after the period of time when the Open House or Show Home is open”.

Council must hold Public Hearings before giving second and third readings to the bylaws. Public Hearings will be held on Monday, February 22, 2010 at 6:00 p.m in Council Chambers during Council’s regular meeting. Council Chambers is located on the second floor of City Hall. Access to City Hall is via the west park-side doors. You are welcome to attend at that time and share your views with Council regarding the Land Use Bylaw Amendment.

Please do not hesitate to contact our office should you have any questions or require further clarification.

Sincerely,



Elaine Vincent

Legislative and Administrative Services Manager
/attach.

c. Parkland Community Planning Services

LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

Mr. J. Harms, General Manager
Westerner Exposition Association
4847A – 19 Street
Red Deer, AB T4R 2N7

Dear Mr. Harms:

**Re: Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signs
Land Use Bylaw Amendment 3357/JJ-2009 – Open House/Show Home Signs**

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3357/F-2009* and *Land Use Bylaw Amendment 3357/JJ-2009* at the City of Red Deer's Council meeting held Monday, January 25, 2010. For your information, copies of the bylaws are attached.

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...2/

Land Use Bylaw Amendment 3357/F-2009 – Dynamic Signage
January 26, 2010
Page 2

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Please do not hesitate to contact our office should you have any questions or require further clarification.

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager

/attach.

c. Parkland Community Planning Services

DATE: January 26, 2010

TO: Emily Damberger, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)
Land Use Bylaw Amendment 3357/JJ-2009 (Open House/Show Home Signs)

Reference Report:

Legislative & Administrative Services Manager, dated January 18, 2010
Parkland Community Planning Services, dated December 7, 2010

Resolutions:

“Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager dated January 18, 2010 and the Parkland Community Planning Services dated December 7, 2009 re Land Use Bylaw Amendment No. 3357/F-2009 (Dynamic Signage), hereby supports the location of dynamic signs in C2A only with a proviso for an examination in C4 areas within the next three months as the vision for Gaetz Avenue is articulated.

MOTION CARRIED

“Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager dated January 18, 2010 and the Parkland Community Planning Services dated December 7, 2009 re Land Use Bylaw Amendment No. 3357/F-2009 (Dynamic Signage), hereby supports the use of radial measurement for determining the location of dynamic signage.

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MOTION CARRIED

Bylaw Readings:

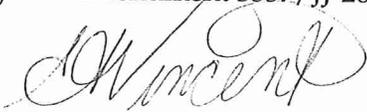
At the January 25, 2010 Council Meeting, Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009 both received first reading. A copy of the bylaws are attached.

Report Back to Council: Yes

Comments/Further Action:

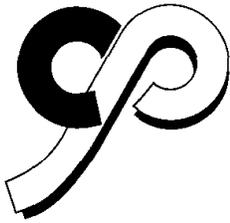
Public Hearings will be held on Monday, February 22, 2010 at 6:00 p.m. in Council Chambers during Council's regular meeting for Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009. Our office will now proceed with advertising.

Land Use Bylaw Amendment 3357/F-2009 is proposed to allow/regulate dynamic signs. Land Use Bylaw Amendment 3357/JJ-2009 is a minor amendment for signs that do not require a permit.



Elaine Vincent
Legislative & Administrative Services Manager
/Attach.

- c: Development Services Director
Corporate Services Director
Community Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager
- Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Unfinished Business Item No. 2

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E-mail: pcps@pcps.ab.ca

DATE: December 1, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/JJ-2009
(Show Home & Open House signs)

Background

Land Use Bylaw Amendment No. 3357/F-2009 presented regulations for dynamic signs and a minor amendment to show home and open house sign regulations. The proposed bylaw also included a bylaw amendment request from Red Deer College for the operation of their dynamic sign. For clarity, the open house bylaw has been separated through Land Use Bylaw Amendment No. 3357/JJ-2009.

The following report addresses Land Use Bylaw No.3357/JJ - 2009 Open house and show home signage.

Show Home Open House Signage

A small amendment to a portion of the Land Use Bylaw dealing with signs that do not require permits, section 3.3, is being proposed to clarify the intent of the bylaw. Currently the bylaw reads:

“Open House signs may be placed on boulevards adjacent to residential districts where the sale is taking place for a 24 hour period prior to the open house and 24 hours following the open house;”

The intent is for the typical open house signs to be taken down and put up on the same day as the open house event and not left out continuously for numerous days in a row.

Show Home signs, which are a form of advertising for an “open house”, have longer hours of operation and the open houses for show homes are typically for a period longer than two days. City administration recommends the following bylaw amendment to clarify the intent for signage of both open houses and show homes to be removed daily when the “open house” or show home hours of operation have ceased:

“Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period of up to two hours before and after the period of time when the Open House or Show Home is open;”

Planning Analysis

The proposed amendment will clarify the intent of the bylaw and assist in ensuring that signs are removed each evening to prevent clutter of signage in neighbourhoods.

Municipal Planning Commission

The proposed bylaw amendment was considered as part of land use bylaw amendment No.3357/F-2009, by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/JJ-2009.

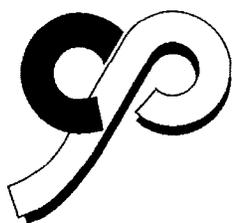


Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette, Inspections and Licensing Department
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to
Council on November 2,
2009

Suite 404, 4808 Ross Street
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DATE: October 27, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009
(Dynamic signage & Show Home Open House)

Background

Land Use Bylaw Amendment No. 3357/F-2009 presents regulations for dynamic signs and a minor amendment to show home and open house sign regulations. The proposed bylaw also includes a bylaw amendment request from Red Deer College for the operation of their dynamic sign.

The intent of creating regulations for dynamics signs is to balance advertising needs with maintaining a high level of public safety and aesthetics. The proposed method of balancing these needs is by limiting the number of dynamic signs within the city.

An equitable way of regulating dynamic signs would be to **permit all** advertisers to put up dynamic signs on their property. Alternatively equitable, would be to **not permit any** advertisers to put up dynamics signs on their property.

The intent of the proposed bylaw amendment is to strike a balance (between the all or nothing equitable scenario) by limiting the number of dynamic signs. The proposed bylaw amendment does not intend to achieve equity for advertisers desiring the placement of dynamic signage.

The proposed bylaw amendment was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions. The proposed bylaw amendment was brought back to Council October 5, 2009 and was tabled for further amendments.

Show Home Open Houses

The original August Council report addresses two signage issues, one dealing with signs for Show Home Open Houses and the second to address reader board (dynamic signs). The Show Home Open House sign land use bylaw amendment is being

proposed as a minor change to clarify the intent of the land use bylaw section dealing with signs that do not require permits. No changes have been made to this portion of proposed Land Use Bylaw amendment since it was first presented to Council.

Dynamic Signage

In addition to the show home open house sign component, the proposed land use bylaw amendment deals with dynamic signage. The amendments related to dynamic signs are in response to a request by both the Municipal Planning Commission and Red Deer College to better address this type of signage in the City of Red Deer. As some relevant information was contained in previous reports, the original Council reports and bylaw amendments are attached for further reference. The current report will address Council's requests as discussed at the October 5, 2009 Council meeting and highlight the proposed changes to this portion the revised bylaw amendment.

City Council's Comments

Following a presentation of the proposed bylaw amendment, regarding dynamic signs (reader board signs), the following issues and land use comments were put forth by City Council members:

1. A motion was passed by Council directing that the length of display time of electronic messages be increased to 5 seconds in lieu of 3 seconds:

The land use bylaw amendment has been changed to increase the display time to 5 seconds. The intent is to decrease the potential for driver distraction by giving more time to view the message, along with fewer messages being displayed and by doing so improving public safety.

Red Deer College and The Westerner have reviewed this proposed change from 3 seconds to 5 seconds display time and do not support the change to 5 seconds. They have found this advertising period too long of a time period to advertise and wish to present to City Council to dispute the 5 second display time. Administration will advise them of the future public hearing date in order for them to present to City Council.

2. Council discussed clarification of the method of measurement for the 150 metre separation distance between dynamic sign placements on separate sites in both a linear and a radial distance of measurement:

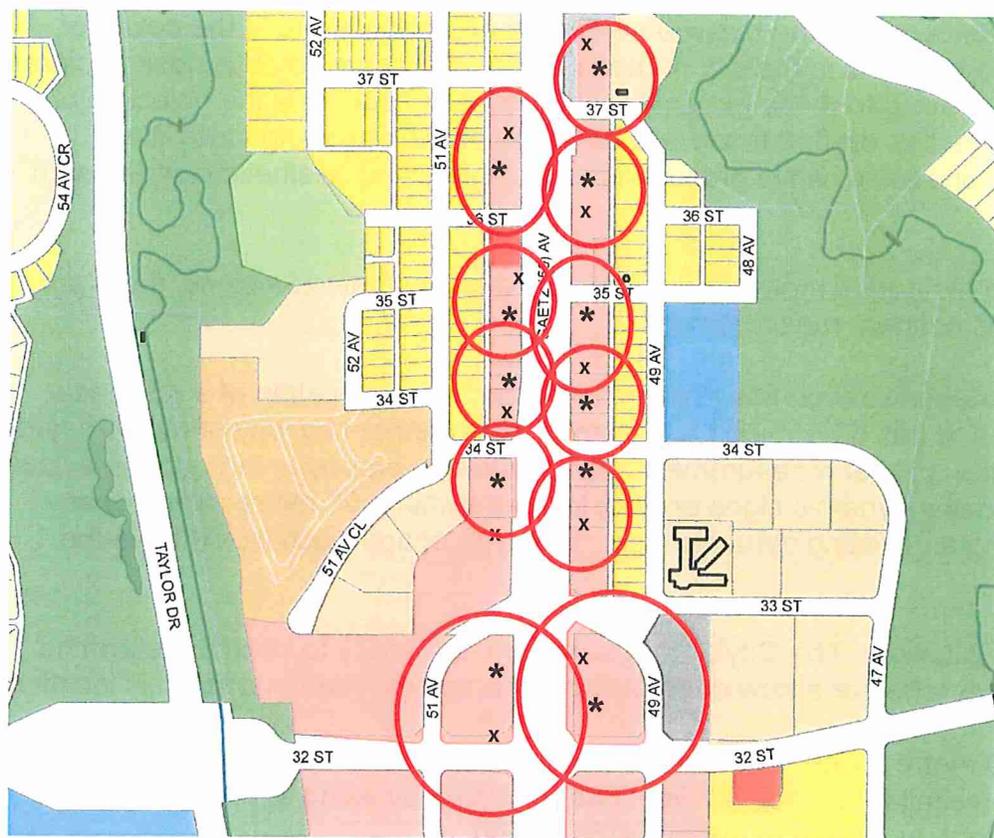
At present, the amendment balances the advertising interests of business owners with public safety and aesthetics. This balance does put some limits on the number and placement of signs. The proposed separation distance will limit adjacent neighbouring properties in their ability to place a dynamic sign on their site. It can be argued that this is not an equitable situation. However, the intent of the bylaw is to limit the total number of dynamic signs within the city for reasons related to public safety and aesthetics. Of necessity this means that there has to be a method for selecting locations for signs.

If equity is a key concern with the bylaw amendment approach, there is the option of prohibiting all dynamic signs in the city or the option of allowing every business to have one. Rather than moving to these extremes, Administration supports the objective of the bylaw amendment as drafted to strike a balance between allowing innovative advertising on the one hand, while preserving traffic safety and aesthetic standards on the other.

With regard to the method of measuring separation distance between signs, there are two options; radius or linear measurement.

Radius Option - Administration has reviewed the practical application of a 150 linear metre separation and has determined a preferred measurement by way of radius based distance rather than a linear measurement. Administration proposes through the bylaw amendment to prohibit dynamic signs on a lot located within a 50 metre radius of any other lot containing an existing dynamic sign. This type of approach would have the following benefits:

- **Ease of application:** The City's Redgis system can easily be used to determine with certainty whether a new dynamic sign can be permitted in a specific location.
- **Using a 50 metre radius measurement results in a balanced number of dynamic signs and a similar number (as would be permitted by using a 150 m linear measurement, as shown in the example below)**
- **Current approach:** Radius measurement is currently used by staff for other purposes such as public notification and has worked satisfactorily.
- **This is a more straight forward measurement at intersections.**



*** = 11 signs,
50 m radius
separation
distance**

**X = 10 signs,
150 m linear
separation
distance**

**Note: 50 m
radius circles
are approximate
and may appear
oval, example is
for illustrative
purposes only,**

The 50 metre radius is measured from lot line boundaries which contain a dynamic sign; therefore a larger lot will have a larger separation distance than a smaller lot.

Linear Option

If Council prefers, it would be possible to use a separation distance of 150 linear metres between dynamic signs measured along one side of the street and the wording of the draft bylaw amendment could be modified to reflect this:

“not be within 150 linear metres, of an existing dynamic sign, measured on the same side of the street,”

However, this option is more difficult in practical application for the Inspections and Licensing Department to evaluate. The signs could require a manual measurement, likely through a compliance officer performing a site visit. This option could take more administrative time and effort to determine the distance between signs.

The linear approach would create a situation where a dynamic sign placed on a lot adjacent to an intersection would effectively result in a radius separation distance of 150

meters. This situation increases the limitations of dynamic sign placement at intersections. Given that research indicates intersections to be a higher collision area, limiting driver distraction at intersections could increase public safety.

Planning Analysis

Reader Board (dynamic) signs exist in various forms and designs throughout the City of Red Deer. By design, their intent is to attract attention of drivers, passengers, pedestrians and people passing by.

Existing regulations in the Land Use Bylaw identify driver safety issues such as flashing lights, readograms, and location of signs. Engineering Services has deemed certain elements (flashing, size, location) of signs to be hazardous to public safety and therefore these elements are addressed and regulated in the Land Use Bylaw.

All existing dynamic signs that do not meet the proposed Land Use Bylaw amendments will become legal non-conforming signs and will be permitted to continue in their current state. However, if a new sign is proposed it will need to meet all requirements of the Land Use Bylaw.

Though Red Deer College and The Westerner have expressed concerns regarding the 5 second display time, general members of the sign industry were consulted prior to the bylaw amendment coming to Council regarding the proposed amendment and no concerns have been received to date regarding the proposed bylaw amendment.

The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs. The changes noted in this report refine the proposed amendment to better address the length of time a message may be displayed on a dynamic sign and identify distance separation through radius measurement rather than linear measurement as an effective means to place limits on the number/location of dynamic signs.

Municipal Planning Commission

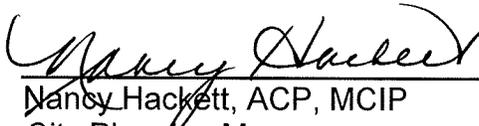
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/F-2009.

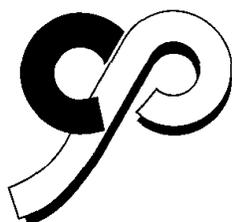


Emily Danberger, ACP, MCIP
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City Planning Manager

cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
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**PARKLAND
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Originally Presented
to Council on
October 5, 2009

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DATE: September 14, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009 Dynamic signage
& Show Home Open House

Background

The proposed bylaw amendment was brought to Council August 24, 2009 for consideration of first reading. The bylaw amendment was tabled to allow administration to make revisions addressing City Councillors' comments and questions.

The original August 12, 2009 Council report addresses two signage issues, one minor Show Home Open House bylaw amendment and a bylaw amendment to address reader board (dynamic signs). The minor Show Home Open House signs land use bylaw amendment is being proposed to clarify the intent of the land use bylaw section dealing with signs that do not require permits. The proposed land use bylaw amendment regarding Dynamic signage is in response to a request by both the Municipal Planning Commission and Red Deer College.

The original August 12, 2009 Council report and bylaw amendment are attached for further reference. The following report will address Council's requests and highlight the proposed changes to the revised bylaw amendment.

City Council's Comments

Following a presentation of the proposed bylaw amendment, regarding dynamic signs (reader board signs), the following issues and land use comments were put forth by City Council members:

1. Clarification of the Dynamic sign proposed definition:

In reviewing the proposed definition of dynamic signs, one Councillor's comment reflected the fact that not only electronic signage would be subject to Dynamic sign regulations, but also any sign that has a component which is in motion.

It is the intent of the proposed definition to include signs that are not only digital but which have other types of moving parts. Administration recommends limiting driver distraction from all signs in motion.

Further, the proposed definition is intended to be flexible in its specific application in order to allow any future technology to be incorporated without having to do a bylaw amendment; current sign technology with this definition would include reader board (dynamic) signs, rotating panel signs, and video or animated signage.

2. Desire expressed to not allow Dynamic signs to be visible from Queen Elizabeth II Highway 2:

Councillors expressed concern over dynamic signs being permitted in land use districts visible from Queen Elizabeth II Highway 2 and concern with regards to driver distraction and aesthetics. To address this concern, Administration is now proposing that dynamic signs not be allowed within the major entry areas as identified in the Land Use Bylaw (Figure 3, see attachment). Billboards are not permitted in the Major Entry Areas, and Administration is proposing that dynamic signs also do not meet the aesthetic intent of Major Entry Areas.

The Municipal Development Plan through Section 12.0 Commercial Development, states an objective to ensure the quality and aesthetics of development along major commercial corridors. This statement supports the City's concern regarding aesthetics of signage through Land Use Bylaw regulations along major entryway ways which do not allow billboards, and state that the design, placement and scale of signs shall be to the satisfaction of the Development Authority.

3. Concern for number of signs per site or lot:

With respect to the proposed August 12 bylaw amendment regulation Councillors expressed concern over a potential situation in which an individual lot owner could place two dynamic signs on their lot while their neighbour, due to the 150 m separation required between dynamics signs, would not be permitted any placement of dynamic signs. To address this concern, Administration has revised the bylaw to allow one sign per lot to improve equity of sign placement among individual lot owners.

Administration is recommending however, Public Service (PS) sites over 17 ha (Red Deer College and the Westerner) be permitted to have two signs due to the large size of their parcels.

4. Concern with dynamic signs being permitted within 75 m of residential districts:

Councillors were concerned with the proximity of restrictions of signs to residential districts, specifically that a 75 m setback from a residential district would exclude many commercial districts. Administration is proposing a revised setback of 30 m. This distance was determined through measuring the distances, on the RedGIS system,

from front yards of commercial districts to the lot line of adjacent residential districts of all commercial areas proposed to permit dynamic signs. A 30 m setback would permit all applicable commercial lots to apply for a dynamic sign. However, Administration is recommending in the revised bylaw that any commercial lot proposing a dynamic sign which is adjacent to a residential district be subject to the 100 m notification process in order to allow residents to view the proposed sign and provide comments for consideration by the Development Authority.

5. Comment on the proposed separation distance of 150 m between dynamic signs:

In response to the comment on the proposed separation distance of 150 m between dynamic signs, Administration continue to support a proposed separation distance as a method of limiting the number of dynamic signs placed within the permitted districts. To illustrate this proposed method, Gaetz Avenue between 32nd Street and 37th Street, provides an example:

- Separation distance between dynamic signs 100 m = 14 dynamic signs permitted in this 5 block area
- Separation distance between dynamic signs 150 m = 10 dynamic signs
- Separation distance between dynamic signs 200 m = 8 dynamic signs
- No separation distance and no limitation in 5 block area = 28 dynamic signs

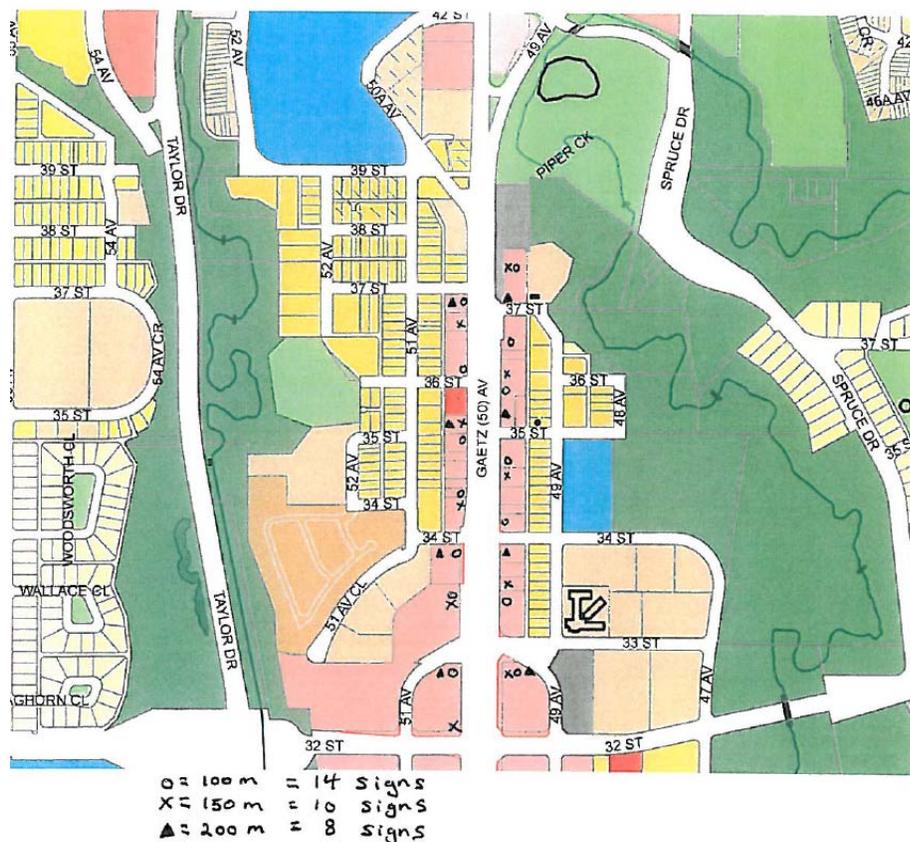


Figure 1: 5 block Gaetz Ave example of sign separation

Administration continues to propose a separation distance of 150 m between dynamic signs as a method of limiting the amount of dynamic signage. By limiting the amount of dynamic signage Administration wishes to create a reasonable balance between the commercial desire for dynamic advertising and dynamic signage impact on driver distraction and visual aesthetics.

Planning Analysis

Reader Board (dynamic) signs exist in various forms and designs throughout the City of Red Deer. By design, their intent is to attract attention of drivers, passengers, pedestrians and people passing by. Existing regulations in the Land Use Bylaw identify driver safety issues such as flashing lights, readograms, and location of signs. Engineering Services has deemed certain elements (flashing, size, location) of signs to be hazardous to public safety and therefore these elements are addressed and regulated in the Land Use Bylaw.

All existing dynamic signs that do not meet the proposed Land Use Bylaw amendments will become legal non-conforming signs and will be permitted to continue in their current state. However, if a new sign is proposed it will need to meet all requirements of the Land Use Bylaw.

Members of the sign industry have been consulted regarding the proposed amendment and no concerns have been received to date regarding the proposed bylaw amendment.

This report provides additional rationale for the proposed regulations and the revised bylaw reflects the comments voiced by City Council.

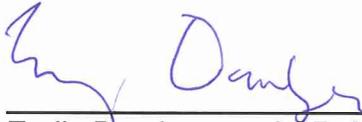
The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs.

Municipal Planning Commission

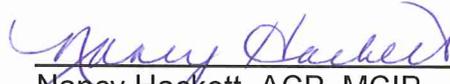
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/F-2009.



Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette
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City of Red Deer Land Use Bylaw 3357/2006

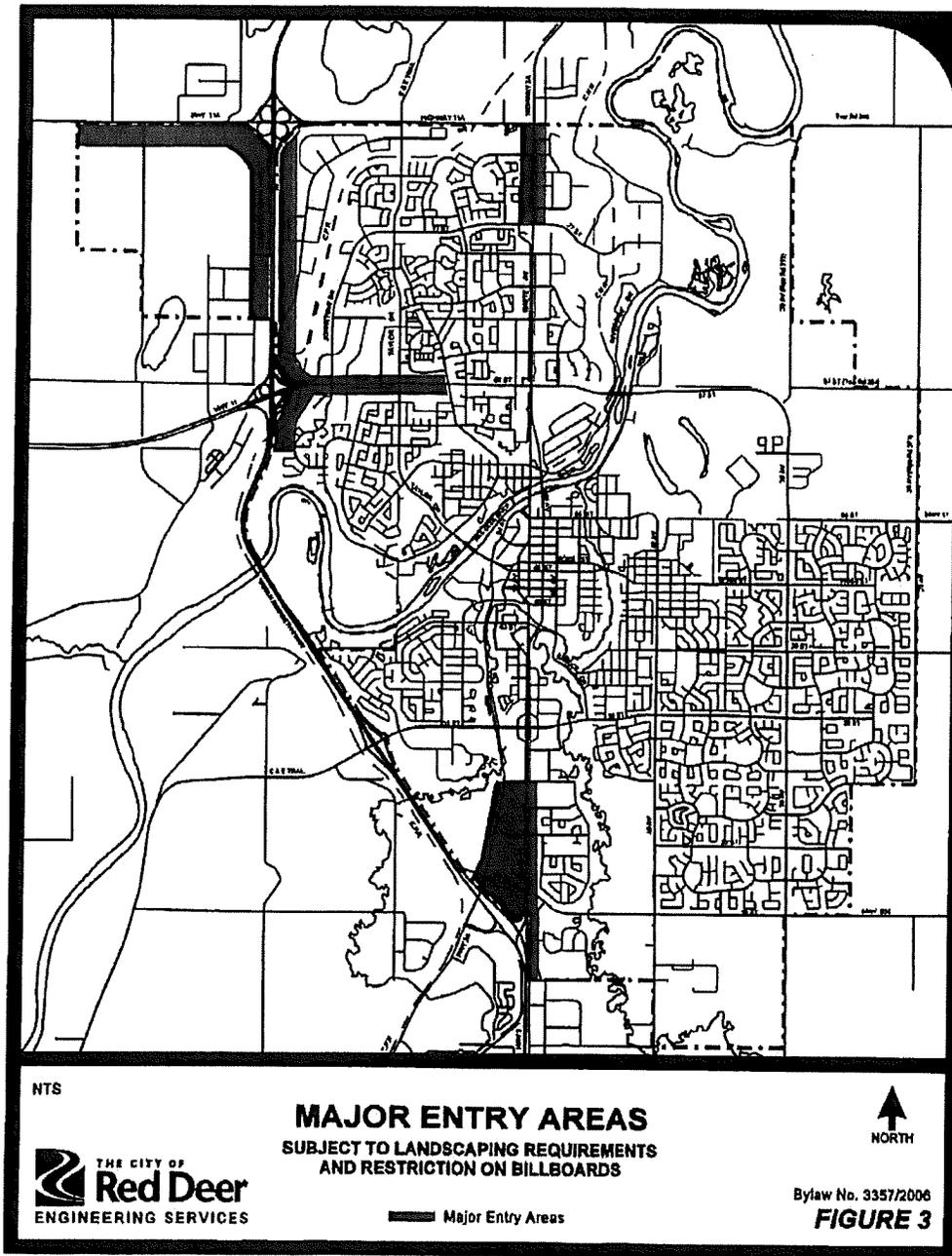


Figure 3-Major Entry Areas



**PARKLAND
COMMUNITY
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SERVICES**

Originally Presented to
Council on Monday,
August 24, 2009

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DATE: August 12, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/F-2009 Dynamic signage & Show Home Open House

The following report addresses two signage issues, one minor Show Home Open House amendment and an amendment to address reader board (dynamic signs).

1. Show Home Open House Signage

A small amendment to the sign section of the land use bylaw dealing with signs that do not require permits is being proposed to clarify the intent of the bylaw. Currently the bylaw reads:

“Open House signs may be placed on boulevards adjacent to residential districts where the sale is taking place for a 24 hour period prior to the open house and 24 hours following the open house;”

The intent is that open house signs to be put up and taken down on the same day as the open house event and not left out continuously for numerous days in a row.

In the case of signs for Show Home, which are a form of advertising for an “open house”, the proposed bylaw amendment recognizes that these types of the open houses typically run for a period longer than two days. City administration recommends the bylaw amendment clarify the intent for both open house and show home signage to be removed daily when the “open house” or show home hours of operation have ceased:

“Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period of up to two hours before and after the period of time when the Open House or Show Home is open;”

2. Dynamic signage - Background

A report regarding dynamic signage and a land use bylaw amendment request from Red Deer College was brought forward to the Municipal Planning Commission (MPC) at their meeting of July 28, 2008. The report was tabled pending review of additional information and a meeting between Red Deer College, the Westerner and City Administration. The additional information regarding dynamic sign research was provided to MPC members on August 11, 2008 for review and is again attached for reference. The Westerner, Red Deer College and City administration all support the proposed Bylaw Amendment.

Municipal Planning Commission Research Request

The Municipal Planning Commission requested Administration to draft amendments to the Land Use Bylaw that would consider:

- (a) Reader Board (dynamic) signs as discretionary uses in Commercial Land Use Districts;
- (b) Reader Board (dynamic) signs in Public Service Districts (over 17 ha) would continue to be a permitted use, as intended from a previous Land Use Bylaw amendment;
- (c) Reader Board (dynamic) signs in the past interpreted by administration as a part of a Free Standing sign in all districts.

Red Deer College Request

Red Deer College has submitted a request to amend the Land Use Bylaw to allow their existing reader board (dynamic) sign to contain sponsorship signage including phone numbers, website addresses and tag lines (corporate sayings for example COKE – “just for the taste of it”). Currently the Land Use Bylaw only permits the name and logo of the sponsor to appear on sponsorship signage and sponsorship signage is only permitted on the static (non-reader board) portion of the Red Deer College sign.

Current Reader Board Sign Definition and Regulations within the Land Use Bylaw

The Land Use Bylaw defines the following terms as:

Reader Board - a sign which provides for a changeable message through the uses of an electronically displayed message or other similar means and which forms an integral part of the sign which advertises events related to the principal building and may be used for sponsor recognition.

Sponsor – means a corporation or organization that enters into an agreement to pay money to a property owner in exchange for public recognition of the sponsor's contribution, including the right to advertise the name of the sponsor on signage on the property.

Sponsor Recognition – means the identification, by name and/or logo, of an individual or organization.

Third Party Advertising - means a sign which refers to goods, activities or services other than those produced, offered for sale or free or obtainable at the premises or on the site on which the sign is displayed.

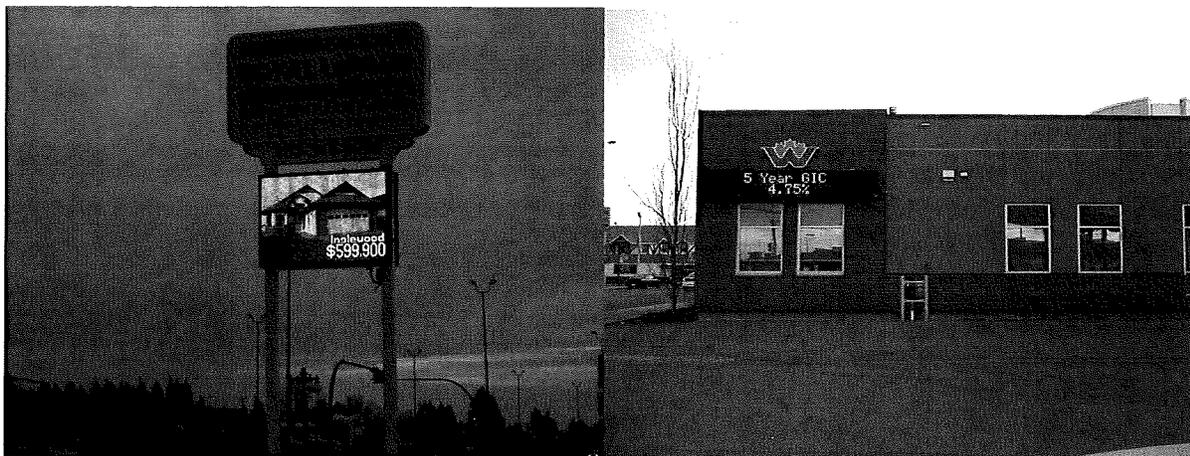
Currently within the land use bylaw Public Service PS sites over 17 hectares, reader board (dynamic) signs may form a portion (up to 25%) of a freestanding sign. Though development in the PS District (over 17 hectares) is the only district that specifically allows reader board (dynamic) signs, Administration has interpreted, due to the definition of reader board (dynamic) signs not being specific to the PS District, that reader board (dynamic) signs are considered a portion of general signage regulations applicable in all districts. As a result, reader board (dynamic signs) appear in several commercial districts.

Third party advertising is not currently permitted on reader board (dynamic) signs, however the Westerner has been permitted to have third party advertising due to grandfathering conditions of an existing permit. The Westerner and Red Deer College are both zoned PS and are over 17 hectares in size.

Existing Reader Board (Dynamic) Signs

Reader board (dynamic) signs currently known to exist within the City are listed as follows:

BUSINESS	DISTRICT	ADDRESS
1. AEI	C1	4802-51 Avenue
2. Bower Mall	C2A	4900 Molly Banister Drive
3. Canadian Western Bank	C1	4822-51 Avenue
4. Deer Park Alliance Church	PS	2960-39 Street
5. Millennium Centre	C1	4909-49 Street
6. Red Deer College	PS(>17 ha)	100 College Boulevard
7. Royal LePage	C1	101-4406-50 Avenue
8. Westerner Park	PS (>17ha)	4847 A-19 Street
9. Capri Centre	C4	3310-50 Avenue (Proposed Sign)
10. North Hill Inn	C4	7150 50 Avenue
11. Morgex Insurance	C1	103-4610 49 Avenue
12. Doctor Eye Care Centre	C1	4402 49 Avenue
13. Kennex Agencies	C1	4320 – 50 Avenue
14. AMA Building	DC (1)	2965 Bremner Avenue



Royal LePage, C1 District 50 Ave

Canadian Western Bank, C1 District 51 Ave

Administrative Review

Video footage of all existing dynamic signs was reviewed by Engineering Services, Inspections and Licensing and Planning staff in order to determine if existing signs were in compliance with the following sign safety regulations from the Land Use Bylaw:

Safety Provisions

No person shall:

- (b) erect, construct or maintain a sign or a display structure so as to create a hazard for pedestrian or vehicular traffic by blocking sight lines between pedestrian and vehicular traffic or distracting a driver or pedestrian, as determined by the Engineering Services Manager;
- (c) erect, construct or maintain any sign which makes use of the words, "STOP", "LOOK", and "DANGER" or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.

Illumination Provisions

- (b) no person shall place flashing signs, revolving beacons, readograms, stationary lights or coloured signs at locations which may, in the opinion of the Engineering Services Manager, obscure or cause confusion with traffic lights and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.

Administration concluded that existing reader board signs (dynamic signs) comply with the safety and illumination provisions of the land use bylaw. All existing signs that do not meet the proposed land use bylaw amendments will become legal non-conforming signs. This means they will be permitted to continue with the use of their sign in their

current state. However, they cannot enlarge, replace or redevelopment their signs without having to comply with the proposed bylaw amendments.

Other Alberta Municipalities

There are a variety of approaches used to regulated dynamic signs throughout Alberta.

The City of Edmonton Land Use Bylaw indicates that animated signs (same as reader board signs) shall be allowed where specified in a Sign Schedule, and shall be located or constructed such that the illumination from light sources does not project onto any surrounding residential premises.

The City of Calgary also call their electronic signs “animated signs”. Any sign that moves, distracts or is defined as animated is neither permitted nor discretionary within the city limits. Any animated signs that are in existence were grandfathered.

The City of Lethbridge Land Use Bylaw indicates animated or animation means any method used to call attention to or identify any matter, object, event, or person. The animated signage is not referenced anywhere in their Land Use Bylaw other than in the definitions. The bylaw does not specifically state these types of signs are either permitted or not permitted.

The City of Medicine Hat indicated they have never had an application to date for an animated (reader board) sign. These types of signs are not referenced in their Land Use Bylaw. The bylaw does not specifically state these types of signs as permitted or not permitted signs. They also do not have any in existing within the city limits.

Internal (City Administration) referral responses

City departments were initially asked to provide comments on reader board (dynamic) signs with respect to their safety and aesthetics. Parkland Community Planning Services wanted to be able to address, within a proposed bylaw amendment, any concerns or issues City departments may have with reader board (dynamic) signage.

Issues of concern regarding reader board (dynamic) signage raised by department’s public safety and aesthetics.

Public Safety:

- Traffic safety – driver distraction
- Cost of sign regulation – enforcement
- Signs potentially causing restriction of driver site lines
- Hazard in high traffic areas – size, orientation, traffic, proximity to roadway should all be factors to consider
- If reader board (dynamic) signs are permitted, collision rates should not increase

- Reader board (dynamic) signs intentionally compete for driver's attention against traffic signals, traffic signs and other motorists.

Aesthetics:

- Messages on reader board (dynamic) signs should be controlled
- Difficult to legally ban actual message wording contents or styles of reader boards (dynamic) signs
- Overall City wide signage vision is desired – aesthetics of signage
- Would not want reader boards (dynamic signs) to become electronic billboards

These issues were further researched by Planning and Engineering staff with the following findings:

Public Safety:

- Drivers who are subject to detailed information (such as on reader board/ dynamic signs) may be temporarily distracted enough to cause a degradation in their driving ability that could lead to a collision.
- The large variety of rotating information projected on reader board (dynamic) signs attracts drivers at a greater distance and holds their attention longer than static (non-moving) signs.
- A correlation between collisions and complexity of the outside driving environment has been found through many studies.
- Collision rates are higher at intersections.

Overall research findings indicate that driver distraction is a significant factor in traffic collisions. As the purpose of a reader board (dynamic) sign is to attract the attention of people in vehicles, including the driver, distractions by reader board (dynamic) signage is highly likely. Professional traffic engineering judgment concludes that driver distraction generally contributes to a reduction in safe driving characteristic.

Members of the sign industry in Red Deer submitted research supporting reader board (dynamic) signs as a safe method of advertising.

Though the research findings are not definitive, and inconclusive arguments can be made either way, in the interest of promoting public safety, Administration suggests that reader board (dynamic) signs be viewed as a form of driver distraction and a public safety issue.

Aesthetics:

The City of Red Deer's Municipal Development Plan (MDP) section 7.0 Urban Design state's a City wide goal being:

To create a physical environment that is attractive, safe, functional, vibrant and a source of community pride, where residents and visitors experience a strong sense of place.

Policy 7.1 of the MDP calls for design guidelines for areas with special characteristics to exercise greater controls. Older areas, the Gaetz Avenue corridor, QE II Highway and major entries are areas highlighted to be in need of development design controls. Signage and the type of aesthetic design for these areas are yet to be developed. If an overall sign design vision were developed for the City of Red Deer as a whole or by neighbourhood, a more thorough evaluation of signs could occur and further limitations could be placed on future reader board (dynamic) signage.

Section 12.0 Commercial Development, states an objective to ensure the quality and aesthetics of development along major commercial corridors. This statement supports the City's concern regarding aesthetics of signage through Land Use Bylaw regulations along major entryway ways which do not allow billboards, and state that the design, placement and scale of signs shall be to the satisfaction of the Development Authority.

Future policy direction regarding overall aesthetics of signage in general could be an option for City Administration to further explore and bring forward a recommendation to the Municipal Planning Commission and City Council.

Proposed Bylaw Amendments

Administration has drafted a Land Use Bylaw amendment which provides reasonable limitations on reader board (dynamic) signs intended to address any public safety and aesthetic appearance concerns expressed during the administrative review of reader board (dynamic) signs.

i) The bylaw amendment proposes to include a new more inclusive definition for reader board (dynamic) signage that would be a more inclusive definition. The proposed new name for "reader board" is "dynamic sign".

- **"Dynamic sign** – means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A dynamic sign includes any display that incorporates a technology or method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or "digital ink". A dynamic sign does not include a sign whose message or image is

changed by physically removing and replacing the sign or its components”.

This definition is intended to be flexible in its specific application in order to allow any future technology to be incorporated without having to do a bylaw amendment; current sign technology with this definition would include reader board (dynamic) signs, rotating panel signs, and video or animated signage.

ii) A revised sponsor recognition definition is proposed to meet the request of Red Deer College and The Westerner.

- **“Sponsor Recognition** – means the recognition of a corporation, person or other entity which has donated money, goods or services to the owner of the land on which the sign is located or which has entered into an agreement to pay money to the owner of the land in exchange for public recognition of the contribution, which recognition may consist of one or more of the following: an expression of thanks, the sponsor’s name, brand, logo, tagline, website information or phone numbers.

iii) A new dynamic signage section within the Land Use Bylaw sign section is proposed in order to direct Administration as to how dynamic signage will be regulated within each allowable district, similar to the existing format within the Land Use Bylaw for all other types of signage.

Dynamic signage is proposed to be a discretionary use on free standing or fascia signs within the following commercial and industrial districts:

- C2A Regional Shopping Centre
- C4 Commercial Major Arterial
- I1 Industrial Business Service
- I2 Heavy Industrial

Dynamic signs will also continue to be a discretionary use in Public Service Districts only on parcel sizes larger than 17.0 hectares.

All though MPC did not originally direct Administration to explore dynamic signage in industrial districts it was felt that some industrial operations are becoming more commercial in nature and may desire dynamic signage similar to major commercial sites. Industrial districts are typically well separated from adjacent residential districts.

The proposed regulations within each commercial and industrial district dictate the size, placement, number of dynamic signs per site, limits to length of electronic messages, and setbacks from any adjacent residential districts.

iv) Following a review of the length of time the message is displayed on existing dynamic signs in the City, Administration deemed a time period of no less than 3 seconds to be the length of time that permits the complete message to be read

without any flashing or scrolling effect that would prove difficult to read and could be a driver distraction.

v) A limit of two signs per site is proposed with a separation distance of at least 50 m. As well, to limit the number of signs along a street, a minimum separation distance of 150m is proposed between lots containing a dynamic sign.

vi) Third party advertising will not be permitted on dynamic signs, with the exception of PS Districts over 17 ha, being Red Deer College and the Westerner as they are large sites with signage that has been in place, the Westerner sign being in place for many years with third party advertising. If new signs are install on PS Districts over 17 ha, third party advertising will continue to be permitted. Limiting third party advertising will prevent the majority of dynamic signs from becoming electronic billboards.

All of the proposed regulations respond to research findings regarding driver distraction. The regulations proposed are intended to balance the need for commercial advertising, the desire of existing PS District sign operators to continue with current standards of sign display and the City's desire to promote aesthetic signage and safe driving conditions by limiting driver distraction from dynamic signage.

Planning Analysis

Reader Board (dynamic) signs exist in various forms and designs throughout the City of Red Deer. By design, their intent is to attract attention of drivers, passengers, pedestrians and people passing by. Existing regulations in the Land Use Bylaw identify driver safety issues such as flashing lights, readograms, and location of signs. Engineering Services has deemed certain elements (flashing, size, location) of signs to be hazardous to public safety and therefore these elements are addressed and regulated in the Land Use Bylaw.

All existing dynamic signs that do not meet the proposed Land Use Bylaw amendments will become legal non-conforming signs and will be permitted to continue in their current state. However, if a new sign is proposed it will need to meet all requirements of the Land Use Bylaw.

Members of the sign industry have been consulted regarding the proposed amendment and no concerns have been received to date regarding the proposed bylaw amendment.

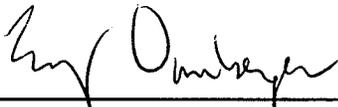
The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs.

Municipal Planning Commission

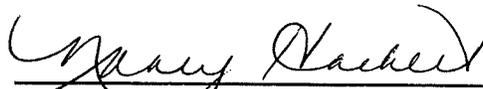
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009 and they recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceeds with first reading of Land Use Bylaw 3357/F-2009.



Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
Planning Manager

cc: Paul Meyette
Frank Colosimo
Colleen Jensen
Don Simpson



**Request: Report for Inclusion
on a Council Agenda**

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION

Name of Report Writer: Emily Damberger
 Department & Telephone Number: PCPS 403-343-3394

REPORT INFORMATION

Preferred Date of Agenda: December 14, 2009
 Subject of the Report (provide a brief description): Open House/Show Home Signs
 Is this Time Sensitive? Why? No
 What is the Decision/Action required from Council? First reading consideration by Council
 Please describe Internal/ External Consultation, if any. Consulted City Departments and external stakeholders
 Is this a Committee of the Whole item? no

How does the Report link to the Strategic Plan?
 Be Authentic – Distinctive Character Goal (DC 5)

Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.
 Yes were consulted, no outstanding issues

Has Financial Services been consulted? Are there any budget implications? Please describe.
 No budget implications

Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Emily Damberger, PCPS (403)-343-3394

COMMUNITY IMPACT

Should External Stakeholder(s) be advised of the Agenda item?
 (e.i. Community Groups, Businesses, Community Associations)
 If Yes, please provide the Contact Information for the External Stakeholder(s)

YES NO

External Stakeholder(s) Contact Information:
 (please provide, name, mailing address, telephone number and e-mail address)

LEGISLATIVE & ADMINISTRATIVE USE ONLY

Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)

SMT	Topics	Board(s) / Committee(s)
When/describe: _____	When/Describe: _____	When/Describe: _____

Do we need a Media Release? YES NO



DATE: December 1, 2009
TO: Elaine Vincent, Legislative and Administrative Manager
FROM: Emily Damberger, Planner
RE: Land Use Bylaw Amendment No. 3357/JJ-2009
(Show Home & Open House signs)

Background

Land Use Bylaw Amendment No. 3357/F-2009 presented regulations for dynamic signs and a minor amendment to show home and open house sign regulations. The proposed bylaw also included a bylaw amendment request from Red Deer College for the operation of their dynamic sign. For clarity, the open house bylaw has been separated through Land Use Bylaw Amendment No. 3357/JJ-2009.

The following report addresses Land Use Bylaw No.3357/JJ - 2009 Open house and show home signage.

Show Home Open House Signage

A small amendment to a portion of the Land Use Bylaw dealing with signs that do not require permits, section 3.3, is being proposed to clarify the intent of the bylaw. Currently the bylaw reads:

“Open House signs may be placed on boulevards adjacent to residential districts where the sale is taking place for a 24 hour period prior to the open house and 24 hours following the open house;”

The intent is for the typical open house signs to be taken down and put up on the same day as the open house event and not left out continuously for numerous days in a row.

Show Home signs, which are a form of advertising for an “open house”, have longer hours of operation and the open houses for show homes are typically for a period longer than two days. City administration recommends the following bylaw amendment to clarify the intent for signage of both open houses and show homes to be removed daily when the “open house” or show home hours of operation have ceased:

ORIGINAL

“Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period of up to two hours before and after the period of time when the Open House or Show Home is open;”

Planning Analysis

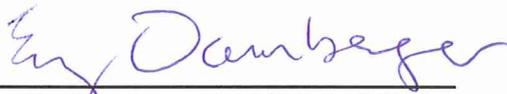
The proposed amendment will clarify the intent of the bylaw and assist in ensuring that signs are removed each evening to prevent clutter of signage in neighbourhoods.

Municipal Planning Commission

The proposed bylaw amendment was considered as part of land use bylaw amendment No.3357/F-2009, by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

That Council of the City of Red Deer proceed with first reading of Land Use Bylaw 3357/JJ-2009.



Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette, Inspections and Licensing Department
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek

Unfinished Business Item No. 3



DATE: January 18, 2010
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/MM-2009
Rezoning of 0.37 Acres of Land / Proposed Municipal Reserve
Westlake Neighbourhood / Trademark West Park Inc.

History:

Land Use Bylaw Amendment 3357/MM-2009 was presented to Council at the Monday, January 11, 2010 Regular Council Meeting for second and third reading following the Public Hearing. The Bylaw received second reading and was tabled for up to one month to allow for administration to clarify the impact of the rezoning on the road right of ways.

Land Use Bylaw Amendment 3357/MM-2009 provides for the creation of a municipal reserve parcel and a portion of municipal road by rezoning approximately 0.149ha (0.37ac) from existing County R-1 Country Residential District to City of Red Deer Parks and Recreation District and from R-1 Residential to Road.

Administration has provided clarification on the impact of the rezoning on the road right of ways in the attached report.

Recommendation:

That Council consider:

- 1) Passing a resolution to lift from the table consideration of Land Use Bylaw Amendment 3357/MM-2009, and
- 2) Giving third reading to Land Use Bylaw Amendment 3357/MM-2009



Elaine Vincent
Manager



DATE: January 18, 2010

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3357/MM-2009
Proposed Municipal Reserve, Westlake Neighbourhood
City of Red Deer, Trademark West Park Inc.

Proposal

On January 11, 2010, Land Use Bylaw Amendment No. 3357/MM-2009 received first reading. Trademark West Park Inc. is proposing to create a municipal reserve parcel and a portion of municipal road within the northwest portion of the Westlake neighbourhood. A land use bylaw amendment is being sought for approximately 0.149 ha (0.37 ac.) in order to address an existing situation, which has been developed in accordance with the *West Park Extension Neighbourhood Area Structure Plan* (NASP). Following the public hearing, Council tabled Bylaw3357/MM-2209 so that Administration could provide clarification on some elements of the proposal including: 1) the closure of a portion of Cronquist Drive, 2) the history of the subject lands, and 3) the transition of the subject lands.

Background

The subject lands consist of a portion of road closed by Red Deer County Bylaw No. 2003/11, a portion of open road (60th Avenue) and a remainder of SE ¼ 18-38-27-4. This portion of Cronquist Drive was closed, as it would never be needed for public travel.

The subject lands were annexed in October 2009 from Red Deer County. However, prior to annexation, the subject area was identified within the Westlake NASP (originally adopted in 2001 and last amended January 2009) to be designated as future municipal reserve and road. Therefore, a rezoning is requested from the existing County R-1 Country Residential District zoning to the City's P1 Parks and Recreation District. The lands proposed for rezoning presently contain a mature tree stand and the northerly portion of 60th Avenue.

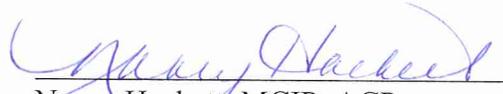
The proposed Cronquist Drive/60 Avenue intersection configuration on the tentative plan of subdivision reflects the open space and road layout that physically exists. The former intersection configuration was based on typical government road allowance alignments, to which the existing 60 Avenue and closed portion of Cronquist Drive were not constructed.

Summary

In summary, the proposal provides for a rezoning from a Red Deer County land use district to a City land use district. The new P1 land use district is in accordance with the Westlake NASP and accommodates the existing and intended open space land use for the land.



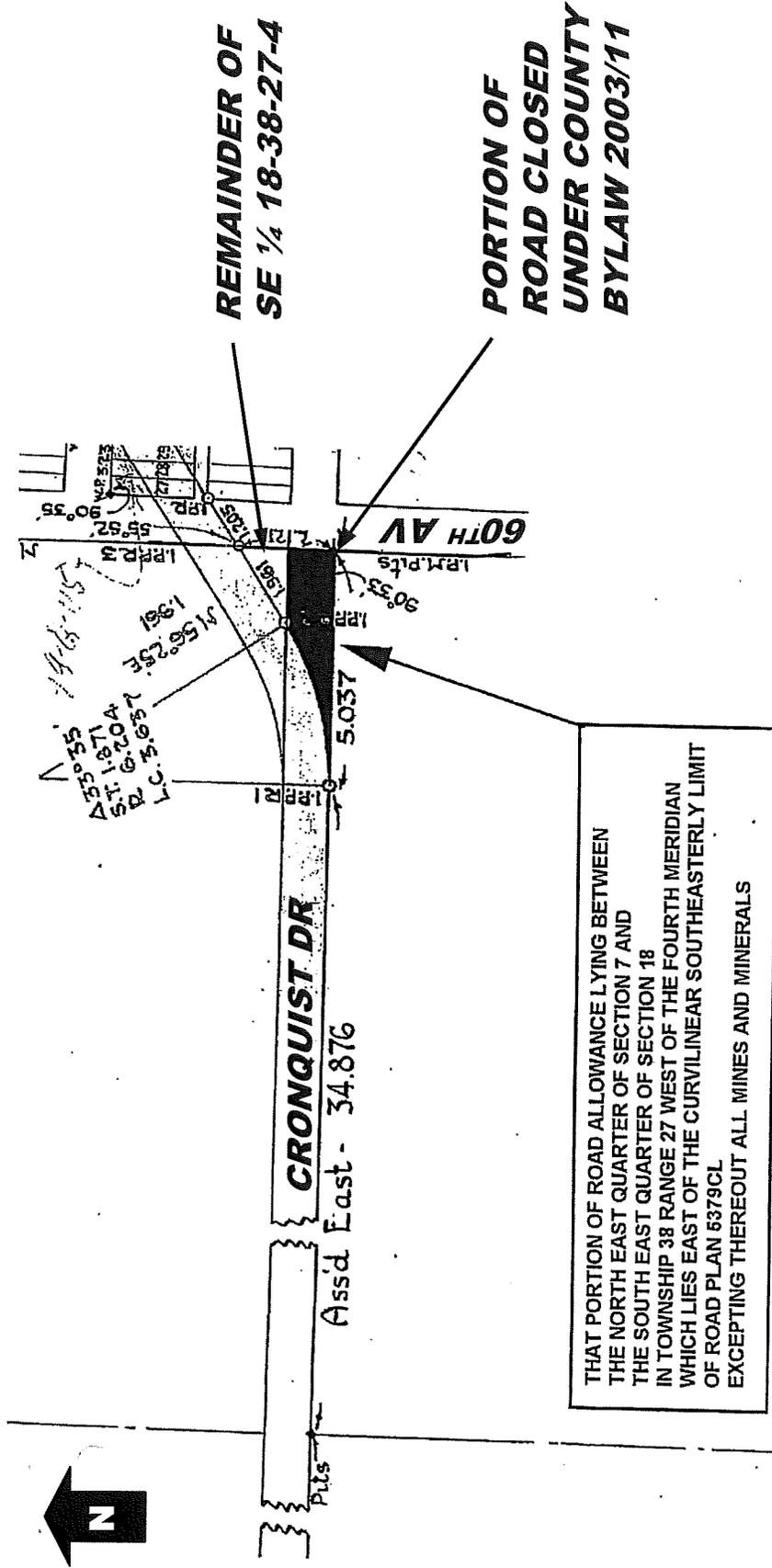
Martin Kvapil
PLANNING ASSISTANT

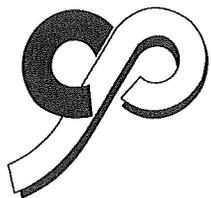


Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachment

Land Use Bylaw Amendment No. 3357/MM-2009





**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to
Council on Monday,
December 14, 2009

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Ph: (403) 343-3394
Fax: (403) 346-1570
Email: pcps@pcps.ab.ca
www.pcps.com

DATE: December 4, 2009
TO: Elaine Vincent, Legislative and Administrative Services Manager
FROM: Martin Kvapil, Planning Assistant
RE: Land Use Bylaw Amendment No. 3357/MM-2009
Proposed Municipal Reserve, Westlake Neighbourhood
City of Red Deer, Trademark West Park Inc.

Proposal

Trademark West Park Inc. is proposing to create a municipal reserve parcel and a portion of municipal road within the northwest portion of the Westlake neighbourhood. A land use bylaw amendment is being sought for approximately 0.149 ha (0.37 ac.) in order to allow for development in accordance with the *West Park Extension Neighbourhood Area Structure Plan* (NASP).

The subject lands were recently annexed from Red Deer County. The NASP identifies these lands to be designated as future municipal reserve and road and therefore a rezoning is required from the existing County R-1 Country Residential District zoning to the City's P1 Parks and Recreation District. The lands presently contain a mature tree stand and the north intersection of 60th Avenue. The proposed rezoning reflects the existing situation and conforms to the intent of the NASP.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/MM -2009.

Handwritten signature of Martin Kvapil.

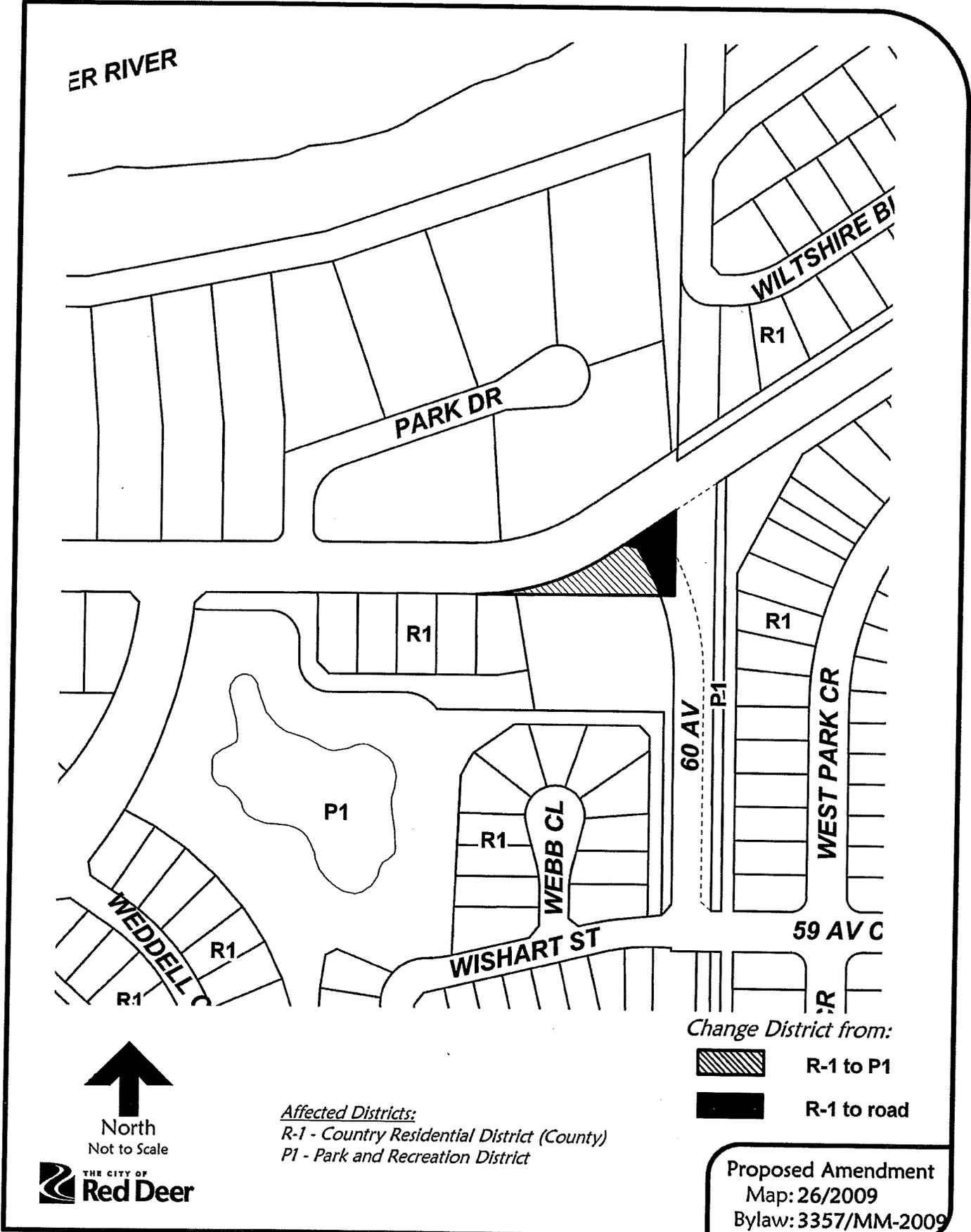
Martin Kvapil
PLANNING ASSISTANT

Handwritten signature of Nancy Hackett.

Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:
 R-1 - Country Residential District (County)
 P1 - Park and Recreation District

Change District from:

- R-1 to P1
- R-1 to road

Proposed Amendment
 Map: 26/2009
 Bylaw: 3357/MM-2009

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



DATE: January 18, 2010
TO: Elaine Vincent, Legislative and Administrative Services Manager
FROM: Martin Kvapil, Planning Assistant
RE: Land Use Bylaw Amendment No. 3357/MM-2009
Proposed Municipal Reserve, Westlake Neighbourhood
City of Red Deer, Trademark West Park Inc.

Proposal

On January 11, 2010, Land Use Bylaw Amendment No. 3357/MM-2009 received first reading. Trademark West Park Inc. is proposing to create a municipal reserve parcel and a portion of municipal road within the northwest portion of the Westlake neighbourhood. A land use bylaw amendment is being sought for approximately 0.149 ha (0.37 ac.) in order to address an existing situation, which has been developed in accordance with the *West Park Extension Neighbourhood Area Structure Plan* (NASP). Following the public hearing, Council tabled Bylaw3357/MM-2209 so that Administration could provide clarification on some elements of the proposal including: 1) the closure of a portion of Cronquist Drive, 2) the history of the subject lands, and 3) the transition of the subject lands.

Background

The subject lands consist of a portion of road closed by Red Deer County Bylaw No. 2003/11, a portion of open road (60th Avenue) and a remainder of SE ¼ 18-38-27-4. This portion of Cronquist Drive was closed, as it would never be needed for public travel.

The subject lands were annexed in October 2009 from Red Deer County. However, prior to annexation, the subject area was identified within the Westlake NASP (originally adopted in 2001 and last amended January 2009) to be designated as future municipal reserve and road. Therefore, a rezoning is requested from the existing County R-1 Country Residential District zoning to the City's P1 Parks and Recreation District. The lands proposed for rezoning presently contain a mature tree stand and the northerly portion of 60th Avenue.

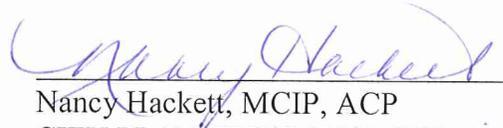
The proposed Cronquist Drive/60Avenue intersection configuration on the tentative plan of subdivision reflects the open space and road layout that physically exists. The former intersection configuration was based on typical government road allowance alignments, to which the existing 60 Avenue and closed portion of Cronquist Drive were not constructed.

Summary

In summary, the proposal provides for a rezoning from a Red Deer County land use district to a City land use district. The new P1 land use district is in accordance with the Westlake NASP and accommodates the existing and intended open space land use for the land.



Martin Kvapil
PLANNING ASSISTANT



Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachment

LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

Mr. A. Schellenberg
Trademark West Park Inc.
#200, 6245 – 136 Street
Surrey, BC V3X 1H3

Dear Mr. Schellenberg:

Re: *Land Use Bylaw Amendment 3357/MM-2009*
Proposed Municipal Reserve, Westlake Neighbourhood

At the City of Red Deer's Council Meeting held on Monday, January 11, 2010, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3357/MM-2009*. Following the Public Hearing, Land Use Bylaw Amendment 3357/MM-2009 was given second reading. Third reading of *Land Use Bylaw Amendment 3357/MM-2009* was tabled for up to one month to allow administration to clarify that no Road Closure Bylaw is required for the area being rezoned from R1 Residential to Road.

At the City of Red Deer's Council Meeting held on Monday, January 25, 2010, administration provided a report clarifying that no Road Closure Bylaw is required for the area being rezoned from R1 Residential to Road. Council then gave third reading to *Land Use Bylaw Amendment 3357/MM-2009*, a copy of which is attached.

Land Use Bylaw Amendment 3357/MM-2009 provides for the creation of a municipal reserve parcel and a portion of municipal road within the northwest portion of the Westlake neighbourhood. Approximately 0.149ha (0.37ac) of land will be rezoned from existing County R-1 Country Residential District to City of Red Deer P1 Parks and Recreation District. The proposed zoning conforms to the intent of the Westlake Neighbourhood Area Structure Plan.

Please do not hesitate to contact me should you have any questions or require further clarification.

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c. Parkland Community Planning Services

FILE



Council Decision – January 25, 2010

DATE: January 26, 2010

TO: Martin Kvapil, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/MM-2009 – Rezoning of 0.37 Acres of Land / Proposed Municipal Reserve Westlake Neighbourhood / Trademark West Park Inc.

Reference Report:

Legislative & Administrative Services Manager, dated January 18, 2010
Parkland Community Planning Services, dated January 18, 2010

Bylaw Readings:

At the Monday, January 11, 2010 Council Meeting, Land Use Bylaw Amendment 3357/MM-2009 received second reading and was tabled for up to one month to allow for administration to clarify the impact of the rezoning on the road right of ways. At the Monday, January 25, 2010 Council Meeting, administration provided a report to clarify the road right of ways and this Bylaw received third reading. A copy of the bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Land Use Bylaw Amendment 3357/MM-2009 provides for the creation of a municipal reserve parcel and a portion of municipal road by rezoning approximately 0.149ha (0.37ac) from existing County R-1 Country Residential District to City of Red Deer Parks and Recreation District and from R-1 Residential to Road.

A handwritten signature in blue ink that reads 'Elaine Vincent'.

Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

- | | |
|----------------------------------|-------------------------------------|
| c: Development Services Director | Inspections & Licensing Manager |
| Corporate Services Director | Inspections & Licensing Supervisor |
| Community Services Director | Land & Economic Development Manager |
| Engineering Services Manager | IT Services – GIS Section |
| Financial Services Manager | LAS File |
| Assessment and Taxation Manager | |

Public Hearings Item No. 1



DATE: January 18, 2010

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/OO-2009
Front Access Single Wide Attached Garages – Parkvale
Changes to the Parkvale Community Modest Infill Design Guidelines

History:

At the Monday, December 14, 2009 Council Meeting, Land Use Bylaw Amendment 3357/OO-2009 received first reading.

Land Use Bylaw Amendment 3357/OO-2009 provides for an amendment to allow for the development of front access attached garages to two blocks of Parkvale that front onto 46 Avenue and 45A Avenue. This will enable homeowners to develop their homes and rear yards to take advantage of the view onto Barrett Park.

Public Consultation Process:

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, January 25, 2010. Advertisements were placed in the Red Deer Advocate on January 8, 2010 and January 15, 2010.

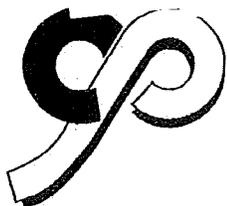
Recommendation:

That Council consider:

- a) Second and third reading of Land Use Bylaw Amendment 3357/OO-2009.
- b) Passing a resolution to amend the Parkvale Community Modest Infill Design Guidelines.



Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to
Council on Monday,
December 14, 2009

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@pcps.ab.ca

TO: Elaine Vincent, Legislative Services Manager
FROM: Orlando Toews, ACP MCIP, Planner
RE: Proposed Bylaw 3357/OO-2009 - Amendments to:

- The Land Use Bylaw No. 3357/2006 to allow Front Access Single Wide Attached Garages in two blocks of Parkvale (Block M, Plan 1528 HW; Block B, Plan 257 HW; and Block B, Plan 4867KS), and

Changes to:

- The Parkvale Community Modest Infill Design Guidelines

DATE: December 1, 2009

Background

Parkland Community Planning Services, on behalf of the City of Red Deer, received a request from the Parkvale Community Association (PCA) asking that Section 7.7 - Mature Neighbourhood Parkvale Overlay District in the *City of Red Deer Land Use Bylaw No. 3357/2006*, along with the *Parkvale Community Modest Infill Design Guidelines (September 22, 2003)* be amended to allow for the development of front access attached garages in two blocks of Parkvale that front onto 46 Avenue and 45A Avenue. The PCA believes that allowing front access attached garages in these two blocks will enable homeowners to develop their homes and rear yards to take advantage of the view onto Barrett Park. These two blocks are unique in Parkvale in that their rear yards back directly onto Barrett Park.

These two blocks contain fourteen residential parcels with frontages ranging between 10.15 m (33.3 ft.) and 15.24 m (50.0 ft.). The existing houses range in age from just a few years old to over eighty years old.

Planning staff met with PCA representatives to discuss the matter and prepared draft amendments to the Land Use Bylaw and the *Parkvale Community Modest Infill Design Guidelines*. The proposed changes would allow landowners in these two blocks to construct front access attached garages subject to the following criteria:

- Front access attached garages cannot protrude beyond the front wall of the house,
- Front access attached garages can only be single-wide,
- Front driveways can only be single-wide, and
- Front driveways are only allowed in conjunction with a front access attached garage.

The intent of the proposed regulations is to accommodate front access attached garages in these two blocks while minimizing the potential impact on the streetscape. Landowners in these two blocks would still have the option of having off-street parking in the rear yard via the lane.

Proposed Amendment

The proposed amendment to the Land Use Bylaw along with the subsequent proposed changes to the Parkvale Community Modest Infill Design Guidelines are detailed below:

Land Use Bylaw

Excerpt from Section 7.7 Mature Neighbourhood Parkvale Overlay District

EXISTING TEXT

PROPOSED TEXT

(3) Development Regulations for Residential Buildings

(3) Development Regulations for Residential Buildings

- (o) Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property.

- (o) Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property, except in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein front driveways in conjunction with single wide attached garages may be allowed subject to the following standards:

- (i) Attached garages may not protrude beyond the front wall of the house;
- (ii) Attached garages may be designed to accommodate two vehicles in tandem;
- (iii) Garages must not be wider than 4.9 metres (16.1 ft.), excluding eaves;
- (iv) Front driveways must not be wider than 4.3 metres (14.1 ft. +/-);
- (v) Front driveways are not permitted without a single wide attached garage; and
- (vi) The appearance, architectural features, and finish materials must be acceptable to the Development Authority.

Parkvale Community Modest Infill Design Guidelines

EXISTING TEXT

PROPOSED TEXT

4.3 GARAGES AND ACCESSORY BUILDINGS

4.3 GARAGES AND ACCESSORY BUILDINGS

Guideline 16. On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well.

Guideline 16. On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well. The exception is in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein vehicle access to the property may be from the front (i.e. street) when an approved front drive single wide attached garage exists.

Planning Analysis

The proposed amendment does not change the intensity of development in Parkvale; all that would change is the way in which off-street parking can be provided. Given the mix of existing houses, lot frontages and existing rear detached garages, not all landowners will pursue the development of front access single-wide attached garages. Those that do pursue this type of development will be able to enhance their views of Barrett Park; in turn, the public's view of Parkvale from Barrett Park will also be improved. Such development may also enhance natural surveillance of the park, which is a desirable CPTED (Crime Prevention Through Environmental Design) feature. This is consistent with the MDP Policy 7.8, which encourages the City to include CPTED principles in the consideration of proposed development.

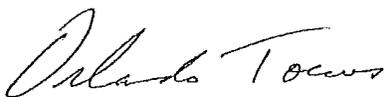
The standards in the proposed amendment limit impacts on the streetscape by limiting the size (width) of the attached garages and driveways and by requiring them to be set back behind the front wall of the house. As well, there are no concerns with the impact on boulevards as these two blocks do not have boulevards.

The proposed Land Use Bylaw amendment has implications for the *Parkvale Community Modest Infill Design Guidelines*. Therefore, in terms of procedure, if Council ultimately supports the proposed Land Use Bylaw amendment, Council will also be asked at that time to pass a resolution to change Guideline 16 in Section 4.3 of the *Parkvale Community Modest Infill Design Guidelines* as shown above.

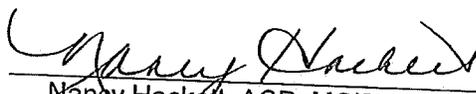
Recommendation

Planning staff respectfully recommends that Council pass First Reading of proposed Bylaw 3357/OO-2009.

Respectfully submitted,



Orlando Toews, ACP, MCIP
Planner
Parkland Community Planning Services



Nancy Hackett, ACP, MCIP
City Planning Manager
Parkland Community Planning Services



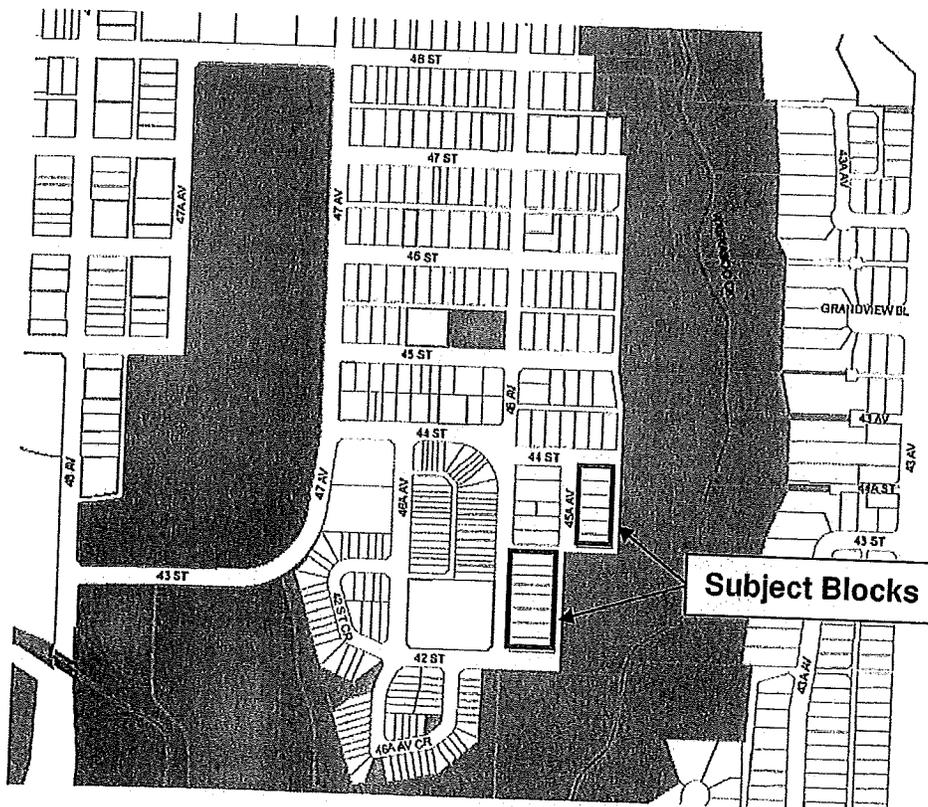
**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@pcps.ab.ca
or: orlando.toews@pcps.ab.ca

MEMORANDUM

TO: Area Landowners in Parkvale
RE: Proposed Amendments to:
*The City of Red Deer Land Use Bylaw No. 3357/2006, and
 Parkvale Community Modest Infill Design Guidelines (Sept. 23, 2003)*
 To allow front access single-wide attached garages in two blocks of Parkvale
DATE: October 23, 2009

Parkland Community Planning Services, on behalf of the City of Red Deer, has received a request from the Parkvale Community Association (PCA) asking that Section 7.7 - Mature Neighbourhood Parkvale Overlay District in the *City of Red Deer Land Use Bylaw No. 3357/2006*, along with the *Parkvale Community Modest Infill Design Guidelines (September 22, 2003)* be amended to allow for the development of front access attached garages in two blocks of Parkvale that front onto 46 Avenue and 45A Avenue. The PCA believes that allowing front access attached garages in these two blocks will enable homeowners to develop their homes and rear yards to take advantage of the view onto Barrett Park. These two blocks are unique in Parkvale in that their rear yards back directly onto Barrett Park.



OVER...

Planning staff have met with PCA representatives to discuss the matter and have prepared draft amendments (see below) to the Land Use Bylaw and the *Parkvale Community Modest Infill Design Guidelines*. The proposed changes would allow landowners in these two blocks to construct front access attached garages subject to the following criteria:

- Front access attached garages cannot protrude beyond the front wall of the house,
- Front access attached garages can only be single-wide,
- Front driveways can only be single-wide, and
- Front driveways are only allowed in conjunction with a front access attached garage.

The intent of the proposed regulations is to accommodate front access attached garages in these two blocks while minimizing the potential impact on the streetscape. Landowners in these two blocks still have the option of having off-street parking in the rear yard via the lane.

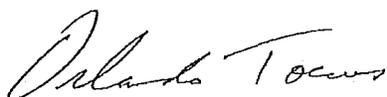
As a landowner in proximity to the two subject blocks you are invited to review and comment on the proposed amendments. If you wish to view complete copies of the *City of Red Deer Land Use Bylaw No. 3357/2006* and/or the *Parkvale Community Modest Infill Design Guidelines*, they are available on the City website at www.reddeer.ca or you can call for more information.

You are invited to review and provide written comments (comment sheet enclosed) on the proposed amendments **by no later than November 16, 2009**. Staff will then prepare a report on the proposed amendments that will be presented to City Council for its consideration. Council may then give First Reading to a bylaw to amend the Land Use Bylaw. If Council gives First Reading, a public hearing will be scheduled and advertised in the Red Deer Advocate. A public hearing provides the public with an opportunity to speak directly to Council regarding a proposed bylaw. Council must hold a public hearing before it can give consideration to Second and Third Reading (adoption) of a bylaw. Council's consideration of adoption by resolution of the proposed changes to the *Parkvale Community Modest Infill Design Guidelines* would also occur at the same time.

Please contact me if you need any further information or clarification.

Thank you for your consideration in this matter.

Sincerely,



Orlando Toews, ACP, MCIP
Planner
Parkland Community Planning Services

cc: Nancy Hackett, City Planning Manager, Parkland Community Planning Services
Parkvale Community Association

City of Red Deer Land Use Bylaw No.3357/2006

Excerpt from Section 7.7 Mature Neighbourhood Parkvale Overlay District

EXISTING TEXT

(3) Development Regulations for Residential Buildings

- (o) Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property.

PROPOSED TEXT

(3) Development Regulations for Residential Buildings

- (o) Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property, except in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein front driveways in conjunction with front access single-wide attached garages may be allowed subject to the following standards:
 - (i) Attached garages may not protrude beyond the front wall of the house;
 - (ii) Attached garages may be designed to accommodate two vehicles in tandem;
 - (iii) Garages must not be wider than 4.9 metres (16.1 ft.), excluding eaves;
 - (iv) Front driveways must not be wider than 4.3 metres (14.1 ft.);
 - (v) Front driveways are not permitted without a front access single-wide attached garage; and
 - (vi) The appearance, architectural features, and finish materials must be acceptable to the Development Authority.

Parkvale Community Modest Infill Design Guidelines (September 23, 2003)

EXISTING TEXT

4.3 GARAGES AND ACCESSORY BUILDINGS

Guideline 16. On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well.

PROPOSED TEXT

4.3 GARAGES AND ACCESSORY BUILDINGS

Guideline 16. On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well. The exception is in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein vehicle access to the property may be from the front (i.e. street) when an approved front access single-wide attached garage exists.

FILE



LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

Parkvale Community Association
c/o Virginia Hays
4627 – 45 Street
Red Deer, AB T4N 1K3

Dear Ms. Hays:

**Re: Land Use Bylaw Amendment 3357/OO-2009
Front Access Single Side Attached Garages in Two Blocks of Parkvale
(Block M, Plan 1528 HW; Block B, Plan 257 HW; and Block B, Plan 4867KS)
Changes to Parkvale Community Modest Infill Design Guidelines**

At the City of Red Deer's Council meeting held January 25, 2010, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3357/OO-2009*. Following the Public Hearing, *Land Use Bylaw Amendment 3357/OO-2009* was given second and third readings, a copy of which is attached.

Land Use Bylaw Amendment 3357/OO-2009 provides for an amendment to allow for the development of front access attached garages to two blocks of Parkvale that front onto 46 Avenue and 45A Avenue. This will enable homeowners to develop their homes and rear yards to take advantage of the view onto Barrett Park.

Council also passed the following resolution approving changes to the Parkvale Community Modest Infill Design Guidelines:

"Resolved that Council of the City of Red Deer having considered the report from Parkland Community Planning Services, dated December 1, 2009 Re: Land Use Bylaw 3355/OO-2009 – Changes to the Parkvale Community Modest Infill Design Guidelines, hereby agrees to amend the Parkvale Community Modest Infill Design Guidelines as follows:

Deleting 4.3 – Garages and Accessory Buildings, Guideline 16:

"On properties with a lane, all vehicle access to the property is to be from the land. This applies to corner properties as well."

and replacing it with the revised 4.3 – Garages and Accessory Buildings, Guideline 16:

"On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well. The exception is in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein vehicle access to the property may be from the front (i.e. street) when an approved front drive single wide attached garage exists."

...2/

Land Use Bylaw Amendment 3357/00-2009

January 26, 2010

Page 2

Please do not hesitate to contact our office should you have any questions or require further clarification.

Sincerely,

A handwritten signature in cursive script that reads "Elaine Vincent". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Elaine Vincent
Legislative and Administrative Services Manger

/attach.

c Parkland Community Planning Services

Council Decision – January 25, 2010

DATE: January 26, 2010

TO: Orlando Toews, Parkland Community Planning Services
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/OO-2009
Front Access Single Wide Attached Garages – Parkvale
Changes to the Parkvale Community Modest Infill Design Guidelines

Reference Report:

Legislative & Administrative Services Manager, dated January 18, 2010
Parkland Community Planning Services, dated December 1, 2009

Bylaw Readings:

At the Monday, December 14, 2009 Council Meeting, Land Use Bylaw Amendment 3357/OO-2009 received first reading. At the Monday, January 25, 2010 Council Meeting, this bylaw received second and third readings. A copy of the bylaw is attached.

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from Parkland Community Planning Services, dated December 1, 2009 Re: Land Use Bylaw 3355/OO-2009 – Changes to the Parkvale Community Modest Infill Design Guidelines, hereby agrees to amend the Parkvale Community Modest Infill Design Guidelines as follows:

Deleting 4.3 – Garages and Accessory Buildings, Guideline 16:

“On properties with a lane, all vehicle access to the property is to be from the land. This applies to corner properties as well.”

and replacing it with the revised 4.3 – Garages and Accessory Buildings, Guideline 16:

“On properties with a lane, all vehicle access to the property is to be from the lane. This applies to corner properties as well. The exception is in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein vehicle access to the property may be from the front (i.e. street) when an approved front drive single wide attached garage exists.”

MOTION CARRIED

Report Back to Council: No

Comments/Further Action:

Land Use Bylaw Amendment 3357/00-2009 provides for an amendment to allow for the development of front access attached garages to two blocks of Parkvale that front onto 46 Avenue and 45A Avenue. This will enable homeowners to develop their homes and rear yards to take advantage of the view onto Barrett Park.



Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

- | | |
|----------------------------------|-------------------------------------|
| c: Development Services Director | Inspections & Licensing Manager |
| Corporate Services Director | Inspections & Licensing Supervisor |
| Community Services Director | Land & Economic Development Manager |
| Engineering Services Manager | IT Services – GIS Section |
| Financial Services Manager | LAS File |
| Assessment and Taxation Manager | |

FILE 0.7

Land Use Bylaw Amendment 3357/00-2009 Parkvale Overlay District

DESCRIPTION: An amendment to the Mature Neighbourhood Parkvale Overlay District along with the *Parkvale Community Modest Infill Design Guidelines* to allow for the development of front access attached garages in two blocks of Parkvale that front onto 46 Avenue and 45A Avenue.

FIRST READING: December 14, 2009

FIRST PUBLICATION: January 8, 2010

SECOND PUBLICATION: January 15, 2010

PUBLIC HEARING & SECOND READING: January 25, 2010

THIRD READING: _____

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT: YES \$ _____ NO

COST OF ADVERTISING RESPONSIBILITY OF: CITY

ACTUAL COST OF ADVERTISING:

\$ _____ X 2 **TOTAL:** \$ _____

MAP PREPARATION: \$ _____

TOTAL COST: \$ _____

LESS DEPOSIT RECEIVED: \$ _____

AMOUNT OWING/ (REFUND): \$ _____

INVOICE NO.: _____

BATCH NO.: _____

(Advertising Revenue to 180.5901)

**Land Use Amendment Bylaw 3357/00-2009
Development of Front Access Attached Garages
Parkvale Neighbourhood**

City Council proposes to pass Land Use Bylaw Amendment 3357/00-2009, which provides for an amendment to the Land Use Bylaw to allow for the development of front access attached garages in two blocks of the Parkvale Neighbourhood that front onto 46 Avenue and 45A Avenue. (Block M, Plan 1528 HW; Block B, Plan 257 HW; and Block B, Plan 4867KS). The proposed changes would allow landowners in these two blocks to construct front access attached garages that are single-wide and not protruding beyond the front wall of the house.

Insert Map (DM#915446)

The proposed bylaw may be inspected at Legislative & Administrative Services, 2nd Floor City Hall during regular office hours or for more details, contact Parkland Community Planning Services at 403-343-3394.

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, January 25, 2010** at 6:00 p.m. in Council Chambers, 2nd Floor at City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, January 19, 2010**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 403-342-8132.

(Publication Dates: January 8, 2010 and January 15, 2010)



45 ST

46 AV

44 ST

44 ST

47 AV

46A AV

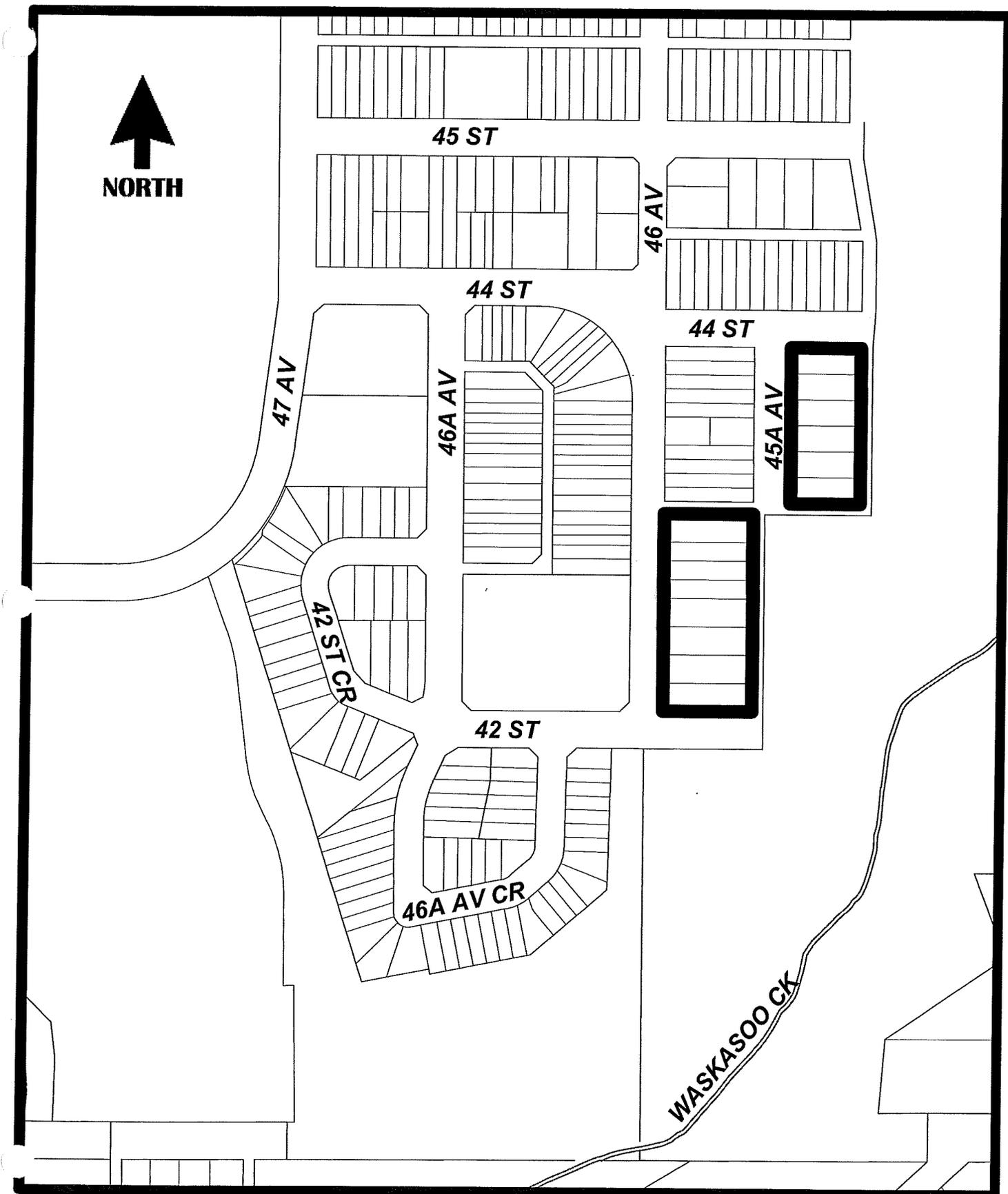
45A AV

42 ST CR

42 ST

46A AV CR

WASKASOO CK



Christine Kenzie

From: Orlando Toews
Sent: December 16, 2009 1:38 PM
To: Christine Kenzie
Subject: RE: December 18 2009 - Ad for LUB Amendment 3357 OO-2009 - Parkvale Front Access Single Wide Attached Garages

Christine,

It looks good to me. Thanks.

Orlando Toews
PCPS

From: Christine Kenzie
Sent: December 16, 2009 12:22 PM
To: Orlando Toews
Subject: December 18 2009 - Ad for LUB Amendment 3357 OO-2009 - Parkvale Front Access Single Wide Attached Garages

I have attached a draft of the ad to be placed in the Red Deer Advocate for LUG 3357/OO-2009.

Let me know if you have any changes.

I have asked the GIS folks to prepare a map for the advertisement -- exactly like the one you had in your report showing the blocks affected.

I will need to have the ad ready for January 5th --- to be included in the January 8th edition of the Advocate.

Thanks.

Christine Kenzie
Council Services Coordinator
Legislative & Administrative Services
City of Red Deer
Phone: 403.356.8978 Fax: 403.346.6195
christine.kenzie@reddeer.ca

FILE COPY

December 18, 2009

«Prime_Owner_Name»

«Owner_Address_1»

«Owner_Address_2»

Dear Sir/Madam:

**Re: Land Use Bylaw Amendment 3357/OO-2009
Development of Front Access Attached Garages
Parkvale Neighbourhood**

Red Deer City Council proposes to pass Land Use Bylaw Amendment 3357/OO-2009 which provides for an amendment to the Land Use Bylaw to allow for the development of front access attached garages in two blocks of the Parkvale Neighbourhood that front into 46 Avenue and 45A Avenue. (Block M, Plan 1528 HW; Block B, Plan 257 HW; and Block B, Plan 4867KS) The proposed changes would allow landowners in these two blocks to construct front access attached garages that are single-wide and not protruding beyond the front wall of the house. Please see the enclosed map which shows the location of the subject site.

As a property owner in the area of proposed changes you have an opportunity to ask questions about the intended use and to let Council know your views. The proposed Bylaw may be inspected at Legislative & Administrative Services, 2nd Floor City Hall. For more details contact the city planners at Parkland Community Planning Services at 403.343.3394.

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on Monday, January 25, 2010 at 6 p.m. in Council Chambers, 2nd floor City Hall. If you would like a letter or petition included on the Council agenda it must be submitted to our office by Tuesday, January 19, 2010. You may also submit your letter or petition at the Public Hearing, or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes and any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 403.342.8132.

Yours truly,



Elaine Vincent
Legislative & Administrative Services Manager
Attachment



45 ST

46 AV

44 ST

44 ST

47 AV

46A AV

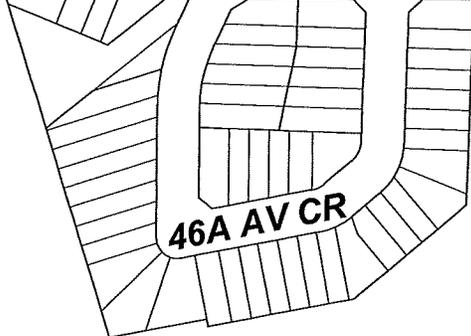
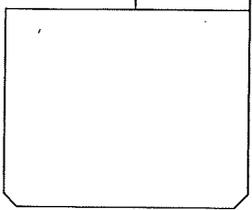
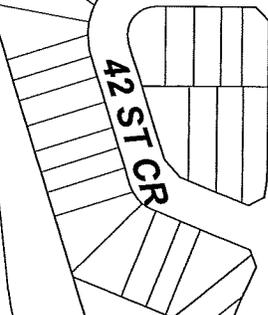
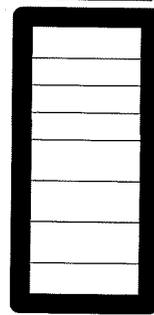
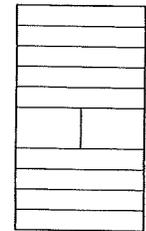
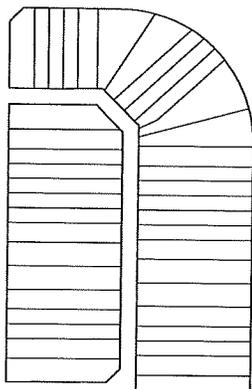
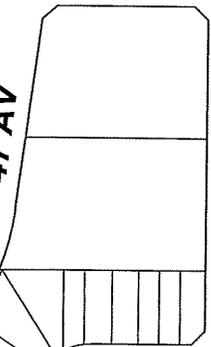
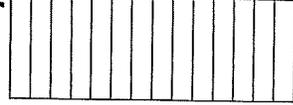
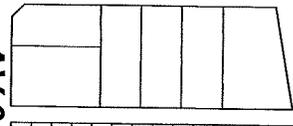
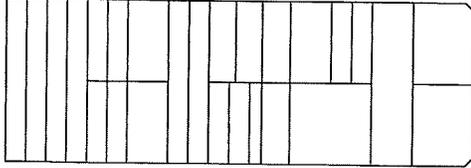
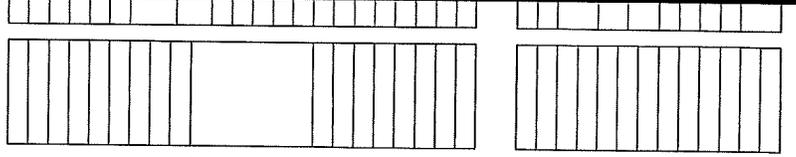
45A AV

42 ST CR

42 ST

46A AV CR

WASKASOO CK



4411 46 AV	ROSZELL & JANE ROSZELL	4411 46 AVE	RED DEER, AB T4N 3M9		
BMT 4404 46 AV	ADA LOUISA VAN STEINBURG	4404 46 AVE	RED DEER, AB T4N 3M8		
4404 46 AV	ADA LOUISA VAN STEINBURG	4404 46 AVE	RED DEER, AB T4N 3M8		
4319 46 AV	DIANA LOUISE ANDERSON &	CRAIGERY DE GRAFF	4319 46 AVE	RED DEER, AB T4N 3M7	
4318 46 AV	RAYMOND WILFORD & GLADYS ETHEL LUND	4318 46 AV	RED DEER, AB T4N 6S8		
4316 46 AV	KENT REALTY CORP	RR 1	CONDOR, AB T0M 0P0		
4314 46 AV	JUNE Y. ALBACH	4314 46 AVE	RED DEER, AB T4N 6S8		
4313 46 AV	THOMAS & HOLLY COUTTS	4313 46 AVE	RED DEER, AB T4N 3M7		
4312 46 AV	MALCOLM ARNOLD & ANNIE ELIZABETH BOOTH	4312 46 AV	RED DEER, AB T4N 6S8		
4310 46 AV	SHELLEY ANNE MILES	4310 46 AVE	RED DEER, AB T4N 6S8		
4309 46 AV	JOSHUA G & NICOLE D MAH	4309 46 AVE	RED DEER, AB T4N 3M7		
4308 46 AV	ADA JEAN THOMAS	4308 46 AVE	RED DEER, AB T4N 6S8		
4306 46 AV	MICHAEL CLARK & AMY ANDERSON	4306 46 AVE	RED DEER, AB T4N 6S8		
4305 46 AV	JERRY & IRENE SIMMERING	41 26540 HWY 11	RED DEER COUNTY, AB T4E 1A3		
4304 46 AV	FREDERICK ROBERT & JACQUELINE G SMITH	4304 46 AVE	RED DEER, AB T4N 6S8		
4301 46 AV	DONALD GLEN WALES & MARIE-ANGE WILLETT	4301 46 AV	RED DEER, AB T4N 3M7		
4223 46	ANITA MAE &		RED DEER, AB		

AV	TIMOTHY JAMES HAZELL	4223 46 AVE	T4N 3M7		
4219 46 AV	JANICE BROWN	4217 46 AVE	RED DEER, AB T4N 3M7		
4123 46 AV	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4321 45A AV	SHARON ANN GIBBS	4321 45A AVE	RED DEER, AB T4N 3M5		
4317 45A AV	GORDON ALLAN & MARILYN JEANNE DAVIS	4522 48 ST	RED DEER, AB T4N 1S3		
4313 45A AV	GORDON ALLAN & MARILYN JEANNE DAVIS	4522 48 ST	RED DEER, AB T4N 1S3		
4310 45A AV	JAMES R & BARBARA A ROTHWELL	4310 45A AV	RED DEER, AB T4N 6J2		
4309 45A AV	IRENE MAY GOWSELL	4309 45A AVE	RED DEER, AB T4N 3M5		
4305 45A AV	PENNY L KANDER	51 VARTY CLOSE	RED DEER, AB T4R 0G1		
4301 45A AV	LYLE EDWARD & CHRISTINA FRANCES BLAIR	4301 45A AVE	RED DEER, AB T4N 3M5		
4545 45 ST	JASON M & DENISE YATES	4545 45 ST	RED DEER, AB T4N 1K2		
4537 45 ST	DEREK RADCLIFFE & JUDY NARVO	THOMPSON & DUDLEY HENRY & VERA	VIVIANA STEPHENSON	39 LORD CLOSE	RED DEER, AB T4R 2R8
4533 45 ST	DOUGLAS C & LORNA H DESCHNER	164 DORAN CRES	RED DEER, AB T4R 2M6		
BMT 4529 45 ST	DIANE MARIE CAUVIN	4529 45 ST	RED DEER, AB T4N 1K2		
4529 45 ST	DIANE MARIE CAUVIN	4529 45 ST	RED DEER, AB T4N 1K2		
4523 45 ST	SANDRA MCKENDRICK	4523 45 STREET	RED DEER, AB T4N 1K2		
4519 45 ST	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4321 45 AV	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4315 45	CITY OF RED	BOX 5008	RED DEER, AB		

AV	DEER		T4N 3T4		
4312 45 AV	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4307 45 AV	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4603 44 ST	IRENE BESSETTE	BOX 1216	RED DEER, AB T4N 6S6		
4601 44 ST	DALLAS J CAMPBELL	4601 44 ST	RED DEER, AB T4N 6S7		
4552 44 ST	SHIRLEY MAH	4552 44 ST	RED DEER, AB T4N 1H4		
4548 44 ST	MARY ELENA SANDERSON	4548 44 ST	RED DEER, AB T4N 1H4		
4544 44 ST	RONALD B SNIDER	10045 117 ST NW APT 1008	EDMONTON, AB T5K 1W8		
4540 44 ST	TIMOTHY DONALD & NANETTE MARIE DELL	4540 44 ST	RED DEER, AB T4N 6S7		
4536 44 ST	KELSI MARIE JENNER	4536 44 ST	RED DEER, AB T4N 1H4		
4532 44 ST	WANDA MEYER	4532 44 ST	RED DEER, AB T4N 1H4		
4528 44 ST	PENNY L KANDER	51 VARTY CLOSE	RED DEER, AB T4R 0G1		
4512 44 ST	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		
4318 43 ST	CITY OF RED DEER	BOX 5008	RED DEER, AB T4N 3T4		

Public Hearings Item No. 2

DATE: January 18, 2010

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan
Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan

History:

At the Monday, December 14, 2009 Council Meeting, Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan received first readings.

Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan provides for an expansion of a specialized direct control district (DC24) to allow vehicle sales dealerships along the eastern portion of the plan area (fronting QE2 Highway) change the location of future commercial development, and amend the road network and servicing patterns. Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan provides for the proposed changes in the West QE2 Major Area Structure Plan to be incorporated into the Queens Business Park Industrial Area Structure Plan.

Public Consultation Process:

A Public Hearing has been advertised for the above noted bylaws to be held on Monday, January 25, 2010. Advertisements were placed in the Red Deer Advocate on January 8, 2010 and January 15, 2010.

A letter received from the public regarding Bylaw Amendment 3398/A-2009 is attached.

Recommendation:

That following the Public Hearing, Council consider:

- a) Second and third readings of Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan, and
- b) Second and third readings of Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan.

Elaine Vincent
Manager

Lyle and Marcie Jeffries
Red Deer, AB

City Council Members
The City of Red Deer
4914 – 48th Avenue
Red Deer, AB

January 19, 2010

**Re: Proposed Amendments to the West QE2 Major Area Structure Plan
Bylaw Amendment No. 3398/A-2009**

SW 36-38-28-4 and NW 25-38-28-4 Land owners: Lyle and Marcie Jeffries

As major landholders within the West QE2 MASP area, we do not support the proposed amendment to the MASP. We have solicited Interplan Strategies Inc. and Genivar to lend assistance in submitting our concerns to Council prior to the upcoming Public Hearing in which the amendment will receive further consideration.

History:

The previously approved MASP had indicated a commercial site on our property (Refer to Attachment 1); whereas the subsequent proposed amendment to the MASP has excluded any reference to a commercial designation on our property.

The following is a list of our previous contacts with PCPS and The City:

May 22nd, 2009: Met with City and PCPS planners where they explained the amendment

June 4, 2009: Public Meeting hosted by PCPS

June 7th, 2009: Letter submitted to PCPS outlining our concerns. No response was received. (copy of letter attached – Attachment 2)

December 2009: Received letter announcing 1st Reading in Council December 14th, 2009

Subsequent email communications between PCPS and Genivar.

January 18, 2010: Meeting between
Nancy Hackett, PCPS;
Vaughan Bechthold, Engineering Services, The City of Red Deer;
Craig Suchy, Genivar
Simonetta Acteson, Interplan Strategies Inc.

This meeting was held during our absence with our knowledge. During the meeting, our concerns were discussed and PCPS has assured our representatives that both items will be considered prior to Public Hearing. However, due to the time constraints, a complete response from PCPS is not possible prior to the deadline for written submissions to be included in the agenda for January 25, 2010. In light of this we submit the following concerns to Council with the understanding that should PCPS be able to alleviate our concerns prior to, or on, January 25, 2010, we would therefore be able to change our position outlined here, and support the amendment with the agreed to changes included.

Major Concerns:**1. Elimination of Central Commercial Site**

The reason given by PCPS for removing the commercial site from the original location shown in the MASP was because of changes to the arterial road system and the subsequent loss of access.

- It is our understanding that this change to the road classification will eliminate the opportunity for commercial use at the previously designated location. The graphic attached (Attachment 3) shows at least three possible locations for commercial uses in the southern areas of the plan area.
- There is reference to existing commercial development in the County to the south, but this occurs approximately 3/4 mile to the south of the most southern boundary of the MASP area and is not considered convenient for future employees in the MASP area.
- As detailed on page 160 (page 9) of the report to Council dated December 4th and included in the Red Deer City Council Agenda for Monday, December 14th, 2009, "*...the focus of the amendment is not to redistribute commercial lands.*" However, the amount of commercial land being proposed for the amended MASP has been reduced from 6.3 ha (in the MASP dated December 2007) to 4.5 ha and the commercial area remaining has been redistributed. No clear explanation or rationale for this reduction has been included in the amended MASP or in the report to Council. It is also noted that "*After review of the issue, no new commercial areas are being recommended within this amendment.*"
- As indicated in the West QE2 MASP, the commercial area provided is not intended to compete with existing or future commercial nodes in the City, but is to provide a limited range of commercial opportunities for the employees and patrons of the primarily industrial area. If the commercial area proposed is to cater primarily to the users of the area, it could be argued that a more centrally located commercial area, or the division of commercial areas in two or more locations, could better serve the community as a whole. Both of these suggestions were raised at the Public Meeting according to the report to Council.
- By including an opportunity for commercial use in one of the three suggested locations, the overall plan would offer more centrally located commercial areas within the MASP area. This makes commercial locations more accessible to area users and offers potential access by non motorized means. In addition, the commercial locations would be more equally distanced from both Hwy 11 and Hwy 11A.
- There is also potential benefit in locating commercial areas adjacent to the delineated green spaces so area patrons could utilize both simultaneously. In addition, locating a commercial area as suggested could further enhance the use of the trail system identified in the plan area.

Recommendation:

To summarize, our recommendation to Council with respect to commercial areas in the proposed amended MASP is as follows:

Amend Figure 3 (Land Use Concept) to include a commercial area in one of the three locations indicated in the accompanying map (location A, B or C) (Attachment 3). The area can be either moved from the commercial areas shown (thereby maintaining the 4.5 ha total area), or can be included as an addition to the 4.5 ha currently proposed (but not to exceed the original MASP total of 6.3 ha). Language could be added to Section 4.1.4 that 'should a market for this commercial area not materialize at the time of

development, the land use could revert to industrial land uses without amendment to the MASP'.

2. Concerns with the Eco-Industrial Area:

Although this concept is considered to be a potentially valuable strategy given the current direction industry is moving due to environmental concerns and the need to implement strategies for a "greener future," there are issues that the proposed amendment to the West QE2 MASP does not adequately address and require clarification.

As noted in the amended MASP "...additional studies are required to develop a market strategy, confirm potential tenants, and pursue possible grants, The City and/or private developers/landowners will further explore this concept when subsequent IASPs are submitted for approval of the detailed design of these quarter sections." (pg 4-2) The following are two concerns in particular that were raised during the Public Meeting held in June 2009 (see page 161 (10), report to Council Dec 14, 2009) and in our letter of June 7th:

- *Market concerns:* though the City has reduced the areas delineated as Eco-industrial and acknowledged the tentativeness, there is no contingency plan in place in either the current or previous MASP should these lands prove unmarketable. In addition there is no clear indication in either the report to Council, or the MASP, as to what rationale was used to determine either the size or the location of these Eco-industrial Parks.
- *Information on possible limitations:* As quoted above from the MASP (page 4-2) the intent seems to be that the concept will be "*explored further*". In the response to concerns from the report to Council it is written "*More detail around the zoning and the regulations will be required at the individual Industrial Area Structure Plan level.*" It is not clear who will provide that detail or where it will be derived from (existing examples?).

Independent information gathered on Eco-Industrial Parks has shown that the park design can be approached in several different ways. As discussed in Section 4.1.3 of the proposed amendment to the MASP, the Eco-Industrial Parks can offer by-product synergy and shared facilities amongst other items. There is also another more holistic approach that the Eco-Industrial Park can incorporate greener standards for infrastructure and development. This is also discussed in the MASP. Since no rationale is given for the location and size of the Eco-Industrial Parks as shown, it is difficult to understand the City's intent here. Under Section 4.1.1 it is specified that "*Parcels within the I2 District shall not abut any eco-industrial parks...*" This approach is difficult to understand since there is no apparent reason to differentiate between heavy and light industrial when discussing the possible merits of an Eco-Industrial Park. Both uses could benefit from such a system of cooperation. As defined in The Eco-industrial Park Handbook¹ "*An Eco-Industrial Park is a community of manufacturing and service businesses located together on a common property. Members seek enhanced environmental, economic, and social performance through collaboration in managing environmental and resource issues.*" The best known example of an eco-industrial park is the Kalundburg Eco-Industrial Park in Denmark where links exist between a coal fired power plant, a fish farm, pharmaceutical and enzyme production, a petroleum company, wallboard manufacturing and cement production.

¹ Lowe, Ernest A. 2001. Eco-industrial Park Handbook for Asian Developing Countries. A Report to Asian Development Bank, Environment Department, Indigo Development, Oakland, CA

Though this concept deserves consideration and possible application by the City, it is our opinion that aspects of it need further attention before specific areas are identified on a Land Use Concept within the proposed amendment to the MASP.

In our meeting with administration on January 18, 2010, PCPS has expressed a willingness to explore the possibility of further detailing in the MASP the process by which, and by whom, the guidelines for Eco-Industrial Parks will be derived. In addition, there was discussion on what would occur in properties shown as Eco-Industrial Parks should the concept not prove viable at the time of development. We are willing to consider that this further detailing may alleviate some of our concerns, but since the actual information is still forthcoming from PCPS, we wish to offer the following recommendations.

Recommendation:

It is our recommendation that the MASP be amended in one of two ways:

1. The Eco-Industrial Park locations on Figure 3 be labeled as "possible locations" and language added in Section 4.1.3 to address how these areas would revert to conventional industrial uses should the market not materialize, or:
2. That any delineation of Eco-Industrial Parks be removed from the Land Use Concept. Instead both the principles of Green Infrastructure and Eco-Industrial Parks be considered as overall visions or policies for the entire MASP area. Details of how these strategies could be implemented can occur at the IASP planning level once the City and Industry have had the opportunity to explore the concepts more thoroughly. Council could direct Administration to undertake, in consultation with Industry, a study of existing and proposed Eco-Industrial Parks and develop their own "made in Red Deer" definition of Eco-Industrial Parks and an approach as to how to implement and encourage such practices in Red Deer.

This represents a summary of the concerns with the proposed amendments to the MASP we wish to outline for City Council. Should PCPS be able to address those concerns as discussed we would then be in a position to support the amendment. If, after consideration, PCPS is unable at this time to respond to our concerns, we would request that the changes noted above be considered and included in the amended MASP. We and/or our representatives will be in attendance at the Public Hearing to speak further on these concerns.

Thank you for your consideration.

Sincerely,

On behalf of Lyle and Marcie Jeffries

Simonetta Acteson
Interplan Strategies Inc.

Sent by email.

cc. Ron Zazelenchuk, Interplan Strategies Inc.
Craig Suchy, Genivar
Lyle and Marcie Jeffries

Parkland Community Planning Services
404, 4808 Ross Street
Red Deer, Alberta
T4N 1X5

June 7th, 2009

Re: Proposed Amendments to the West QE2 Major Area Structure Plan

To Whom it May Concern:

We are the owners of SW 36-38-28-4 and NW 25-38-28-4, two of the eight quarters of land affected by the ASP amendments. We have some concerns in regard to the changes.

The elimination of the commercial zoned area is of primary concern. We would appreciate the opportunity to offer some commercial zoning to potential buyers. The whole area would become more attractive to all interested parties.

The eco-industrial zoning is another issue we feel requires additional consideration. As this type of zoning is relatively new we are concerned that it may not be marketable in Red Deer. We require more information on exactly what limits will be placed on such zoning. A large portion of our land that could be developed is slated for this zoning.

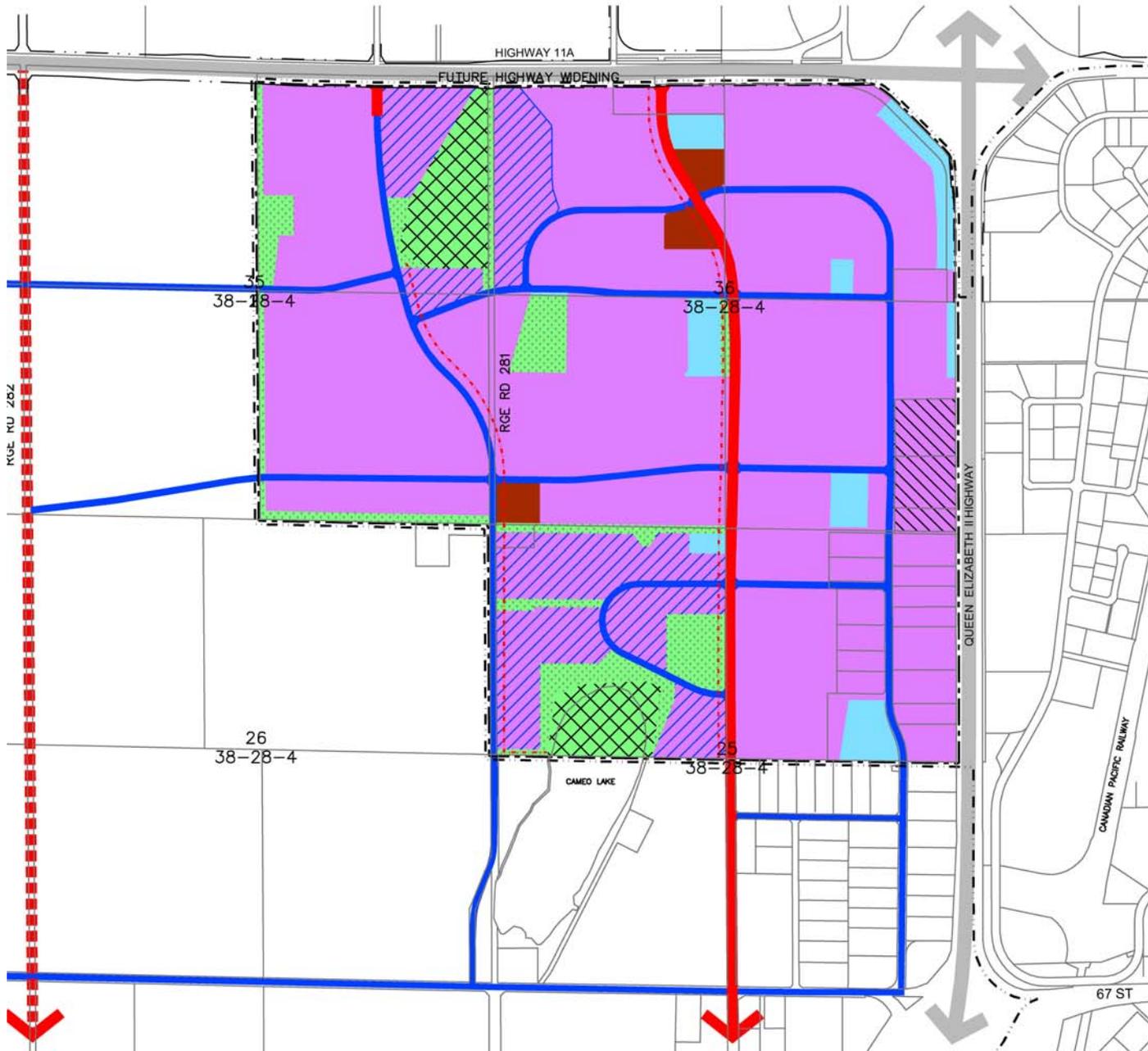
We feel that the location of the retention ponds should be reconsidered. Perhaps it would be possible to consider increasing the attractiveness of our green areas by locating the holding ponds within them where possible.

The City's road construction schedule for the arterial road that will replace Burnt Lake Trail is of interest to us. We feel it is imperative that the north and south portions of the area are joined in some form, facilitating the progress on the entire project.

Thank you for the opportunity to present our thoughts on the plan and we look forward to discussing them in further detail.

Sincerely,

Lyle and Marcie Jeffries
mjeffries@xplornet.com
(403)341-5284
(403)391-0700



The City of Red Dee

**West QE2
Major Area Structu**

Figure 4 - Land Use Con

- - - City Boundary
- - - MASP Boundary
- Expressway
- Arterial Road - Divided
- Arterial Road - Undivided
- - - Paved Trail
- Collector Road & Sidewalk
- Industrial
- Eco-Industrial Park
- Commercial
- Direct Control (Business Indu
- Municipal Reserve
- Environmental Reserve
- Public Utility Lot



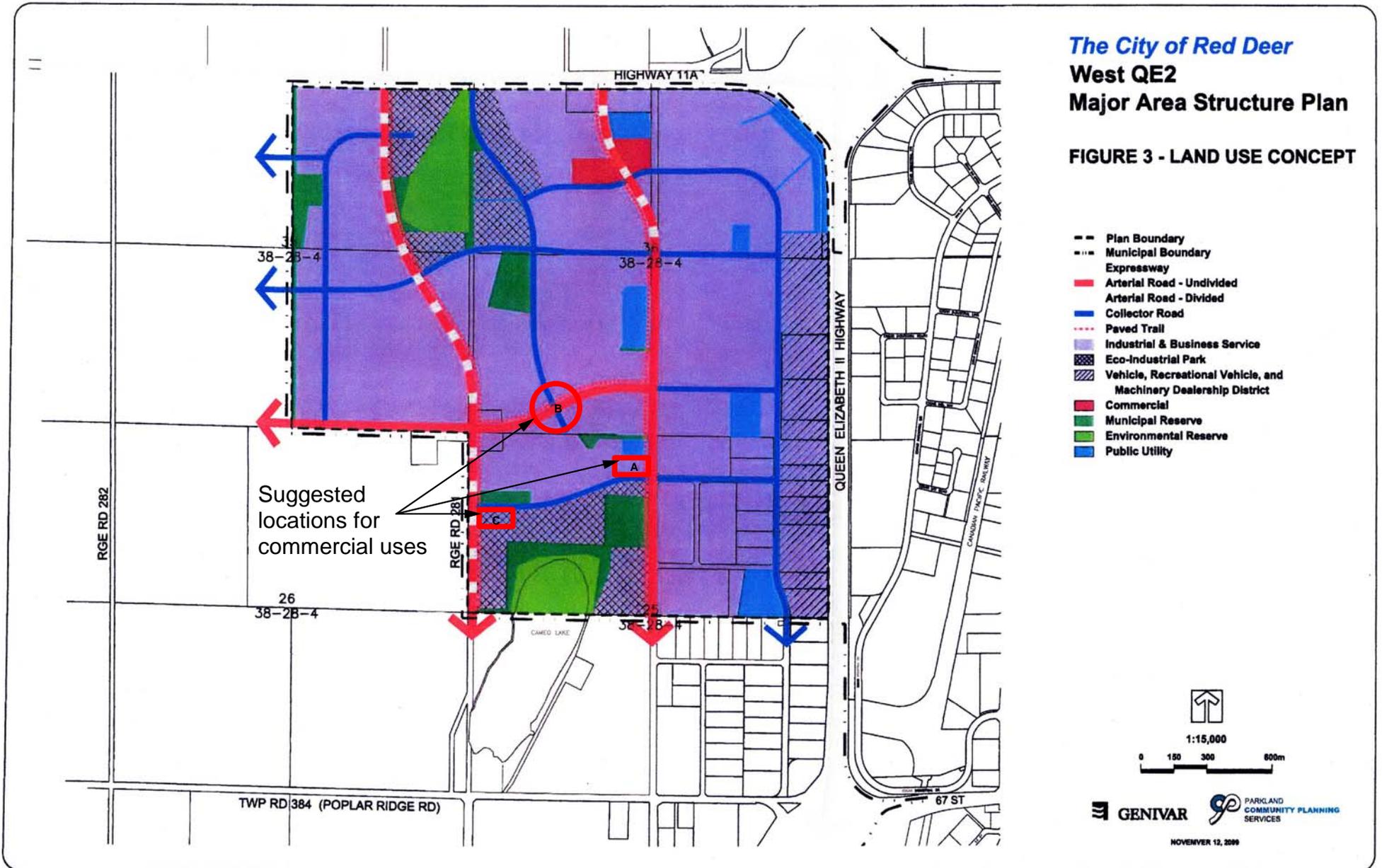
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EXH Engineering Services Ltd.

PARKLAND COMMUNITY PI

DECEMBER 2007





**PARKLAND
COMMUNITY
PLANNING
SERVICES**

**Originally Presented to
Council on Monday,
December 14, 2009**

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Phone: (403) 343-3394
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www.pcps.ca

DATE: December 4, 2009

TO: Elaine Vincent, Legislative and Administrative Services

FROM: Nancy Hackett, Parkland Community Planning Services

RE: Amendment to the West QE2 Major Area Structure Plan
BYLAW NO. 3398/A-2009

and

Amendment to the Queens Business Park Industrial Area Structure Plan
BYLAW NO. 3399/A-2009

Plan Amendment Request

Amendments to the West QE2 Major Area Structure Plan (MASP) and the related Queens Business Park Industrial Area Structure Plan (IASP) have been proposed. The proposed amendments would affect lands within the north west corner of Red Deer, situated west of the Queen Elizabeth II Highway, as illustrated in Figure One.

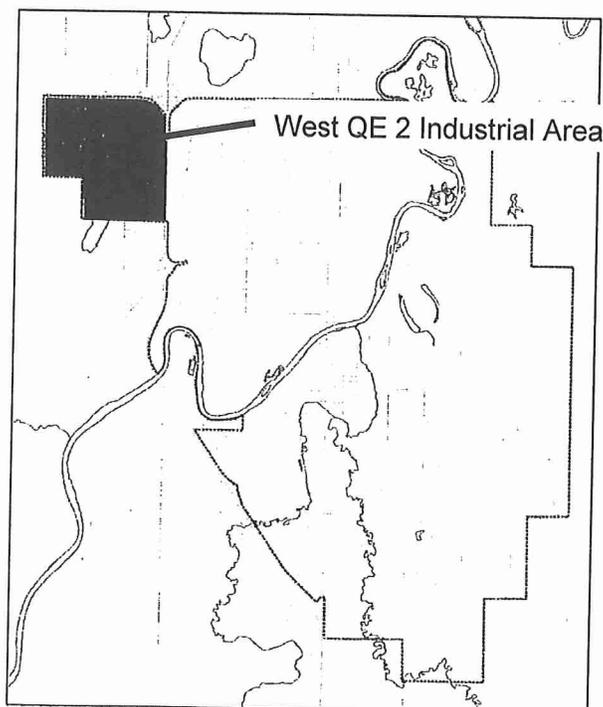


Figure One: West QE2 and Queen Business Park area

The proposed amendments were prepared by Parkland Community Planning Services and GENIVAR for the City of Red Deer. The amendments have been processed in accordance with the City of Red Deer's *Industrial Area Planning Guidelines and Standards (2007)*. As part of the amendment process, all Major Area Structure Plan and Industrial Area Structure Plan amendments must be forwarded to Municipal Planning Commission for a recommendation before proceeding to City Council for consideration. A copy of the proposed amended West QE2 MASP and the Queens Business Park IASP are attached. Because Area Structure Plans form the basis for future development decisions including the approval of subdivision and land use districts within a specified area, the amendment process is significant as it serves to modify the existing Plans.

The purpose of this report is to: outline background information for review of City Council members in considering this request, provide detailed information on the amendments to be considered, explain the public consultation process, and provide a planning analysis and recommendation.

What are Major Area Structure Plans and Industrial Area Structure Plans?

A Major Area Structure Plan or MASP is a broad plan that covers several quarter sections of land. The City of Red Deer approves MASPs to cover quadrants of the City where new development is occurring. This level of plan is intended to provide information on major transportation routes, set out general land uses, indicate where parks and utilities are to be located and identify natural areas and trails. The City presently has three Major Area Structure Plans: the East Hill Major Area Structure Plan for the south east part of the city, the Northwest MASP for the north part of the city, and the existing West QE2 MASP for the lands lying west of the Queen Elizabeth II Highway.

Similar to a MASP, an Industrial Area Structure Plan or IASP is a planning document intended to direct future development, but it is a more detailed, specific plan. It is prepared for one or two quarter sections (as opposed to a larger area) and must be consistent with the MASP. It provides detail such as the layout of local roadways, specific land use districts, and specific information relating to environmental preservation, park development or servicing for example.

In the case of the current proposal, there is a request to amend both the MASP and the IASP for the lands lying west of the Queen Elizabeth II Highway.

Background

In 2007 the City of Red Deer annexed approximately eight quarter sections of land situated west of the Queen Elizabeth II Highway. Annexation was intended to provide new lots for industrial development within the city.

While the County had previously undertaken planning work for the area, the city sought to bring the lands within the city's planning process. Therefore in late 2007, following

annexation, the City prepared and adopted a Major Area Structure Plan for the area (Bylaw No. 3398/2007 known as the West QE2 MASP) as well as an Industrial Area Structure Plan for two of the quarters (Bylaw No. 3399/2007 known as the Queens Business Park IASP). These plans were both adopted as statutory plans to guide development within the area and replaced any previous plans adopted by Red Deer County for the lands.

At the time of adoption of the MASP, there was much discussion about allowing for some specialized commercial uses within the area. In particular, it was suggested that parcels with frontage along the QEII Highway, given visibility and large parcel size, would be suitable for vehicle sales dealerships. The discussion also noted that vehicle dealerships were an allowed use under the County's Land Use Bylaw and some property owners were seeking to retain this opportunity.

Based on this discussion, City Council opted to adopt a new direct control district (DC24) with the purpose of allowing "existing uses and/or development approved by Red Deer County prior to annexation and their potential expansion in a manner which is complementary to adjacent industrial uses and which recognises highway exposure". In other words, the intent was to allow industrial uses as well as vehicle sales dealerships, along the same lines as what the County had previously allowed. DC24 District was applied to three lots (Lots 2 & 3, Blk 1, Plan 9323029 and Lot 4, Blk 1, Plan 0122816).

Council noted that additional lands within the area and fronting onto to the Queen Elizabeth II Highway may also be suitable for such designation. However, research related to traffic impacts, compatibility and balance with industrial uses, area design, and related impacts was required. Parkland Community Planning Services committed to completing this research and bringing forward an amendment to address the necessary land use changes for enlarging the DC district within the West QE2 area for Council's consideration.

Planning staff have worked with Engineering Services, Land and Economic Development, and transportation consultants to investigate the planning considerations around enlarging the district. This work has included a detailed traffic and transportation system review, a planning background study relating to vehicle dealerships, and public consultation. This work is attached for reference in the appendices.

The results of this work are twofold. Firstly, plan amendments are proposed to address the new transportation and land use concepts to integrate a wider area for vehicle sales dealerships. Secondly, future amendments to the Land Use Bylaw are suggested to improve the current DC24 district aimed at preventing the types of land use conflicts that have occurred in other jurisdictions. While this report will touch on the need for the revisions to the district, the Land Use Bylaw amendment would not come forward until such time as City Council adopted the revised MASP indicating the intent to proceed with the enlarged DC24 area. Discussion with potentially impacted landowners and with city administration on the specific revisions to the district would occur.

Current Status

During the past year, servicing and grading has commenced within the West QE2 area consistent with the existing West QE2 MASP and the Queens Business Park IASP. Businesses which were under construction at the time of annexation or were existing in the area have continued to operate. In addition, new industrial lots are being marketed in the Queens Business Park with anticipated possession in the fall of 2010 once servicing has been completed.

In terms of new development, it is important to note that Western RV Country completed construction of a new building adjacent to the Queen Elizabeth Highway in the West QE2 area within the last year. The owners wanted to sell recreational vehicles, boats, and motorcycles; which was not allowed under the I1 designation identified in the existing plan. Therefore in early 2007, Western RV requested, and received approval, for re-designation to DC24 District. This site is now the fourth property along the QEII Highway with DC24 designation, its use as a sales dealership would be consistent with the proposed plan amendments.

Proposed Amendments to the West QE2 Major Area Structure Plan

The proposed amendment to the MASP essentially makes six major changes to the MASP:

1. Expansion of a specialized direct control district (DC24). This change will allow for vehicle sales dealerships along the eastern portion of the plan area (fronting QEII Highway). In the existing plan, the DC24 District applies to only limited parcels (Allan Dale Industries and future auto dealership property), it is now proposed that the area be expanded for most of the plan area's QEII frontage. Along with this change direction is being added to the MASP about refinements to the district to clarify uses allowed, site standards, and methods to prevent conflict with surrounding industrial traffic or uses.
2. Changes to the road network. The intent is to best accommodate increased commercial traffic that will be generated as a result of the expanded direct control district, but also to best accommodate all traffic users in the future. The amended road system introduces new options for accessing Highway 11A – including an additional north-south divided arterial road on the west side of the plan area, a new north-south collector road with limited access/turns from Highway 11A in the central part of the plan area, and a change to the previously approved north-south arterial from fully divided to only partly divided road. The transportation changes also include an upgraded east-west road to an arterial from a collector and changes to some local roads.
3. Changes proposed to the transportation network will also result in some land use changes. Specifically, the commercial site located in the SW ¼ of 36-38-28-4 will be eliminated if the surrounding roads are upgraded to arterial status, as engineering standards do not allow traffic access at the intersection of arterial roads. Without suitable access, the land cannot be planned for commercial

development. The road pattern changes also lead to changes in the location of municipal reserve dedication (affected the SW1/4 35-38-28-4, SW ¼ of 36-38-28-4 and NE ¼ 25-38-28-4).

4. Minor refinements to the public utility lot in the north east corner of the plan area show a more detailed servicing layout adjacent to QEII Highway.
5. The location of the commercial site in the NW ¼ 36-38-28-4 has shifted to the north side of the road (was on the south side). This is seen to allow for more effective pedestrian linkage and transit access. The site will be approximately the same size and type/use.
6. Adjustments to the size/amount of lands planned for eco-industrial development. In part, this change results from roadway changes but is also in response to some public concern that the eco-industrial concept is new to Red Deer and we need to proceed carefully.

These changes are illustrated on the attached map "*Overview of Proposed Changes to Land Use Concept*". Based on the six broad proposed changes, the MASP has been rewritten to incorporate the amendments, to update some portions based on new information/refined information, and to provide additional clarity where necessary. Specifically:

1. The introductory portions of the plan (Section 1.0) and the plan vision (Section 2.0) remain largely the same (only minor wording additions). Section 3.0 pertaining to Existing Site Characteristics has been modified for clarity and to incorporate the most up to date information on the Provinces' policies pertaining to environmental areas/wetlands. Section 4.0 on the Development Concept has been amended to reflect all of the changes described above.
2. In addition, there has been an adjustment proposed to the location criteria for Heavy Industrial (I2) lands. The present plan provides a blanket requirement for all I2 lands to be 400 metres from the plan boundary and allows no frontage onto arterials. With the addition of more arterial roadways in the plan amendment, it becomes difficult to site any I2 parcels. Therefore, the location criteria is proposed to be adjusted to 400 metres from Provincial Highways, 100 metres from any arterial roadway, and 100 metres from the plan boundary where the plan abuts an area other than that proposed or developed for industrial uses. The amended plan indicates that any parcels within the I2 District shall not abut any eco-industrial parks, however they may be located adjacent to one where they are separated by a roadway or berm.
3. Additional details around green infrastructure and eco-industrial parks have also been added to the plan. There was feedback that these are fairly new concepts for Red Deer and more details in the MASP would be helpful to both the public and landowners in understanding the concepts involved.

4. Updated information on the revised commercial land uses proposed under the amended plan is provided (clarification of the future land use district as C4 rather than C3).
5. More information about the potential for Major Entry Area Landscaping requirements is noted. The City and County have undertaken additional work on this topic area over the last two years.
6. Proposed changes to the transportation network have resulted in substantial changes to the sections on vehicle and pedestrian circulation, this part of the plan has been largely rewritten.
7. Proposed amendments to the land uses have resulted in amendments to the sections describing public open space, servicing, and land use statistics.

The West QE2 Plan has been rewritten to incorporate the changes noted. The new plan (if adopted) will replace the older plan in its entirety.

Proposed Changes to the Queens Industrial Area Structure Plan (IASP)

Because the Queens Business Park IASP is required to be consistent with the Major Area Structure Plan, several of the above noted changes proposed to the MASP also impact the IASP, specifically:

- The expansion of the existing Direct Control District (DC24) which allows recreational vehicle sales to include one property with this designation in the IASP.
- The shift of the future commercial site to the north side of the road.

The Queens Industrial Area Structure Plan has also been rewritten for clarity and to ensure updated information/direction. The new plan (if adopted) will replace the older plan in its entirety.

Consultation Process

The proposed amendments were referred to all applicable City Departments and relevant outside agencies/stakeholder groups for comment. No outstanding concerns were identified within city departments. Alberta Transportation did have concerns related to the access points onto to Highway 11A and expressed that the highway must maintain its highest possible function while under Government of Alberta jurisdiction. Alberta Transportation made it clear that during the time that the road is under their jurisdiction it will be protected as a major arterial or expressway standard. Future city planning including the Intermunicipal Development Plan indicate that the adjacent lands are to be annexed prior to 2017. Once annexation of adjacent lands occurs the highway would be under city jurisdiction.

Because the subject area became part of the city effective November 1, 2007 the Intermunicipal Development Plan requirements do not apply to the West QE2 MASP or the Queens Business Park IASP. In addition, under Policy 3.7.3.1 (1) of the Intermunicipal

Development Plan, joint review of plans takes place only for land within the City's Growth Area prior to annexation. For these reasons, no formal circulation of the plan amendments was required to Red Deer County. However, as the lands are adjacent to the County, County planning staff were informed of the proposed changes and invited to provide comments as well as to attend the public meeting. Red Deer County offered the following comments/requests:

- further clarification of the mapping/plans requested
- confirmation that the roads will tie into the Highway 11A changes adjacent to Linn Valley
- request for a berm or buffer between the future industrial area and the Linn Valley housing development (at city cost)

After receiving these comments, Planning staff of Parkland Community Planning Services met with staff from Red Deer County to discuss the concerns noted above and to provide additional information. Two of the issues were resolved at this meeting by providing additional copies of the mapping and by confirming that the City has been working with Alberta Transportation for road planning. Following the meeting, Planning and Engineering Services considered the request by the County for potential berming or buffering near the Linn Valley area. Engineering Services has indicated that because projected noise levels fall within acceptable city noise standards they cannot support any city installed berms or buffers. It is also noted that the distance between the future industrial development and Linn Valley exceeds 250 meters (820 feet) (this distance is measured property line to property line before taking into account the setbacks on future industrial lots). Any heavy industrial lands (I2 Industrial District) would be set back an additional 400 metres (1300 feet). The existing MASP and IASP have no requirements for berming to occur at city cost in Linn Valley and given the noise projections and the separation distance there is no suggestion within the proposed plan amendments for any berming or buffers.

Landowner Meetings

Also as part of the consultation process, Planning staff and staff from Land and Economic Development met with country residential property owners prior to the general public meeting. Many of the concerns raised during the meeting also arose at the public meeting. Land owners wanted to know whether they would be required to tie into services such as water when they already have a functioning well and septic system. There were some concerns that being within the city boundary has created disadvantages such as forced garbage pick up, higher taxes or lack of dust control. Landowners were curious about the timeline for development. With regard to road pattern, landowners were concerned about the impact of the change on land use or on private land being required for roads. For smaller property owners (rather than industrial developers) there is a great deal of uncertainty and there is concern that these changes may impact some country residential properties as the area transitions to industrial land use. There were also questions around the protection of environmental areas and why the detention pond is so large on the east arterial. Responses to these concerns are noted below in Table 1.

Public Meeting

A public meeting was held on the evening of June 4, 2009 at the Holiday Inn on 67 Street. The meeting was a combined meeting to discuss the proposed amendments to the MASP as well as the amendments proposed to the IASP, and to discuss a proposed new IASP for lands laying south of the existing Queens Business Park IASP. The meeting, hosted by Parkland Community Planning Services, was advertised in the Friday May 29, 2009 edition of the *Red Deer Advocate*. In addition, a neighbourhood newsletter was mailed to landowners within the plan area and delivered door to door to Linn Valley residents adjacent to the proposed development.

Approximately 16 people attended the public meeting along with representatives of GENIVAR, Armin A. Preiksaitis & Associates Ltd, Red Deer County, City Engineering Services, and City Parks Department. Staff of Parkland Community Planning Services presented background to planning process and the amendments to both plans. The City's Engineering Services Department presented the proposed changes to the transportation network.

Comments and questions during the meeting centred on future infrastructure/servicing plans, the eco-industrial area, changes to commercial land uses including the expansion of the DC24 district, traffic and road pattern changes.

Several written comments were returned to Parkland Community Planning Services. The returned comments sheets, letters, and emails are available for Council's review. Comments are summarized as follows:

Table 1: Public Comments and Responses

ISSUE/CONCERN	Number	Response
Retention Ponds Location should be reconsidered, perhaps they can be integrated into green areas (rather than as separate public utility lots).	1	Engineering Services indicated that an existing tree stand will be incorporated into Pond 2. Pond 1 has already been excavated so there is no opportunity to relocate it. The size of Pond 1 dictated its location. The existing wetland on the west side of Range Road 281 will be retained and utilized as a stormwater retention pond.
Infrastructure Construction		
The City's road construction schedule for the arterial road that will replace Burnt Lake Trail is of interest. A high priority should be placed on construction of road that will join the north and south portions of the area to facilitate the progress of development.	2	In current work plans/schedules, there is no arterial road construction linking the north and south business areas. As the area continues to develop the infrastructure will be constructed to accommodate and facilitate the development.

<p>Need to complete roads and servicing as a priority. This area is competing with industrial developments in other central Alberta municipalities where infrastructure is more complete (e.g. Blackfalds, Innisfail, Lacombe County)</p>	<p>1</p>	<p>The City of Red Deer provides road and other essential services in unison with the phase of development.</p>
<p>The properties to the south of West QE2 (Sullivan quarter) are in desperate need of water for fire suppression, connector links are needed to encourage development.</p>	<p>1</p>	<p>Currently, the City of Red Deer is working on a proposed local improvement for this area which would begin the process of providing links for water and sanitary servicing.</p>
<p>When city services are available in the area of existing residential properties will owners be obligated to tie in? They already have their own wells /septics/services, and the long term vision under the plan is for industrial (rather than residential) use.</p>	<p>1</p>	<p>Engineering Services indicates that property owners are governed by the City of Red Deer Utilities Bylaw and must tie into services. There is an appeal process, and the appeals body may suspend this requirement as it deems appropriate.</p>
<p> </p>		
<p>Elimination Of Central Commercial Site</p>		
<ul style="list-style-type: none"> • Landowners with land that was previously identified as commercial would like to retain commercial opportunities • Commercial integrated into the development would make the whole area more attractive to potential buyers 	<p>1</p>	<p>The changes to the arterial road system no longer make it possible to provide access to the site previously identified as commercial. Without suitable access, commercial cannot be supported in the previous location.</p> <p>Despite the removal of the commercial designation on the parcel, there is still the opportunity for a sustainable amount of commercial development in the area to support the needs of employees or those travelling through the area. The lands lying to the south of the West QE2 area (within County jurisdiction) have a mix of commercial uses. As well, there are some commercial uses allowed under I1 zoning (e.g. restaurant, ancillary sales). In addition, the MASP still identifies two C4 commercial sites.</p>
<p>If commercial lands are being redistributed, it is suggested that a commercial site be located in the SE ¼ 36 at the intersection of the arterial and collector roads.</p>	<p> </p>	<p>As noted above, the focus of the amendment is not to redistribute commercial lands. Instead, the focus is to facilitate enlargement of the DC district allowing motor vehicle sales along the highway and to address transportation patterns. After review of the issue, no new commercial</p>

		areas are being recommended within this amendment.
Concerns with Eco-Industrial Area		
This type of possible zoning needs more thought, it would be a relatively new concept to Red Deer and there is concern that there may not be a market in Red Deer.	1	Eco-industrial parks are now operating throughout Canada and Alberta. The MASP introduces the concept, which is essentially that industrial uses develop in many of the same ways as in I1 district, but with more attention to partnerships that are eco-friendly, or site standards that are ecofriendly, or with sharing of resources among neighbouring businesses that is eco-friendly. The amount of area shown for eco-industrial development has been reduced to reflect the tentativeness of this market and the need to proceed on a scale appropriate for Red Deer.
More information needed about the limitations on such a district.	1	More detail around the zoning and the regulations will be required at the individual Industrial Area Structure Plan level.
Buffering of Linn Valley		
Based on the fact that there is an intersection being built to allow access from Queens Business Park to Hwy 11A, a buffer should be installed on the north side of the intersection (such as a fence or raising grade) to protect the residents of Linn Valley.	1	A noise projection study predicts that noise levels will fall below 60 dBA. This is below the City of Red Deer acceptable noise level. Therefore, no noise barriers are planned.
Commercial Development allowing Automotive Recreational Vehicles, Dealerships		
Commercial zoning may increase traffic flow and constrict traffic functioning for industrial development or for Linn Valley access.	2	As the area develops there will be more traffic than at present. Actions to improve the traffic flow based on traffic assessment form part of the proposed amendment. In addition, the new intersection at Hwy 11A will eventually be fully signalized to minimize impact on Linn Valley and Range Road 275 traffic.
Moving the dealership location farther west from QEII Hwy would encourage traffic to use another entrance further away from Linn Valley.	1	There is indication that visibility is key to the success of a dealership type district. Shifting the DC district to the west would eliminate visibility from the QEII Hwy. In addition, there are presently four properties with the DC district already located along the

		QEII. If the district is to be enlarged, capitalizing on the synergy of having the dealerships grouped (rather than spread throughout the area) makes sense from a marketing, site standard consistency, and traffic management view point.
Traffic		
Concerned that the development will cause traffic congestion at the Linn Valley access from Hwy 11A.	1	Engineering Services anticipates no congestion as the intersection of Linn Valley and Hwy 11A will eventually be fully signalized. Sufficient traffic capacity at this intersection will be constructed. Traffic impact analyses, planning and construction will occur in conjunction with each major development phase.
Constructed Wetland		
Concerns that the constructed wetland is not the best option. Protection of the existing wetlands may be more efficient.	1	The existing wetland on the west side of Range Road 281 will be maintained as a stormwater retention pond. The wetland on the east side of Range Road 281 is not conducive for stormwater management or lot construction. The constructed wetlands will utilize organic soil from this wetland to aid in the growth. Developers will adhere to Provincial policy as enforced and regulated by the Government of Alberta.
Intermunicipal Process		
Intermunicipal situation and process is bad.	1	The proposed amendment has exceeded what is required under the joint city-county Intermunicipal Development Plan. The proposed amendment has been discussed jointly by city and county planning staff. The County was informed of the public meeting and Linn Valley landowners received a hand delivered meeting invitation. In cases where residents are confused about this process, or have specific concerns, PCPS would be pleased to work with them to ensure that the process is clear.
Linn Valley residents are being volleyed between the two municipal jurisdictions as well as Alberta Transportation.		In the case of Linn Valley, there are three governments involved because the plan area is in the city, the adjacent residents live in the county, and the Province has jurisdiction over the highways. Staff from each of these three jurisdictions have made

		every effort to work together, to communicate with one another, and to provide information to Linn Valley residents. Linn Valley residents are certainly invited to contact PCPS staff for more information or to ask questions. PCPS staff will be happy to assist any resident. In some matters, however, residents may wish to approach the particular jurisdiction involved for specific details (eg. AB Transportation is the suitable contact for highway information).
Taxes		
The taxes in the area have increased a great deal. This is negatively impacting existing landowners in the West QE2 area.	2	Taxation did change when the City annexed land from the county. However, as this concern relates to annexation, it has been passed on to the city's annexation transition team to consider and provide a response directly to landowners.
Concern With The Changes To The Road Pattern		
<ul style="list-style-type: none"> • Concern that the viability of country residential properties which exist in the area is being compromised by changes to the road pattern. They are going to be located along major arterial roads and therefore be made less desirable. • Arterial road development will require some of the land be taken from privately owned acreages. • Concern that country residential properties may not be fairly compensated (for land value, building value, costs of relocating) 	1	The changes to the road pattern, particularly introducing new arterial roads are expected to impact some existing country residential properties. This could occur in three ways. One, by eventually requiring land from land owners to construct wider roads. Two, by bringing more traffic near the properties once the roads are constructed which will limit access options. And three, by altering the type of land use that is feasible because of access changes. While landowners are paid when their land is needed for roads, this links to future processes that have not yet been initiated. Some costs (such as relocation costs) may not be covered.

Policy Framework

The West QE2 Major Area Structure Plan amendment conforms to the policies of the *Municipal Development Plan* (MDP) which shows the West QE2 area as an industrial district. In terms of policies, the MDP speaks to supporting a vibrant and cohesive commercial sector that supports both local residents and the regional market (Goal 12.0). Clearly, fostering a vibrant commercial sector is the intent of enlarging the DC24 district in the plans. Further, the MDP encourages the city to pursue innovative land use patterns and concepts in industrial areas such as eco-industrial parks. The proposed plan meets this objective by specifically indentifying lands for eco-industrial development. The plan could also be

considered to meet the policy through the vehicle dealership direct control district which may also be considered innovative (Policy 13.5).

Planning Analysis

Since 2007, a great deal of focus and effort has gone into facilitating city style development within the West QE2 area. The proposed amendments to the West QE2 MASP and the related Queens Business Park IASP will build on the momentum and help to create stronger plans. The amendments meet higher level plan goals, are compatible with surrounding industrial development, address the need for a specific vehicle sales dealership area within the city, identify the need to refine DC24 site standards, and improve the future transportation network.

In terms of meeting higher level plans, the proposed amendments are in compliance with the MDP; specifically, the plans meet the policies of supporting a vibrant commercial sector and innovation in industrial areas. The IASP complies with the requirements of the *Industrial Area Planning Guidelines and Standards*.

Beyond planning policy objectives, the proposed changes remain compatible with existing industrial development to the south. Similar land uses continue to be planned for, long term future road linkages have been considered, and the areas work compatibly to provide a key regional employment node of benefit to both municipalities.

In addition, one of the key impetuses for these plan amendments was the interest of some landowners to allow for more vehicles sales dealerships. This type of district or commercial area has unique demands for lot size, visibility and site standards. While the Gaetz Avenue corridor has largely met this commercial demand in the past, there is limited opportunity for ongoing growth of dealerships in that location. A new location is required. The visibility, size, proximity to the highway, and current DC zoning all support a larger vehicle sales dealership district in this area. The opportunity to cluster several dealerships together may result in a synergy both from a marketing or business perspective but also in terms of applying similar design and site standards, managing the unique traffic or other servicing demands, and mitigating any impacts such users have on others. From this point of view, having dealerships clustered in one location can be positive and will make effective use of the subject lands.

Introducing additional vehicles sales dealerships may create some land use conflicts (e.g. industrial traffic competing with commercial traffic, concerns with dust or grit from industrial uses landing on new cars). However, these possible conflicts can be managed through adjustments to site design requirements, landscaping, or parking controls. Following the proposed plan amendments, the existing DC24 District would be reviewed to set more comprehensive standards that would address and prevent these types of possible conflicts.

Also important, the proposed amendment benefits from an indepth engineering study as to how to improve the road network and transportation movement within the area. The changes have been discussed with Alberta Transportation and are in line to coordinate as much as is possible with Alberta Transportation's work in the vicinity. The proposed amendments to the plan are expected to be more effective at managing traffic demands (specifically altered

traffic demands as a result of land use changes) than the present system. While Linn Valley residents have concerns with changes to the transportation network, many of these concerns relate to the Highway 11A intersection improvements which link with Alberta Transportation's work and planning. Aside from changes to Highway 11A, amendments changing specific roads from collector status to arterial status impact some acreage owners. It will be important to work with these land owners to ensure that as development proceeds in the coming years impacts are addressed and collaboration occurs to meet any land acquisition requirements in the longer term.

Planning staff recommend support of the proposed amendments as they comply with the MDP, they meet the need for more vehicle dealership areas within the city, and they seek to improve the area's future transportation network.

Municipal Planning Commission

The amendments to the West QE2 Major Area Structure Plan and the Queens Business Park Industrial Area Structure Plan were forwarded to Municipal Planning Commission for a recommendation to City Council. Municipal Planning Commission recommended support of the proposed amendments.

Recommendation

Planning staff recommend that Council of The City of Red Deer proceed with first reading of Bylaw 3398/A-2009 amending the West QE2 Major Area Structure Plan and, if passed, proceed with Bylaw 3399/A-2009 amending the Queens Business Park Industrial Area Structure Plan.

Respectfully Submitted,



Nancy C. Hackett, ACP MCIP
City Planning Manager

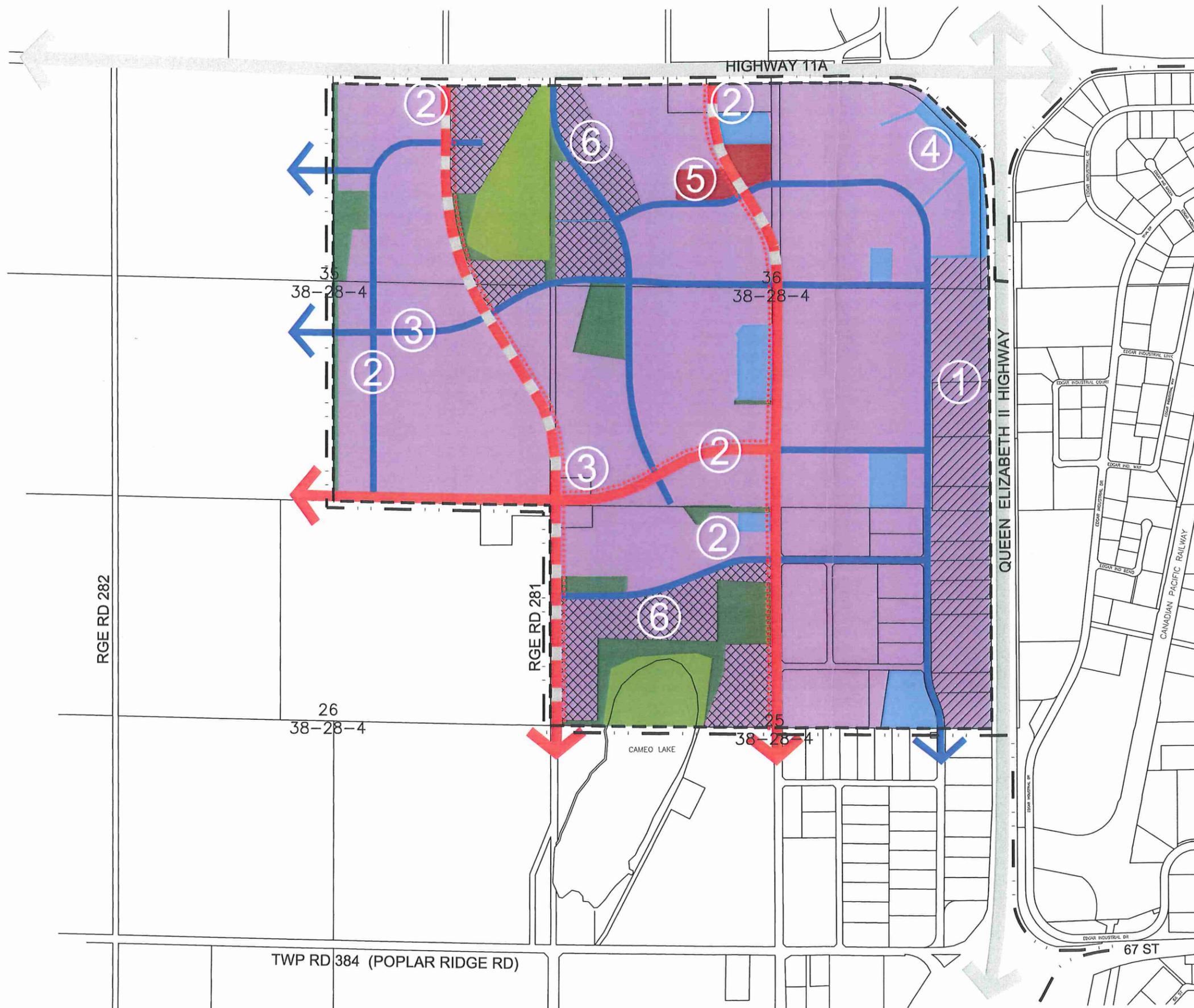
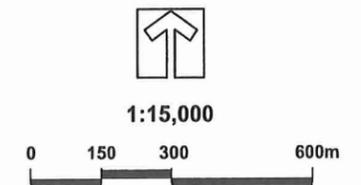
c. Colleen Jensen, Community Services

The City of Red Deer
West QE2
Major Area Structure Plan

OVERVIEW OF PROPOSED CHANGES TO LAND USE CONCEPT
FOR DISCUSSION PURPOSES ONLY

1. Expansion of Direct Control District
2. Changes to Road Network (multiple)
3. Removal of commercial designation
4. More detail on Public Utility Lot design
5. Shift of commercial site
6. Eco-Industrial area size amended

- Plan Boundary
- - - Municipal Boundary
- Expressway
- Arterial Road - Undivided
- Arterial Road - Divided
- Collector Road
- Paved Trail
- Industrial & Business Service
- Eco-Industrial Park
- Vehicle, Recreational Vehicle, and Machinery Dealership District
- Commercial
- Municipal Reserve
- Environmental Reserve
- Public Utility



Appendix I

Background: Automobile/Vehicle Dealerships

The West QE2 area and Queens Business Park have been identified as potential areas for the development of future automotive and recreational vehicle dealerships. Planning research consisting of site visits to automotive and recreational dealerships in the City of Red Deer and Red Deer County, research into site standard issues or requirements of dealerships, and review of trends in other municipalities was conducted in 2008 to assist in informing and evaluating the concept.

Definition of Automobile/Vehicle Dealership

An automobile or vehicle dealership is a business that primarily sells or leases new or used automobiles, trucks, vans, trailers, motorcycles, recreational vehicles, boats, or any other motorized transportation vehicles. Other uses, which may or may not be located on-site, can include vehicle inventory, maintenance, repair and service bays, parts storage, financial service, and related merchandise sales.

At present, the City of Red Deer allows motor vehicle dealerships as a permitted use in the C4 Commercial (Major Arterial) District and as a discretionary uses in most of the other commercial districts. The sale of heavy machinery, agricultural or industrial vehicles is treated a little differently in that it is excluded from several of the commercial districts and is instead directed as a discretionary use to the city's two industrial districts (I1 and I2). In looking at the wider regional area, Red Deer County allows automotive dealers within several of their districts including their business service industrial district (BSI). Currently, the city and county have several automotive dealerships selling new and used vehicles as well as numerous boat, motorcycle, recreational vehicle, machinery and other type dealerships. Table 1, on the following page, presents a list of some of the dealerships in the area and the corresponding land use district.

Planning Issues

There are several issues with automobile/vehicle dealerships that need to be addressed if dealerships are to be permitted to develop in a concentrated area such as that proposed within the West QE2 and Queens Business Park. Based on site visit observations and research of the experience of other municipalities, careful regulation of signage, public parking, inventory parking, accessibility, and fencing issues may help improve the aesthetic of automobile/vehicle dealerships, increase their accessibility, and decrease any safety concerns.

Signage

Automobile/vehicle dealerships require signs in order to advertise their vehicles and services. Site visits conducted in the summer of 2008 suggest that some dealerships may rely on numerous different styles and placements of signs. Signs may also be

positioned outside the dealership’s property (e.g. on road boulevard). Placement of signs would be of concern if signage cluttered public spaces and impacted the overall aesthetic appearance of the site or the public boulevard. Illegally placed signs may also distract drivers, causing potential hazards. If specific dealership districts are created under the Land Use Bylaw for the City of Red Deer, it will be important to ensure all dealerships be required to meet specific sign regulations to prevent such issues.



Figure 1-1: Dealership placement of a sale sign.

Table 1 – Listing of Sample Vehicle Dealerships in the City of Red Deer and Red Deer County

Automobile/vehicle Dealership	Address	Zoning
City of Red Deer		
Gord Scott Nissan	7130 - 50 Ave	C4
Scott Kia	6801 - 50 Ave	C4
Cars Suzuki	7424 - 50 Ave	C4
Gary Moe Saturn	7652 - 50 Ave	C4
Chevrolet/Oldsmobile	3110 - 50 Ave	C4
MGM Ford	3010 - 50 Ave	C4
Northwest Motors	3115 - 50 Ave	C4
Brandt Tractor		I1
Western RV Country		DC
Red Deer County		
Progress Volkswagen	142 - 37400 Highway 2	DC
Red Deer Toyota	413 - 37400 Highway 2	DC
Festival Ford	421 - 37400 Highway 2	DC
Red Deer Mitsubishi	295-28042 Highway 11	BSI
Zoning		
C4 – Commercial (Major Arterial) District,		
I1 – Industrial (Business Service) Districts		
DC – Direct Control District		
BSI – Business Service Industrial District		

**This list denotes many, but not all, of the major automobile/vehicle dealerships in the City of Red Deer and Red Deer County.*

Parking

Parking is also a key regulatory issue in the development of automobile/vehicle dealerships. Dealerships may intend to place as much vehicle inventory on their lot as possible; leaving little or no room for employee parking. In such cases, employees

would be forced to park outside the property (e.g. the adjacent service road). Dealership employee parking on the service road is a commonly observed practice within Red Deer at present. The City is aware of some public complaints that this practice can clog the service road and may potentially cause concern for other vehicles trying to use the road. Preventing congestion and conflict between traffic and road side parking is critical to address in dealership districts, particularly if this district is situated in an industrial area where there is heavier truck traffic and large vehicles/machinery traveling.



Figure 1-2: Vehicles parked along the service road near a car dealership in Red Deer.

Inventory Parking

Parking of vehicle inventory is generally confined to the automobile/vehicle dealership's property. However, some dealerships may try to park more vehicles than the maximum capacity of their parking lot (e.g. during special promotions) by parking them on grass boulevards, other municipal property, neighbouring properties or in other locations not approved for the display of automotive inventory.



Figure 1-3: Vehicles parked on a grass strip adjacent to a highway (in front of dealership).

Accessibility

Automobile/vehicle dealerships along Gaetz Avenue are generally accessible by public transit, walking or cycling. These options provide both employees and customers with flexibility for travelling to the business. Dealerships located in less central areas may not have alternative transportation choices. In the case of the Queens Business Park/West QE2, access is restricted at this time to private automobiles due to transit routes not yet extending to the area and of course due to the Queen Elizabeth II Highway which prohibits pedestrian access. In the long term, it may be important to plan for alternative access to give those without vehicles a chance to visit these dealerships or for employees to have access to alternative forms of transportation.

Fencing

Because dealerships store most of their inventory outdoors security is an important consideration. Fences are effective at providing a level of security to automobile/vehicle dealerships. However, particular fences such as chain-link fences may not create a welcoming feel to the public and may detract from the overall aesthetic. Particular styles of fences or other forms of security may have less impact on the appearance of a dealership and may be a more appropriate choice for the dealership site and the surrounding area while still providing some level of crime protection.



Figure 1-4: Usage of chain-link fencing.

RVs and Heavy Machinery

Recreational vehicle and heavy machinery dealerships typically have the same issues that car and light-duty truck dealerships but at a potentially larger scale. RVs and heavy machinery are may require larger lot sizes to park inventory. At present in the city of Red Deer, the sale of heavy machinery is allowed in both industrial districts (I1/I2) and some commercial districts (e.g. C4). RV dealerships and machinery dealerships may sell from their sites but also may provide short or longer term rentals.

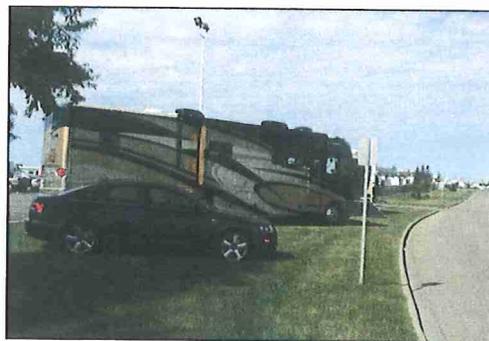


Figure 1-5: A car and an RV parked on the grass strip.



Figure 1-6: Parking of heavy machinery in an empty lot.



Figure 1-7: Trees shrouding a chain-link fence.

Trends

In reviewing the North American dealership sector, there are some notable trends in the development of automobile/vehicle dealerships. Overall, trends show commitment to withstand and rebound from current financial difficulties, efforts to co-locate in the form of auto malls, attempts to reduce the sprawl that is characteristic of existing automobile/vehicle dealerships by mixing uses, and efforts to be more environmentally sustainable.

Financial Outlook

Certainly, the American based car manufacturing industry is facing one of the most difficult financial situations in their history. Entire product lines/vehicle makes are impacted. However, the industry indicates that they are reorganizing and strengthening their business model. As a whole, the vehicle industry, whether it be new or used, passenger vehicles or recreational vehicles, cars, motorcycles, or trucks, anticipates long term stable growth. Planners need to recognize that beyond the current difficulties, there will be long term demand for automobile, vehicle or machinery dealerships in their communities.

Auto Mall

Dealerships are seeking opportunities to co-locate and to build synergy for example through auto malls. Auto malls are single locations that house multiple automobile/vehicle dealerships. They may span areas of more than one municipality

(e.g. include both town and county lands). Auto malls may also include related services such as insurance dealers, credit institutions for vehicle financing, automotive parts providers, tire shops, vehicle rentals, or automotive training centers. Auto malls focus numerous dealerships into a single location, attracting more clients and allowing joint marketing, as well as reducing sprawl. Auto malls are typically found along commercial corridors rather than adjacent to residential or industrial areas. The concept is popular in Canada as well as the US.

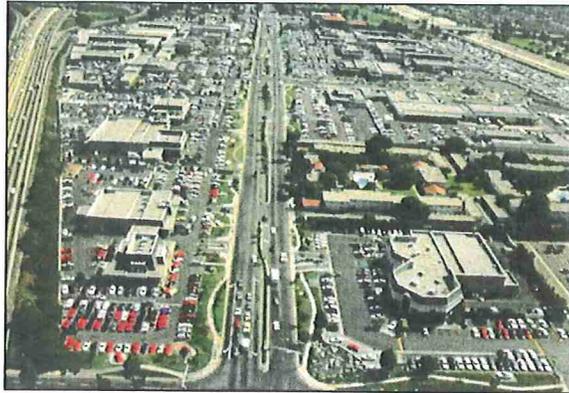


Figure 1-8: Cerritos Auto Square, CA.

Mixed Use Development

As a response to reducing urban sprawl and increasing density, some heavily populated cities are now seeking to blend dealerships with other types of development. In Vancouver, developers are building condominiums on top of an automobile/vehicle dealership. In considering this type of development, proponents argue that automobile/vehicle dealerships tend to sit on large parcels of land, so combining them with residential uses allows more compact development, more efficient use of land, increased urban density and the opportunity for innovative design.

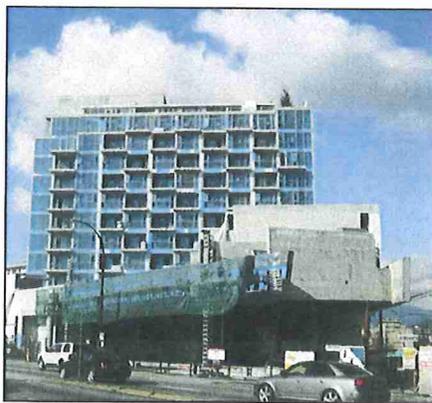


Figure 1-9: Mid-rise condominium on top of a dealership in Vancouver, BC.

Environmentally-friendly Design

Many automobile/vehicle dealerships are starting to become more environmentally conscious. They are being built with green initiatives such as technology that reduces energy consumption, increased thermal efficiency, use of more natural light such as skylights, reduction of on-site inventory/total land required to show vehicles (e.g. heavy

use of Internet reduces the need for customers to see vehicles on the lot before purchase), and promoting more eco-friendly vehicles (e.g. electric cars). Creating opportunities for these types of innovation may be of interest in future dealership districts.



Figure 1-10: LEED Gold-certified Tamiami Chrysler/Dodge, Miami, FL.

Summary

In summary, there are several issues to be considered prior to the development of future automotive and recreational vehicle dealership areas. While communities can benefit from new dealerships, regulation of site standards dealing with parking, storage, signage, and fencing are crucial to prevent land use conflicts and ensure long term sustainability and viability of new dealership areas. Emerging trends suggest that the car and truck industry anticipates long term growth, and together with other vehicle dealerships, is becoming more conscious of means to co-locate, mix uses, and increase environmentally sustainability. Planning for new districts will need to consider and address these trends.

Appendix 2

Background:

West QE2 MASP Update Traffic Impact Assessment Final Report

Executive Summary



WEST QE2 MASP UPDATE TRAFFIC IMPACT ASSESSMENT FINAL REPORT

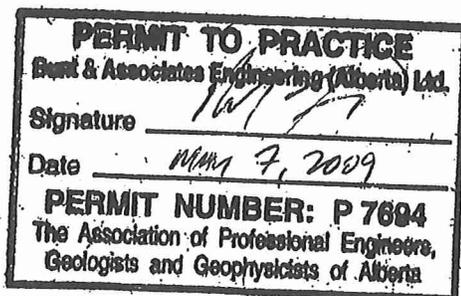
Prepared for: City of Red Deer
c/o Genivar

Prepared by: Bunt & Associates Engineering (Alberta) Ltd.

Permit to Practice No. P7694

File No.: 1280-02

Date: May 7, 2009





1.0 EXECUTIVE SUMMARY

1.1 BACKGROUND

The City of Red Deer (c/o Genivar) is seeking to update the original West QE2 MASP (Major Area Structure Plan). It is understood that the intent of the update study would be to assess the impacts associated with the revised future road network. The City recognizes that the revised road network will alter the expected travel patterns at the Highway 11A intersections and within the proposed development. These changes to the travel patterns are expected to impact the infrastructure recommendations as outlined in the original 2008 traffic study¹. With this in mind, the City seeks to understand these potential impacts and the additional improvements required to accommodate the revised development plan. The primary study objectives for the update traffic impact analysis were to:

- Develop expected site traffic volumes and patterns for the weekday AM & PM peak periods, with respect to the updated land use and road network scenarios as provided by the City (c/o Genivar). For the purpose of this study, the revised local road network included an additional access along Highway 11A at Link 8. Two separate access conditions were assessed at this location, as follows:
 - Scenario 1: All-turns intersection at the Highway 11A intersection with Link 8.
 - Scenario 2: Limited turns intersection (i.e. northbound movement is limited to right turn only) at the Highway 11A intersection with Link 8.
- Re-assign the expected site generated traffic to the revised local road network based on assumed distributions as developed for the original study.
- Re-assess the intersection operating conditions for the weekday AM/PM traffic conditions at the study area intersections during the build-out horizon year.
- Determine what additional improvements would be required to accommodate full build-out of the updated land use concept with or without limited turns at the Highway 11A intersection with Link 8.

Similar to the original 2008 traffic study, the detailed impact analysis was limited to the Highway 11 and Highway 11A intersections. Traffic impacts east of Highway 2 (including the interchanges at Highway 11 and Highway 11A) were considered to be outside the scope of this study, and would be dealt with by future functional planning studies. For the purpose of this study, the full build-out conditions are beyond the 115,000 population planning horizon.

¹ Queens Business Park Traffic Impact Assessment Final Report, Bunt & Associates, June 2008

1.0 Executive Summary



1.2 CONCLUSIONS AND RECOMMENDATIONS

The results of the analysis confirmed that additional improvements over and above those identified for the 115,000 population horizon in the 2004 Transportation Master Plan would be required to accommodate the expected site generated traffic. Based on the full build-out traffic levels, the specific additional road network improvements are summarized in Exhibit E.1 to Exhibit E.4, including both the all-turns and limited turns condition at the Highway 11A intersection with Link 8.

The key findings and recommendations are as follows:

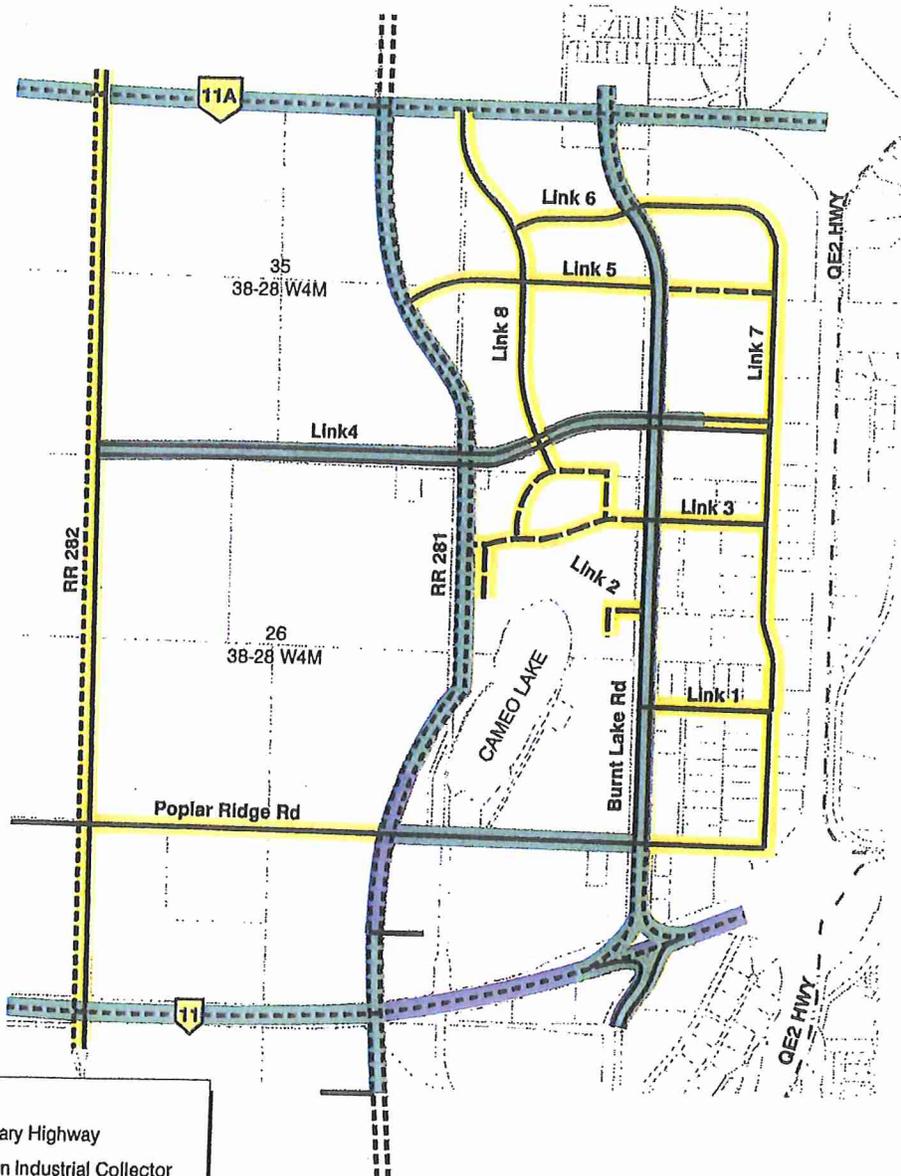
- **Highway 11:** In order to function within reasonable capacity parameters, additional improvements will be required in excess of those identified in the 2004 Transportation Master Plan for the 115,000 population horizon. These specifically include the following:
 - Provide a six-lane cross-section for Highway 11 between Range Road 281 and Highway 2.
 - Consider a Parclo A interchange configuration at Range Road 281, with:
 - Dual ramps to accommodate the southbound to eastbound movements
 - Dual ramps to accommodate the westbound to northbound movements
- **Highway 11A:** In order to function within acceptable capacity parameters, additional improvements will be required in excess of those identified in the 2004 Transportation Master Plan for the 115,000 population horizon. These specifically include the following:
 - Scenario 1: All-turns at the Highway 11A intersection with Link 8:
 - Installation of traffic signals at the Burnt Lake Road (75th Avenue), Link 8, Range Road 281, and Range Road 282 intersections with Highway 11A.
 - Widening of Highway 11A to a four-lane cross-section west of Burnt Lake Road (75th Avenue).
 - Dual left turns and separate right turn lanes on Highway 11A at Burnt Lake Road (75th Avenue) and Link 8.
 - Separate left turns on Highway 11A at Range Road 281 and Range Road 282.

1.0 Executive Summary



- **Scenario 2: Limited turns at the Highway 11A intersection with Link 8:**
 - Installation of traffic signals at the Burnt Lake Road (75th Avenue), Link 8, Range Road 281, and Range Road 282 intersections with Highway 11A.
 - Widening of Highway 11A to a four-lane cross-section west of Burnt Lake Road (75th Avenue).
 - Addition of dual left turns and separate right turn lanes on Highway 11A at Burnt Lake Road (75th Avenue) and Range Road 281.
 - Addition of separate left turns on Highway 11A at Link 8 and Range Road 282.
- **Internal Road Network:** The recommended internal road networks are shown in Exhibit E.1 and Exhibit E.2. As shown, the long-term road classification for Link 8 is dependent on the type of access permitted at Highway 11A (i.e., all-turn versus limited turns), as follows:
 - Under the all-turns scenario, it is recommended that Link 8 exhibit a four-lane cross-section or an Undivided Arterial road classification between Highway 11A and Link 5.
 - With the limited turns condition at the Highway 11A intersection with Link 8, a two-lane cross-section or an Urban Industrial Collector road classification will adequately accommodate the expected traffic volumes on Link 8.
- **Internal Intersections:** The recommended traffic control and corresponding lane arrangements are shown in Exhibit E.3 and Exhibit E.4 applying the all-turns and limited turns conditions at the Highway 11A intersection with Link 8, respectively. Up to ten intersections will require signalization.

Based on Bunt & Associates' analysis, it is clear that additional improvements will be required beyond those contemplated by AT and the City in order to accommodate the forecast traffic volumes. Although Bunt & Associates has utilized all available information in the assessment of expected future traffic conditions, it is possible or even likely that local conditions may change as time progresses and development proceeds. It is therefore recommended by Bunt & Associates that the City undertake an update to their transportation forecasting model using this study as input data to that process. It is also recommended that smaller scale traffic impact assessments be undertaken each time a tentative plan or phase of development is submitted to the City for approval. These smaller scale studies will be necessary in order to identify specific local road network improvements triggered by individual phases of development within the area, and these studies will use this West QE2 MASP TIA update as a guide in that regard.



LEGEND

- Primary Highway
- Urban Industrial Collector
- Rural Industrial Local
- ==== Undivided Arterial
- Divided Arterial
- Urban Industrial Local
- 6 Lanes
- 4 Lanes
- 2 Lanes

1280-02

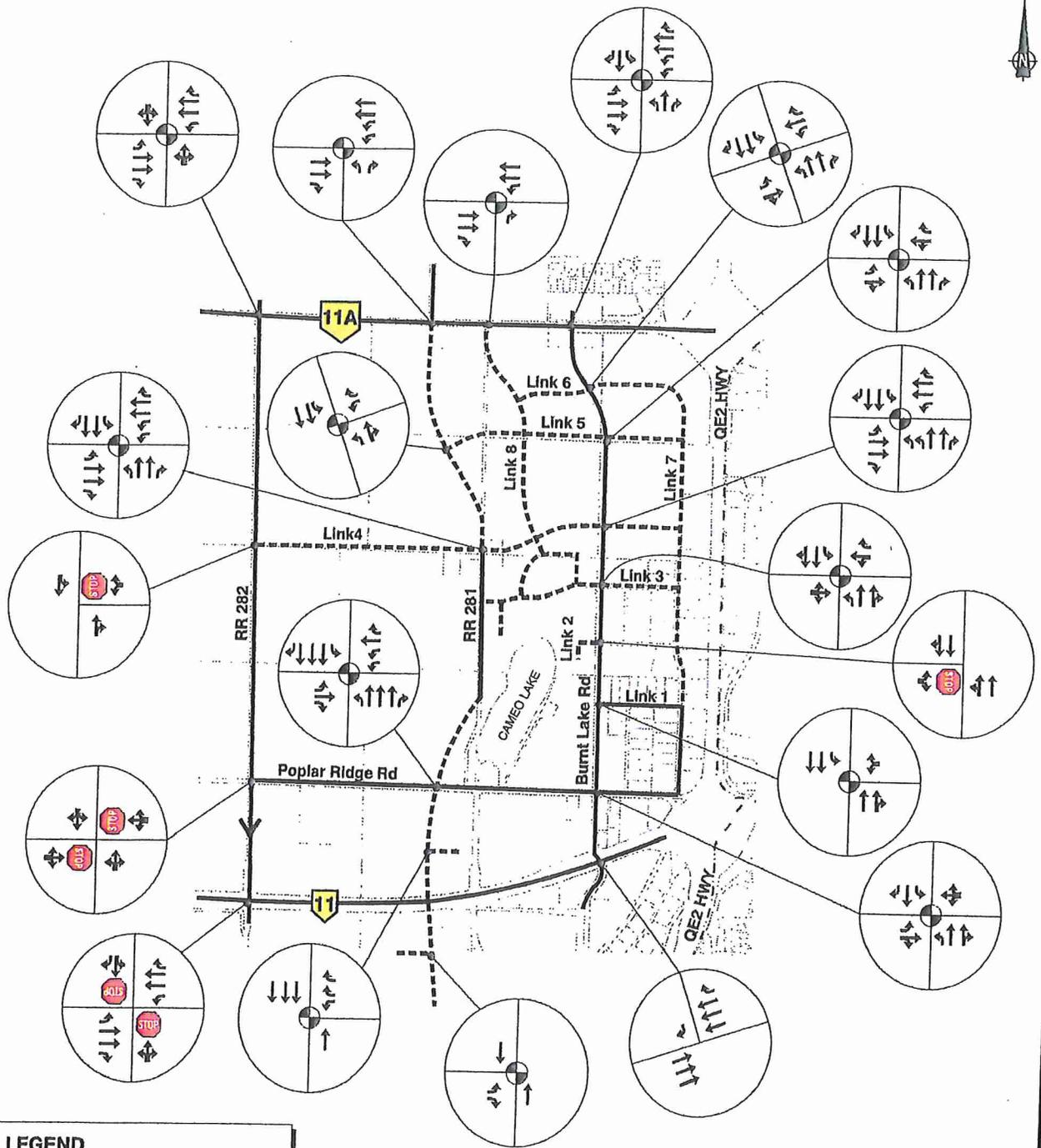
N.T.S.

HMF
 May 1, 2009
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Queens Business Park
 Recommended Road Classification (Limited Turns Intersection)

Exhibit
E.2



LEGEND

-  Traffic Signal
-  Stop Sign
-  Number of Lanes

1280-02

N.T.S.



Queens Business Park

Recommended Traffic Control & Lane Arrangement (Limited Turns Intersection)

Exhibit

E.4

May 1, 2009
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MAYOR'S OFFICE

Date: December 2, 2009
To: City Council
From: Mayor Morris Flewwelling, Chair, Municipal Planning Commission
Subject: Amendment to the West QE2 Major Area Structure Plan
Bylaw No. 3398/A-2009

On Monday, November 30, 2009 the Municipal Planning Commission introduced and passed the following motion:

“Resolved that the Municipal Planning Commission supports the proposed amendment to the West QE2 Major Area Structure Plan Bylaw No. 3398/A-2009 and recommends its approval by City Council.”

MOTION CARRIED

The above is submitted for Council's consideration.

Yours truly,

A handwritten signature in cursive script that reads 'Morris Flewwelling'.

Mayor Morris Flewwelling
Chair, Municipal Planning Commission

/sm

cc: V. Swainson, Deputy Development Officer
N. Hackett, Parkland Community Planning Services



MAYOR'S OFFICE

Date: December 2, 2009
To: City Council
From: Mayor Morris Flewwelling, Chair, Municipal Planning Commission
Subject: Amendment to the Queens Business Park Industrial Structure Plan
Bylaw No. 3399/A-2009

On Monday, November 30, 2009 the Municipal Planning Commission introduced and passed the following motion:

“Resolved that the Municipal Planning Commission supports the proposed amendment to the Queens Business Park Industrial Structure Plan Bylaw No. 3399/A-2009 and recommends its approval by City Council.”

MOTION CARRIED

The above is submitted for Council's consideration.

Yours truly,

A handwritten signature in cursive script that reads 'Morris Flewwelling'.

Mayor Morris Flewwelling
Chair, Municipal Planning Commission

/sm

cc: V. Swainson, Deputy Development Officer
N. Hackett, Parkland Community Planning Services

Christine Kenzie

From: Nancy Hackett
Sent: January 25, 2010 9:07 AM
To: Frieda McDougall; Christine Kenzie
Subject: Additional Items for Today's Council
Attachments: Process for the ecoindustrial guidelines Jan 22 2010.doc; resolution for eco-industrial Jan 25 2010.doc; resolution for commercial Jan 25 2010.doc

Hi Frieda and Christine –

Thanks for all your help on Friday Frieda. Not sure why landowners would wait to bring forward their intentions but.... I think we've been able to address the concerns. As discussed I have three items to bring to council tonight dealing with the WEST QE2 MASP:

1. a short document of additional information on how we are approaching the creation of eco-industrial guidelines or districting (this would be handed out for information only – to address the concerns of the landowner that he doesn't know what the next steps are)
2. a draft resolution on eco-industrial development to be added to the MASP – if council wishes. Its intent is to recognize that additional research on eco-industrial concept is required and that the research could in fact demonstrate the need for adjustments to the specific locations of eco-industrial or refine the concept further. The specifics will be worked out at the IASP level when the landowner brings that forward – for now the MASP is broad – not as detailed.
3. a draft resolution on adding one commercial site to the MASP – if council wishes. I will not be speaking in favour per se on this one – but I agreed with the developer to have it prepared and to offer it as an option that council could consider. I would prefer that he submit his own amendment in the future to the MASP – but as I said I agreed to provide this option to council.

Thanks again for your help and please let me know if there is anything else you require or any questions. I will update the developer's consultants. See you at 3!!!

Nancy

PS any secret information on where we may be dining this evening? Or will you keep me in suspense?

Nancy Hackett, ACP, MCIP
City Planning Manager
Parkland Community Planning Services
404 - 4808 Ross Street
Red Deer, AB T4N 1X5

Phone: 403-343-3394
Fax: 403-346-1570

Preliminary Process for the Development of Eco-Industrial Concept and Guidelines

Draft - Subject to change

Presented for Information

Background:

In January of 2010, City Council approved the 2010 Parkland Community Planning Services Service Plan as part of budget discussions (under the Community Services Division).

Based on the service plan and the direction of the West QE2 Major Area Structure Plan (MASP), the following draft timeline and steps are set out for information and to provide a broad sense of the process which would follow adoption of the amended MASP with regard to eco-industrial development.

Preliminary Process and Timeline:

Task	Who?	Timeline (Quarter of 2010)
Background Research relating to eco-industrial concept, site standards, operating models	<ul style="list-style-type: none"> • PCPS • City Administration 	Q1 (currently underway)
Prepare a Discussion Paper based on research	<ul style="list-style-type: none"> • PCPS with City Administration 	Q1
Establish Steering Committee to set out vision, goals, criteria, review sites, establish general model	Steering Committee could include: <ul style="list-style-type: none"> • PCPS • Landowners • City Departments • Nearby Residents (e.g. Linn Valley) • Environmental Stakeholders • Industrial Businesses • Other 	Q2
Draft Guidelines developed and vetted by Steering Committee. Options for public input or Open House	<ul style="list-style-type: none"> • PCPS • City Administration • Steering Committee 	Q2 and Q3
Revise Guidelines	<ul style="list-style-type: none"> • PCPS 	Q3

based on feedback	<ul style="list-style-type: none"> • Steering Committee 	
Consideration and comment by Council committees (e.g. MPC, EAC)	<ul style="list-style-type: none"> • PCPS to provide to committees to comment • Committee members provide feedback or support 	Q3
Revise Guidelines based on feedback	<ul style="list-style-type: none"> • PCPS • Steering Committee 	Q3
Council Consideration (e.g. of guidelines or overlay district)	<ul style="list-style-type: none"> • Presentation to Council by PCPS • Additional input from Stakeholders or Landowners may be provided/considered 	Q3
If adopted guidelines are distributed to city departments and interested parties and posted on website, update planning documents	<ul style="list-style-type: none"> • PCPS will distribute • City of Red Deer will post on Web site 	Q3/Q4

Add as the final paragraph of **Section 4.1.3. Green Infrastructure and Eco-Industrial Park** of the amended *West QE2 Major Area Structure Plan* :

“The West QE2 Major Area Structure Plan strongly supports eco-industrial development, however, once additional research is conducted on this concept and based on what this research may demonstrate; Council could consider altering, refining, or changing the scale/size of the eco-industrial area if necessary in some specific locations. Such a decision would be made at the Industrial Area Structure Plan (IASP) level and would be informed by landowner and public input, administrative consideration, eco-industrial and tenant research, area market conditions, and merit of alternative development concepts. “

Add as the last paragraph of **Section 4.1.4. Commercial** of the amended *West QE2 Major Area Structure Plan* :

“One additional commercial site of approximately 2 hectares to serve the needs of the local employment base could be considered within the central portion of the *West QE2 Major Area Structure Plan* at the time of preparation of an Industrial Area Structure Plan (IASP). Impacts on adjacent landowners and land uses, the transportation system, and servicing, market demand, and access will be reviewed and must be deemed to be compatible with the additional local commercial site. “

**THE CITY OF RED DEER
DRAFT RESOLUTIONS**

Date: January 25, 2010

No. 9, p. 62

Moved by Councillor

Seconded by Councillor

“Resolved that Council of the City of Red Deer having considered the report from Parkland Community Planning Services, dated December 4, 2009, Re: Amendment to the West QE2 Major Area Structure Plan, Bylaw No. 3398/A-2009, hereby agrees to amend Bylaw No. 3398/A-2009 as follows:

Add the following as the last paragraph of **Section 4.1.3. Green Infrastructure and Eco-Industrial Park:**

“The West QE2 Major Area Structure Plan strongly supports eco-industrial development, however, once additional research is conducted on this concept and based on what this research may demonstrate; Council could consider altering, refining, or changing the scale/size of the eco-industrial area if necessary in some specific locations. Such a decision would be made at the Industrial Area Structure Plan (IASP) level and would be informed by landowner and public input, administrative consideration, eco-industrial and tenant research, area market conditions, and merit of alternative development concepts. ”

Jefferies	Watkinson- Zimmer	Wong	Pimm	Parks	Veer	Mulder	Buchanan	Flewwelling
<input type="checkbox"/>								
<input type="checkbox"/>								
Carried	Defeated	Withdrawn	Tabled					

<input type="checkbox"/> For	<input checked="" type="checkbox"/> Against	A Absent
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THE CITY OF RED DEER
DRAFT RESOLUTIONS

Date: January 25, 2010

No.10, p. 62

Moved by Councillor

Seconded by Councillor

Resolved that Council of the City of Red Deer having considered the report from Parkland Community Planning Services, dated December 4, 2009, Re: Amendment to the West QE2 Major Area Structure Plan, Bylaw No. 3398/A-2009, hereby agrees to amend Bylaw No. 3398/A-2009 as follows:

Add the following as the last paragraph of **Section 4.1.4. Commercial:**

“One additional commercial site of approximately 2 hectares to serve the needs of the local employment base could be considered within the central portion of the *West QE2 Major Area Structure Plan* at the time of preparation of an Industrial Area Structure Plan (IASP). Impacts on adjacent landowners and land uses, the transportation system, and servicing, market demand, and access will be reviewed and must be deemed to be compatible with the additional local commercial site. ”

Jefferies	Watkinson- Zimmer	Wong	Pimm	Parks	Veer	Mulder	Buchanan	Flewwelling
<input type="checkbox"/>								
<input type="checkbox"/>								
Carried	Defeated	Withdrawn	Tabled					

<input type="checkbox"/> For	<input checked="" type="checkbox"/> Against	A Absent
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BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

From: Vanessa Connors
Sent: January 19, 2010 2:48 PM
To: Christine Kenzie
Subject: FW: Letter to Council re bylaw amend. 3398/A-2009
Attachments: Letter to Council re West QE2 MASP Public Hearing.pdf

From: Simonetta Acteson [mailto:simonetta.acteson@gmail.com]
Sent: Tuesday, January 19, 2010 2:40 PM
To: Vanessa Connors
Subject: Letter to Council re bylaw amend. 3398/A-2009

Vanessa,

We just spoke on the phone. Attached is the letter we wish to have submitted to Council prior to Public Hearing on January 25th.

Thank you for your assistance. If there is any problem please let me know by return email or by calling my cell number below.

--
Simonetta Acteson
ph. (403)520-5222
cell (403)804-0372
simonetta.acteson@gmail.com

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

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

Lyle and Marcie Jeffries
Red Deer, AB

City Council Members
The City of Red Deer
4914 – 48th Avenue
Red Deer, AB

January 19, 2010

**Re: Proposed Amendments to the West QE2 Major Area Structure Plan
Bylaw Amendment No. 3398/A-2009**

SW 36-38-28-4 and NW 25-38-28-4 Land owners: Lyle and Marcie Jeffries

As major landholders within the West QE2 MASP area, we do not support the proposed amendment to the MASP. We have solicited Interplan Strategies Inc. and Genivar to lend assistance in submitting our concerns to Council prior to the upcoming Public Hearing in which the amendment will receive further consideration.

History:

The previously approved MASP had indicated a commercial site on our property (Refer to Attachment 1); whereas the subsequent proposed amendment to the MASP has excluded any reference to a commercial designation on our property.

The following is a list of our previous contacts with PCPS and The City:

May 22nd, 2009: Met with City and PCPS planners where they explained the amendment

June 4, 2009: Public Meeting hosted by PCPS

June 7th, 2009: Letter submitted to PCPS outlining our concerns. No response was received.
(copy of letter attached – Attachment 2)

December 2009: Received letter announcing 1st Reading in Council December 14th, 2009

Subsequent email communications between PCPS and Genivar.

January 18, 2010: Meeting between
Nancy Hackett, PCPS;
Vaughan Bechthold, Engineering Services, The City of Red Deer;
Craig Suchy, Genivar
Simonetta Acteson, Interplan Strategies Inc.

This meeting was held during our absence with our knowledge. During the meeting, our concerns were discussed and PCPS has assured our representatives that both items will be considered prior to Public Hearing. However, due to the time constraints, a complete response from PCPS is not possible prior to the deadline for written submissions to be included in the agenda for January 25, 2010. In light of this we submit the following concerns to Council with the understanding that should PCPS be able to alleviate our concerns prior to, or on, January 25, 2010, we would therefore be able to change our position outlined here, and support the amendment with the agreed to changes included.

Major Concerns:

1. Elimination of Central Commercial Site

The reason given by PCPS for removing the commercial site from the original location shown in the MASP was because of changes to the arterial road system and the subsequent loss of access.

- It is our understanding that this change to the road classification will eliminate the opportunity for commercial use at the previously designated location. The graphic attached (Attachment 3) shows at least three possible locations for commercial uses in the southern areas of the plan area.
- There is reference to existing commercial development in the County to the south, but this occurs approximately 3/4 mile to the south of the most southern boundary of the MASP area and is not considered convenient for future employees in the MASP area.
- As detailed on page 160 (page 9) of the report to Council dated December 4th and included in the Red Deer City Council Agenda for Monday, December 14th, 2009, "...the focus of the amendment is not to redistribute commercial lands." However, the amount of commercial land being proposed for the amended MASP has been reduced from 6.3 ha (in the MASP dated December 2007) to 4.5 ha and the commercial area remaining has been redistributed. No clear explanation or rationale for this reduction has been included in the amended MASP or in the report to Council. It is also noted that "*After review of the issue, no new commercial areas are being recommended within this amendment.*"
- As indicated in the West QE2 MASP, the commercial area provided is not intended to compete with existing or future commercial nodes in the City, but is to provide a limited range of commercial opportunities for the employees and patrons of the primarily industrial area. If the commercial area proposed is to cater primarily to the users of the area, it could be argued that a more centrally located commercial area, or the division of commercial areas in two or more locations, could better serve the community as a whole. Both of these suggestions were raised at the Public Meeting according to the report to Council.
- By including an opportunity for commercial use in one of the three suggested locations, the overall plan would offer more centrally located commercial areas within the MASP area. This makes commercial locations more accessible to area users and offers potential access by non motorized means. In addition, the commercial locations would be more equally distanced from both Hwy 11 and Hwy 11A.
- There is also potential benefit in locating commercial areas adjacent to the delineated green spaces so area patrons could utilize both simultaneously. In addition, locating a commercial area as suggested could further enhance the use of the trail system identified in the plan area.

Recommendation:

To summarize, our recommendation to Council with respect to commercial areas in the proposed amended MASP is as follows:

Amend Figure 3 (Land Use Concept) to include a commercial area in one of the three locations indicated in the accompanying map (location A, B or C) (Attachment 3). The area can be either moved from the commercial areas shown (thereby maintaining the 4.5 ha total area), or can be included as an addition to the 4.5 ha currently proposed (but not to exceed the original MASP total of 6.3 ha). Language could be added to Section 4.1.4 that 'should a market for this commercial area not materialize at the time of

development, the land use could revert to industrial land uses without amendment to the MASP'.

2. Concerns with the Eco-Industrial Area:

Although this concept is considered to be a potentially valuable strategy given the current direction industry is moving due to environmental concerns and the need to implement strategies for a "greener future," there are issues that the proposed amendment to the West QE2 MASP does not adequately address and require clarification.

As noted in the amended MASP "...additional studies are required to develop a market strategy, confirm potential tenants, and pursue possible grants, The City and/or private developers/landowners will further explore this concept when subsequent IASPs are submitted for approval of the detailed design of these quarter sections." (pg 4-2) The following are two concerns in particular that were raised during the Public Meeting held in June 2009 (see page 161 (10), report to Council Dec 14, 2009) and in our letter of June 7th:

- *Market concerns:* though the City has reduced the areas delineated as Eco-industrial and acknowledged the tentativeness, there is no contingency plan in place in either the current or previous MASP should these lands prove unmarketable. In addition there is no clear indication in either the report to Council, or the MASP, as to what rationale was used to determine either the size or the location of these Eco-industrial Parks.
- *Information on possible limitations:* As quoted above from the MASP (page 4-2) the intent seems to be that the concept will be "explored further". In the response to concerns from the report to Council it is written "More detail around the zoning and the regulations will be required at the individual Industrial Area Structure Plan level." It is not clear who will provide that detail or where it will be derived from (existing examples?).

Independent information gathered on Eco-Industrial Parks has shown that the park design can be approached in several different ways. As discussed in Section 4.1.3 of the proposed amendment to the MASP, the Eco-Industrial Parks can offer by-product synergy and shared facilities amongst other items. There is also another more holistic approach that the Eco-Industrial Park can incorporate greener standards for infrastructure and development. This is also discussed in the MASP. Since no rationale is given for the location and size of the Eco-Industrial Parks as shown, it is difficult to understand the City's intent here. Under Section 4.1.1 it is specified that "*Parcels within the I2 District shall not abut any eco-industrial parks...*" This approach is difficult to understand since there is no apparent reason to differentiate between heavy and light industrial when discussing the possible merits of an Eco-Industrial Park. Both uses could benefit from such a system of cooperation. As defined in The Eco-industrial Park Handbook¹ "*An Eco-Industrial Park is a community of manufacturing and service businesses located together on a common property. Members seek enhanced environmental, economic, and social performance through collaboration in managing environmental and resource issues.*" The best known example of an eco-industrial park is the Kalundburg Eco-Industrial Park in Denmark where links exist between a coal fired power plant, a fish farm, pharmaceutical and enzyme production, a petroleum company, wallboard manufacturing and cement production.

¹ Lowe, Ernest A. 2001. Eco-industrial Park Handbook for Asian Developing Countries. A Report to Asian Development Bank, Environment Department, Indigo Development, Oakland, CA

Though this concept deserves consideration and possible application by the City, it is our opinion that aspects of it need further attention before specific areas are identified on a Land Use Concept within the proposed amendment to the MASP.

In our meeting with administration on January 18, 2010, PCPS has expressed a willingness to explore the possibility of further detailing in the MASP the process by which, and by whom, the guidelines for Eco-Industrial Parks will be derived. In addition, there was discussion on what would occur in properties shown as Eco-Industrial Parks should the concept not prove viable at the time of development. We are willing to consider that this further detailing may alleviate some of our concerns, but since the actual information is still forthcoming from PCPS, we wish to offer the following recommendations.

Recommendation:

It is our recommendation that the MASP be amended in one of two ways:

1. The Eco-Industrial Park locations on Figure 3 be labeled as "possible locations" and language added in Section 4.1.3 to address how these areas would revert to conventional industrial uses should the market not materialize, or;
2. That any delineation of Eco-Industrial Parks be removed from the Land Use Concept. Instead both the principles of Green Infrastructure and Eco-Industrial Parks be considered as overall visions or policies for the entire MASP area. Details of how these strategies could be implemented can occur at the IASP planning level once the City and Industry have had the opportunity to explore the concepts more thoroughly. Council could direct Administration to undertake, in consultation with Industry, a study of existing and proposed Eco-Industrial Parks and develop their own "made in Red Deer" definition of Eco-Industrial Parks and an approach as to how to implement and encourage such practices in Red Deer.

This represents a summary of the concerns with the proposed amendments to the MASP we wish to outline for City Council. Should PCPS be able to address those concerns as discussed we would then be in a position to support the amendment. If, after consideration, PCPS is unable at this time to respond to our concerns, we would request that the changes noted above be considered and included in the amended MASP, We and/or our representatives will be in attendance at the Public Hearing to speak further on these concerns.

Thank you for your consideration.

Sincerely,

On behalf of Lyle and Marcie Jeffries

Simonetta Acteson
Interplan Strategies Inc.

Sent by email.

cc. Ron Zazelenchuk, Interplan Strategies Inc.
Craig Suchy, Genivar
Lyle and Marcie Jeffries

ATTACHMENT 1

Parkland Community Planning Services
404, 4808 Ross Street
Red Deer, Alberta
T4N 1X5

June 7th, 2009

Re: Proposed Amendments to the West QE2 Major Area Structure Plan

To Whom it May Concern:

We are the owners of SW 36-38-28-4 and NW 25-38-28-4, two of the eight quarters of land affected by the ASP amendments. We have some concerns in regard to the changes.

The elimination of the commercial zoned area is of primary concern. We would appreciate the opportunity to offer some commercial zoning to potential buyers. The whole area would become more attractive to all interested parties.

The eco-industrial zoning is another issue we feel requires additional consideration. As this type of zoning is relatively new we are concerned that it may not be marketable in Red Deer. We require more information on exactly what limits will be placed on such zoning. A large portion of our land that could be developed is slated for this zoning.

We feel that the location of the retention ponds should be reconsidered. Perhaps it would be possible to consider increasing the attractiveness of our green areas by locating the holding ponds within them where possible.

The City's road construction schedule for the arterial road that will replace Burnt Lake Trail is of interest to us. We feel it is imperative that the north and south portions of the area are joined in some form, facilitating the progress on the entire project.

Thank you for the opportunity to present our thoughts on the plan and we look forward to discussing them in further detail.

Sincerely,

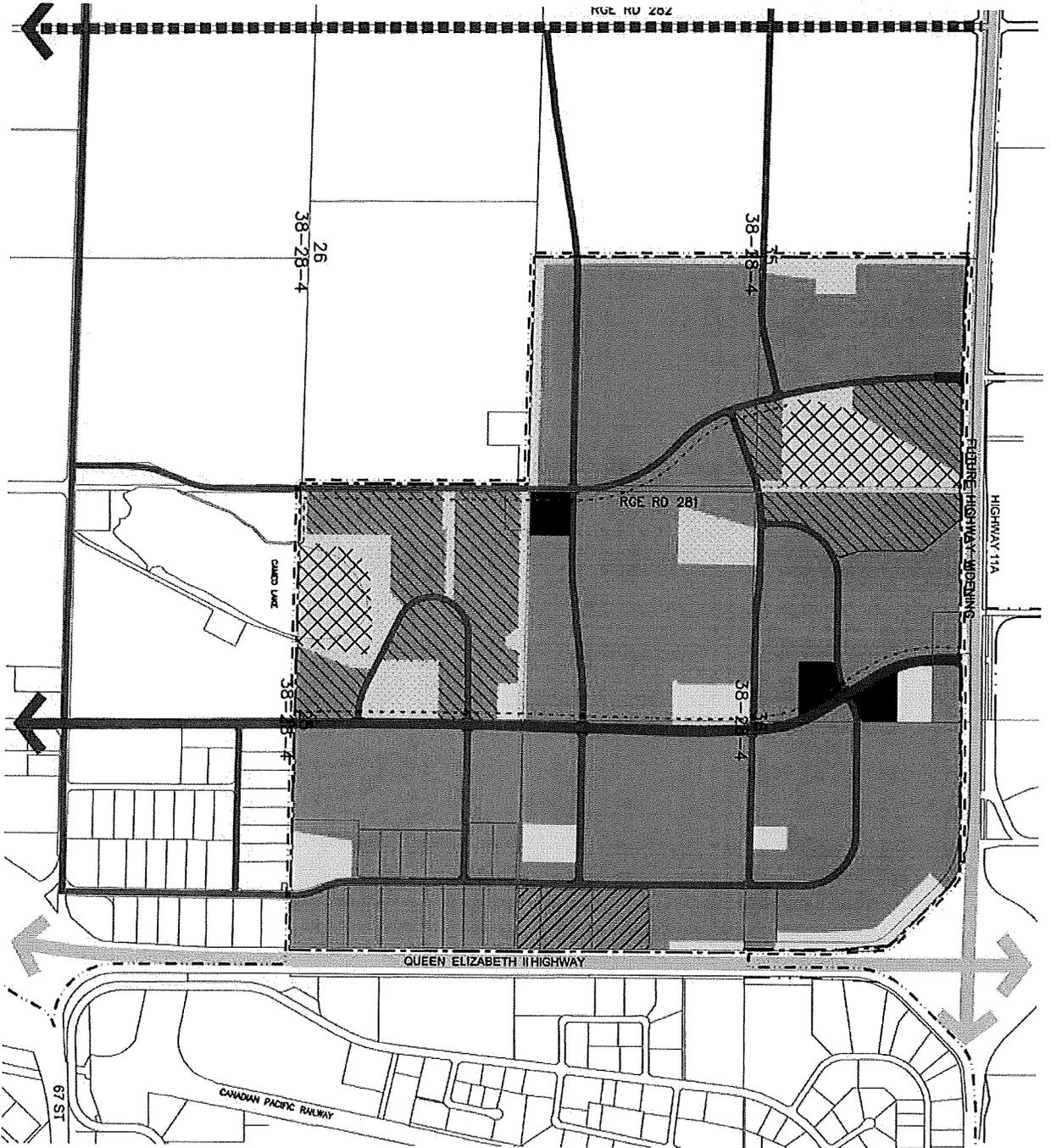
Lyle and Marcie Jeffries
mjefries@xplornet.com
(403)341-5284
(403)391-0700

ATTACHMENT 2

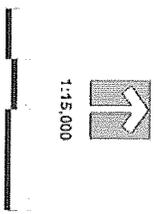
The City of Red Deer

West QE2 Major Area Structure

Figure 4 - Land Use Con



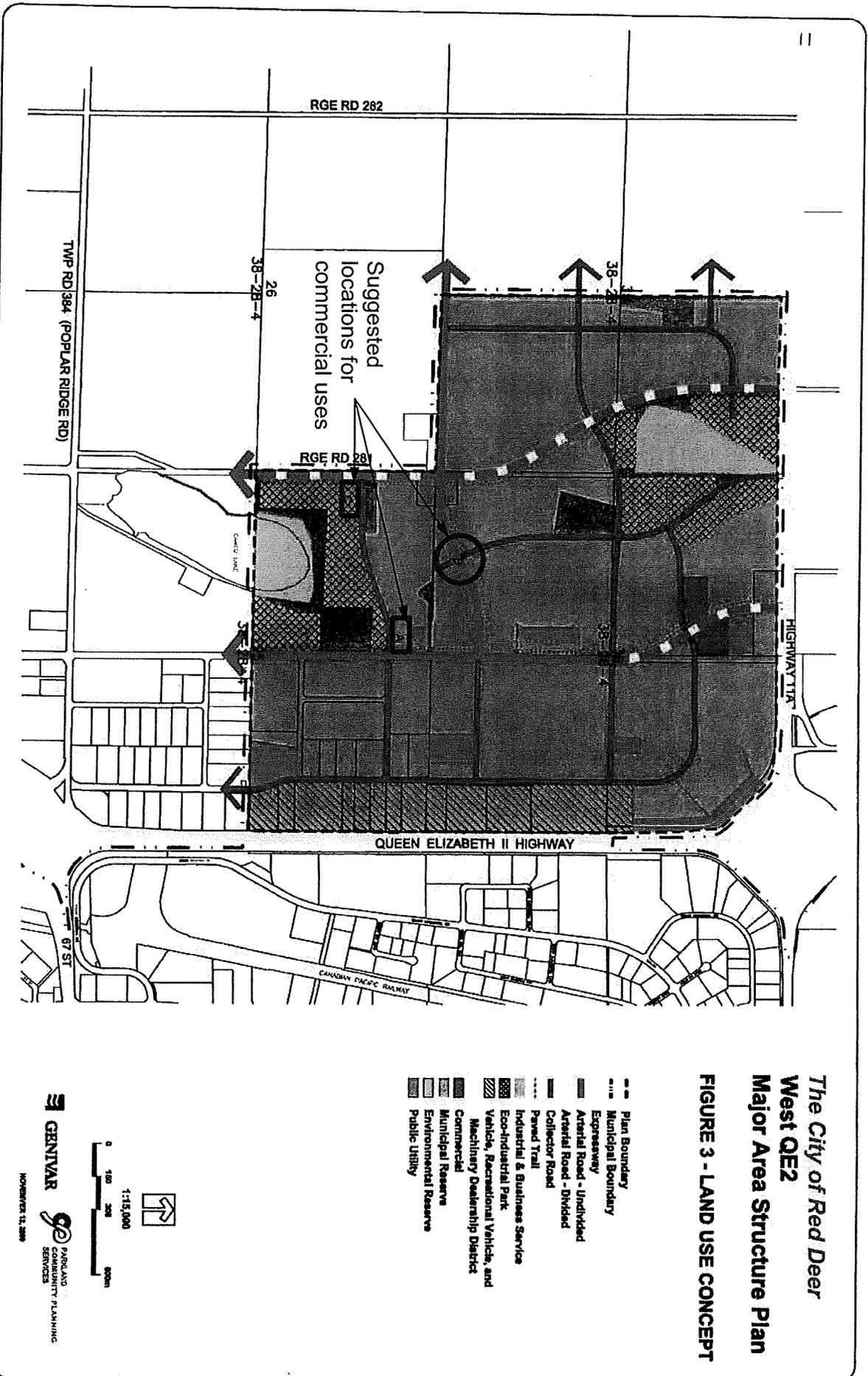
- City Boundary
- MASP Boundary
- Expressway
- Arterial Road - Divided
- Arterial Road - Undivided
- Paved Trail
- Collector Road & Sidewalk
- Industrial
- Eco-Industrial Park
- Commercial
- Direct Control (Business Indu
- Municipal Reserve
- Environmental Reserve
- Public Utility Lot



EXH Engineering
Services
Ltd.

PC PARKLAND COMMUNITY PI

DECEMBER 2007



**The City of Red Deer
West QE2
Major Area Structure Plan**

FIGURE 3 - LAND USE CONCEPT

- Plan Boundary
- - - Municipal Boundary
- == Expressway
- == Arterial Road - Undivided
- == Arterial Road - Divided
- == Collector Road
- Paved Trail
- Industrial & Business Service
- Eco-Industrial Park
- Vehicle, Recreational Vehicle, and Machinery Dealership District
- Commercial
- Municipal Reserve
- Environmental Reserve
- Public-Utility

0 100 200 300m

 1:15,000

GENIVAR

 PARLAND COMMUNITY PLANNING SERVICES

 NOVEMBER 15, 2009

JAN 7/10.

BACKUP

Christine Kenzie

To: Nancy Hackett
Subject: Phone Call from Earl Moker re QE2 MASP

Attachments: Map West QEII MASP.pdf; Map West QEII ISAP.pdf

I spoke with Earl Moker this afternoon. He is concerned that his property is not showing up on the maps that we had sent out in our mailout re the West QEII Amendment. The maps we sent are those that you forwarded to me in December.

Earl's phone number is 403-343-2814. Earl said he has spoken to you before. He wants to make sure that the correct map is approved for this amendment to the ASP.

Would you please give him a call to clarify this.

Thanks Nancy.

EXHIBIT INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

Council Services Coordinator

Legislative & Administrative Services

City of Red Deer

Phone: 403.356.8978 Fax: 403.346.6195

christine.kenzie@reddeer.ca

From: Nancy Hackett
Sent: December 16, 2009 2:22 PM
To: Christine Kenzie
Subject: Maps for 3398 A and 3399 A

Pdfs attached.

Nancy Hackett, ACP, MCIP

City Planning Manager

Parkland Community Planning Services

From: Darlene Schmidt
Sent: December 16, 2009 2:20 PM
To: Nancy Hackett
Subject:



Map West QEII
MASP.pdf (677 KB...)

Darlene Schmidt

BACKUP

Christine Kenzie

From: Nancy Hackett
Sent: January 15, 2010 3:01 PM
To: Frieda McDougall
Cc: Christine Kenzie; Martin Kvapil
Subject: maps for 3398-A2009

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Hi Frieda – Martin has kindly offered to drop off the replacement maps which now show Mr. Moker's acreage more clearly. It will mean replacing each and every map in the West QE2 plan. You will have them before 4:30 today. Thanks for your help. Nancy

Nancy Hackett, ACP, MCIP
City Planning Manager
Parkland Community Planning Services
404 - 4808 Ross Street
Red Deer, AB T4N 1X5

Phone: 403-343-3394
Fax: 403-346-1570

FILE



Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Nancy Hackett, City Planning Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan
Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan

Reference Report:

Legislative & Administrative Services Manager, dated January 18, 2010
Parkland Community Planning Services, dated December 4, 2009

Bylaw Readings:

At the Monday, December 14, 2009 Council Meeting, Bylaw 3398/A-2009 and Bylaw 3399/A-2009 received first readings. At the Monday, January 25, 2010 Council Meeting, second and third readings of Bylaw 3398/A-2009 and Bylaw 3399/A-2009 were tabled for up to four weeks to allow for clarification of the eco-industrial and commercial zonings in the West QE2 Business Park.

Report Back to Council: Yes – in four weeks time.

Comments/Further Action:

Bylaw 3398/A-2009 is an amendment to the West QE2 Major Area Structure Plan and provides for an expansion of a specialized direct control district (DC24) to allow vehicle sales dealerships along the eastern portion of the plan area, change the location of future commercial development and amend the road network and servicing patterns. Bylaw 3399/A-2009 is an amendment to the Queens Business Park Industrial Area Structure Plan and provides for the proposed changes in the West QE2 Major Area Structure Plan so that it is incorporated into the Queens Business Park Industrial Area Structure Plan.

Handwritten signature of Elaine Vincent

Elaine Vincent
Legislative & Administrative Services Manager

- c: Development Services Director
Corporate Services Director
Community Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager
Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File



Reports Item No. 1

DATE: January 19, 2010
TO: City Council
FROM: Dean Krejci
Financial Services Manager
RE: 2010 Operating Budget

History:

Over the last few weeks, Council has considered Department Service Plan Presentations related to the 2010 Budget. Following the completion of the presentations Council began and concluded the 2010 Budget deliberations on Thursday January 12, 2010.

Recommendations:

That subject to any further changes, Council considers passing a budget resolution approving the 2010 City of Red Deer Operating Budget.

A handwritten signature in black ink, appearing to read 'DK', positioned above the name 'Dean Krejci'.

Dean Krejci
Financial Services Manger

THE CITY OF RED DEER
OPERATING FUND - 2010 BUDGET SUMMARY - Council Approved on January 14, 2010

Department Utility / Business Enterprise	Property Tax &	BRZ Tax	Requisitions	Government Transfers (Grants)	Revenue	Expend- itures	Debt Payments	Deprecia- tion on Public Utilities	Internal Charges & Recoveries	Transfers From Reserves or Surplus	Transfers To Reserves or Surplus	Transfers To Capital	Transfers From Capital	Transfers To/From Operating	Total
OPERATING - TAX SUPPORTED															
Taxation	(122,120,164)	(250,000)	32,458,096	-	-	146,000	-	-	-	-	-	-	-	-	(89,766,068)
General City Revenues	-	-	-	-	(7,427,023)	-	-	-	-	-	-	-	-	-	(7,427,023)
General City Programs	-	-	-	-	-	7,420,164	3,973,919	-	2,000	(6,570,876)	-	2,383,045	-	(18,553,131)	(11,344,879)
Human Resources	-	-	-	(56,160)	(86,400)	2,971,836	-	-	-	(100,000)	-	-	-	-	2,729,276
Mayor & City Manager	-	-	-	-	(2,000)	1,348,563	-	-	916	-	-	-	(157,049)	-	1,190,430
Communications & Strategic Planning	-	-	-	-	-	960,010	-	-	12,303	(1,861)	-	-	(36,906)	(73,811)	859,735
Corporate Services	-	-	-	-	-	597,077	-	-	600	-	-	-	-	-	597,677
Assessment & Tax	-	-	-	-	(262,279)	2,089,289	-	-	8,800	-	-	-	-	-	1,835,810
Information Technology Services	-	-	-	-	(108,000)	4,779,012	-	-	(498,606)	-	-	743,000	(191,209)	(182,308)	4,541,889
Financial Services	-	-	-	-	-	5,827,039	-	-	20,161	-	-	-	-	(1,872,702)	3,974,498
Legislative & Administrative	-	-	-	(100,000)	(114,875)	2,770,646	-	-	(70,600)	-	-	-	-	-	2,485,171
Development Services	-	-	-	(54,424)	-	670,512	-	2,448	7,000	-	-	-	-	(37,080)	588,456
Engineering Services	-	-	-	-	(277,390)	3,596,078	4,759,986	-	(512,342)	-	-	-	(4,798,986)	(364,928)	2,402,418
Emergency Services	-	-	-	-	(8,743,267)	24,139,520	-	-	1,099,411	-	484,930	51,000	-	937,321	17,968,915
EL&P Street & Traffic Lights	-	-	-	-	-	2,101,211	-	-	92,100	-	-	-	-	-	2,193,311
Inspections & Licensing	-	-	-	-	(3,340,277)	5,018,020	-	-	421,756	(24,000)	-	-	-	(41,437)	2,034,062
Land & Economic Development	-	-	-	-	(40,250)	712,867	-	-	3,500	-	-	-	-	-	676,117
Public Works	-	-	-	(374,004)	(386,955)	9,164,149	-	-	57,608	-	-	1,204,356	-	(68,157)	9,596,997
Environmental Services	-	-	-	-	(321,540)	892,498	-	-	269,632	-	-	55,000	-	(254,186)	641,404
Community Services	-	-	-	-	(40,080)	5,139,486	-	-	(39,254)	(190,000)	-	-	-	-	4,870,152
Police	-	-	-	(2,004,556)	(3,656,500)	22,391,621	-	-	183,705	-	-	-	-	-	16,914,270
Recreation Parks & Culture	-	-	-	(738,050)	(6,972,360)	25,241,284	620,556	-	2,087,987	(666,000)	258,150	893,000	(59,125)	(206,470)	20,458,972
Social Planning	-	-	-	(7,383,380)	-	8,729,700	26,925	-	16,282	(35,000)	-	-	-	-	1,354,527
Transit System	-	-	-	(596,943)	(4,692,301)	10,229,770	-	-	5,680,483	-	-	-	-	2,874	10,623,883
Total Tax Supported	(122,120,164)	(250,000)	32,458,096	(11,307,517)	(36,471,497)	146,936,352	9,381,386	2,448	8,843,442	(7,587,737)	743,080	5,329,401	(5,243,275)	(20,714,015)	-
OPERATING - UTILITIES, ETC.															
Electric Light & Power Utility	-	-	-	-	(2,170,900)	941,069	1,403,110	-	166,246	(1,550,000)	(606,174)	1,550,000	-	266,649	-
Parking Fund	-	-	-	-	(34,607,700)	20,275,547	755,259	3,426,000	424,471	(40,000)	1,936,123	100,000	(100,000)	7,830,300	-
Subdivision Fund	-	-	-	-	(17,617,500)	1,416,660	2,430,803	-	(49,000)	(25,000)	200,000	14,853,000	(1,682,074)	473,111	-
Equipment Fund	-	-	-	-	(49,500)	7,403,949	-	3,746,197	(12,781,604)	-	34,900	1,116,661	-	529,397	-
Water Utility	(29,100)	-	-	-	(19,539,008)	8,579,276	990,372	2,464,184	547,765	(12,051,301)	2,583,154	12,093,000	-	4,361,658	-
Wastewater Utility	(33,800)	-	-	-	(19,059,309)	6,624,221	2,639,493	2,381,947	442,497	(9,271,000)	2,434,176	9,231,000	-	4,610,775	-
Solid Waste Utility	-	-	-	-	(15,148,320)	10,932,890	-	-	101,937	(926,774)	1,688,142	710,000	-	2,642,125	-
Total Utilities & Business Enterprises	(62,900)	-	-	-	(108,192,237)	56,173,612	8,219,037	12,018,328	(11,147,688)	(23,864,075)	8,270,321	39,653,661	(1,782,074)	20,714,015	-
TOTAL OPERATING BUDGET	(122,183,064)	(250,000)	32,458,096	(11,307,517)	(144,663,734)	203,109,964	17,600,423	12,020,776	(2,304,246)	(31,451,812)	9,013,401	44,983,062	(7,025,349)	-	-

THE BUDGET

\$ (245,946,219)

\$ 232,731,163

\$ 13,215,056

Comments:

We support the recommendation of Administration to reconfirm budget dollar amounts from the 2010 Operating Budget deliberations of January 13, 2010.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

DATE: January 19, 2010
TO: City Council
FROM: Dean Krejci
Financial Services Manager
RE: 2010 Operating Budget

History:

Over the last few weeks, Council has considered Department Service Plan Presentations related to the 2010 Budget. Following the completion of the presentations Council began and concluded the 2010 Budget deliberations on Thursday January 12, 2010.

Recommendations:

That subject to any further changes, Council considers passing a budget resolution approving the 2010 City of Red Deer Operating Budget.



Dean Krejci
Financial Services Manger

THE CITY OF RED DEER

OPERATING FUND - 2010 BUDGET SUMMARY - Council Approved on January 14, 2010

Department Utility / Business Enterprise	Property Tax &	BRZ Tax	Requisitions	Government Transfers (Grants)	Revenue	Expend- itures	Debt Payments	Deprecia- tion on Public Utilities	Internal Charges & Recoveries	Transfers From Reserves or Surplus	Transfers To Reserves or Surplus	Transfers To Capital	Transfers From Capital	Transfers To/From Operating	Total
OPERATING - TAX SUPPORTED															
Taxation	(122,120,164)	(250,000)	32,458,096	-	-	146,000	-	-	-	-	-	-	-	-	(89,766,068)
General City Revenues	-	-	-	-	(7,427,023)	-	-	-	-	-	-	-	-	-	(7,427,023)
General City Programs	-	-	-	-	-	7,420,164	3,973,919	-	2,000	(6,570,876)	-	2,383,045	-	(18,553,131)	(11,344,879)
Human Resources	-	-	-	(56,160)	(86,400)	2,971,836	-	-	-	(100,000)	-	-	-	-	2,729,276
Mayor & City Manager	-	-	-	-	(2,000)	1,348,563	-	-	916	-	-	-	(157,049)	-	1,190,430
Communications & Strategic Planning	-	-	-	-	-	960,010	-	-	12,303	(1,861)	-	-	(36,906)	(73,811)	859,735
Corporate Services	-	-	-	-	-	597,077	-	-	600	-	-	-	-	-	597,677
Assessment & Tax	-	-	-	-	(262,279)	2,089,289	-	-	8,800	-	-	-	-	-	1,835,810
Information Technology Services	-	-	-	-	(108,000)	4,779,012	-	-	(498,606)	-	-	743,000	(191,209)	(182,308)	4,541,889
Financial Services	-	-	-	-	-	5,827,039	-	-	20,161	-	-	-	-	(1,872,702)	3,974,498
Legislative & Administrative	-	-	-	(100,000)	(114,875)	2,770,646	-	-	(70,600)	-	-	-	-	-	2,485,171
Development Services	-	-	-	(54,424)	-	670,512	-	2,448	7,000	-	-	-	-	(37,080)	588,456
Engineering Services	-	-	-	-	(277,390)	3,596,078	4,759,986	-	(512,342)	-	-	-	(4,798,986)	(364,928)	2,402,418
Emergency Services	-	-	-	-	(8,743,267)	24,139,520	-	-	1,099,411	-	484,930	51,000	-	937,321	17,968,915
EL&P Street & Traffic Lights	-	-	-	-	-	2,101,211	-	-	92,100	-	-	-	-	-	2,193,311
Inspections & Licensing	-	-	-	-	(3,340,277)	5,018,020	-	-	421,756	(24,000)	-	-	-	(41,437)	2,034,062
Land & Economic Development	-	-	-	-	(40,250)	712,867	-	-	3,500	-	-	-	-	-	676,117
Public Works	-	-	-	(374,004)	(386,955)	9,164,149	-	-	57,608	-	-	1,204,356	-	(68,157)	9,596,997
Environmental Services	-	-	-	-	(321,540)	892,498	-	-	269,632	-	-	55,000	-	(254,186)	641,404
Community Services	-	-	-	-	(40,080)	5,139,486	-	-	(39,254)	(190,000)	-	-	-	-	4,870,152
Police	-	-	-	(2,004,556)	(3,656,500)	22,391,621	-	-	183,705	-	-	-	-	-	16,914,270
Recreation Parks & Culture	-	-	-	(738,050)	(6,972,360)	25,241,284	620,556	-	2,087,987	(666,000)	258,150	893,000	(59,125)	(206,470)	20,458,972
Social Planning	-	-	-	(7,383,380)	-	8,729,700	26,925	-	16,282	(35,000)	-	-	-	-	1,354,527
Transit System	-	-	-	(596,943)	(4,692,301)	10,229,770	-	-	5,680,483	-	-	-	-	2,874	10,623,883
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OPERATING - UTILITIES, ETC.															
Electric Light & Power Utility	-	-	-	-	(2,170,900)	941,069	1,403,110	-	166,246	(1,550,000)	(606,174)	1,550,000	-	266,649	-
Parking Fund	-	-	-	-	(34,607,700)	20,275,547	755,259	3,426,000	424,471	(40,000)	1,936,123	100,000	(100,000)	7,830,300	-
Subdivision Fund	-	-	-	-	(17,617,500)	1,416,660	2,430,803	-	(49,000)	(25,000)	200,000	14,853,000	(1,682,074)	473,111	-
Equipment Fund	-	-	-	-	(49,500)	7,403,949	-	3,746,197	(12,781,604)	-	34,900	1,116,661	-	529,397	-
Water Utility	(29,100)	-	-	-	(19,539,008)	8,579,276	990,372	2,464,184	547,765	(12,051,301)	2,583,154	12,093,000	-	4,361,658	-
Wastewater Utility	(33,800)	-	-	-	(19,059,309)	6,624,221	2,639,493	2,381,947	442,497	(9,271,000)	2,434,176	9,231,000	-	4,610,775	-
Solid Waste Utility	-	-	-	-	(15,148,320)	10,932,890	-	-	101,937	(926,774)	1,688,142	710,000	-	2,642,125	-
Total Utilities & Business Enterprises	(62,900)	-	-	-	(108,192,237)	56,173,612	8,219,037	12,018,328	(11,147,688)	(23,864,075)	8,270,321	39,653,661	(1,782,074)	20,714,015	-
TOTAL OPERATING BUDGET	(122,183,064)	(250,000)	32,458,096	(11,307,517)	(144,663,734)	203,109,964	17,600,423	12,020,776	(2,304,246)	(31,451,812)	9,013,401	44,983,062	(7,025,349)	-	-

THE BUDGET

\$ (245,946,219)

\$ 232,731,163

\$ 13,215,056

FILE

Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Dean Krejci, Financial Services Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: 2010 Operating Budget

Reference Report:

Financial Services Manager, dated January 19, 2010

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Financial Services Manager, dated January 19, 2010, Re: 2010 Operating Budget, having reviewed the 2009 Operating Budget hereby approves the 2010 Operating Budget details as shown on Attachment 1 titled “Operating Fund – 2010 Budget Summary – Council Approved on January 14, 2010.”

MOTION CARRIED

Report Back to Council: No



Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

c. Director of Corporate Services



Reports Item No. 2

Memo

Date: January 18, 2010

To: Elaine Vincent, Legislative and Administrative Services Manager

From: Liz Soley, Land Services Specialist

Re: Professional Building Lease Renewal for Seven (7) Year Term

Background:

At the August 24, 2009 Council meeting, the following resolution was passed:

"Resolved that Council of the City of Red Deer after considering the report from the Inspections, Enforcement and Building Supervisor dated August 19, 2009 Re: Professional Building Lease Renewal, hereby authorizes the City Manager to negotiate and re-enter a lease agreement for 8,000 sq ft +/- of office space in the Professional Building at 4808 – 50 Street Red Deer, by authorizing an additional \$15,113 in the 2011 base budget for the building lease and a further \$17,827 in the 2012 base budget."

Since the resolution was passed in August of 2009, the expansion to City Hall has been deferred to a later date. As the above resolution only considers three years, the Land and Economic Development Department needs to consider a longer term lease for the employees currently located in the Professional Building. It is proposed that a lease be negotiated for a seven year term starting in 2010 and ending in 2016. Since the City Manager has already been granted the three year term authorization, approval of Council would be required to authorize the City Manager to extend the lease for the additional four years.

Discussion:

The extended lease has been examined by both the Land & Economic Development and Inspections and Licensing Departments. It has been determined that the rates are comparable to rental rates for that size and quality of rental accommodation. It has been also determined that a one dollar per year per square foot rental rate increase is not unusual for a term of this length. In the seventh year the rate charged to the City will be less than the 2009 average rental rate of: \$22.00/sq ft.

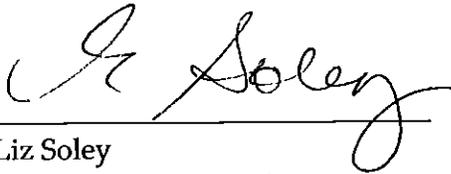
The following table outlines the rental rate increases for the years 2013 through to 2016:

2013	Year 4 \$16.00 per square foot or \$10,564.00 per month + op costs
2014	Year 5 \$17.00 per square foot or \$11,224.25 per month + op costs
2015	Year 6 \$18.00 per square foot or \$11,884.50 per month + op costs
2016	Year 7 \$19.00 per square foot or \$12,544.75 per month + op costs

Page 2
Professional Building Lease**Recommendation:**

That City Council authorize the City Manager to re-enter into a lease agreement for 8,000 sq ft +/- of office space in the Professional Building at 4808-50 Street for an additional four years (2013 to 2016) to bring the total lease to a seven year term (2010 to 2016), by authorizing the additional amounts in The City's operating budgets for the years 2013 – 2016, as follows:

2013	\$9,903
2014	\$7,923
2015	\$7,923
2016	\$10,399.



Liz Soley
Land Services Specialist

Attach

- c. Paul Goranson, Director of Development Services
- Lorraine Poth, Director of Corporate Services
- Paul Meyette, Director of Planning Services
- Joyce Boon, Development and Licensing Supervisor
- Russ Pye, Inspections, Enforcement and Building Supervisor
- Dean Krejci, Financial Services Manager
- Marge Wray, Personnel Manager

Comments:

We support the recommendation of Administration. The lease renewal ties in with the new timelines for the Civic Centre.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



**Request: Report for Inclusion
 on a Council Agenda**

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:		Liz Soley	
Department & Telephone Number:		LED – 356-8940	
REPORT INFORMATION			
Preferred Date of Agenda:		January 25, 2010	
Subject of the Report (provide a brief description)		Approval of lease extension for Professional Building	
Is this Time Sensitive? Why?		Yes, as lease has currently expired	
What is the Decision/Action required from Council?		Yes, approval	
Please describe Internal/ External Consultation, if any.		Already been to SMT and approved, requires Council approval. Already have agreements	
Is this a Committee of the Whole item?		No	
How does the Report link to the Strategic Plan?			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes. No outstanding issues.			
Has Financial Services been consulted? Are there any financial implications? Please describe. No budget implications. Financial Services will be copied on report.			
Presentation: (10 Min Max.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Liz Soley
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
FOR LEGISLATIVE & ADMINISTRATIVE SERVICES USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need Communications Support?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.

Memo

Date: January 18, 2010

To: Elaine Vincent, Legislative and Administrative Services Manager

From: Liz Soley, Land Services Specialist

Re: **Professional Building Lease Renewal for Seven (7) Year Term**

Background:

At the August 24, 2009 Council meeting, the following resolution was passed:

"Resolved that Council of the City of Red Deer after considering the report from the Inspections, Enforcement and Building Supervisor dated August 19, 2009 Re: Professional Building Lease Renewal, hereby authorizes the City Manager to negotiate and re-enter a lease agreement for 8,000 sq ft +/- of office space in the Professional Building at 4808 – 50 Street Red Deer, by authorizing an additional \$15,113 in the 2011 base budget for the building lease and a further \$17,827 in the 2012 base budget."

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Discussion:

The extended lease has been examined by both the Land & Economic Development and Inspections and Licensing Departments. It has been determined that the rates are comparable to rental rates for that size and quality of rental accommodation. It has been also determined that a one dollar per year per square foot rental rate increase is not unusual for a term of this length. In the seventh year the rate charged to the City will be less than the 2009 average rental rate of: \$22.00/sq ft.

The following table outlines the rental rate increases for the years 2013 through to 2016:

2013	Year 4 \$16.00 per square foot or \$10,564.00 per month + op costs
2014	Year 5 \$17.00 per square foot or \$11,224.25 per month + op costs
2015	Year 6 \$18.00 per square foot or \$11,884.50 per month + op costs
2016	Year 7 \$19.00 per square foot or \$12,544.75 per month + op costs

Recommendation:

That City Council authorize the City Manager to re-enter into a lease agreement for 8,000 sq ft +/- of office space in the Professional Building at 4808-50 Street for an additional four years (2013 to 2016) to bring the total lease to a seven year term (2010 to 2016), by authorizing the additional amounts in The City's operating budgets for the years 2013 – 2016, as follows:

2013	\$9,903
2014	\$7,923
2015	\$7,923
2016	\$10,399.

Liz Soley
Land Services Specialist

Attach

- c. Paul Goranson, Director of Development Services
- Lorraine Poth, Director of Corporate Services
- Paul Meyette, Director of Planning Services
- Joyce Boon, Development and Licensing Supervisor
- Russ Pye, Inspections, Enforcement and Building Supervisor
- Dean Krejci, Financial Services Manager
- Marge Wray, Personnel Manager

Christine Kenzie

From: John Fluney
Sent: January 20, 2010 3:59 PM
To: Russ Pye; Elaine Vincent; Christine Kenzie
Cc: Paul Meyette
Subject: RE: lease.xls

FOR INFORMATION
NOT COMMITTED TO COUNCIL

Attachments: Professional Building Lease.xls

Thanks Russ. Just so you know I made some modifications to the spreadsheet as follows:

- 1) Based on a letter from the property owner dated January 19/10 the City is no longer paying property taxes as we are tax exempt. Therefore all of the costs have changed to reflect this decrease in cost of \$1,089.41 per month
- 2) I adjusted the budget figures to present what is in the budget for 2010-16

Here is the adjusted spreadsheet for your information. You will not that in 2012 as there is only a \$1,980 shortfall no budget funds will be requested. The report will request ongoing funds of \$9,903 in 2013, \$7,923 in 2014, \$7,923 in 2015 and \$10,399 in 2016.

If you have any questions please let me know.



Professional
Building Lease.xl...

John Fluney, CA
Financial Analyst
Financial Services Department, The City of Red Deer
Phone: (403) 309-8433
Fax: (403)342-8349

From: Russ Pye
Sent: January 20, 2010 2:24 PM
To: Elaine Vincent; John Fluney; Christine Kenzie
Subject: lease.xls

<< File: lease.xls >>

As requested here are my projections for the budget impact of the Professional building lease for the entire 7 year term.

BACKUP.

2009		3 months left		
	cost/month	months	total	
New rate	\$13,495.20	3	\$40,485.60	
Oct - Dec		Total	\$40,485.60	
Now	\$12,211.75	3	\$36,635.25	
Oct - Dec		SPFR	\$10,000.00	
		Total	\$46,635.25	
2009 budget impact			-\$6,149.65	0.00
<hr style="border-top: 1px dashed black;"/>				
2010				
	cost/month	months	total	
New rate Jan - Sept	\$12,670.20	9	\$114,031.80	
New rate Oct - Dec	\$14,650.95	3	\$43,952.85	
		Total	\$157,984.65	
Present budget	\$12,220.08	12	\$146,641.00	
		2010 SPFR	\$20,000.00	
		Total	\$166,641.00	
2010 budget impact			-\$8,656.35	0.00
<hr style="border-top: 1px dashed black;"/>				
2011				
	cost/month	months	total	
New rate Jan - Sept	\$14,650.95	9	\$131,858.55	
New rate Oct - Dec	\$16,631.70	3	\$49,895.10	
		Total	\$181,753.65	
Present budget			\$166,641.00	
		Council Approval	\$15,113.00	
		Total	\$181,754.00	
2011 budget impact			-\$0.35	0.00
<hr style="border-top: 1px dashed black;"/>				
2012				
	cost/month	months	total	
New rate Jan - Sept	\$16,631.70	9	\$149,685.30	
New rate Oct - Dec	\$17,291.95	3	\$51,875.85	
		Total	\$201,561.15	
Present budget			\$181,754.00	
		Council Approval	\$17,827.00	
			\$199,581.00	
2012 budget impact			\$1,980.15	0.00
<hr style="border-top: 1px dashed black;"/>				
2013				
	cost/month	months	total	
New rate Jan - Sept	\$17,291.95	9	\$155,627.55	
New rate Oct - Dec	\$17,952.20	3	\$53,856.60	
		Total	\$209,484.15	
Present budget			\$199,581.00	
2013 budget impact			\$9,903.15	9,903.00

FILE



Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Liz Soley, Land Service Specialist
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Professional Building Lease Renewal for Seven (7) Year Term

Reference Report:

Land Services Specialist, dated January 18, 2010

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Land Services Specialist, dated January 18, 2010, re: Professional Building Lease Renewal for Seven (7) Year Term, hereby authorizes the City Manager to re-enter into a lease agreement for 8,000 sq. ft. +/- of office space in the Professional Building at 4808 – 50 Street for an additional four years (2013 to 2016) to bring the total lease to a seven year term (2010 to 2016), by authorizing the additional amounts in The City’s operating budgets for the years 2013 – 2016 as follows:

2013	\$9,903
2014	\$7,923
2015	\$7,923
2016	\$4,457”

MOTION CARRIED

Report Back to Council: No

A handwritten signature in cursive script, appearing to read 'Elaine Vincent', written over a circular stamp.

Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

cc:

Land & Economic Development Manager
Director of Development Services
Director of Corporate Services
Director of Planning Services
Development and Licensing Supervisor
Inspections, Enforcement and Building Supervisor
Financial Services Manager
Human Resources Manager



CULTURE SERVICES

DATE: January 15, 2010

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Kristina Öberg, Culture Superintendent
Pat Matheson, Public Art Coordinator

SUBJECT: Alto Reste Administration Building Public Art

BACKGROUND

The City of Red Deer's Public Art Policy 3106 supports the development of a vibrant public art collection for the community. As a part of the Alto Rest Administration Building project approximately \$8,000.00 was designated for Public Art. The Public Art Coordinator will have the artworks on display in the 2nd floor foyer at City Hall prior to the January 25th council meeting for Council to view in person.

DISCUSSION

For this project, because the dollar figure was less than \$24,999.00 a limited call was done. It was decided to request existing artworks for interior placement as the most appropriate type of artwork for this location. Five local artists were asked to submit existing artworks available for purchase that would enhance this public, family oriented space.

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- # 2. - "Four Seasons" (4 oil paintings), Susan Woolgar, Client Meeting Room (2 walls)
- # 3. - "Autumn Gold" (oil painting), Kate More, alcove leading to public washrooms

FINANCIAL IMPLICATIONS

The total cost for the artwork is \$ 8,000.00 (incl. GST, labeling and installation costs) and comes out of the existing Alto Rest Administration Building Capital Project. Annual maintenance costs will be negligible and will be covered within existing Public Art Maintenance budget.

RECOMMENDATIONS

That Red Deer City Council approves the artworks entitled: "High Above" by David More, "Four Seasons" (4 artworks) by Susan Woolgar, and "Autumn Gold" by Kate More for installation at the Alto Rest Administration Building.



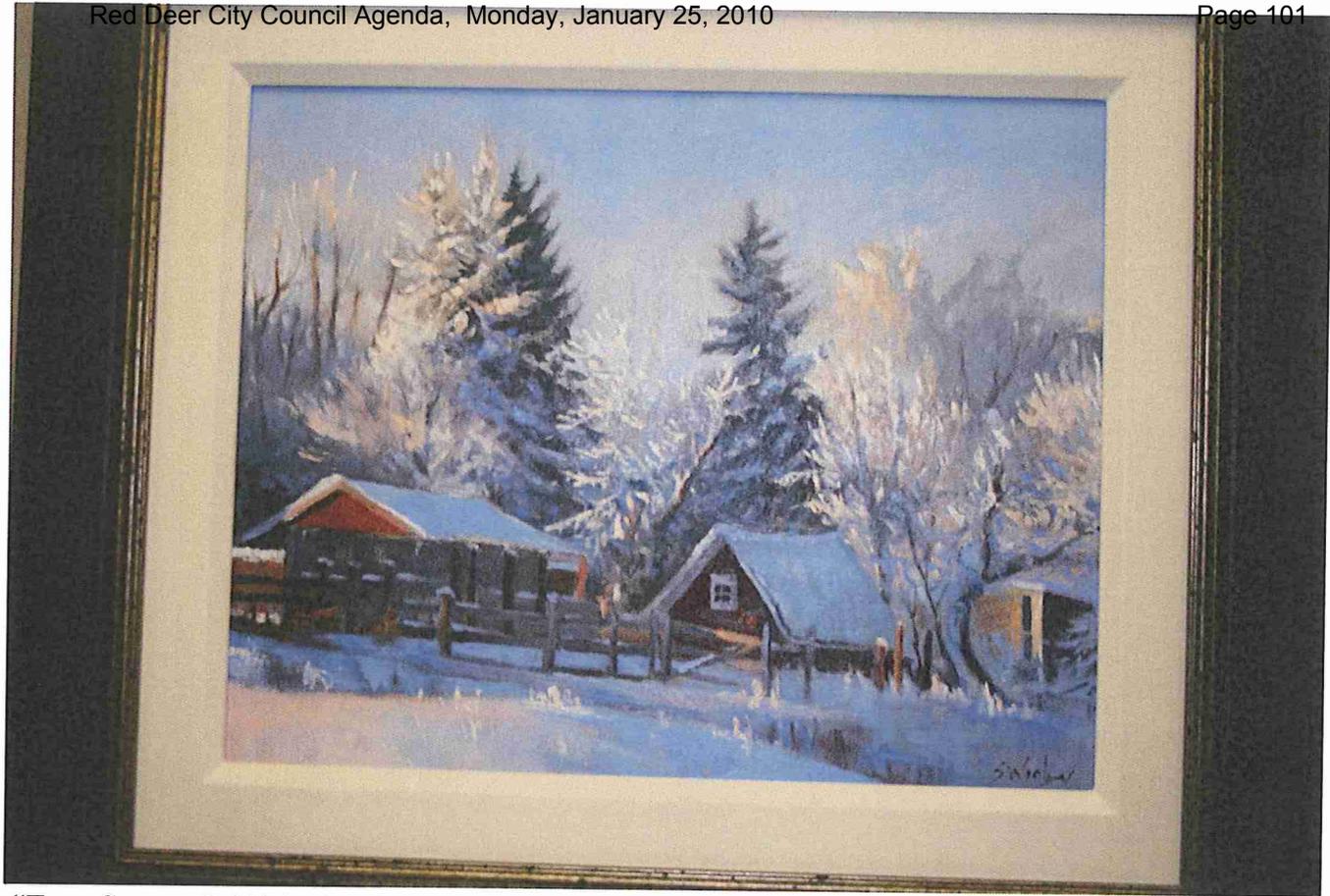
Kristina Oberg
Culture Superintendent



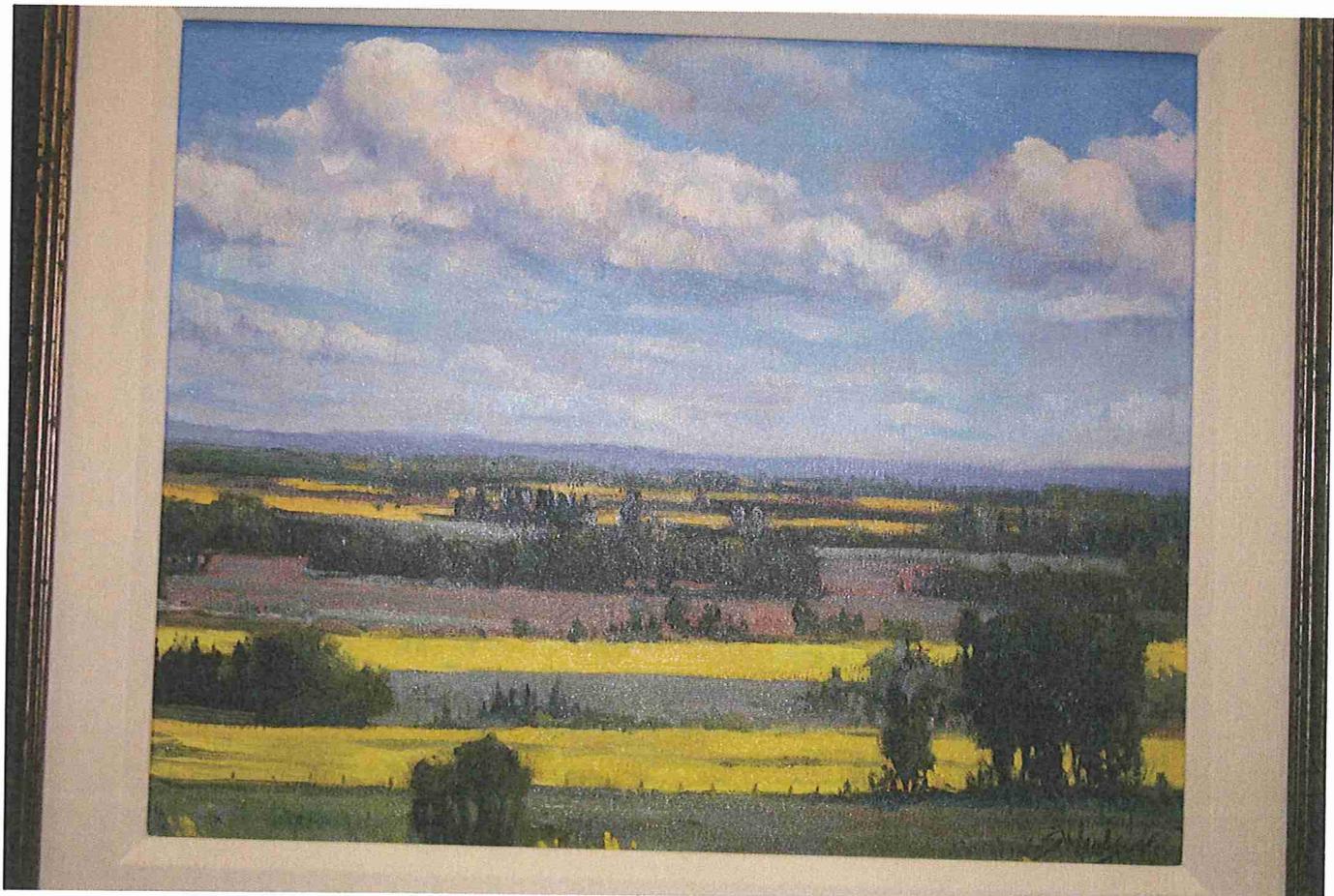
Pat Matheson
Public Art Coordinator

CC: Greg Scott, Recreation, Parks & Culture Manager

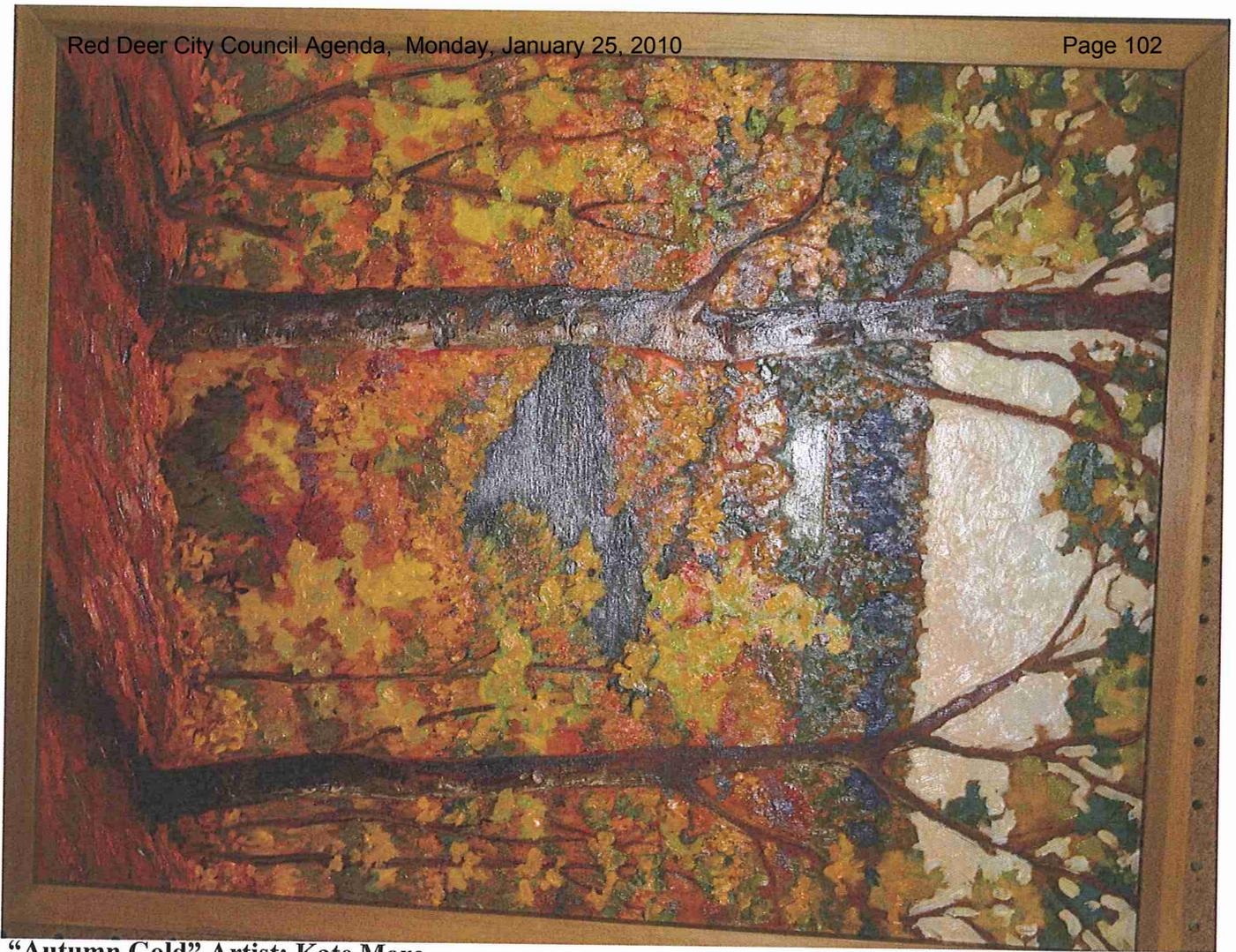
Attachments:
Artwork Photos



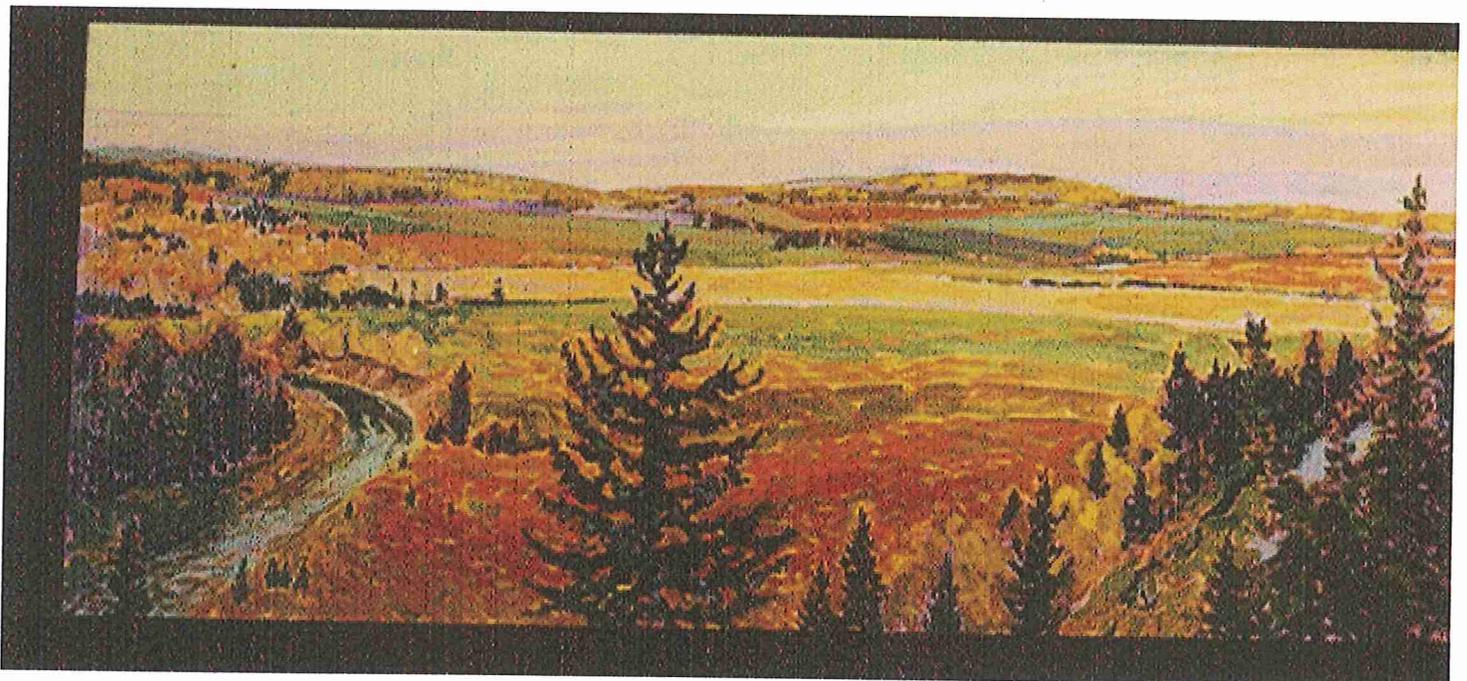
**“Four Seasons” 1/4 Artist: Susan Woolgar
Oil on Canvas**



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Oil on Canvas**



**“Autumn Gold” Artist: Kate More
Oil on Canvas Board**



**“High Above” Artist: David More
Acrylic on Panel**

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



Request: Report for Inclusion on a Council Agenda

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:	Kristina Öberg, Culture Superintendent		
Department & Telephone Number:	Recreation Parks and Culture 403-309-2637		
REPORT INFORMATION			
Preferred Date of Agenda:	January 25, 2010		
Subject of the Report (provide a brief description)	Alto Reste Public		
Is this Time Sensitive? Why?	Would like to install for grand opening.		
What is the Decision/Action required from Council?	Approval of artwork to be installed at the Alto Reste Building		
Please describe Internal/ External Consultation, if any.			
Is this a Committee of the Whole item?	Yes		
How does the Report link to the Strategic Plan?			
This links to Strategic Plan as it supports the Community Culture Vision (D.C. 3.2)			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.			
No			
Has Financial Services been consulted? Are there any budget implications? Please describe.			
The applicable money is already budgeted for under the Alto Reste capital project			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Kristina Öberg, Culture Superintendent 403-309-2637
COMMUNITY IMPACT			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.

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RECOMMENDATIONS

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Kristina Oberg
Culture Superintendent

Pat Matheson
Public Art Coordinator

CC: Greg Scott, Recreation, Parks & Culture Manager

Attachments:
Artwork Photos

ORIGINAL



CULTURE SERVICES

DATE: January 15, 2010

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Kristina Öberg, Culture Superintendent
Pat Matheson, Public Art Coordinator

SUBJECT: Alto Reste Administration Building Public Art

BACKGROUND

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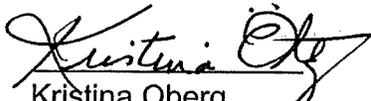
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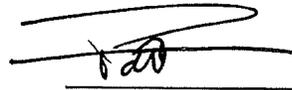
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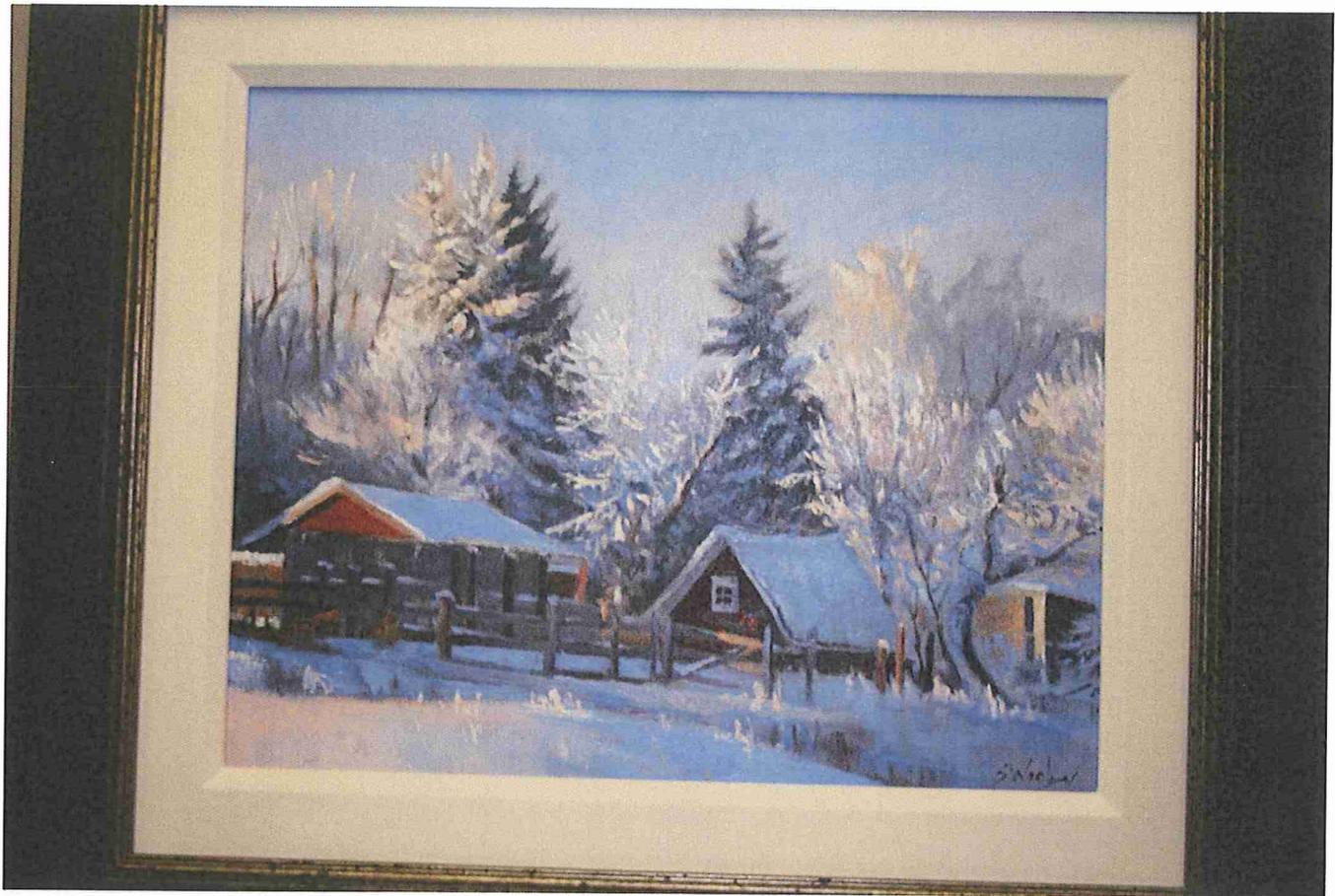
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Kristina Oberg
Culture Superintendent


Pat Matheson
Public Art Coordinator

CC: Greg Scott, Recreation, Parks & Culture Manager

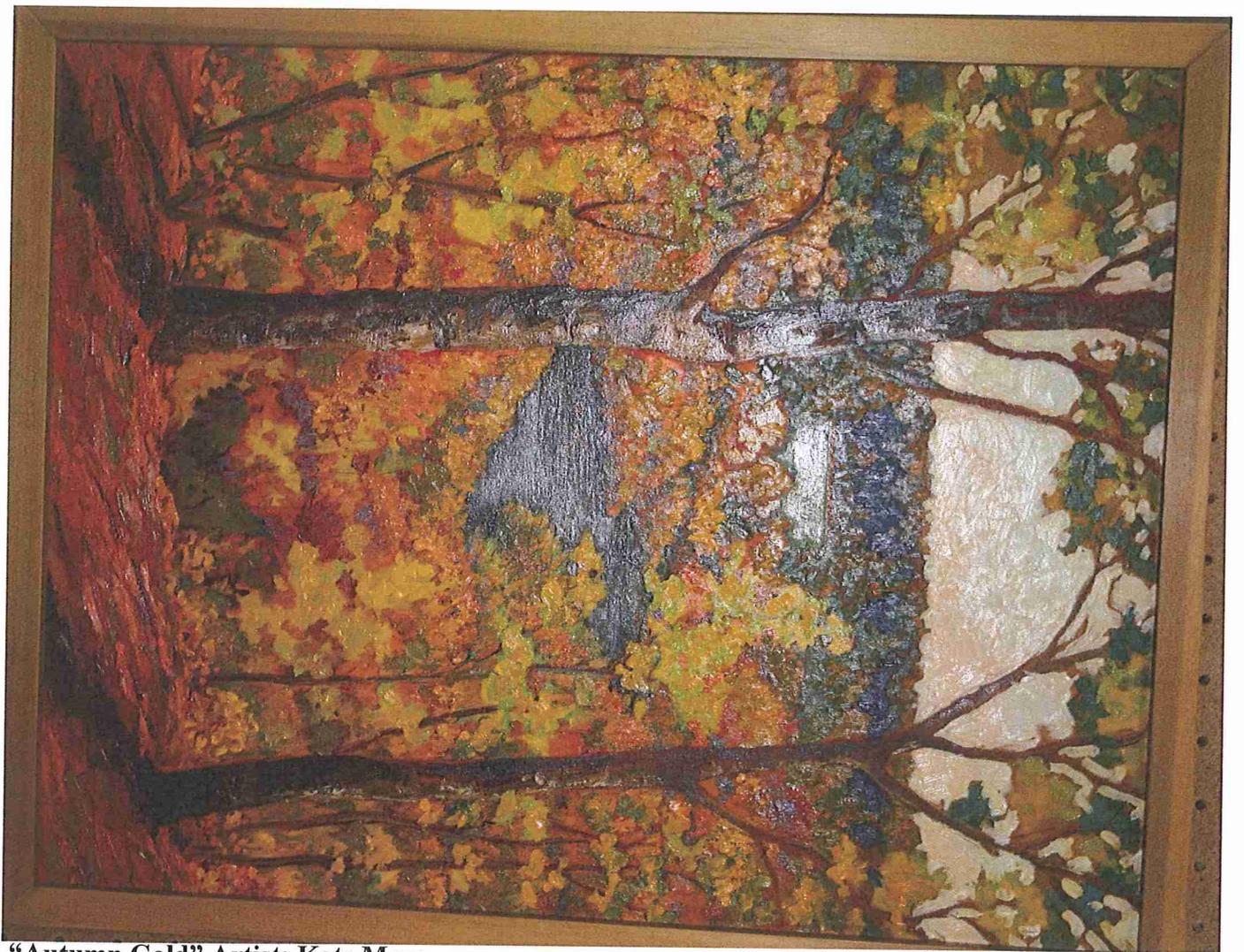
Attachments:
Artwork Photos



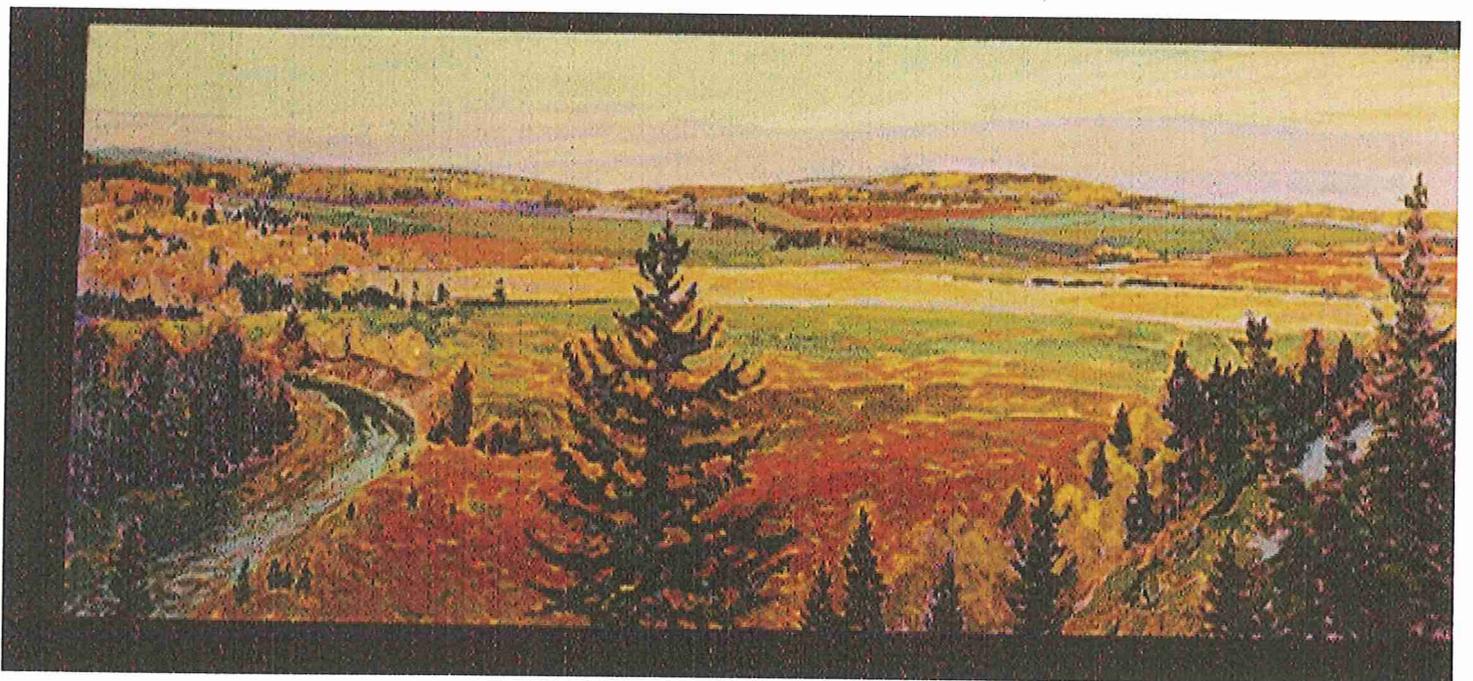
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ORIGINAL



CULTURE SERVICES

January 15th, 2010

To: Elaine Vincent, Legislative and Administrative Services Manager

From: Kristina Öberg, Culture Superintendent
Pat Matheson, Public Art Coordinator

CC: Greg Scott, Recreation, Parks & Culture Manager

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Financial Implications

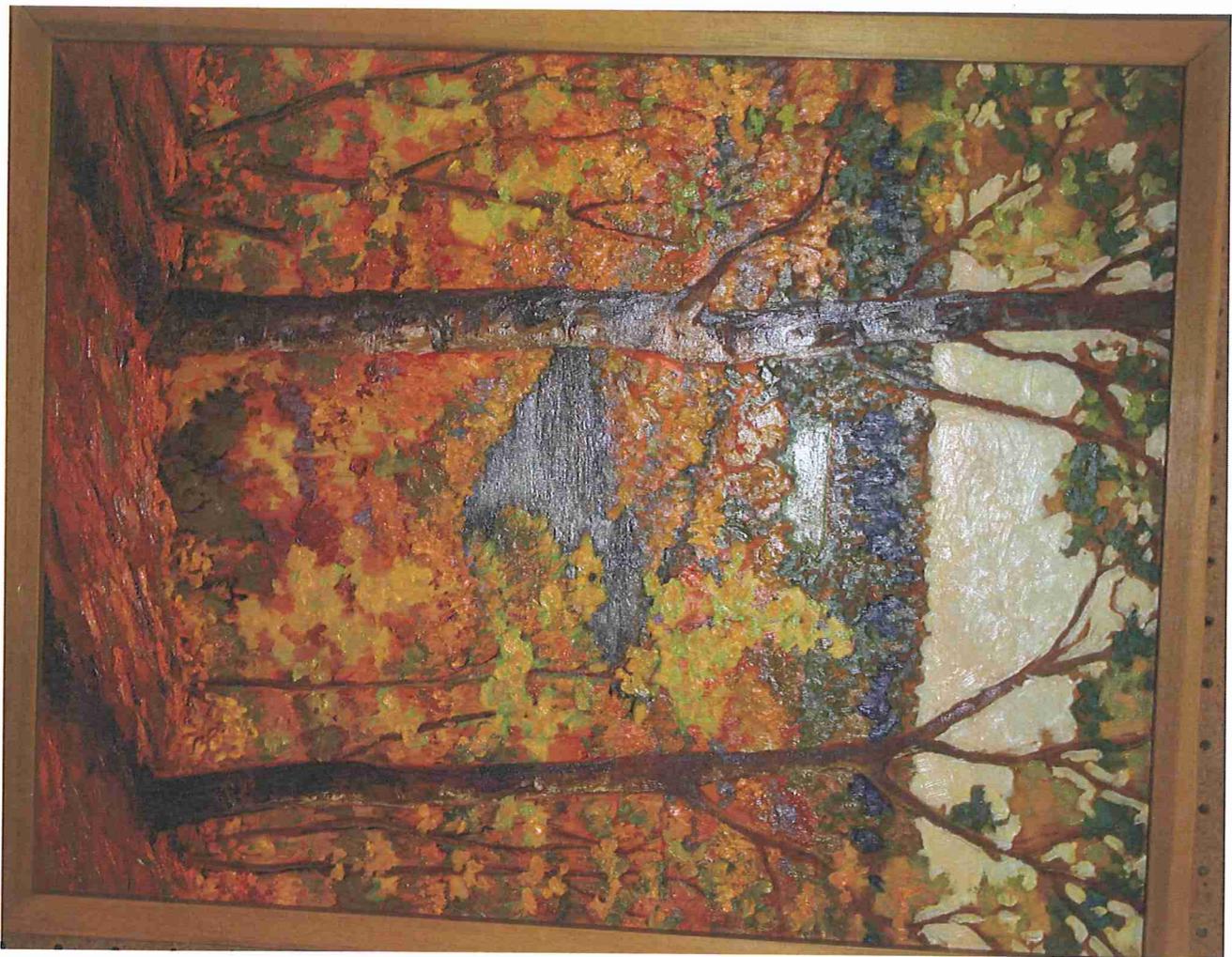
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Recommendations

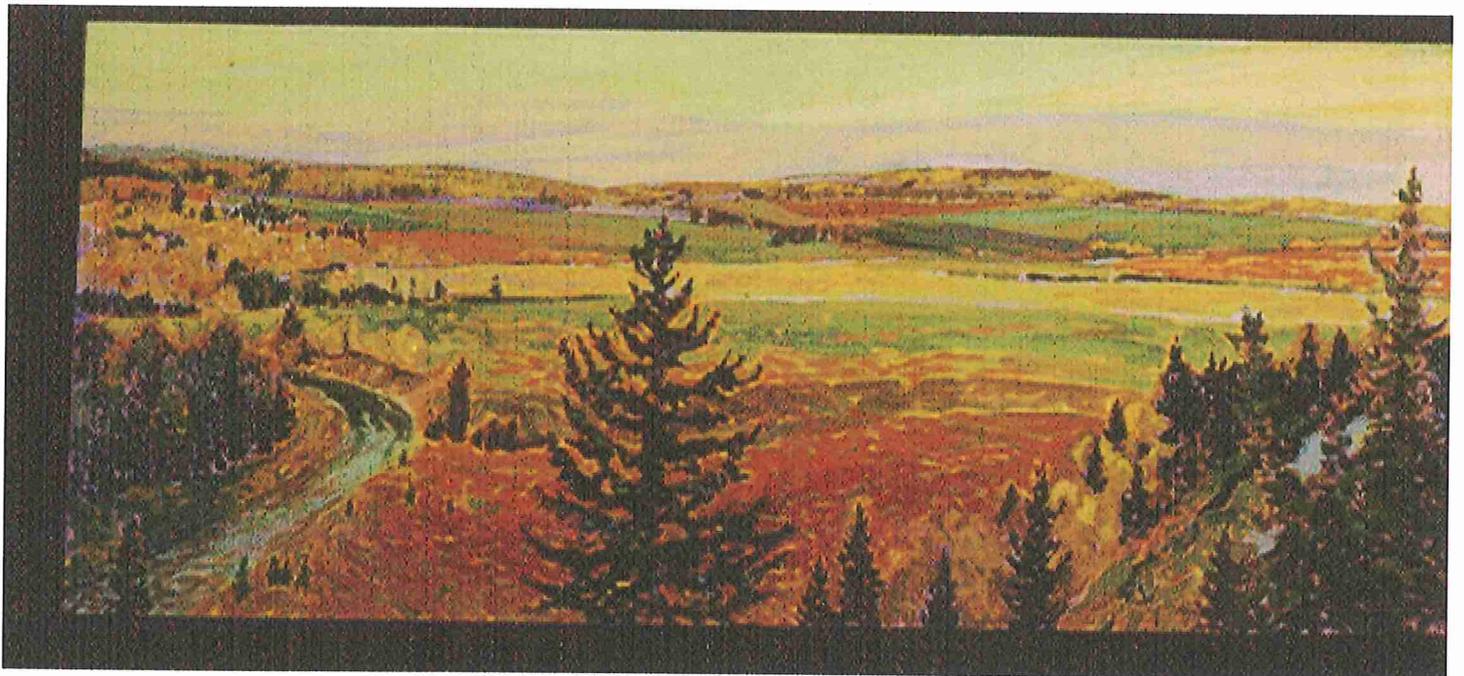
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Attachments:

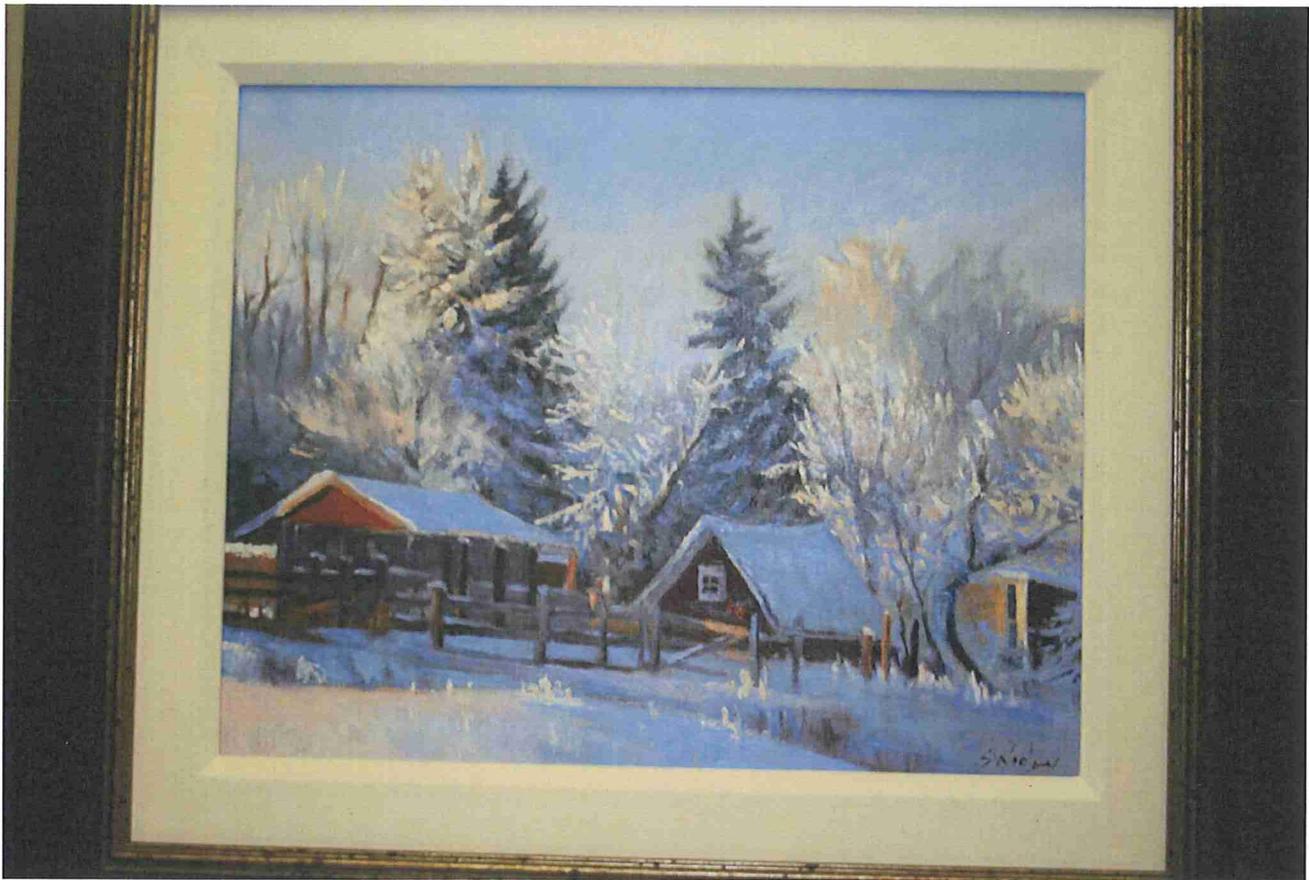
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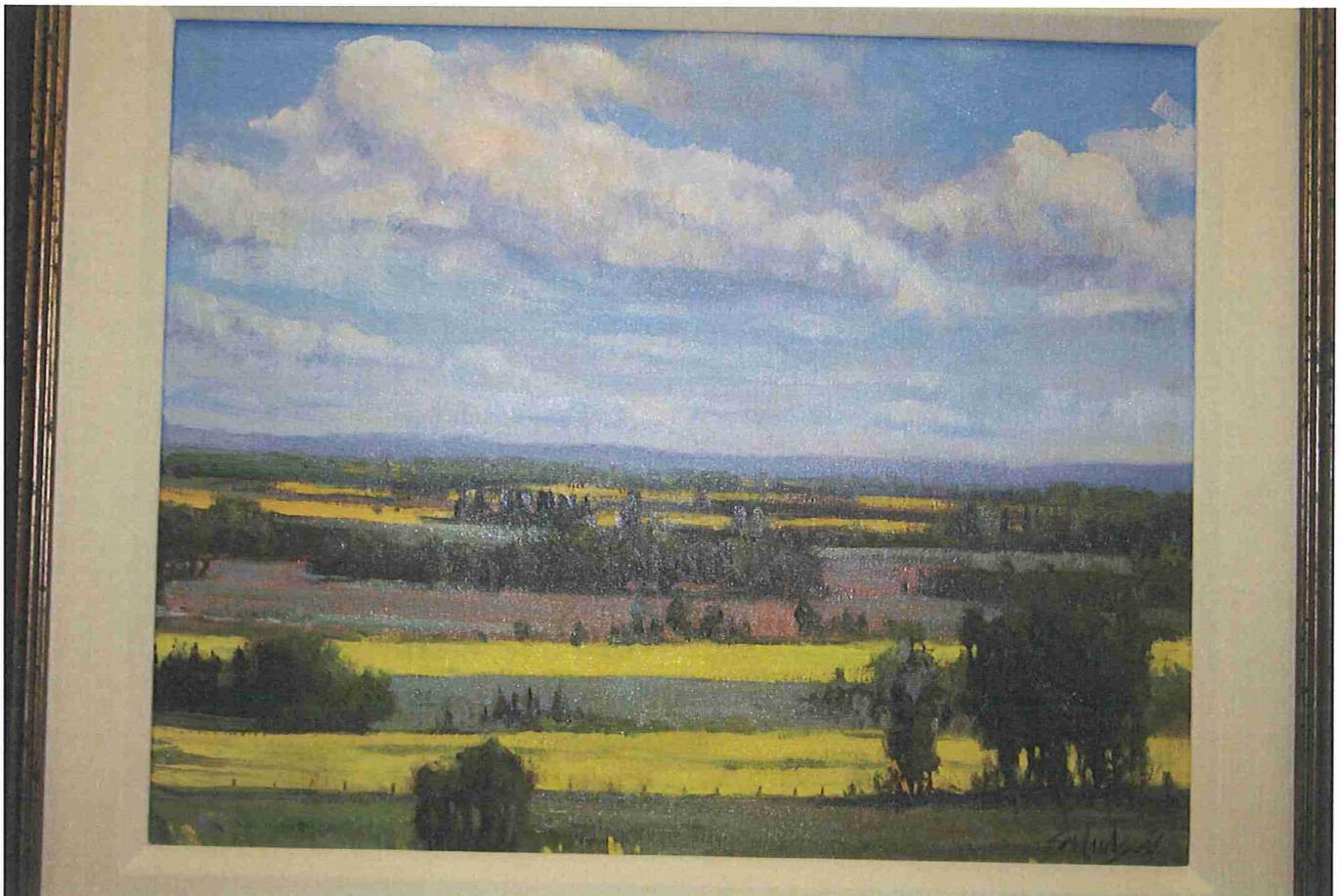
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Acrylic on Panel**



“Four Seasons” 1/4 Artist: Susan Woolgar
Oil on Canvas



“Four Seasons” 2/4 Artist: Susan Woolgar
Oil on Canvas

FILE

DATE: January 26, 2010
TO: Kristina Oberg, Culture Superintendent
Pat Matheson, Public Art Coordinator
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Alto Reste Administration Building Public Art

Reference Report:

Culture Superintendent, and Public Art Coordinator, dated January 15, 2010

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Culture Superintendent and Public Art Coordinator, dated January 15, 2010, Re: Alto Reste Administration Building Public Art, hereby approves the artworks entitled: “High Above” by David More, “Four Seasons” (4 artworks) by Susan Woolgar, and “Autumn Gold” by Kate More for installation at the Alto Reste Administration Building. Funding for the artwork, in the amount of \$8,000, is to come out of the existing Alto Reste Administration Building Capital Project.”

MOTION CARRIED

Report Back to Council: No



Elaine Vincent
Legislative & Administrative Services Manager

cc: Recreation, Parks & Culture Manager



Reports Item No. 4

Assessment and Taxation Services
DATE: January 14, 2010
TO: Elaine Vincent, Legislative Services Manager
FROM: Brian Lutz, City Assessor
SUBJECT: Business Revitalization Zone Business Tax Bylaw
Background:

Alberta Regulation 377/94 allows a municipal council to establish a Business Revitalization Zone (BRZ), which the City of Red Deer did in 1983. Annually, the Downtown Business Association presents and requires that their budget be approved by City Council. On January 11, 2010, Council passed the Downtown Business Association's budget.

Contained in the budget was the requirement for \$250,000 in revenue to be generated from the taxation of businesses operating within the boundaries of the BRZ zone. To generate the revenue as approved in their budget, the BRZ tax rate required is 0.89%.

The tax rate and resulting tax impact to a specific business fluctuates from year to year due to a change in either the BRZ tax revenue requirement and/or the amount of total business assessment. Illustrated below is the BRZ tax impact on two sample properties.

Tax Year	Tax Rate %	BRZ Tax for Sample Property #1 2,800 sq. ft. + 700 sq ft storage	BRZ Tax for Sample Property #2 14,501 sq. ft.
2005	0.80	\$198	\$901
2006	0.79	\$196	\$947
2007	0.79	\$205	\$998
2008	0.88	\$228	\$1144
2009	0.91	\$236	\$1730*
2010	0.89	\$243	\$1868*

*(sample business area changed for 2009)

Recommendation:

That City Council approve the attached amendment to Bylaw No.3196/98 which establishes the BRZ rate at 0.89%.

Brian Lutz

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



Request: Report for Inclusion on a Council Agenda

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CONTACT INFORMATION			
Name of Report Writer:	Brian Lutz		
Department & Telephone Number:	Assessment and Tax		
REPORT INFORMATION			
Preferred Date of Agenda:	January 15, 2010		
Subject of the Report (provide a brief description)	Business Revitalization Zone Bylaw supporting letter and information from City Assessor		
Is this Time Sensitive? Why?	Yes. BRZ notices to be printed/ sent shortly after passing of bylaw		
What is the Decision/Action required from Council?	Passing of bylaw		
Please describe Internal/ External Consultation, if any.	Downtown Business Association already passed their budget with City support		
Is this a Committee of the Whole item?	No		
How does the Report link to the Strategic Plan? Be Strategic - Sustainable			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. No			
Has Financial Services been consulted? Are there any budget implications? Please describe. No			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Brian Lutz available for questions if required
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Administrative Services.

ORIGINAL

Assessment and Taxation Services

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*(sample business area changed for 2009)

Recommendation:

That City Council approve the attached amendment to Bylaw No.3196/98 which establishes the BRZ rate at 0.89%.



Brian Lutz

BACKUP

Christine Kenzie

From: Brian Lutz
Sent: January 19, 2010 11:39 AM
To: Christine Kenzie
Subject: New 2009 BRZ Bylaw recommendation letter (REVISED, January 19,2010)

Attachments: New 2009 BRZ Bylaw recommendation letter (4).DOC



New 2009 BRZ
ylaw recommendat.

Hi Christine: The reason why even though the overall BRZ tax rate went down, the sample businesslevy increased is simply a the fact that the market rent of the sample business increased significantly enough to offset the small decrease in the rate and cause an overall increase in the BRZ levy on that individual business.

Thanks, Brian

(PS I have included a signature)

Christine Kenzie

From: Brian Lutz
Sent: January 15, 2010 4:06 PM
To: Christine Kenzie
Cc: Joanne Parkin
Subject: FW: 2010 BRZ Tax Bylaw recommendation and supporting data

Attachments: DMPROD#885524 2009 Council Agenda form.DOC; Business Revitalization Zone Summary Jan 14 2009.doc; 2009 Bylaw Amendment BRZ Tax Rate for 2007 .DOC; New 2009 BRZ Bylaw recommendation letter.DOC

Hi Christine: Here is the required bylaw, accompanying background letter, and statistics supplied on an annual basis. Also the council agenda request is also attached. Please disregard all DM numbers and years shown below as they refer to last year's. The documents themselves are up to date and complete. I am assuming this will go to council on January 25th?

If you have any questions call me. Thanks

Brian R.Lutz A.M.A.A.
City Assessor

NOT FOR REPRODUCTION
NOT SUBMITTED TO COUNCIL



DMPROD#885524
2009 Council Age...



Business
evitalization Zone S.



2009 Bylaw
endment BRZ Tax F



New 2009 BRZ
ylaw recommendat.



DATE: January 26, 2010
TO: Brian Lutz, City Assessor
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Business Revitalization Zone Business Tax Bylaw Amendment 3196/A-2010

Reference Report:

City Assessor, dated January 14, 2010

Bylaw:

At the Monday, January 25, 2010 Regular Council Meeting Business Revitalization Zone Business Tax Bylaw Amendment 3196/A-2010 received all three readings. A copy of this bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Bylaw Amendment 3196/A-2010 sets the Business Revitalization Zone Business tax rate at 0.89% for 2010.

Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

- c. Assessment & Tax Manager
Financial Services Manager

Reports Item No. 5

Path\crdnet.ca\data\Environmental Services\Environmental Services Administration\0170 - Bylaws



Environmental Services Department

Date: January 18, 2010

To: Legislative and Administrative Services Manager

From: Environmental Services Manager

Re: **Utility Bylaw Changes Recommended from
2010 Environmental Services Department Service Plan**

The Environmental Services Department's 2010 Service Plan indicated that rate changes would be required to provide the services included in the Plan. The proposed rate changes to Bylaw 3215/98 fall into five different categories: Utility Billing Fees, Miscellaneous Rates, Water Rates, Wastewater Rates, and Waste Management Rates. The following sections describe the recommended rate changes and also provide a history of rate changes.

Utility Billing Fees

Utility billing fees include application fees and service call fees. Increases are recommended to items 4, 5, 6 and 7 in Schedule A based on an assessment of actual costs and to account for anticipated increases in labour and equipment costs (see attached Schedule A). Note that Schedule A shows the current rates as well as the proposed rates; which are illustrated in ***bold, italicized text***.

We also recommend that Part 8, Article 24 of the Bylaw be amended in accordance with Attachment 1, to remove the reconnection charge from the body of the Bylaw. It is currently referenced within the Bylaw as well as in Schedule A; an unnecessary duplication.

Miscellaneous Rates

The miscellaneous rates relate to the Water and Wastewater Utilities. They include water and wastewater service connection fees, water kills, fire hydrant and valve installation, clearing plugged sewers, and several other items.

The changes to Miscellaneous Water and Wastewater Rates in Schedule A are a result of an analysis of the 2009 revenues and expenditures. Increases are recommended to most rates; generally a result of adjusted labour, material, and equipment costs.

Table 1 provides an example of the impact of the Miscellaneous Water and Wastewater Rate changes from Schedule A for a typical installation of water and wastewater services. The recommended changes would result in an increase of approximately 6%.

January 18, 2010
 Legislative and Administrative Manager
 Page 2 of 5

Table 1 - 25mm Water and 150mm Sanitary Service Connection and Restoration Costs

	2009 Rates	2010 Rates
Service	6765.00	6970.00
Asphalt repair	2305.00	2650.00
Concrete repair	2500.00	2650.00
Turf repair	150.00	160.00
Total	\$11,720.00	\$12,430.00

Water Rates

As indicated in our Budget Service Plan, a 12% rate increase is required, primarily to cover upcoming capital costs associated with Water Treatment Plant improvements. These improvements are required to meet growth demands as well as changes in environmental regulations.

Table 2 indicates the trends in water rate changes since 2006. The attached Schedule A indicates all of the recommended changes to the Water Rates.

**Table 2
 Rate Increase in Water Treatment and Distribution Fees 2006 – 2010**

	2006	2007	2008	2009	2010
Fee per Cubic Metre	\$0.4463	\$0.4642	\$0.5245	\$0.5927	\$0.6638
Fixed Monthly Fee (16 mm meter)	\$11.78	\$12.25	\$13.84	\$15.64	\$17.52
Typical Bill Monthly (based on 22m ³ /household)	\$21.60	\$22.46	\$25.38	\$28.68	\$32.12
% Increase	1.0%	4.0%	13.0%	13.0%	12.0%

Wastewater Rates

As indicated in our Budget Service Plan, a 13% rate increase is required, primarily to cover upcoming capital costs associated with Wastewater Treatment Plant improvements. These improvements are required to meet growth demands as well as changes in environmental regulations.

Table 3 indicates the rate changes since 2006.

January 18, 2010
 Legislative and Administrative Manager
 Page 3 of 5

Table 3
Rate Increase in Wastewater Collection and Treatment Fees 2006 – 2010

	2006	2007	2008	2009	2010
Residential fee per month	\$21.46	\$23.82	\$27.39	\$30.95	\$34.97
% increase	9.0%	11.0%	15.0%	13.0%	13.0%

The attached Schedule “B” outlines all of the recommended changes to the Wastewater Rates.

Waste Management Rates

Garbage and Yard Waste Collection

As indicated in our Budget Service Plan, rate increases are required for garbage and yard waste collection primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF). As indicated in Table 4, a rate increase of 11.8% is recommended for residential garbage and yard waste collection and a rate increase of 7.3% is recommended for commercial and multi-family garbage collection. The commercial rates illustrated in Table 5 are based on a typical commercial garbage service (i.e. three cubic yard bin collected once per week).

Table 4
Rate Increase in Solid Waste Collection and Disposal Fees 2006 – 2010

	2006	2007	2008	2009	2010
Residential Monthly Fee	\$7.29	\$7.59	\$7.89	\$9.75	\$10.90
• % residential increase	1.3%	4.1%	3.95%	23.6%	11.8%
Typical Commercial Rate / month	\$58.39	\$60.26	\$62.83	\$78.40	\$84.11
• % commercial increase	0.8%	3.2%	4.3%	24.8%	7.3%

The attached Schedule “D” shows the entire recommended rate changes for residential and commercial solid waste collection.

Recyclable Materials Collection

As indicated in our Budget Service Plan, rate increases are required for recyclable materials collection primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF). As illustrated in Table 5 and Schedule D, rate increases of 9.7% for single family customers and 10.9% for multi-family customers are recommended.

January 18, 2010
 Legislative and Administrative Manager
 Page 4 of 5

Table 5
Rate Increase in Recycling Fees 2006 – 2010

	2006	2007	2008	2009	2010
Single family dwelling monthly fee	\$3.75	\$3.95	\$4.05	\$5.15	\$5.65
• % increase	4.5%	5.3%	2.5%	27.1%	9.7%
Multi-family dwelling monthly fee	\$3.24	\$3.45	\$3.55	\$4.60	\$5.10
• % increase	4.5%	6.5%	2.9%	29.6%	10.9%

Waste Management Facility

As indicated in our Budget Service Plan, rate increases are required for the landfill operation primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF) as well as a projected reduction in landfill volume. As indicated in Table 6 and Schedule D, an increase of 5.7% is recommended for landfill tipping fees.

Table 6
Rate Increase in Landfill Tipping Fees 2006 – 2010

	2006	2007	2008	2009	2010
Tipping fee per Tonne	\$36	\$37	\$41	\$53	\$56
% increase	0%	2.8%	10.8%	29.3%	5.7%

Recommendation

We respectfully recommended that Council approve the following:

1. The proposed 2010 Water, Wastewater, and Waste Management Rate Changes illustrated in ***bold, italicized text*** on the attached Schedules A, B and D.
2. Changes to Part 8, Article 24 of the Bylaw in accordance with Attachment 1.
3. Give three readings to the Bylaw amendments, with all proposed rates and changes becoming effective March 1, 2010.

Yours truly,



Tom Warder, P. Eng.
 Environmental Services Manager

TCW/SM/lms

Att.

January 18, 2010

Legislative and Administrative Manager

Page 5 of 5

- c Director of Development Services
- Corporate Controller – Financial Accounting & Reporting
- Environmental Services Office Supervisor
- Public Works Clerk
- Water Superintendent
- Wastewater Superintendent
- Waste Management Superintendent

**Utility Bylaw Changes Recommended from
2010 Environmental Services Department Service Plan**

Attachment 1

Delete Article 24 of Utility Bylaw 3215/98 and replace it with the following:

“Where a service call is made for the purpose of restoring services to the customer’s account where utility services were previously discontinued pursuant to Section 35, 36 or 37 of this bylaw, a reconnection service charge as set forth in Schedule A may be assessed and added to the customer’s account.”

SCHEDULE "A"¹**Effective for all consumption, estimated or actual, on or after March 1, 2010****UTILITY BILLING FEES**

1	Application fee for utility billing	\$15.00
2	Installation of more than one meter	\$21.00/meter
3	Requested meter reading	\$21.00
4	Service call during regular hours	\$47.00 52.00
5	Service call after regular hours	\$150.00 140.00
6	Disconnection service charge	\$47.00 52.00
7	Reconnection service charge	\$47.00 52.00
8	Non-application fee (open a new account in owner's name)	\$30.00

**MISCELLANEOUS WATER AND
WASTEWATER RATES**

1	New service connection:		
		From Main In Street	From Main In Lane
	(a) Basic charge for 1" (25 mm) water and 6" (150 mm) sanitary	\$6,765.00 \$6,970.00	\$5,625.00 \$5,800.00
	(b) Basic charge for 1" (25 mm) water	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00
	(c) Basic charge for 6" (150 mm) sanitary sewer	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "A"¹

(d) Basic charge for 4" (100 mm) storm sewer	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$7,105.00 \$7,270.00	\$5,875.00 \$6,010.00
(f) Dual service upon approval	\$7,900.00 \$8,075.00	N/A
(g) Water service renewal upon approval	\$6,400.00 \$6,640.00	N/A

Extra charge for:
Larger water service:

1.5" (38 mm)	\$ 275.00	
2" (50 mm)	\$ 750.00	
4" (100 mm)	\$3,050.00	3,190.00
6" (150 mm)	\$3,710.00	3,950.00
8" (200 mm)	\$5,000.00	5,200.00
10" (250 mm)	\$6,510.00	6,550.00
12" (300 mm)	\$8,090.00	8,320.00

Larger sanitary or storm sewer:

8" 200 mm Ribbed DR35	\$205.00	210.00
	\$285.00	295.00
10" (250 mm) Ribbed DR35	\$310.00	320.00
	\$465.00	480.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

	12" (300 mm) Ribbed DR35	\$430.00 440.00 \$675.00 690.00
	15" (375 mm) Ribbed DR35	\$605.00 640.00 \$965.00 1,005.00
	18" (450 mm) Ribbed DR35	\$970.00 1,015.00 \$1,450.00 1,450.00
	24" (600 mm) Ribbed	\$1,715.00
2	Disconnection of service (water kill)	
	up to 50 mm in size	\$2,525.00 2,600.00
	up to 50 mm in size, same dig at time of basic service	\$1,110.00 1,130.00
	over 50 mm in size	\$4,245.00 4,375.00
3	Additional fee for winter construction of service (Nov. 15 – May 15)	
	Lane	\$1,415.00 1,475.00
	Street	\$2,120.00 2,205.00
4	Other Charges	
	Construction of manhole to 3.1 metres in depth	\$3,665.00 3,715.00
	(a) Additional cost per vertical metre in excess of 3.1 metres in depth	\$510.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

Inspection Chamber	\$2,140.00
	2,150.00
Fire Hydrant and Valve Installation	\$5,225.00
	5,875.00
Cutting and replacing pavement:	
(a) Single or double service 3" (75 mm) and under	\$2,305.00
	2,650.00
(b) Single or double service over 3" (75 mm)	\$2,300.00
	2,450.00
(c) Triple service 3" (75 mm) and under	\$3,000.00
	3,500.00
(d) Triple service over 3" (75 mm)	\$3,840.00
	4,032.00
(e) For service kill 3" (75 mm) and under	\$1,600.00
	1,700.00
(f) For service kill over 3" (75 mm)	\$1,800.00
	1,890.00
(g) For water service renewal	\$1,320.00
	1,390.00
Replacing sidewalks:	
(a) Single or double service residential	\$2,500.00
	2,650.00
(b) Single or double service commercial	\$4,010.00
	4,210.00
(c) Triple service residential	\$3,000.00
	3,150.00
(d) Triple service commercial	\$4,200.00
	4,400.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

Replacing curb only:

	(a) Single or double service	\$1,600.00 1,680.00
	(b) Triple or dual service	\$1,700.00 1,785.00
	Landscaping Repairs (boulevard area)	\$150.00 160.00
	Landscaping Repairs (utility lot/reserve)	\$525.00 550.00
5	Turn water off or on for repairs or line testing	
	(a) during regular working hours	\$47.00 52.00
	(b) after regular working hours	\$85.00 140.00
6	Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 115 cubic feet 10 cubic metres consumption. (Consumption in excess of 115 cubic feet 10 cubic metres will be billed at current water consumption rate.)	\$65.00
7	Meter Test	\$60.00 75.00
8	Repairs to water meters	at cost
9	Thawing water service	at cost
10	Repair to damaged standpipe	at cost

SCHEDULE "A"²

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

² 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007),

11	Private fire hydrant maintenance	
	(a) Spring inspection (Mar. 2 – June 30)	\$33.00/hydrant
	(b) Fall inspection (Aug. 1 – Oct. 31)	\$33.00/hydrant
	(c) Winter inspection (Nov. 1 – Mar. 1)	\$61.00/hydrant
	(d) Damage evaluation	\$33.00 52.00 /hydrant
	(e) Paint	\$67.50 72.00 /hydrant
12	Bulk Water	
	Use of designated fire hydrant to obtain water.	\$35.00 65.00 <i>per permit plus water consumption charges</i>
13	Clearing plugged sewer	
	(a) During regular working hours	\$112.00 120.00
	(b) After regular working hours	\$185.00 250.00
14	Televise sewer lines	
	(a) Service (regular hours only)	\$170.00 185.00
	(b) Mains (regular hours only)	at cost

SCHEDULE "A"¹

WATER RATES

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$0.5927 **0.6638** for each cubic metre of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	\$15.64 17.52
3/4" (19 mm)	\$25.04 28.04
1" (25 mm)	\$45.58 51.05
1½ " (38 mm)	\$106.39 119.16
2" (50 mm)	\$256.86 287.68
3" (75 mm)	\$433.67 485.71
4" (100 mm)	\$918.07 1,028.24
6" (150 mm)	\$1,720.39 1,926.84
8" (200 mm)	\$3,040.19 3,405.01

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "B"¹**Effective for all rates, estimated or actual, on or after March 1, 2010****WASTEWATER RATES**

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$30.95 **34.97** per month.
- 2 Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay at the rate of \$1.2485 **1.411** per cubic metre of wastewater calculated in the manner herein set forth with a minimum of \$30.95 **34.97** per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on \$0.7881 **\$1.063** per cubic metre.
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D.: \$0.6879 **\$0.78** per kg

Suspended Solids: \$0.7434 **\$0.84** per kg

Grease: \$0.2124 **\$0.24** per kg

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001) 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective M3215/A-2008 (Effective March 1, 2008), March 1, 2006), 3215/A-2007 (Effective March 1, 2007)

SCHEDULE “B”¹

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer’s premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.
- 5 Disposal at Liquid Waste Station and FOG Station (Fats, Oils and Grease):
- | | |
|--------------------|----------------------------|
| Single axle load | \$26.36 29.79 |
| Tandem axle load | \$43.96 49.67 |
| Multi-axle load | \$112.33 126.93 |
| Passenger Vehicles | \$50.47/month 57.03 |

Note: See Schedule “A” for Miscellaneous Wastewater Rates

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

Bylaw No. 3215/98
Page 1 of 1

SCHEDULE "C"¹

**(Deleted by authority of Bylaw 3215/D-2000,
Effective January 1, 2001)**

¹ 3215/A-99 (Effective March 17, 1999), 3215/A-2000, 3215/B-2000 (Effective March 20, 2000), 3215/D-2000 (Effective January 1, 2001)

SCHEDULE "D"¹***Effective for all rates, on or after March 1, 2010*****SCHEDULE OF SOLID WASTE COLLECTION RATES**

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate (\$)			
	1.5 m ³ (2 yd ³)	2.3 m ³ (3 yd ³)	3.1 m ³ (4 yd ³)	4.6 m ³ (6 yd ³)
<u>Service on Demand:</u>				
Container rental	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89
Lift charge	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89
<u>Scheduled Service:</u>				
1 lift per month	32.11 34.45	38.25 41.04	44.39 47.63	56.65 60.78
1 lift every 2 weeks	44.39 47.63	56.65 60.78	68.96 73.99	93.52 100.33
1 lift per week	52.26 56.07	78.40 84.11	101.93 109.35	137.20 147.20
2 lifts per week	104.56 112.18	156.83 168.26	203.85 218.71	254.02 272.53
3 lifts per week	156.83 168.26	235.22 252.36	288.55 309.57	371.64 398.72
4 lifts per week	209.11 224.35	313.64 336.49	376.38 403.80	501.80 538.37
5 lifts per week	261.34 280.38	392.03 420.60	470.46 504.75	625.31 670.88
6 lifts per week	313.64 336.49	470.46 504.75	564.57 605.71	752.73 807.59
Extra lift for scheduled service	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "D"¹
SCHEDULE OF SOLID WASTE COLLECTION RATES

Charges for special container services in addition to the above rates will be as follows:

	RATES PER CONTAINER
Standard Lid	No charge
Castors on Containers	\$ 8.67 9.30 per month

2. Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP (\$)							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick- Up
	1	2	3	4	5	6	
$\leq 0.4 \text{ m}^3$ ($\leq .5 \text{ yd}^3$)	8.44 9.06	16.89 18.12	25.33 27.18	33.78 36.24	42.22 45.30	50.67 54.36	8.67 9.30
$> 0.4 - 0.8 \text{ m}^3$ ($\geq 5-1 \text{ yd}^3$)	16.89 18.12	33.78 36.24	50.67 54.36	67.56 72.48	84.45 90.60	101.34 108.72	17.34 18.60
$.765 > 0.8 - 1.5 \text{ m}^3$ ($\geq 1-2 \text{ yd}^3$)	33.78 36.24	67.56 72.48	101.34 108.72	135.12 144.96	168.90 181.20	202.68 217.44	26.01 27.91
$\geq 1.5 - 2.3 \text{ m}^3$ ($\geq 2-3 \text{ yd}^3$)	50.67 54.36	101.34 108.72	152.01 163.08	202.68 217.44	253.34 271.81	304.01 326.71	34.68 37.21
$> 2.3 - 3.1 \text{ m}^3$ ($\geq 3-4 \text{ yd}^3$)	67.56 72.48	135.12 144.96	202.68 217.44	270.23 289.93	337.79 362.41	405.35 434.89	43.35 46.51
$> 3.1 - 3.8 \text{ m}^3$ ($\geq 4-5 \text{ yd}^3$)	84.45 90.60	168.90 181.20	253.34 271.81	337.79 362.41	422.24 453.01	506.69 543.61	52.02 55.81
$> 3.8 - 4.6 \text{ m}^3$ ($\geq 5-6 \text{ yd}^3$)	101.34 108.72	202.68 217.44	304.01 326.17	405.35 434.89	506.69 543.61	608.03 652.33	60.69 65.11
$> 4.6 - 5.3 \text{ m}^3$ ($\geq 6-7 \text{ yd}^3$)	118.23 126.84	236.45 253.69	354.68 380.53	472.91 507.37	591.14 634.21	709.36 761.06	69.36 74.42

Note: 0.383 m^3 ($1/2 \text{ yd}^3$) is approximately equal to 3 units (bags or cans) of garbage

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "D"¹**SCHEDULE OF SOLID WASTE COLLECTION RATES**

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or a dwelling unit in a multiple family building or multiple family development, the charge for basic residential collection shall be \$9.75 **10.90** per month per dwelling unit for the collection of a maximum of 5 units of solid waste per week year round and once a week collection of yard waste for six months per year. The charge for solid waste tags for units in excess of the basic residential collection service shall be \$1.00 per garbage tag.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" or "R63" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$5.15 **5.65** per month per dwelling unit.
- (b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$4.60 **5.10** per month per dwelling unit.
5. Disposal Grounds Rates for Acceptance of Solid Waste and Refuse

	<i>Description</i>	<i>Rate</i>
(1)	Residents hauling residential refuse from their own residences	\$53.00 56.00 per metric tonne
(2)	Private companies or commercial haulers with commercial or residential refuse	\$53.00 56.00 per metric tonne
(3)	Demolition, concrete, asphalt and tree rubble	\$53.00 56.00 per metric tonne
(4)	Special Waste	\$73.00 77.00 per metric tonne
(5)	Asbestos	\$73.00 77.00 per metric tonne

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE “D”¹

SCHEDULE OF SOLID WASTE COLLECTION RATES

<i>Description</i>	<i>Rate</i>
(6) When fractional metric tonnes are delivered, the rate charged for the same shall be determined by prorating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$5.00 shall apply for items 5 (1), 5 (2), 5 (3), 5 (4), and a minimum charge of \$55.00 shall apply for item 5 (5).	
(7) Cover Material as defined in The City of Red Deer Waste Management Facility Disposal Guidelines	No Charge
(8) A surcharge of \$20.00 per load will be applied to unsecured loads as outlined in section 129 (3)	
 6. Dry Waste Disposal Site	
	<i>Dirt</i>
	<i>Concrete and Asphalt</i>
Single Axle	\$ 10.00
Tandem	\$ 10.00
End Dumps	\$ 20.00
Pups and Trucks	\$ 20.00
Service charge for opening the gate (If special trip is required)	\$15.00/trip

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

Comments:

We support the recommendations of Administration and that Council proceed with three readings of Utility Bylaw Amendment 3215/A-2010.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

ORIGINAL

Path\\cprdnet.ca\data\Environmental Services\Environmental Services Administration\0170 - Bylaws



Date: January 18, 2010
To: Legislative and Administrative Services Manager
From: Environmental Services Manager
Re: **Utility Bylaw Changes Recommended from
2010 Environmental Services Department Service Plan**

The Environmental Services Department's 2010 Service Plan indicated that rate changes would be required to provide the services included in the Plan. The proposed rate changes to Bylaw 3215/98 fall into five different categories: Utility Billing Fees, Miscellaneous Rates, Water Rates, Wastewater Rates, and Waste Management Rates. The following sections describe the recommended rate changes and also provide a history of rate changes.

Utility Billing Fees

Utility billing fees include application fees and service call fees. Increases are recommended to items 4, 5, 6 and 7 in Schedule A based on an assessment of actual costs and to account for anticipated increases in labour and equipment costs (see attached Schedule A). Note that Schedule A shows the current rates as well as the proposed rates; which are illustrated in **bold, italicized text**.

We also recommend that Part 8, Article 24 of the Bylaw be amended in accordance with Attachment 1, to remove the reconnection charge from the body of the Bylaw. It is currently referenced within the Bylaw as well as in Schedule A; an unnecessary duplication.

Miscellaneous Rates

The miscellaneous rates relate to the Water and Wastewater Utilities. They include water and wastewater service connection fees, water kills, fire hydrant and valve installation, clearing plugged sewers, and several other items.

The changes to Miscellaneous Water and Wastewater Rates in Schedule A are a result of an analysis of the 2009 revenues and expenditures. Increases are recommended to most rates; generally a result of adjusted labour, material, and equipment costs.

Table 1 provides an example of the impact of the Miscellaneous Water and Wastewater Rate changes from Schedule A for a typical installation of water and wastewater services. The recommended changes would result in an increase of approximately 6%.

Table 1 - 25mm Water and 150mm Sanitary Service Connection and Restoration Costs

	2009 Rates	2010 Rates
Service	6765.00	6970.00
Asphalt repair	2305.00	2650.00
Concrete repair	2500.00	2650.00
Turf repair	150.00	160.00
Total	\$11,720.00	\$12,430.00

Water Rates

As indicated in our Budget Service Plan, a 12% rate increase is required, primarily to cover upcoming capital costs associated with Water Treatment Plant improvements. These improvements are required to meet growth demands as well as changes in environmental regulations.

Table 2 indicates the trends in water rate changes since 2006. The attached Schedule A indicates all of the recommended changes to the Water Rates.

**Table 2
 Rate Increase in Water Treatment and Distribution Fees 2006 – 2010**

	2006	2007	2008	2009	2010
Fee per Cubic Metre	\$0.4463	\$0.4642	\$0.5245	\$0.5927	\$0.6638
Fixed Monthly Fee (16 mm meter)	\$11.78	\$12.25	\$13.84	\$15.64	\$17.52
Typical Bill Monthly (based on 22m ³ /household)	\$21.60	\$22.46	\$25.38	\$28.68	\$32.12
% Increase	1.0%	4.0%	13.0%	13.0%	12.0%

Wastewater Rates

As indicated in our Budget Service Plan, a 13% rate increase is required, primarily to cover upcoming capital costs associated with Wastewater Treatment Plant improvements. These improvements are required to meet growth demands as well as changes in environmental regulations.

Table 3 indicates the rate changes since 2006.

Table 3
Rate Increase in Wastewater Collection and Treatment Fees 2006 – 2010

	2006	2007	2008	2009	2010
Residential fee per month	\$21.46	\$23.82	\$27.39	\$30.95	\$34.97
% increase	9.0%	11.0%	15.0%	13.0%	13.0%

The attached Schedule "B" outlines all of the recommended changes to the Wastewater Rates.

Waste Management Rates

Garbage and Yard Waste Collection

As indicated in our Budget Service Plan, rate increases are required for garbage and yard waste collection primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF). As indicated in Table 4, a rate increase of 11.8% is recommended for residential garbage and yard waste collection and a rate increase of 7.3% is recommended for commercial and multi-family garbage collection. The commercial rates illustrated in Table 5 are based on a typical commercial garbage service (i.e. three cubic yard bin collected once per week).

Table 4
Rate Increase in Solid Waste Collection and Disposal Fees 2006 – 2010

	2006	2007	2008	2009	2010
Residential Monthly Fee	\$7.29	\$7.59	\$7.89	\$9.75	\$10.90
• % residential increase	1.3%	4.1%	3.95%	23.6%	11.8%
Typical Commercial Rate / month	\$58.39	\$60.26	\$62.83	\$78.40	\$84.11
• % commercial increase	0.8%	3.2%	4.3%	24.8%	7.3%

The attached Schedule "D" shows the entire recommended rate changes for residential and commercial solid waste collection.

Recyclable Materials Collection

As indicated in our Budget Service Plan, rate increases are required for recyclable materials collection primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF). As illustrated in Table 5 and Schedule D, rate increases of 9.7% for single family customers and 10.9% for multi-family customers are recommended.

Table 5
Rate Increase in Recycling Fees 2006 – 2010

	2006	2007	2008	2009	2010
Single family dwelling monthly fee	\$3.75	\$3.95	\$4.05	\$5.15	\$5.65
• % increase	4.5%	5.3%	2.5%	27.1%	9.7%
Multi-family dwelling monthly fee	\$3.24	\$3.45	\$3.55	\$4.60	\$5.10
• % increase	4.5%	6.5%	2.9%	29.6%	10.9%

Waste Management Facility

As indicated in our Budget Service Plan, rate increases are required for the landfill operation primarily to cover increases in contracted costs and the Municipal Consent and Access Fee (MCAF) as well as a projected reduction in landfill volume. As indicated in Table 6 and Schedule D, an increase of 5.7% is recommended for landfill tipping fees.

Table 6
Rate Increase in Landfill Tipping Fees 2006 – 2010

	2006	2007	2008	2009	2010
Tipping fee per Tonne	\$36	\$37	\$41	\$53	\$56
% increase	0%	2.8%	10.8%	29.3%	5.7%

Recommendation

We respectfully recommended that Council approve the following:

1. The proposed 2010 Water, Wastewater, and Waste Management Rate Changes illustrated in ***bold, italicized text*** on the attached Schedules A, B and D.
2. Changes to Part 8, Article 24 of the Bylaw in accordance with Attachment 1.
3. Give three readings to the Bylaw amendments, with all proposed rates and changes becoming effective March 1, 2010.

Yours truly,



Tom Warder, P. Eng.
Environmental Services Manager

TCW/SM/lms

Att.

- c Director of Development Services
 - Corporate Controller – Financial Accounting & Reporting
 - Environmental Services Office Supervisor
 - Public Works Clerk
 - Water Superintendent
 - Wastewater Superintendent
 - Waste Management Superintendent

**Utility Bylaw Changes Recommended from
2010 Environmental Services Department Service Plan**

Attachment 1

Delete Article 24 of Utility Bylaw 3215/98 and replace it with the following:

“Where a service call is made for the purpose of restoring services to the customer’s account where utility services were previously discontinued pursuant to Section 35, 36 or 37 of this bylaw, a reconnection service charge as set forth in Schedule A may be assessed and added to the customer’s account.”

SCHEDULE "A"¹

Effective for all consumption, estimated or actual, on or after March 1, 2010

UTILITY BILLING FEES

1	Application fee for utility billing	\$15.00
2	Installation of more than one meter	\$21.00/meter
3	Requested meter reading	\$21.00
4	Service call during regular hours	\$47.00 52.00
5	Service call after regular hours	\$150.00 185.00
6	Disconnection service charge	\$47.00 52.00
7	Reconnection service charge	\$47.00 52.00
8	Non-application fee (open a new account in owner's name)	\$30.00

MISCELLANEOUS WATER AND WASTEWATER RATES

1	New service connection:		
		From Main In Street	From Main In Lane
	(a) Basic charge for 1" (25 mm) water and 6" (150 mm) sanitary	\$6,765.00 \$6,970.00	\$5,625.00 \$5,800.00
	(b) Basic charge for 1" (25 mm) water	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00
	(c) Basic charge for 6" (150 mm) sanitary sewer	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "A"¹

(d) Basic charge for 4" (100 mm) storm sewer	\$5,860.00 \$6,020.00	\$4,650.00 \$4,750.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$7,105.00 \$7,270.00	\$5,875.00 \$6,010.00
(f) Dual service upon approval	\$7,900.00 \$8,075.00	N/A
(g) Water service renewal upon approval	\$6,400.00 \$6,640.00	N/A

Extra charge for:
Larger water service:

1.5" (38 mm)	\$ 275.00	
2" (50 mm)	\$ 750.00	
4" (100 mm)	\$3,050.00	3,190.00
6" (150 mm)	\$3,710.00	3,950.00
8" (200 mm)	\$5,000.00	5,200.00
10" (250 mm)	\$6,510.00	6,550.00
12" (300 mm)	\$8,090.00	8,320.00

Larger sanitary or storm sewer:

8" 200 mm Ribbed DR35	\$205.00	210.00
	\$285.00	295.00
10" (250 mm) Ribbed DR35	\$310.00	320.00
	\$465.00	480.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

	12" (300 mm) Ribbed DR35	\$430.00 440.00 \$675.00 690.00
	15" (375 mm) Ribbed DR35	\$605.00 640.00 \$965.00 1,005.00
	18" (450 mm) Ribbed DR35	\$970.00 1,015.00 \$1,450.00 1,450.00
	24" (600 mm) Ribbed	\$1,715.00
2	Disconnection of service (water kill)	
	up to 50 mm in size	\$2,525.00 2,600.00
	up to 50 mm in size, same dig at time of basic service	\$1,110.00 1,130.00
	over 50 mm in size	\$4,245.00 4,375.00
3	Additional fee for winter construction of service (Nov. 15 – May 15)	
	Lane	\$1,415.00 1,475.00
	Street	\$2,120.00 2,205.00
4	Other Charges	
	Construction of manhole to 3.1 metres in depth	\$3,665.00 3,715.00
	(a) Additional cost per vertical metre in excess of 3.1 metres in depth	\$510.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

Inspection Chamber	\$2,140.00 2,150.00
Fire Hydrant and Valve Installation	\$5,225.00 5,875.00
Cutting and replacing pavement:	
(a) Single or double service 3" (75 mm) and under	\$2,305.00 2,650.00
(b) Single or double service over 3" (75 mm)	\$2,300.00 2,450.00
(c) Triple service 3" (75 mm) and under	\$3,000.00 3,500.00
(d) Triple service over 3" (75 mm)	\$3,840.00 4,032.00
(e) For service kill 3" (75 mm) and under	\$1,600.00 1,700.00
(f) For service kill over 3" (75 mm)	\$1,800.00 1,890.00
(g) For water service renewal	\$1,320.00 1,390.00
Replacing sidewalks:	
(a) Single or double service residential	\$2,500.00 2,650.00
(b) Single or double service commercial	\$4,010.00 4,210.00
(c) Triple service residential	\$3,000.00 3,150.00
(d) Triple service commercial	\$4,200.00 4,400.00

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008),

SCHEDULE "A"¹

Replacing curb only:

- | | | |
|-----|--------------------------|----------------------------|
| (a) | Single or double service | \$1,600.00 1,680.00 |
| (b) | Triple or dual service | \$1,700.00 1,785.00 |

- | | | |
|--|---|------------------------|
| | Landscaping Repairs (boulevard area) | \$150.00 160.00 |
| | Landscaping Repairs (utility lot/reserve) | \$525.00 550.00 |

- | | | |
|---|--|-----------------------|
| 5 | Turn water off or on for repairs or line testing | |
| | (a) during regular working hours | \$47.00 52.00 |
| | (b) after regular working hours | \$85.00 185.00 |

- | | | |
|---|--|----------|
| 6 | Delete -Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 115 cubic feet consumption. (Consumption in excess of 115 cubic feet will be billed at current rate.) | \$ 65.00 |
| | Add – Standard service call and water (i.e. monthly plus consumption) charges as identified in other parts of this Schedule will apply to temporary meters used for construction purposes. | |

- | | | |
|----|-----------------------------|-----------------------|
| 7 | Meter Test | \$60.00 104.00 |
| 8 | Repairs to water meters | at cost |
| 9 | Thawing water service | at cost |
| 10 | Repair to damaged standpipe | at cost |

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "A"¹

11	Private fire hydrant maintenance	
	(a) Spring inspection (Mar. 2 – June 30)	\$33.00/hydrant
	(b) Fall inspection (Aug. 1 – Oct. 31)	\$33.00/hydrant
	(c) Winter inspection (Nov. 1 – Mar. 1)	\$61.00/hydrant
	(d) Damage evaluation	\$33.00 52.00 /hydrant
	(e) Paint	\$67.50 72.00 /hydrant
12	Bulk Water	
	Use of designated fire hydrant to obtain water. <i>All applicants must pass a vehicle inspection and fire hydrant operator orientation training before a permit will be issued. All vehicles or equipment connecting to a designated City hydrant must have the current inspection certificate available and current year sticker displayed prominently on the unit.</i>	\$35.00 90.00 <i>per permit plus water consumption charges</i>
13	Clearing plugged sewer	
	(a) During regular working hours	\$112.00 120.00
	(b) After regular working hours	\$185.00 250.00
14	Televise sewer lines	
	(a) Service (regular hours only)	\$170.00 185.00
	(b) Mains (regular hours only)	at cost

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "A"¹

WATER RATES

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$0.5927 **0.664** for each cubic metre of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	\$15.64 17.52
3/4" (19 mm)	\$25.04 28.04
1" (25 mm)	\$45.58 51.05
1½ " (38 mm)	\$106.39 119.16
2" (50 mm)	\$256.86 287.68
3" (75 mm)	\$433.67 485.71
4" (100 mm)	\$918.07 1,028.24
6" (150 mm)	\$1,720.39 1,926.84
8" (200 mm)	\$3,040.19 3,405.01

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/B-2005 (Effective January 1, 2006) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "B"¹

Effective for all rates, estimated or actual, on or after March 1, 2009

WASTEWATER RATES

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$30.95 **34.97** per month.
- 2 Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay at the rate of \$1.2485 **1.411** per cubic metre of wastewater calculated in the manner herein set forth with a minimum of \$30.95 **34.97** per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on \$0.7881 **\$1.063** per cubic metre.
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D.: \$0.6879 **\$0.78** per kg

Suspended Solids: \$0.7434 **\$0.84** per kg

Grease: \$0.2124 **\$0.24** per kg

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001) 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective M3215/A-2008 (Effective March 1, 2008), March 1, 2006), 3215/A-2007 (Effective March 1, 2007)

SCHEDULE "B"¹

4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.

5 Disposal at Liquid Waste Station and FOG Station (Fats, Oils and Grease):

Single axle load	\$26.36 29.79
Tandem axle load	\$43.96 49.67
Multi-axle load	\$112.33 126.93
Passenger Vehicles	\$50.47/month 57.03

Note: See Schedule "A" for Miscellaneous Wastewater Rates

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005), 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "C"¹

**(Deleted by authority of Bylaw 3215/D-2000,
Effective January 1, 2001)**

¹ 3215/A-99 (Effective March 17, 1999), 3215/A-2000, 3215/B-2000 (Effective March 20, 2000),
3215/D-2000 (Effective January 1, 2001)

SCHEDULE "D"¹

Effective for all rates, on or after March 1, 2009

SCHEDULE OF SOLID WASTE COLLECTION RATES

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate (\$)			
	1.5 m ³ (2 yd ³)	2.3 m ³ (3 yd ³)	3.1 m ³ (4 yd ³)	4.6 m ³ (6 yd ³)
Service on Demand:				
Container rental	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89
Lift charge	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89
Scheduled Service:				
1 lift per month	32.11 34.45	38.25 41.04	44.39 47.63	56.65 60.78
1 lift every 2 weeks	44.39 47.63	56.65 60.78	68.96 73.99	93.52 100.33
1 lift per week	52.26 56.07	78.40 84.11	101.93 109.35	137.20 147.20
2 lifts per week	104.56 112.18	156.83 168.26	203.85 218.71	254.02 272.53
3 lifts per week	156.83 168.26	235.22 252.36	288.55 309.57	371.64 398.72
4 lifts per week	209.11 224.35	313.64 336.49	376.38 403.80	501.80 538.37
5 lifts per week	261.34 280.38	392.03 420.60	470.46 504.75	625.31 670.88
6 lifts per week	313.64 336.49	470.46 504.75	564.57 605.71	752.73 807.59
Extra lift for scheduled service	29.74 31.91	39.69 42.58	49.59 53.21	59.55 63.89

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "D"¹
SCHEDULE OF SOLID WASTE COLLECTION RATES

Charges for special container services in addition to the above rates will be as follows:

	RATES PER CONTAINER
Standard Lid	No charge
Castors on Containers	\$ 8.67 9.30 per month

- Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP (\$)							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick- Up
	1	2	3	4	5	6	
≤ 0.4 m ³ (≤ .5 yd ³)	8.44 9.06	16.89 18.12	25.33 27.18	33.78 36.24	42.22 45.30	50.67 54.36	8.67 9.30
> 0.4 – 0.8 m ³ (≥ 5-1 yd ³)	16.89 18.12	33.78 36.24	50.67 54.36	67.56 72.48	84.45 90.60	101.34 108.72	17.34 18.60
.765>0.8-1.5 m ³ (≥ 1-2 yd ³)	33.78 36.24	67.56 72.48	101.34 108.72	135.12 144.96	168.90 181.20	202.68 217.44	26.01 27.91
≥ 1.5-2.3 m ³ (≥ 2-3 yd ³)	50.67 54.36	101.34 108.72	152.01 163.08	202.68 217.44	253.34 271.81	304.01 326.71	34.68 37.21
>2.3-3.1 m ³ (≥ 3-4 yd ³)	67.56 72.48	135.12 144.96	202.68 217.44	270.23 289.93	337.79 362.41	405.35 434.89	43.35 46.51
>3.1-3.8 m ³ (≥ 4-5 yd ³)	84.45 90.60	168.90 181.20	253.34 271.81	337.79 362.41	422.24 453.01	506.69 543.61	52.02 55.81
>3.8-4.6 m ³ (≥ 5-6 yd ³)	101.34 108.72	202.68 217.44	304.01 326.17	405.35 434.89	506.69 543.61	608.03 652.33	60.69 65.11
>4.6-5.3 m ³ (≥ 6-7 yd ³)	118.23 126.84	236.45 253.69	354.68 380.53	472.91 507.37	591.14 634.21	709.36 761.06	69.36 74.42

Note: 0.383 m³ (1/2 yd³) is approximately equal to 3 units (bags or cans) of garbage

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "D"¹

SCHEDULE OF SOLID WASTE COLLECTION RATES

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or a dwelling unit in a multiple family building or multiple family development, the charge for basic residential collection shall be \$9.75 **10.90** per month per dwelling unit for the collection of a maximum of 5 units of solid waste per week year round and once a week collection of yard waste for six months per year. The charge for solid waste tags for units in excess of the basic residential collection service shall be \$1.00 per garbage tag.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" or "R63" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$5.15 **5.65** per month per dwelling unit.
(b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$4.60 **5.10** per month per dwelling unit.
5. Disposal Grounds Rates for Acceptance of Solid Waste and Refuse

	<i>Description</i>	<i>Rate</i>
(1)	Residents hauling residential refuse from their own residences	\$53.00 56.00 per metric tonne
(2)	Private companies or commercial haulers with commercial or residential refuse	\$53.00 56.00 per metric tonne
(3)	Demolition, concrete, asphalt and tree rubble	\$53.00 56.00 per metric tonne
(4)	Special Waste	\$73.00 77.00 per metric tonne
(5)	Asbestos	\$73.00 77.00 per metric tonne

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004) 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

SCHEDULE "D"¹

SCHEDULE OF SOLID WASTE COLLECTION RATES

Description	Rate	
(6) When fractional metric tonnes are delivered, the rate charged for the same shall be determined by prorating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$5.00 shall apply for items 5 (1), 5 (2), 5 (3), 5 (4), and a minimum charge of \$55.00 shall apply for item 5 (5).		
(7) Cover Material as defined in The City of Red Deer Waste Management Facility Disposal Guidelines		No Charge
(8) A surcharge of \$20.00 per load will be applied to unsecured loads as outlined in section 129 (3)		
 6. Dry Waste Disposal Site		
	Dirt	Concrete and Asphalt
Single Axle	\$ 10.00	\$ 32.00
Tandem	\$ 10.00	\$ 32.00
End Dumps	\$ 20.00	\$ 64.00
Pups and Trucks	\$ 20.00	\$ 64.00
 Service charge for opening the gate (If special trip is required)		 \$15.00/trip

¹ 3215/A-99 (Effective March 17, 1999), 3215/B-99, 3215/B-2000 (Effective March 20, 2000), 3215/A-2001 (Effective March 15, 2001), 3215/A-2002 (Effective March 15, 2002), 3215/A-2003 (Effective March 3, 2003), 3215/A-2004 (Effective March 1, 2004), 3215/A-2005 (Effective March 1, 2005) 3215/A-2006 (Effective March 1, 2006), 3215/A-2007 (Effective March 1, 2007), 3215/A-2008 (Effective March 1, 2008)

Christine Kenzie

From: Frieda McDougall
Sent: January 20, 2010 7:38 AM
To: Christine Kenzie
Subject: FW: Utility Bylaw
Attachments: New Utility Bylaw Schedules -Effective March 1 2010.DOC

My ears are plugged – you can scream if you want.

Frieda McDougall, Deputy City Clerk
Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8136
frieda.mcdougall@reddeer.ca

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Tom Warder
Sent: January 19, 2010 5:29 PM
To: Elaine Vincent; Frieda McDougall
Cc: Lou-Ann Shepherd; Ron Wardner; Geoff Stewardson; Randy Reaman; Paul Goranson; Shelley Masciangelo
Subject: Utility Bylaw

Hi Elaine,

We've had more discussions with respect to some of the charges included in Schedule A of the Utility Bylaw and have made a few changes. Please substitute the attachment for the one Lou-Ann sent you this morning. The following rates have been modified from our previous version:

- Utility Billing Fees, item 5
- Miscellaneous W & WW Rates, items 5(b), 6, 7 and 12

Note that Schedules B, C and D are also included in the attachment, although they have not changed.

Let me know if you have any questions.

Thanks,

Tom Warder, P. Eng.
Environmental Services Manager
City of Red Deer
tom.warder@reddeer.ca
403.342.8755

2010/01/20

FILE



Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Tom Warder, Environmental Services Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Utility Bylaw Changes Recommended from 2010 Environmental Services Department Service Plan – Utility Bylaw Amendment 3215/A-2010

Reference Report:

Environmental Services Manager, dated January 18, 2010

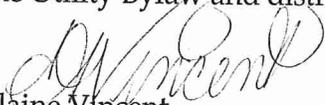
Bylaw:

At the Monday, January 25, 2010 Regular Council Meeting Utility Bylaw Amendment 3215/A-2010 received all three readings. A copy of the bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Utility Bylaw Amendment 3215/A-2010 proposes rate changes that fall into five different categories: Utility Billing Fees, Miscellaneous Rates, Water Rates, Wastewater Rates and Waste Management Rates. These rate changes come into effect on March 1, 2010. This office will amend the consolidated copy of the Utility Bylaw and distribute copies in due course.


Elaine Vincent
Legislative & Administrative Services Manager
/attach.

- c: Director of Development Services
- Corporate Controller, Financial Accounting & Reporting
- Environmental Services Offices Supervisor
- Public Works Clerk
- Water Superintendent
- Waste Management Superintendent

DATE: January 14, 2010

TO: Elaine Vincent, Manager, Legislative and Administrative Services

FROM: Tony Lindhout, Assistant City Planning Manager

RE: Land Use Bylaw Amendment No. 3357/B-2010
R1A Residential (semi-detached) to R2 Residential (medium density) District
Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant)
Lot 4, Block 2, Plan 24 H.W. (6821- 59 Ave)
Normandeau Neighbourhood

An application has been made to The City of Red Deer requesting a Land Use Bylaw amendment to change the zoning of Lot 4, Block 2, Plan 24 H.W. (6821-59 Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. The site, located within the Normandeau neighbourhood, contains an older 12 suite multiple family (apartment) building.



Background

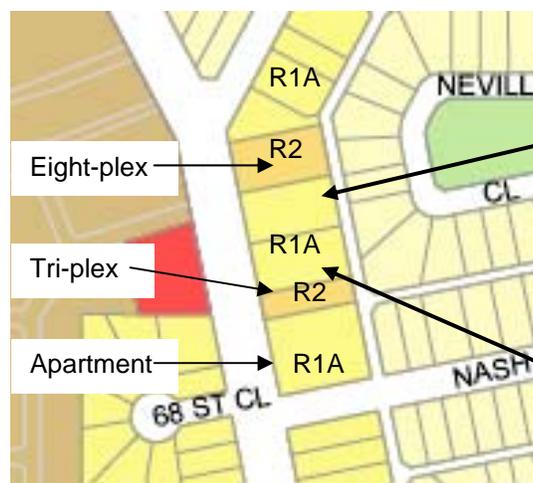
The existing multiple family building at 6821 – 59 Ave. was legally constructed (1970's) at a time when this entire block was zoned R2B and apartment buildings were listed as a discretionary use. This area was later changed to R1A zoning in which existing multiple family buildings initially were listed as a discretionary use but in later and subsequent changes to the R1A Land Use District, multiple family buildings were no longer listed or allowed as either a permitted or discretionary use. Consequently, the current multiple family building is considered a legal but “non-conforming” use meaning no structural alterations are allowed to the building and, if destroyed by fire, it could not be rebuilt. While the property owner has no plans to physically alter the building, he does wish to protect his current investment and its value by having the current building (multiple family use) conform to an appropriate zoning under the Land Use Bylaw.

Under the requested R2 Residential land use district, multiple family buildings are listed as a discretionary use. The proposed rezoning, if approved, would change the status of the existing building from a legal “non-conforming” use to a “conforming” use under the City’s Land Use Bylaw. The proposed R2 Residential District would restrict the existing building to its current 3 storey height and as the site is fully developed (building footprint, parking, etc.), there is little opportunity for any expansion to the current multiple family building.

Upon site inspection of the area it was identified that 2 other properties located within this block fronting 59 Avenue also contained legal “non-conforming” multiple family buildings under the R1A Residential (semi-detached) zoning.

Legislative and Administrative Services Manager
Land Use Bylaw Amendment 3357/B-2010
Page 2

As part of the rezoning request for Lot 4 (6821-59 Ave) from R1A District to R2 District, planning staff notified all area landowners within 100m including the owners of the two other nearby multiple family sites within the same block. In response the owner of one of those multiple family properties, adjacent Lot 3 (6817-59 Ave), requested that planning staff also include that property in the proposed R2 Residential rezoning application. No response was received from the other nearby multiple family property owner.



Community Plans

The Normandeau neighbourhood, developed primarily in the 1970's, does not have an area structure plan or area redevelopment plan for any portion of the neighbourhood. The origin of 59th Avenue is historical as this roadway (registered in early 1900's), served the region as a former highway (old C&E Trail). This portion of roadway initially contained acreage residential developments which were later removed, redeveloped and/or replaced with multiple family buildings in the 1970's. By that time, 59th Avenue had transitioned into a main urban roadway serving as major access into several of the city's northern developing communities.

The City's Municipal Development Plan (MDP) shows the Normandeau community as a residential area. The MDP, being a high level land use document, does not provide any distinction between multiple family and conventional single family residential development areas. 59th Avenue is now considered a collector roadway, the type of road classification that attracts multiple family development sites.

Circulation Comments

All area landowners within 100m were notified by letter of this rezoning application and no objections were received. Also, no objections were received from any City departments. Furthermore, this rezoning application was also forwarded to the Normandeau Community Association for comment. The Community Association supported the rezoning application.

Legislative and Administrative Services Manager
Land Use Bylaw Amendment 3357/B-2010
Page 3

Analysis

The intent of the proposed Land Use Bylaw amendment is to obtain a land use designation (zoning) that fits with what is physically developed on the site. Existing multiple family buildings on this block fronting 59 Avenue were legally built in the 1970's but due to zoning changes made to the Land Use Bylaw in subsequent years, the retention of multiple family buildings in this area as legal allowable uses was likely inadvertently lost. There is no evidence in old files to suggest these properties were purposely down-zoned. The existing multiple family buildings within this block function well within the context of the larger Normandeau community serving as a buffer between 59th Avenue (a collector roadway) and the lower density single family developments located to the east. Rezoning will not alter any traffic or land use patterns in the area. All parking and access to the multiple family developments along this stretch of 59th Avenue is from the rear via a lane.

Planning staff support inclusion of Lot 3 (6817-59 Ave) and its simultaneous concurrent rezoning from R1A to R2 with the rezoning application proposal for Lot 4 (6821-59 Ave). The properties on either side of these two lots, also containing multiple family buildings, are already zoned R2 Residential District.

Very little, if any, additional intensification could occur on these sites under the proposed R2 zoning. Regarding building heights, yard requirements, parking, etc., the existing buildings are already built-out to the maximums allowed under the Land Use Bylaw. Under the proposed R2 Residential zoning, the existing multiple family buildings would become "discretionary" uses.

From a land use and planning perspective, the requested rezoning of Lots 3 & 4 (6817 & 6821-59th Ave) is supported. The proposed rezoning of these two lots puts several existing and adjoining multiple family developments into one common land use district. The R2 Residential zoning accommodates the existing apartment uses on these sites and brings each into line with the City's Land Use Bylaw as a legal conforming use. Unlike the area to the south, between Nash Street and 67 Street containing mixed residential land uses (detached dwellings, 4-plexes, and apartment buildings) being an area that requires a planning study to define future land use directions, the subject block containing the rezoning requests is uniformly developed with contiguous multiple family residential buildings.

Recommendation

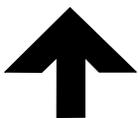
That City Council proceeds with first reading of Land Use Bylaw Amendment 3357/B-2010 allowing for the rezoning of Lots 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59th Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District.

Tony Lindhout

Tony Lindhout, ACP, MCIP
Assistant City Planning Manager

attachment (Bylaw 3357/B-2010)

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

- R1A - Residential (Semi Detached Dwelling) District
- R2 - Residential (Medium Density) District

Change District from:



R1A to R2

Date: Jan 8, 2010

Proposed Amendment

Map: 2/2010

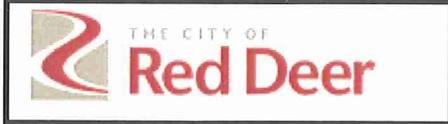
Bylaw: 3357/B-2010

Comments:

We support the recommendations of Administration that Council give first reading to Land Use Bylaw Amendment 3357/B-2010. A Public Hearing would be held on Monday, February 22, 2010 at 6:00 p.m. in Council Chambers, during Council's regular meeting.

"Morris Flewwelling"
Mayor

"Craig Curtis"
City Manager



Request: Report for Inclusion on a Council Agenda

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION			
Name of Report Writer:		Tony Lindhout	
Department & Telephone Number:		Parkland Community Planning Services 403-343-3394	
REPORT INFORMATION			
Preferred Date of Agenda:		January 25, 2010	
Subject of the Report (provide a brief description)		Rezoning application (R1A to R2) Lots 3 & 4, Blk. 2, Plan 24 H.W.	
Is this Time Sensitive? Why?		Yes – sale of property subject to completion of rezoning	
What is the Decision/Action required from Council?		First reading of Land Use Bylaw Amendment 3357/B-2010	
Please describe Internal/ External Consultation, if any.		Referred to City departments, adjacent landowners within 100m and to Normandeau Community Association	
Is this a Committee of the Whole item?		No	
How does the Report link to the Strategic Plan? Service and Excellence – sustainable development			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. No as this is only a mapping change, no change required of any text.			
Has Financial Services been consulted? Are there any budget implications? Please describe. N/A			
Presentation: (10 Min Max.)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Presenter Name and Contact Information: Tony Lindhout or Nancy Hackett 403-343-3394
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address) Tim McRae (Century 21 realtor representing land owner) wishes to attend Council to hear presentation. Requests PM time slot if possible. Contact and billing (advertising): Box 2368 Blackfalds, Alberta T0M 0J0, Ph: (h) 403-350-1562, (bus) 403-346-0021; fax: 403-342-1028			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT		Topics	
When/describe: _____		When/Describe: _____	
		Board(s) / Committee(s)	
		When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO



DATE: January 14, 2010

TO: Elaine Vincent, Manager, Legislative and Administrative Services

FROM: Tony Lindhout, Assistant City Planning Manager

RE: Land Use Bylaw Amendment No. 3357/B-2010
R1A Residential (semi-detached) to R2 Residential (medium density) District
Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant)
Lot 4, Block 2, Plan 24 H.W. (6821- 59 Ave)
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An application has been made to The City of Red Deer requesting a Land Use Bylaw amendment to change the zoning of Lot 4, Block 2, Plan 24 H.W. (6821-59 Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. The site, located within the Normandeau neighbourhood, contains an older 12 suite multiple family (apartment) building.



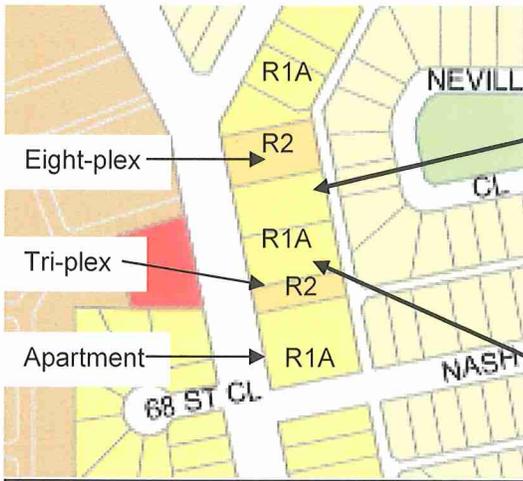
Background

The existing multiple family building at 6821 – 59 Ave. was legally constructed (1970's) at a time when this entire block was zoned R2B and apartment buildings were listed as a discretionary use. This area was later changed to R1A zoning in which existing multiple family buildings initially were listed as a discretionary use but in later and subsequent changes to the R1A Land Use District, multiple family buildings were no longer listed or allowed as either a permitted or discretionary use. Consequently, the current multiple family building is considered a legal but "non-conforming" use meaning no structural alterations are allowed to the building and, if destroyed by fire, it could not be rebuilt. While the property owner has no plans to physically alter the building, he does wish to protect his current investment and its value by having the current building (multiple family use) conform to an appropriate zoning under the Land Use Bylaw.

Under the requested R2 Residential land use district, multiple family buildings are listed as a discretionary use. The proposed rezoning, if approved, would change the status of the existing building from a legal "non-conforming" use to a "conforming" use under the City's Land Use Bylaw. The proposed R2 Residential District would restrict the existing building to its current 3 storey height and as the site is fully developed (building footprint, parking, etc.), there is little opportunity for any expansion to the current multiple family building.

Upon site inspection of the area it was identified that 2 other properties located within this block fronting 59 Avenue also contained legal "non-conforming" multiple family buildings under the R1A Residential (semi-detached) zoning.

As part of the rezoning request for Lot 4 (6821-59 Ave) from R1A District to R2 District, planning staff notified all area landowners within 100m including the owners of the two other nearby multiple family sites within the same block. In response the owner of one of those multiple family properties, adjacent Lot 3 (6817-59 Ave), requested that planning staff also include that property in the proposed R2 Residential rezoning application. No response was received from the other nearby multiple family property owner.



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The City's Municipal Development Plan (MDP) shows the Normandeau community as a residential area. The MDP, being a high level land use document, does not provide any distinction between multiple family and conventional single family residential development areas. 59th Avenue is now considered a collector roadway, the type of road classification that attracts multiple family development sites.

Circulation Comments

All area landowners within 100m were notified by letter of this rezoning application and no objections were received. Also, no objections were received from any City departments. Furthermore, this rezoning application was also forwarded to the Normandeau Community Association for comment. The Community Association supported the rezoning application.

Analysis

The intent of the proposed Land Use Bylaw amendment is to obtain a land use designation (zoning) that fits with what is physically developed on the site. Existing multiple family buildings on this block fronting 59 Avenue were legally built in the 1970's but due to zoning changes made to the Land Use Bylaw in subsequent years, the retention of multiple family buildings in this area as legal allowable uses was likely inadvertently lost. There is no evidence in old files to suggest these properties were purposely down-zoned. The existing multiple family buildings within this block function well within the context of the larger Normandeau community serving as a buffer between 59th Avenue (a collector roadway) and the lower density single family developments located to the east. Rezoning will not alter any traffic or land use patterns in the area. All parking and access to the multiple family developments along this stretch of 59th Avenue is from the rear via a lane.

Planning staff support inclusion of Lot 3 (6817-59 Ave) and its simultaneous concurrent rezoning from R1A to R2 with the rezoning application proposal for Lot 4 (6821-59 Ave). The properties on either side of these two lots, also containing multiple family buildings, are already zoned R2 Residential District.

Very little, if any, additional intensification could occur on these sites under the proposed R2 zoning. Regarding building heights, yard requirements, parking, etc., the existing buildings are already built-out to the maximums allowed under the Land Use Bylaw. Under the proposed R2 Residential zoning, the existing multiple family buildings would become "discretionary" uses.

From a land use and planning perspective, the requested rezoning of Lots 3 & 4 (6817 & 6821-59th Ave) is supported. The proposed rezoning of these two lots puts several existing and adjoining multiple family developments into one common land use district. The R2 Residential zoning accommodates the existing apartment uses on these sites and brings each into line with the City's Land Use Bylaw as a legal conforming use. Unlike the area to the south, between Nash Street and 67 Street containing mixed residential land uses (detached dwellings, 4-plexes, and apartment buildings) being an area that requires a planning study to define future land use directions, the subject block containing the rezoning requests is uniformly developed with contiguous multiple family residential buildings.

Recommendation

That City Council proceeds with first reading of Land Use Bylaw Amendment 3357/B-2010 allowing for the rezoning of Lots 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59th Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District.



Tony Lindhout, ACP, MCIP
Assistant City Planning Manager

JAN 19 / 2010

BACKUP

Christine Kenzie

To: Morris Flewwelling; Craig Curtis
Cc: Elaine Vincent
Subject: Report for January 25, 2010 Council Agenda - LUB Amendment - R1A to R2 at 6821 - 59 Avenue (Normandeau)

I spoke with Vicki Swainson this morning. She does not recall this item coming before MPC. There was a request for approval of a Tri-Plex at 6815 - 59 Avenue that came before MPC (the owner was Mr. Zimmerman). Perhaps that is the item you were thinking of.

Christine Kenzie
Council Services Coordinator

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Legislative & Administrative Services
City of Red Deer
Phone: 403.356.8978 Fax: 403.346.6195
christine.kenzie@reddeer.ca

LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

Mr. Tim McRae
Century 21
Box 2368
Blackfalds, AB T0M 0J0

Dear Mr. McRae:

**Re: *Land Use Bylaw Amendment 3357/B-2010
R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District
Lo 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue), Normandeau
Wolfe Investments Inc / Tim McRae/ Century 21***

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3357/B-2010* at the City of Red Deer's Council Meeting held Monday, January 25, 2010. A copy of the bylaw is attached.

Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 25 HW (6817 & 6821 – 59 Avenue) from R1A Residential (Semi-Detached) District to R2 Residential (Medium Density) District. This site contains an older 12 suite multiple family (apartment) building.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public Hearing to be held on Monday, February 22, 2010 at 6:00 p.m in Council Chambers, during Council's regular meeting.

You are responsible for the advertising costs and will be invoiced for this cost which we estimate to be approximately \$800. If you are not in agreement with paying this cost, please notify me by 11:00 A.M. on Tuesday, February 2, 2010. If you have any questions or require additional information, please contact me at 403.356.8978.

Sincerely,



Christine Kenzie
Council Services Coordinator
/attach.

c. Parkland Community Planning Services

Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Tony Lindhout, Assistant City Planning Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/B-2010 – R1A Residential (semi-detached) to R2 Residential (medium density) District / Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant) / Lot 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59 Ave) / Normandeau Neighbourhood

Reference Report:

Parkland Community Planning Services, dated January 14, 2010

Bylaw:

At the Monday, January 25, 2010 Council Meeting Land Use Bylaw Amendment 3357/B-2010 received first reading. A copy of the bylaw is attached.

Report Back to Council: Yes

Comment/Further Action:

A Public Hearing will be held on Monday, February 22, 2010 at 6:00 p.m. in Council Chambers during Council's regular meeting for Land Use Bylaw Amendment 3357/B-2010. Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 24 HW (6817 & 6821-59 Avenue) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. These sites contain multiple family (apartment) buildings. This office will now proceed with the advertising for the Public Hearing.



Elaine Vincent
Legislative & Administrative Services Manager
/Attach.

c: Development Services Director
Corporate Services Director
Community Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File



Date: January 15, 2010
To: City Council
From: Returning Officer / Legislative & Administrative Services Manager
Re: 2010 Municipal Election - Monday, October 18, 2010

Background

The Municipal Government Act (MGA) defines a general election as an election to fill vacancies. It is a vote to select the winner of a position or political office and is foundational in a democratic political system in which the power lies in a body of citizens who can elect people to represent them. The MGA identifies the Local Authorities Election Act (LAEA) as the over-arching legislation for local authority elections and under the LAEA, local authority elections are held every three years. As a result, a municipal election will be held on Monday, October 18, 2010 for the offices of Mayor, Councillor, Public School Trustee, and Catholic School Trustee.

Both the Municipal Government Act (MGA) and the Local Authorities Election Act (LAEA) provide councils with various alternatives concerning the conduct of elections. The purpose of this report is to outline The City's compliance with the provisions of both of these pieces of legislation and to identify other steps to be undertaken by The City in the conduct of the 2010 election.

Following are the requirements of legislation and proposed actions for the election. At the conclusion of each section it is identified as either being presented for Council's information or requesting a specific direction from Council. Additionally, all of the recommendations are summarized at the conclusion of the report under Appendix A.

Legislative & Other Requirements

1. Joint Elections

Sections 2 & 3 of the Local Authorities Election Act provide for entering into an agreement to hold an election in conjunction with another elected authority. The City has agreements with the Public and Catholic School Boards to conduct the trustees' election on their behalf based on a cost sharing formula. This has been a very successful long-standing partnership.

For Council's information, the Public School Board and the City of Red Deer's boundaries are the same. The Catholic School Board's boundaries include:



2010 Municipal Election

Page 2

- the City of Red Deer;
- a portion of Red Deer County surrounding Red Deer;
- Rocky Mountain House, Caroline, Alhambra, Eckville, Sylvan Lake, Penhold, Innisfail, Bowden, Olds and Didsbury and a portion of the counties surrounding these jurisdictions.

Recommendation: That the City continue to conduct the Public and Catholic School Board elections to share costs.

2. Election Day

Section 11 of the Local Authorities Election Act states that Election Day shall be the third Monday in October, however, a council may stipulate by bylaw passed prior to June 30th in the year in which a general election is to be held, that Election Day shall be the Saturday immediately preceding the third Monday in October.

Red Deer's past practice has been to hold the election on the third Monday in October and it is recommended that this continue for the following reasons:

- The voters in Red Deer are accustomed to voting on Monday.
- There would be additional costs associated with a Saturday election. Most of the voting stations are schools and additional costs would be incurred for opening the buildings, security, janitorial services, etc.
- Nomination Day, which is four weeks before Election Day, would also have to be on a Saturday.
- Community Association Centres are also used as Voting Stations and this may conflict with the Saturday recreational use of these facilities.
- Saturday represents Sabbath for some religious groups.

Recommendation: That Election Day be Monday, October 18, 2010.

3. Election Advertising

Sections 14, 26, 35 and 74 all relate to notifications that must be provided relative to nomination day, advance votes and Election Day. A notice must be published at least once a week in each of the 2 weeks before nomination day and Election Day, and at least one week before the advance vote or by mailing or delivering a notice to every residence in the local jurisdiction at least one week before these respective events. In previous years The City has used local newspapers to meet advertising requirements. In 2007 we introduced the mailing of an election publication to every residence within the city; however, some newspaper advertising will still be required.

Many electors in previous elections have expressed a lack of knowledge about the



2010 Municipal Election

Page 3

election indicating they do not get a newspaper. Door to door delivery of election information in 2007 addressed this information gap and will be continued in 2010.

Recommendation: Submitted for Council's information

4. An Employee Seeking Election

Section 22 of the Local Authorities Election Act provides that an employee of a municipality seeking election may apply to the council for a leave of absence without pay on or after July 1st in the year of a general election, or on or after the day the council passes a resolution to hold the by-election, but before that persons last working day prior to nomination day. The council shall grant any application it receives under this section.

Recommendation: Submitted for Council's information.

5. Appointment of Returning Officer

Section 13 of the Local Authorities Election Act provides for Council to appoint a returning officer for the purpose of conducting elections. Traditionally, The City's Election Bylaw has appointed the Legislative & Administrative Services Manager as the Returning Officer for The City.

Recommendation: That the Legislative & Administrative Services Manager continues to be The City's Returning Officer.

6. Nomination Forms

Section 27 of the Local Authorities Election Act states that the nomination form of a candidate shall be signed by at least 5 electors eligible to vote in the election. Council may pass a bylaw prior to June 30 in the year in which a general election is to be held, specifying the minimum number of electors required to sign the nomination form of a candidate, but that number must be at least 5 and not more than 100. In the past Council has only required the signatures of 5 electors. We have received no feedback or requests to increase the number of signatures required on the nomination form.

Recommendation: That the nomination form of a candidate must be signed by at least 5 electors eligible to vote in the election.

7. Nominations

Nomination Day is 4 weeks before the election and will be held on Monday, September 20, 2010. Section 28 of the Local Authorities Election Act provides that nominations shall be received between the hours of 10 am and 12 noon on nomination day unless



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Council passes a bylaw to receive nominations earlier than 10 am. In 1992, Council began the practice for nominations to be received between 8 am and 12 noon on nomination day of any election.

Additionally, this section provides that an elected authority may establish locations, in addition to the local jurisdiction office, where a deputy may receive nominations. This allows for locations to be established in town offices of other municipalities located within the boundaries of the Red Deer Regional Catholic Division #39.

Recommendation:

1. The hours for receipt of nominations remain at 8 am to 12 noon on Nomination Day, Monday, September 20, 2010.
2. That the town offices in the towns of:
 - Rocky Mountain House
 - Caroline
 - Eckville
 - Sylvan Lake
 - Penhold
 - Innisfail
 - Bowden
 - Olds
 - Didsbury

be established as locations in which nominations may be received by Deputy Returning Officers appointed by The City of Red Deer in the conduct of the election for the Red Deer Regional Catholic Division #39.

8. Deposit

Section 29 of the Local Authorities Election Act provides that Council may, by bylaw passed not less than 30 days before nomination day (September 7, 2010 Council meeting); require that every nomination be accompanied by a deposit. Council can set the amount of the deposit however it cannot exceed \$100. Council does not currently require a deposit and we have received no feedback or requests to require a deposit.

Recommendation: That a nomination deposit not be required.



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9. Death of a Candidate

Section 33 (1) of the Local Authorities Election Act states that Council may by bylaw, passed prior to nomination day, provide that if prior to the opening of the voting stations on election day, a candidate dies after being nominated,

- (a) the election for the position for which the deceased candidate was nominated shall be discontinued, and
- (b) the elected authority shall as soon as practicable provide for the holding of a new election for that office.

Section 33 (2) goes on to say that if a candidate dies after being nominated and a bylaw has not been passed under the above section, the returning officer shall cause a notice of the death to be posted at a conspicuous location in all the relevant voting stations.

In 1998, Council repealed a bylaw that provided for the discontinuance of the election for which the deceased candidate was nominated. Under such a bylaw, a new election for that position would have to be held; voters would be required to come out and vote twice which may lower the voter turnout for the second election depending on which office is affected; and the costs to run a second election would be substantial.

Recommendation: That the death of a candidate would be posted to advise all voters and a by-election would not be required.

10. Rotation of Names on Ballot

Section 43 of the Local Authorities Election Act states the names of the candidates on each ballot shall be arranged alphabetically in order of surnames. It also states that if a bylaw is passed 2 months before an election (August 18, 2010) the rotation of the names on the ballots can be done. Our practice is to arrange the names alphabetically for the following reasons:

- The costs to provide for the rotation of names would be extremely high;
- As we utilize a ballot card, and often there is more than one office on a card, rotating the names would be almost impossible unless we had a separate ballot card for each office;
- Operationally the timelines to have the ballots produced, tested and printed does not make rotation of names feasible;
- Based on a study that has been done for the last 4 elections there is no advantage created for those whose names appear on the top half of the ballot or in fact



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anywhere on the ballot. This report is available at Legislative Services should any member wish to view it.

Recommendation: That the names of the candidates on each ballot be arranged alphabetically in order of surnames.

11. Voting Hours

Section 46 of the Local Authorities Election Act states that voting stations shall be kept open continuously on election day from 10 am to 8 pm unless Council passes a bylaw prior to June 30th in a year in which an election is being held, that would provide voting stations to be open before 10 am.

A few Alberta municipalities moved to earlier voting hours in recent elections, however, based on an evaluation undertaken by The City of Calgary, there was no indication that opening earlier resulted in significantly higher voter turnout but did result in significantly higher costs.

Red Deer has, in the past, retained the voting hours of 10 am to 8 pm and it is recommended that these hours be retained, for the following reasons:

- Statistics do not support the idea that earlier opening results in higher voter turnout.
- In order to catch early morning commuters, stations would need to be open by at least 7 am.
- Election workers would need to start at 6 am, which would necessitate the hiring and training of almost twice as many workers to allow for shift changes as it would be unreasonable to expect workers to put in a 14-hour day.
- The rate for the Presiding Deputy Returning Officer (PDRO) would need to increase as that position would be required to remain in attendance for the duration of the day.
- Costs to rent the voting stations will increase to accommodate the longer hours.
- Commissionaire costs would increase substantially.

For the outside of Red Deer jurisdictions in which we conduct the election on behalf of the Catholic School district, we would have the same voting station hours as that jurisdiction.

Recommendation: The hours of voting remain from 10 am to 8 pm; however, these hours may be varied in jurisdictions outside of the city of Red Deer in which the vote for Catholic School trustees is conducted on behalf of the Red Deer Regional Catholic Division #39.



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12. List of Electors

Section 49 of the Local Authorities Election Act gives Council the option to direct the Returning Officer to prepare a list of electors who are entitled to vote in an election and to prescribe procedures and forms governing the enumeration of electors. If Council wishes to have a list of electors prepared this could be undertaken in conjunction with the 2010 census which usually begins the first Friday in April. However, additional costs in excess of \$45,000 would be incurred. It is also possible to obtain a copy of the voter's list of the provincial government. This list is compiled from the most recent census enumeration, driver registries, and Alberta Health's database. It is expected that this voter's list is approximately 60% accurate (July 2006 City of Edmonton report) and would need to be updated by an enumeration.

There is a perception that the use of a voter's list enhances the integrity of the election. The reality however is that if an elector's name does not appear on the list, the elector can still vote by completing a declaration (section 53), which is exactly the same as the process currently followed. Additionally, the use of a voter's list could result in longer line-ups at voting stations and the need for additional staffing.

The current practise of allowing electors to declare their eligibility at the voting station is accepted by the voters and has worked very well with no signs of abuse.

Recommendation: That enumeration not be undertaken and electors be allowed to declare their eligibility at the voting station.

13. Identification of Campaign Workers

Section 52 of the Local Authorities Election Act supports the candidate or campaign worker's right to free access to each residence in a building containing 2 or more residences or to each residence in a mobile home park. Section 28.1 requires that the elected authority provide, on the request of the candidate, sufficient number of copies of the prescribed form for the identification of an official agent, campaign workers and scrutineers.

Identification of candidates will be provided by this office to candidates on nomination day and a standard form of identification developed and provided to candidates for their distribution to campaign workers.

Recommendation: Submitted for Council's information.



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14. Voter Identification

Section 53 of the Local Authorities Election Act allows Council to provide for the number and types of identification that are required to verify the person's identity and age for the purpose of determining eligibility. There is significant debate as to the value that a requirement for voter identification adds to the election process.

To be eligible to vote in an election under section 47 of the Local Authorities Election Act an elector must be at least 18 years old, a Canadian citizen, and have resided in Alberta for the six consecutive months immediately preceding election day and live in the local jurisdiction on election day. There is no universal piece of identification that would verify a person's eligibility as outlined above. This means that at least two pieces of identification would be required and flexibility in terms of type of identification would need to be ensured. Perhaps the most significant consideration is that if a municipality does decide to require voter identification, any elector that does not have the appropriate identification is not allowed to vote.

Recommendation: That voter identification not be required and electors be allowed to declare their eligibility at the voting station.

15. Advance Voting

Section 73 of the Local Authorities Election Act provides for Council to hold an advance vote prior to election day and the Returning Officer must determine the days and hours when the advance vote is to be held.

In 2007, five additional dates of advance voting were provided. A total of five advance votes dates were offered and 852 voters voted.

Recommendation: That Council authorize the holding of an advance vote for the 2010 election. If Council provides this authorization, we will then designate the following days and times for the advance vote to be held at the Recreation Centre in the Sportsman Room.

Saturday, October 02, 2010	10:00 a.m. – 8:00 p.m.
Friday, October 08, 2010	10:00 a.m. – 8:00 p.m.
Saturday, October 09, 2010	10:00 a.m. – 8:00 p.m.
Friday, October 15, 2010	10:00 a.m. – 8:00 p.m.
Saturday, October 16, 2010	10:00 a.m. – 8:00 p.m.



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Advance votes for electors in the Catholic Regional School Division #39 located outside of Red Deer will be designated in accordance with the dates established by the presiding municipality.

16. Special Ballots

An elected authority may, by resolution, provide for the use of special ballots. Section 77.1(1) states:

An elector who is unable to vote at an advance vote or at the voting station on election day because of

- (a) physical incapacity,
- (b) absence from the local jurisdiction, or
- (c) being a returning officer, deputy returning officer, constable, candidate or agent who may be located on election day at a voting station other than that for the elector's place of residence

may apply to vote by special ballot.

A special ballot as set out by the Act can also be described as an absentee or mail in ballot and would apply most specifically to snow birds and to those who work outside of the area for extended periods of time. Legislation provides that applications for special ballots may be made at any time between the day of the notice of election (at least two weeks before election day) and the closing of voting stations on election day, unless an elected authority passes a resolution to accept applications earlier.

Introduced to legislation in 2003, 24 Alberta municipalities implemented special ballots in the 2004 election with 23 of the 24 reporting no significant problems or issues. In fact, most municipalities reported that special ballots were very well received by the population they are designed to serve. The only real difficulty identified was that of voter's following the instructions for special ballots. Three different envelopes are used, the first contains the completed ballot; the second which comprises the declaration of eligibility that must be completed by the elector and in which the sealed ballot envelope is inserted; and the third envelope in which the previous two envelopes are inserted for mailing to the local authority. When the ballot is not sealed in the ballot envelope or when the declaration of eligibility is not completed, the ballot must be declared spoiled. If the use of special ballots is authorized our office will endeavour to make instructions for special ballots as clear as possible to reduce the incidence of ballots declared spoiled.



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In 2007 special ballots were adopted and implemented at The City of Red Deer. 40 voters requested special ballots in 2007.

Recommendation:

1. That Special Ballots be authorized for the 2010 election.
2. That in accordance with section 77.1(2.2), applications for special ballots be accepted at any time between July 1, 2010 and the closing of voting stations on Election Day.
3. That in accordance with section 77.1(2.3) The City of Red Deer notify the Minister of the resolution to accept earlier applications for special ballots, no later than 4 months prior to nomination day (June 18, 2010).

17. Blind Voter

Section 78 of the Local Authorities Election Act provides for taking the vote of a blind elector at a voting station. The vote is recorded with the assistance of a deputy or a friend or relative of the incapacitated elector. In 2003 Section 78 of the Local Authorities Election Act was amended to require that a municipality, if requested by an elector at least 3 months before Election Day, must provide the elector with a blind voter template in the prescribed form. Using section 6(2) of the Local Authorities Election Act, The City of Red Deer requested that the Minister of Municipal Affairs approve the use of the Advance Vote to accommodate blind voters. The Red Deer Election Regulation was adopted to provide for a visually impaired elector, via a headset, to hear the instructions on how to vote and the names of candidate. It walks the elector through the process of voting and provides opportunity to make corrections. This same equipment provides visual information for electors who may not be able to hear instructions from election personnel. This technology was very well received by all voters attending the Advance Vote.

Recommendation: That electronic technology be provided at the Advance Vote, as The City's "template" for blind voters, to accommodate the needs of visually and hearing impaired voters.

18. Incapacitated Elector at Home

Section 79 of the Local Authorities Election Act allows Council to provide for the attendance of a deputy at the residence of an elector during the hours an advance voting station is open or other times as may be fixed by resolution, in order to take the vote of an elector who, because of physical incapacity, is unable to attend a voting



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station or an advance voting station, to vote. This provision is made for those electors who are house bound and can in no way leave the house to vote. Electors must register for this service with the Returning Officer prior to the actual day of voting. The City has offered this service since 1995 and since 2004 has also included accommodation to electors who must rely on special transportation with the challenges of needing to book outgoing and returning trips in advance.

Recommendation: That the provision of at-home incapacitated elector voting be offered during the hours an advance voting station is open.

19. Institutional Voting Stations

Section 80 of the Local Authorities Election Act provides for Council, by resolution, to designate locations for institutional voting stations or to authorize the returning officer to designate such locations. In the 2004 election 12 institutional voting stations were established within the city and an additional 10 locations were established in outlying jurisdictions.

Recommendation: That the Returning Officer be authorized to designate the location of one or more institutional voting stations for an election.

20. Voting Machines

Section 84 of the Local Authorities Election Act provides for the taking of the votes of the electors by means of voting machines, vote recorders or automated voting systems. In 1992 the City began using a ballot counting machine to tabulate the votes of the electors. This has been an excellent system and has been received well by the electors, candidates and staff. The only negative comment has been the lateness of results in some elections.

In the 2007 election, The City built on the use of this technology with the use of voter activated ballot count machines located at each regular voting station. The voter completes their ballot and personally inserts it into the counter. If the machine detects an issue with the marks on the ballot such as an under-vote or over-vote, the machine will ask the voter to verify their intent prior to accepting the ballot. No interpretation of a ballot by election staff is required. While no results are available until after the voting station closes, the ballot is immediately tabulated electronically and a cumulative record is recorded for every ballot cast. At the end of the day the memory card of the machine is removed and delivered to the central election office and the already tabulated results are downloaded. Employing similar technology to the central count, audit and reporting functions are excellent and results are available very quickly following the close of voting.



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Recommendation: Submitted for Council's information.

21. Ballot Counting

Section 84(2)(c)(iii) provides that a bylaw established to provide for the taking of votes by means of voting machines also must prescribe the procedures for counting the votes. In 2001 the Elections Bylaw was amended to provide for the tabulation of results during the day without producing or making known any results. Ballot counting commenced at 6 pm with the results of the Advance and Institutional votes being tabulated prior to the close of voting stations. No results were produced or made known until after the close of polls at 8 pm.

Recommendation: That the process of tabulating ballots on election day before the close of the voting stations, without producing or making known any results until after 8:00 p.m., be continued.

22. Election Expenses

Section 118 of the Local Authorities Election Act states that a council may by bylaw passed prior to April 15 in a year in which a general election is held, require that candidates prepare and disclose to the public statements of all their campaign contributions and campaign expenses.

Council passed the Campaign Contribution and Expense Disclosure Bylaw No. 3367/2006 in 2006. At this point no changes are recommended. It should be noted however that Bill 203, Local Authorities Election (Finance and Contribution Disclosure) Amendment Act, 2009 which received Royal Assent on May 26 2009, will result in changes to this bylaw if proclaimed. Legislative & Administrative Services will continue to monitor the status of this Bill and will bring back any necessary amendments.

Recommendation: Submitted for Council's information.

23. Wards and At-Large

The City of Red Deer has traditionally run at-large elections where the electors of the whole municipality elect councillors for the whole municipality.

Section 147(2) of the Municipal Government Act states "The election is to be by a vote of the electors of the whole municipality unless the municipality is divided into wards, ..." Section 148(2) provides that a council may by bylaw divide the municipality into wards and establish their boundaries. Also in this section the permitted variations of election are outlined, as follows:



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1. At-large elections where the electors of the whole municipality elect councillors for the whole municipality.
2. At-large election of a specific number of councillors for the whole municipality who are voted for by all electors in the municipality, in addition to councillors elected for each ward by:
 - a) all electors in the municipality, or
 - b) only those electors living within the ward;
3. Councillors are elected by ward and only residents in the ward may vote for a councillor in that ward;
4. Councillors are elected by ward by the electors of the whole municipality.

In a ward system election there is no requirement that the candidate is a resident in the ward that they wish to represent.

An at-large election is always held for the election of the chief elected officer (mayor) unless a bylaw is passed requiring council to appoint the chief elected officer from among the councillors.

Following recent municipal elections, the question has arisen as to whether Red Deer should consider moving to a ward system. To respond to these questions two recent reports were considered to assist in determining the merits of various elections systems. In 2003 the Office of the City Clerk for The City of Edmonton presented to Edmonton City Council a "Ward Boundary Review" report. The purpose of this report was to review ward boundaries but also evaluated various election systems employed by other municipalities. "Enhancing Grassroots Democracy and Strengthening the Policy-Making Role of Brandon City Council" was completed in 2001 by the Brandon Electoral Review Committee. Established by Brandon (MB) City Council this committee was charged with the task of recommending measures that would provide Brandon's citizens with 'more effective representation on Council and a stronger voice in civic affairs'.

Edmonton's report evaluated 28 US and Canadian cities however; the smallest city represented was London, Ontario with a population of 336,000. The report identified some interesting points:

- A single-representative (ward) system discourages candidates if an incumbent is generally popular, or if an incumbent that is popular with a dominant interest group is running;
- Potential candidates who face a popular incumbent may run in another ward.



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Brandon's report surveyed municipalities with populations ranging from 30,000 to 100,000 people, council members, former council members, candidates, city administration and citizens. In its analysis of the findings on Electoral System Options the following comments are made:

"Ward System:

- Tends to encourage a more local, narrow or restricted vision of the city;
- Makes the crucial linkage between grassroots representation and global vision somewhat difficult to accomplish;
- Is less democratic than others, as citizens have a say only in electing two members of council, namely the mayor and one councillor;
- Tend to become "fiefdoms", making a challenge to an incumbent often fruitless, thereby perpetuating acclamations;
- May cause rivalries between councillors.

At Large System:

- Appears better suited to smaller cities and rural municipalities, particularly true if the electorate is socially and economically homogeneous;
- Less expensive for city to run;
- Councils more able to deal with broad policy-making decisions as citizenry learn to go directly to administration with their problems instead of a specific councillor;
- All citizens elect all representatives, which may help achieve not only a broader view of democratic representation, but also of a strong council, where everyone has an equal status to the mayor."

Other mid-size Alberta cities (Lethbridge, Grande Prairie, Medicine Hat, St. Albert, Lloydminster) were surveyed relative to how their elections are conducted. All are at-large elections with no changes anticipated.

An evaluation of representation of Council in the city was conducted following the 2004 election. Appendix C is an excerpt of the February 14, 2005 report to Council and is attached for information.

Recommendation: For the 2010 election, it is recommended that council proceed with an at-large election. With the phase one annexation complete and future annexations on the horizon the consideration of a ward system in the future may be something that could be examined to ensure the various needs of the electorate are respected with our governance processes.



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24. Election of Mayor

Section 150 of the Municipal Government Act states that the chief elected official (Mayor) of a city is to be elected by a vote of the electors of the municipality unless the council passes a bylaw requiring council to appoint the Mayor from among the councillors. This bylaw would have to be passed 180 days before the general election (March 22, 2010 Council meeting) and must be advertised. If Council wishes to consider this option, it may be prudent that a question be placed on the 2010 Election Ballot Card asking the electors if a change in the way Red Deer elects the Mayor is desired and that any change be for the 2013 election.

Recommendation: That the election of the Mayor by the electors continue.

25. Disclosure Bylaw - Personal Information

Section 171 of the Municipal Government Act states:

171 A Council may by bylaw

- (a) require that each councillor file with a designated officer a statement of the name or names of
 - (i) the councillor's family,
 - (ii) the employers of the councillor,
 - (iii) each corporation, other than a distributing corporation, in which the councillor is a shareholder, director or officer,
 - (iv) each distributing corporation in which the councillor beneficially owns voting shares carrying at least 10% of the voting rights attached to the voting shares of the corporation or of which the councillor is a director or officer, and
 - (v) each partnership or firm of which the councillor is a member, and
- (b) require the designated officer to compile a list of all the names reported on the statements filed with the officer and give a copy of the list to the employees of the municipality indicated in the bylaw.

This section would apply to those elected to Council. In the past, Council has had the



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option to implement a Disclosure - Personal Information Bylaw, however has chosen not to. We have received no feedback or request to require such a bylaw.

Recommendation: Unless otherwise directed by Council, the disclosure of personal information of candidates will not be required.

26. Placement of Election Signs

Land Use Bylaw 3357/2006 includes the authority and criteria for placement of elections signs. During the 2007 election, 26 locations were designated as municipal lands on which election signs could be located. 13 of those locations located in the north and 13 in the south. It should be noted that the placement of election signs also applies to federal and provincial elections.

Recommendation: Provided for Council's information. A separate report evaluating current designated election sign locations will provided to Council at a later date.

27. Election Outreach

Traditionally, this department has focussed its election efforts on the development of a candidate handbook and on legal advertising in compliance with the Local Authorities Election Act. In recent years other tools such as participation in the Let's Talk day in the mall and utilization of The City's Web site have enhanced voter information and understanding of election processes.

Following is an overview of the key elements of election outreach to be employed in the 2010 election which includes:

- Development and use of the theme "Help Drive Your City"
- Participation in the "Let's Talk" Saturday at the mall, Saturday, March 6, 2010.
- Use of informational material such as the candidate handbook and voter brochures
- Development and mass distribution (door to door) of legislated election information
- Use of banners and posters throughout the city to promote the election
- Enhanced use of The City website including pre and post election information and surveys

Recommendations: Provided for Council's information.

28. Information for Potential Candidates

To assist potential candidates in sorting through the information and rules related to running for public office, Legislative & Administrative Services has prepared a document titled "2010 General Election Information For Potential Candidates Manual -



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Candidate's Handbook", attached for your information and will continue to be updated. Additional copies are available at Legislative & Administrative Services.

Recommendation: Submitted for Council's information.

Summary of Recommendations:

1. That the following items be received as information only unless otherwise directed by Council:
 - a) The nomination form of a candidate must be signed by at least 5 electors.
 - b) A nomination deposit is not required.
 - c) Names of the candidates on each ballot will be arranged alphabetically in order of surnames.
 - d) An enumeration not be undertaken.
 - e) Voter identification not required.
 - f) Five dates will be provided for the holding of the Advance Vote.
 - g) Council candidates are required to prepare and disclose statements of their election expenses in accordance with Bylaw 3367/2006.
 - h) Election for the mayor, councillors and public school trustees will be conducted at-large while Catholic school trustees will be elected by ward as established by the Red Deer Regional Catholic Division #39.
 - i) Disclosure of personal information of candidates is not required.
 - j) Placement of election signs is set out by the Land Use Bylaw and in accordance with Council's resolution designating municipal properties on which election signs may be placed.

2. That Council pass Bylaw 3445/2010, The Election Bylaw that supports the following recommendations:
 - a) The City will conduct the Public and Catholic School Board elections.
 - b) The City Clerk is designated as the Returning Officer for the purpose of conducting elections.
 - c) Hours for receipt of nominations will be 8 am to 12 noon on Nomination Day.
 - d) The Returning Officer may establish locations, in addition to the local jurisdiction office, where nominations may be received.
 - e) Voting hours on Election Day and the Advance Vote will be from 10 am to 8 pm unless otherwise established in areas where The City partners in the conduct of the Red Deer Catholic Regional Division #39 election of trustees.
 - f) A Special Ballot will be provided for the 2010 election.
 - g) Requests for Special Ballots will be accepted at any time between July 1, 2010 and the close of voting stations on Election Day.
 - h) Electronic technology will be utilized to accommodate the needs of visually



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- or hearing impaired voters and will be provided at the Advance Vote.
- i) At-home incapacitated elector voting will be offered during the hours an advance voting station is open. Definition of Incapacitated Elector at Home includes those residents restricted by mobility.
 - j) The Returning Officer is authorized to designate the location of institutional voting stations.
 - k) Voter activated ballot count technology will be will be used for the tabulation of results.
 - l) Ballot counting will commence prior to closure of the voting stations without producing or making known any results until after 8:00 p.m.
3. That the Minister of Municipal Affairs be notified, in accordance with section 77.1(2.3) of the Local Authorities Election Act, that applications for Special Ballots will be accepted at any time between July 1, 2010 and the close of voting stations on election day.

A handwritten signature in cursive script that reads 'Elaine Vincent'.

Elaine Vincent
Returning Officer / Manager

attchs.

Appendix A Summary of Recommendations

Item	Action	Authority
Joint Election	<ul style="list-style-type: none"> Continue partnership with the Red Deer Public School Board and the Red Deer Catholic Regional Division 	<ul style="list-style-type: none"> LAE Act, s. 2 & 3 Election Bylaw 3445/2010, s. 4
Election Day	<ul style="list-style-type: none"> Monday, October 18, 2010 	<ul style="list-style-type: none"> LAE Act, s. 11
Appointment of Returning Officer	<ul style="list-style-type: none"> Legislative & Administrative Services Manager appointed as Returning Officer 	<ul style="list-style-type: none"> LAE Act, s. 13 Election Bylaw 3445/2010, s. 5
Nomination Forms	<ul style="list-style-type: none"> Must be signed by at least 5 electors 	<ul style="list-style-type: none"> LAE Act, s. 27
Nomination Day	<ul style="list-style-type: none"> September 20, 2010, 8:00 a.m. – 12:00 noon 	<ul style="list-style-type: none"> LAE Act, s. 28 Election Bylaw 3445/2010, s. 6
Receipt of Nominations	<ul style="list-style-type: none"> The town offices in the towns of Rocky Mountain House, Caroline, Alhambra, Eckville, Sylvan Lake, Penhold, Innisfail, Bowden, Olds and Didsbury be established as locations in which nominations may be received 	<ul style="list-style-type: none"> LAE Act, s. 28 Election Bylaw 3445/2010, s. 7
Deposit	<ul style="list-style-type: none"> Nomination deposit not required 	<ul style="list-style-type: none"> LAE Act, s. 29
Death of Candidate	<ul style="list-style-type: none"> Notice of death to be posted at a conspicuous location in all relevant voting stations 	<ul style="list-style-type: none"> LAE Act, s. 33
Rotation of Names on Ballot	<ul style="list-style-type: none"> Continue practice of arranging names of candidates alphabetically in order of surname 	<ul style="list-style-type: none"> LAE Act, s. 43
Voting Hours	<ul style="list-style-type: none"> 10:00 a.m. – 8:00 p.m. 	<ul style="list-style-type: none"> LAE Act, s. 46
List of Electors	<ul style="list-style-type: none"> Enumeration not be undertaken Electors declare eligibility at the voting station 	<ul style="list-style-type: none"> LAE Act, s. 50, 53
Identification of Campaign Workers	<ul style="list-style-type: none"> Provide general identification cards for all candidates and sufficient copies for candidates to distribute to campaign workers 	<ul style="list-style-type: none"> LAE Act, s. 52
Voter Identification	<ul style="list-style-type: none"> Voter identification not required 	<ul style="list-style-type: none"> LAE Act, s. 53
Advance Vote	<ul style="list-style-type: none"> Saturday, October 2, 2010 Friday, October 8, 2010 Saturday, October 9, 2010 Friday, October 15, 2010 Saturday, October 16, 2010 10:00 a.m. to 8:00 p.m. each day Advance votes in the Catholic Regional School Division located outside of Red Deer will be in accordance with those established by the presiding municipality 	<ul style="list-style-type: none"> LAE Act, s. 73 Election Bylaw 3445/2010, s. 13



Item	Action	Authority
Special Ballots	<ul style="list-style-type: none"> A special ballot will be provided for electors who are unable to attend an advance vote or a voting station on election day Notify Minister that special ballots be accepted at any time between July 1, 2010 and the close of voting stations on election day 	<ul style="list-style-type: none"> LAE Act, s. 77.1 Election Bylaw 3445/2010, s. 16 & 17
Blind Voter	<ul style="list-style-type: none"> Use electronic technology to accommodate visually and hearing impaired voters Red Deer Regulation permitting the blind voter template be available at the Advance Vote 	<ul style="list-style-type: none"> LAE Act, s. 78 Election Bylaw 3445/2010, s. 19 LAE Act, s. 6
Incapacitated Electors at Home	<ul style="list-style-type: none"> Include electors affected by mobility Attend residence of incapacitated electors during hours an advance voting station is open 	<ul style="list-style-type: none"> LAE Act, s. 79 Election Bylaw 3445/2010, s. 20, 21, & 22
Institutional Voting Stations	<ul style="list-style-type: none"> Designate institutional voting stations Authorize Returning Officer to designate other such institutional voting stations as required 	<ul style="list-style-type: none"> LAE Act, s. 80 Election Bylaw 3445/2010, s. 23, 24, 25 & 26
Voting Machines	<ul style="list-style-type: none"> Voter activated ballot counting technology Acquire specific technology to respond to visually and hearing impaired voters 	<ul style="list-style-type: none"> LAE Act, s. 84 Election Bylaw 3445/2010, s. 27, 28 & 29
Ballot Counting	<ul style="list-style-type: none"> Commence counting of ballots before the close of voting stations No results made known until after 8:00 p.m. 	<ul style="list-style-type: none"> LAE Act, s. 84(2) Election Bylaw 3445/2010, s. 46
Election Expenses	<ul style="list-style-type: none"> Disclosure of election expenses required <p>* Note review of Bylaw would occur if Bill 203 is proclaimed.</p>	<ul style="list-style-type: none"> LAE Act, s. 118 Election Expense Disclosure Bylaw 3367/2006
Wards	<ul style="list-style-type: none"> Continue with at-large election 	<ul style="list-style-type: none"> MGA, s. 147 & 148
Election of Mayor	<ul style="list-style-type: none"> Continue with practice of election of Mayor by electors 	<ul style="list-style-type: none"> MGA, s. 150
Disclosure Bylaw	<ul style="list-style-type: none"> Disclosure of personal information not required 	<ul style="list-style-type: none"> MGA, s. 171
Placement of Election Signs	<ul style="list-style-type: none"> Land Use Bylaw provides for location of election signs Municipal property on which election signs may be placed designated by Council resolution Nov. 6/06 	<ul style="list-style-type: none"> Land Use Bylaw 3357/2006
Election Outreach	<ul style="list-style-type: none"> Use outreach activities to enhance voter information 	



Item	Action	Authority
	and understanding of election processes	
Information for Potential Candidates	<ul style="list-style-type: none"> • Continue with production and dissemination of handbook 	



Appendix B

Special Ballots Procedure – as prescribed by the Local Authorities Election Act

The process set out for special ballots is as follows:

- The elector requests a special ballot by writing, telephone, fax, in person or by email at any time between July 1, 2010 and the closing of voting stations on Election Day.
- On receipt of the application the elected authority records in the special ballot elector register the name of the elector, place of residence and the name and number of the voting station for that elector and provides for the elector to receive the special ballot by mail or in person following close of nominations.
- The voter receives a computer generated ballot on which they must select the names of candidates the elector chooses. The ballot is then placed in the ballot envelope, which must be sealed; the elector then completes the certificate stating their eligibility to vote and includes this certificate and the sealed ballot envelope into the certificate envelope. The certificate envelope is then placed in an outer envelope, which is sealed and forwarded to the Returning Officer before the close of voting stations on Election Day.
- When the Returning Officer receives the ballot the certificate envelope is removed from the outer envelope to ensure the name on the certificate envelope is the same as that recorded when the request for a special ballot was received and whether the declaration of eligibility is properly completed. The Returning Officer then signs the certificate envelope verifying the proper completion.
- The certificate envelope is then opened and the sealed ballot envelope removed and placed in a sealed ballot box marked “special ballot”.
- Prior to counting of the ballot the deputy will transcribe the information from the special ballot to a regular ballot to ensure the ballot counting machine can count it.



Appendix C

Excerpt of the report to Council December 10, 2007

December 10, 2007

Representation of Council in city

Completed by: Frieda McDougall, Projects Coordinator (DRO)

History

The City of Red Deer has traditionally run at-large elections where the electors of the whole municipality elect councillors for the whole municipality.

Objective

To provide information as to the representation of members of Council relative to their residential location within the city. For this purpose, three specific areas are identified as follows:

North: north of the Red Deer River

Central: Downtown, Parkvale, Waskasoo, Woodlea

South: all areas south of the Red Deer River except those areas identified as Central

The table below demonstrates representation within the city based on the above noted areas:

Representation in city				
Area	Population	Percentage of Population	Number of Representatives	Percentage of Representatives
North	28,913	33.74%	2	22.22%
Central	5,308	6.19%	1	11.11%
South	51,484	60.07%	6	66.67%

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Frieda McDougall, Deputy City Clerk
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: 2010 Municipal Election – Monday, October 18, 2010

Reference Report:

Returning Officer / Legislative & Administrative Services Manager, dated January 15, 2010

Bylaw Readings:

“Resolved that Council of the City of Red Deer having considered the report from the Returning Officer / Legislative & Administrative Services Manager, dated January 15, 2010, Re: 2010 Municipal Election – Monday, October 18, 2010, hereby agrees as follows:

- a) The nomination form of a candidate must be signed by at least 5 electors.
- b) A nomination deposit is not required.
- c) Names of the candidates on each ballot will be arranged alphabetically in order of surnames.
- d) An enumeration not be undertaken.
- e) Voter identification not required.
- f) Five dates will be provided for the holding of the Advance Vote
- g) Council candidates are required to prepare and disclose statements of their election expenses in accordance with Bylaw 3367/2006.
- h) Election for the mayor, councilors and public school trustees will be conducted at-large while Catholic school trustees will be elected by ward as established by the Red Deer Regional Catholic Division #9.
- i) Disclosure of personal information of candidates is not required.
- j) Placement of election signs is set out by the Land Use Bylaw and in accordance with Council’s resolution designating municipal properties on which election Signs may be placed.
- k) That the Minister of Municipal Affairs be notified, in accordance with section 77.1 (2.3) of the Local Authorities Election Act, that applications for Special Ballots will be accepted at any time between July 1, 2010 and the close of voting stations on election day.”

MOTION CARRIED

Report Back to Council: No

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

Elaine Vincent
Legislative & Administrative Services Manager

c.



Reports Item No.8

Legislative & Administrative Services

DATE: January 18, 2010
TO: City Council
FROM: Legislative & Administrative Services Manager
SUBJECT: Council Committees – Impacts of Growth

History:

The City of Red Deer has a history of effectively using committees to involve citizens in municipal government. As time progresses it is often deemed necessary to re-evaluate the committees to Council and determine if the mandate of each committee is relevant, if it is continuing to support the needs of the City's business, or if new committees are required. Sometimes changes are required to achieve a better fit for Council and citizens.

The last analysis of Committees occurred in 2006 and a number of committees were disbanded by Council resolution. Council supported continuing to facilitate public involvement and input at both a policy and administrative level and if it was decided that if a committee was required; an issue specific ad-hoc committee was to be established. Ad Hoc Committees are established for specific purposes and then disbanded when the task is complete. Some issues are broader than a specific task and require a full committee commitment dedicated to a larger issue eg. environmental concerns.

Discussion:

The City continues to encourage and facilitate public involvement. As a result of emerging priorities and issues, it was determined new committees were needed to completely involve the public and establish an avenue for important issues that are paramount to the Citizens of Red Deer and City Council.

During 2008 and 2009 the following committees of Council were established:

- Crime Prevention Advisory Committee
- Environmental Advisory Committee
- Heritage Preservation Committee
- Municipal Features Naming Committee
- Red Deer Appeal & Review Board

Two ad-hoc committees were also established:

- SAFE Downtown Initiatives Task Force
- Secondary Suites Regulation Ad Hoc Review Committee

The above noted committees are in addition to the following committees already established:

Audit Committee
Community Housing Advisory Board
Disaster Services
Emergency Management Agency
Emergency Management Committee
Greater Downtown Action Plan Ad Hoc Committee
Mayor's Recognition Awards Committee
Municipal Planning Commission
Nominations Review Committee
Subdivision & Development Appeal Board

Council is considering other committees, as follows:

Emergency Services Master Plan Steering Committee
Public Art Jury Committee
A committee to respond to an updated Crime Prevention and Policing Study

In addition to the above, Council members are also required to support a number of Regional and Community based Boards and Societies. Some of these include:

Central Alberta Economic Partnership (CAEP)
Central Alberta Regional Trails System Committee (CARTS)
Central Alberta Regional Wastewater System (CARWW)
Downtown Business Association of Red Deer
Family and Community Support Services
Library Board
Parkland Community Planning Services
Parkland Airshed Management Zone (PAMZ)
Piper Creek Foundation
Red Deer College Arts Centre Advisory Committee
Red Deer Regional Municipal Users Group (RDRMUG)
Regional Waste Management Services Commission Board
Westerner Exposition Board
Red Deer Museum Society
River Bend Golf and Recreation Society
Tourism Red Deer
Waskasoo Environmental Education Society (WEES)

Committees are essential as the process provides a bridge between citizens and Council so that they may work together. The Council decisions are supported by the work completed by the committee as a whole.

Committees require significant support from members of Council, Administration and the valuable volunteer time commitment from citizens appointed to the committees. There are staff liaison members from Administration that devote a significant amount of time to planning and organizing the meetings. Council spends a significant amount of time researching issues and attending the meetings. The Legislative Services department supplies support work to the committee, by distributing all relevant information in advance of the meeting so the members are well informed and this

ensures discussion is constructive and also captures all decisions and follow up work that is required for subsequent meetings.

The purpose of this report is to provide an overview to Council as to the impacts of Committee growth. The seven new committees outlined in this report equate to a significant commitment of time and resources from both Council members and Administration. Committees are a necessary means to engage citizens and offer an avenue for Council to explore and receive feedback on issues affecting the residents of Red Deer.

A concrete example of an increase is related to recruitment and assignment to committees creating increasing demands on the committees themselves, particularly the Nomination Review Committee. In the past where the Nomination Review Committee would only meet annually to review applications, in 2009 it was necessary for them to meet four times. As a result of restructuring of committee processes to more effectively recruit and place citizens in committees, the Nomination Review Committee will meet almost as often as other committees of Council in 2010.

Legislative & Administrative Services Impacts

Legislative and Administrative Services provides direct committee support. In the past the department dedicated one staff person to provide support to committees. This was and continues to be their exclusive role. However, with the addition of committees, the ability to generate and distribute agendas and minutes, liaise with the staff and provide support to the meetings exceeds the capacity of one staff person. The department has deployed additional resources to support committees and currently three additional staff members have been assigned some committee responsibilities.

Organizational Impacts - Staff Liaisons

At least one staff liaison is connected to each committee. The staff liaison identifies issues for the committee's agenda, works with the committee chair at developing the agenda, prepares reports and correspondence on behalf of the committee, and attends each committee meeting. Staff liaisons are assigned through the division/department that is responsible for the issues being addressed by the committee. Increases in committees have directly correlated to increases in resource commitments. Departments have reassessed priorities and reallocated staff to meet the increased demand for committee liaisons.

Council Impacts

Councillors attend a significant amount of meetings each month, in addition to Council Meetings as well as workshops enabling Council to chart the course for City Administration. Due to the significant increase in committee meeting attendance this correlates to an increase in per-diem payments.

Financial/Budgetary Implications

In preparation of the 2009 budget, projected increases for expenditures related to per-diems were included in the budgeted amounts. A number of expenditures have been impacted by the increased committee attendance and support and an overview of the impacts is provided below:

Per diems. Council per diems increased by an average of \$8,625 per Councillor in 2009. The average per diem paid was approximately \$166 per meeting. This equates to each Councillor attending an additional 5 meetings a month. Per diems are also paid to Council members for their attendance at Council workshops which are included in the overall total for per diems. For the first 6 months of 2010, Council has planned 8 workshops which are used to facilitate strategic planning.

Advertising. With increases in committees, advertising costs have also increased. More committees results in greater advertising requirements for recruitment on an annual basis and to fill vacancies as they occur throughout the year. A typical advertisement costs \$400. In previous years only one ad per annum was required; during the 2009/10 year 6 ads were utilized.

Meals. Most committee meetings are held over the lunch or supper hours to accommodate the schedules of volunteers serving on the committees and as such, light meals are provided to all committee members. While Legislative Services has taken steps to reduce costs in this area by ensuring meals are 'light', the overall costs to the budget have increased by \$8,000 in 2009.

Resources. More committees equals more resources, such as; staff liaison and committee support. As staff liaisons are spread throughout multiple departments, it is difficult to assign hard costs. In Legislative & Administrative Services, however, the resources applied through multiple staff are equivalent to a .3 Full Time Employee (FTE) increase in staffing with an evaluated cost of \$20,000.

Conclusion

Council places a high value on public involvement and as a result there is an increased use of committees to obtain that involvement. It is important to be cognizant of the impacts of growth and the increased costs associated with growth. It is the intent of this report to:

- 1) provide information to citizens interested in running for municipal office to enable their understanding of the scope of the role of Council; and
- 2) to begin the process of publicly disclosing council expenses, including per diem payments. Administration will be providing Council expense disclosure statements on The City's website on a quarterly basis to support Council's desire for transparency and accountability.



Elaine Vincent
Manager

Councillor Budget Summary - January 1, 2009 to December 31, 2009								
Councillor	2009 Overall Budget	Expenses Paid	Registration Paid	Per Diems from Conferences	Regular Per Diems Paid	Total Spent	Balance Remaining	Budget Remaining
Councillor Buchanan	29,794.25	6,601.02	3,007.17	5,060.00	15,591.00	30,259.19	(464.94)	-1.56%
Councillor Parks	29,794.25	3,906.01	2,773.80	2,860.00	18,117.00	27,448.01	2,346.24	7.87%
Councillor Jefferies	29,794.25	6,673.81	2,720.17	5,500.00	11,252.00	25,192.03	4,602.22	15.45%
Councillor Mulder	29,794.25	1,546.19	1,555.00	1,980.00	16,563.00	20,834.05	8,960.20	30.07%
Councillor Pimm	29,794.25	2,570.28	1,288.12	2,420.00	13,946.00	20,199.40	9,594.85	32.20%
Councillor Veer	29,794.25	3,002.20	1,305.00	1,760.00	14,977.00	21,044.20	8,750.05	29.37%
Councillor Watkinson-Zimmer	29,794.25	4,889.76	2,262.47	3,960.00	14,430.00	24,796.44	4,997.81	16.77%
Councillor Wong	29,794.25	2,762.68	1,305.00	2,366.00	17,563.00	23,351.46	6,442.79	21.62%
Overall Totals	238,354.00	31,951.95	16,216.73	25,906.00	122,439.00	193,124.78	45,229.22	18.98%

<u>2009 Budgeted Amounts Per Councillor:</u>	
Expenses Include:	
Business Travel	\$687.13
Conference Travel	\$4,721.50
Mileage	\$115.50
Training	\$1,374.00
Printing	\$57.75
Subscription/Publications	\$115.00
Registration:	\$1,180.50
Misc Supplies	\$231.87
Expenses:	\$8,483.25
Per Diems:	\$21,311.00
Total Budget Per Councillor:	<u>\$29,794.25</u>

Comments:

The report regarding Council Committees is provided for Council's information.

"Morris Flewwelling"
Mayor

"Craig Curtis"
City Manager

FILE



Council Decision – January 25, 2010

DATE: January 26, 2010
TO: Frieda McDougall, Deputy City Clerk
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Council Committees – Impacts of Growth

Reference Report:

Legislative & Administrative Services Manager, dated January 18, 2010

Report Back to Council: No

Comment/Further Action:

This report was submitted for Councils' information.

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

Elaine Vincent
Legislative & Administrative Services Manager

c.

Bylaws Item No. 1**BYLAW NO. 3357/F-2009**

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

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

1. Delete Reader Board Sign and Sponsor Recognition definitions and add the following new definitions to Section 3.3(1):
 - "**Dynamic Sign** – means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.
 - “**Sponsor Recognition** – means the recognition of a corporation, person or other entity which has donated money, goods or services to the owner of the land on which the sign is located or which has entered into an agreement to pay money to the owner of the land in exchange for public recognition of the contribution, which recognition may consist of one or more of the following: an expression of thanks, the sponsor’s name, brand, logo, tagline, website information or phone numbers.”
 - **Public Service Announcements** - means an announcement, for which no charge is made, that promotes the programs, activities or services of a federal, provincial, or municipal governments, non-profit charitable organizations, or another groups serving community interests, including date, time, and temperature information.

2. Delete Section 3.3 (7)(b) and replace with:

“No person shall place a Dynamic sign, flashing signs, revolving beacons, scrolling messages, stationary lights at locations which may, in the opinion of the Development Officer, obscure or cause confusion with traffic lights

and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.”

3. Delete the following sentence from sections 3.4 (6)(b)(vi) and 3.4 (6)(c)(vi):

“Reader Board signs are however permitted.”
4. Delete the term “Reader Board” and replace with “Dynamic Sign” in sub-sections 3.4 (6)(d)(v) and (vi).
5. In sub-section 3.4 (6)(d)(iii), the area “9.2 m²” is deleted and replaced with the area “18.5 m²” .
6. Add new sub-section 3.4 (14) as follows:

“(14) Dynamic Sign Regulations

- (a) No Dynamic Sign may be erected or maintained in any district, whether as part of another sign or not, except as permitted in these Regulations;
- (b) The provisions of subsection 3.4 (14), apply to all Dynamic Signs and notwithstanding section 2.8(1) of this Bylaw, those provisions may not be varied by the Development Authority.
- (c) The Development Authority may, in its discretion, approve a Dynamic Sign as a portion of a permitted Free Standing or Fascia Sign.
- (d) A Dynamic Sign may display public service announcements, but shall not include third party advertising or Sponsor Recognition except when it is located on a site in a PS district which is over 17.0 hectares.
- (e) Messages shall be displayed for a minimum time period of 5 seconds.
- (f) A Dynamic Sign must have an adjustable brightness level, and the level of brightness of a Dynamic Sign shall be to the reasonable satisfaction of the Development Officer.
- (g) Dynamic signs shall not be permitted in Direct Control Districts.

Dynamic Signs shall adhere to the following regulations which may be varied by the Development Authority:

- (h) Dynamic Signs in C2A Commercial (Regional Shopping Centre), C4 Commercial (Major Arterial) and PS (Public Service over 17.0 hectares), I1 Industrial (Business Service) and I2 Industrial (Heavy Industrial) Districts must meet the following requirements:
 - (i) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district notification will be sent within a 100.0 m radius of the proposed site;
 - (ii) be limited to one sign per building or site, with the exception of PS sites over 17 ha will be limited to 2 signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two signs must be at least 50.0 m apart;
 - (iii) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign;
 - (iv) comprise of not more than 25% of the total freestanding or fascia sign area
7. Delete section 3.4 (6) (d)(v), replace with the following and adjust corresponding numbering:
- “(v) Of the whole area of a sign, the entire area of the Dynamic Sign portion may be used for the announcement of any activities or events on the site on which the sign is located, for third party advertising, accessory tenants within the principal building or for the use of Sponsor Recognition; provided that where Sponsor Recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;
- “(vi) in addition to subsection (v), 50% of the total area of the static portion of a sign, may be used for identification of any accessory tenants within the principal building, for the announcement of any activities or events on the site on which the sign is located, for third party advertising or for the use of sponsor recognition; provided that where sponsor recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;
8. Delete section 3.3 (3)(o) and replace with the following:

Discretion of MPC

- (9.8) Subject to section 9.7, the Municipal Planning Commission may approve as a discretionary use an application for a Secondary Suite in a detached Dwelling Unit in any district provided that the proposed suite would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment or value of neighbouring sites and that all landowners located within 100 m of the boundary of the site on which the proposed Secondary Suite is to be located have been notified.

Development Regulations

- (9.9) The following regulations apply to all permitted and discretionary Secondary Suites, unless varied by the Municipal Planning Commission:

- (a) A Secondary Suite must have its own exterior building entrance, which shall not be located on a front building elevation facing a public street. Notwithstanding this, a single entry door providing access to an enclosed, shared landing area from which both the primary Dwelling Unit and the Secondary Suite take access, may be located on a front building elevation facing a public street.
- (b) The floor area of a Secondary Suite shall not exceed the total floor area used by the primary Dwelling Unit.
- (c) In addition to meeting the parking requirements for the primary Dwelling Unit as set out in section 3.1 and 3.2 of this Bylaw, a property which contains a Secondary Suite must also meet the following parking requirements:
 - (1) A property containing a Secondary Suite with two or fewer bedrooms shall provide one off-street parking pad; a Secondary Suite with more than two bedrooms shall provide two off-street parking pads; all parking pads to be developed to a minimum gravel standard.
 - (2) Parking pads for the Secondary Suite shall be available for the exclusive and unrestricted use of the occupant(s) of the Secondary Suite.
 - (3) Parking pads for a Secondary Suite must be located in one of the following locations:
 - (A) in an attached or detached garage,
 - (B) in the rear yard; or
 - (C) in the side yard to the rear of the front yard setback.
 - (4) Locating Secondary Suite parking pads in tandem with the parking pads required of the primary Dwelling Unit is not allowed. However, if multiple parking pads are required for the Secondary Suite, these can be arranged in a tandem parking configuration.

Bylaws Item No. 3

BYLAW NO. 3357/MM-2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

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

1. That "Use District Map J13" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 26 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.

READ A SECOND TIME IN OPEN COUNCIL this 11th day of January 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006

ER RIVER



North
Not to Scale



Affected Districts:

R-1 - Country Residential District (County)

P1 - Park and Recreation District

Change District from:



R-1 to P1



R-1 to road

Proposed Amendment

Map: 26/2009

Bylaw: 3357/MM-2009

Bylaws Item No. 4

BYLAW NO. 3357/00-2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

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

1. That subsection (3)(o) of Section 7.7 Mature Neighbourhood Parkvale Overlay District be DELETED in its entirety and REPLACED with the following:

(3) Development Regulations for Residential Buildings

- (o) Front driveways or front drive attached garages shall not be permitted on parcels with a lane at the rear of the property, except in Block M, Plan 1528HW; Block B, Plan 257HW; and Block B, Plan 4867KS wherein front driveways in conjunction with single wide attached garages may be allowed subject to the following standards:
 - (i) Attached garages may not protrude beyond the front wall of the house;
 - (ii) Attached garages may be designed to accommodate two vehicles in tandem;
 - (iii) Garages must not be wider than 4.9 metres (16.1 ft.), excluding eaves;
 - (iv) Front driveways must not be wider than 4.3 metres (14.1 ft. +/-);
 - (v) Front driveways are not permitted without a single wide attached garage; and
 - (vi) The appearance, architectural features, and finish materials must be acceptable to the Development Authority.

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.
 READ A SECOND TIME IN OPEN COUNCIL this day of 2010.
 READ A THIRD TIME IN OPEN COUNCIL this day of 2010.
 AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Bylaws Item No. 5

BYLAW NO. 3398/A-2009

Being a bylaw of The City of Red Deer to amend Bylaw No. 3398, the bylaw adopting The West QE2 Major Area Structure Plan.

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

That Bylaw No. 3398/A-2009 is hereby adopted:

1. Bylaw 3398 is amended by deleting the entire West QE2 Major Area Structure Plan and substituting therefore, the attached amended text and maps of the "West QE2 Major Area Structure Plan".

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Refer to Attachment "E" for the amended text and maps

Bylaws Item No. 6

BYLAW NO. 3399/A-2009

Being a bylaw of The City of Red Deer to amend Bylaw No. 3399, the bylaw adopting The Queens Business Park Industrial Area Structure Plan.

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

That Bylaw No. 3399/A-2009 is hereby adopted:

1. Bylaw 3399 is amended by deleting the entire Queens Business Park Industrial Area Structure Plan and substituting therefore, the attached amended text and maps of the "Queens Business Park Industrial Area Structure Plan".

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Refer to Attachment "F" for the amended text and maps

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

- R1A - Residential (Semi Detached Dwelling) District
- R2 - Residential (Medium Density) District

Change District from:



R1A to R2

Date: Jan 8, 2010

Proposed Amendment

Map: 2/2010

Bylaw: 3357/B-2010

Bylaws Item No. 8

BYLAW NO. 3196/A-2010

Being a bylaw of The City of Red Deer in the Province of Alberta, to amend Bylaw No. 3196/98, the City of Red Deer’s Business Revitalization Zone Business Tax Bylaw.

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

That Bylaw No. 3196/98 is hereby amended as follows:

- 1 By deleting Section 5 in its entirety and replacing it with the following new Section 5:
 - “5 Each person carrying on business within the boundaries of the Business Revitalization Zone established under Business Revitalization Zone Bylaw 2827/83 shall pay annually as a business tax a sum equal to .89% of the business assessment of that business or the sum of \$155.00, whichever is the greater sum.”

READ A FIRST TIME IN OPEN COUNCIL this day of 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Bylaws Item No. 9

BYLAW NO. 3215/A-2010

Being a bylaw to amend Bylaw No. 3215/98, the Utility Bylaw of the City of Red Deer.

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

Bylaw No. 3215/98 is hereby amended by:

1. Deleting Section 24 in its entirety and replacing it with the following revised Section 24:

“24 Where a service call is made for the purpose of restoring services to the customer’s account where utility services were previously discontinued pursuant to Section 35, 36 or 37 of this bylaw, a reconnection service charge as set forth in Schedule A may be assessed and added to the customer’s account.”
2. Deleting Schedule “A” in its entirety and replacing it with the attached new Schedule “A”.
3. Deleting Schedule “B” in its entirety and replacing it with the attached new Schedule “B”.
4. Deleting Schedule “D” in its entirety and replacing it with the attached new Schedule “D”.
5. This bylaw will come into full force and effect on March 1, 2010.

READ A FIRST TIME IN OPEN COUNCIL this day of 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

SCHEDULE "A"**Effective for all consumption, estimated or actual, on or after March 1, 2010****UTILITY BILLING FEES**

1	Application fee for utility billing	\$15.00
2	Installation of more than one meter	\$21.00/meter
3	Requested meter reading	\$21.00
4	Service call during regular hours	\$52.00
5	Service call after regular hours	\$140.00
6	Disconnection service charge	\$52.00
7	Reconnection service charge	\$52.00
8	Non-application fee (open a new account in owner's name)	\$30.00

**MISCELLANEOUS WATER AND
WASTEWATER RATES**

1	New service connection:		
		From Main In Street	From Main In Lane
	(a) Basic charge for 1" (25 mm) water and 6" (150 mm) sanitary	\$6,970.00	\$5,800.00
	(b) Basic charge for 1" (25 mm) water	\$6,020.00	\$4,750.00
	(c) Basic charge for 6" (150 mm) sanitary sewer	\$6,020.00	\$4,750.00

SCHEDULE "A"

(d) Basic charge for 4" (100 mm) storm sewer	\$6,020.00	\$4,750.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$7,270.00	\$6,010.00
(f) Dual service upon approval	\$8,075.00	N/A
(g) Water service renewal upon approval	\$6,640.00	N/A

Extra charge for:

Larger water service:

1.5" (38 mm)	\$ 275.00
2" (50 mm)	\$ 750.00
4" (100 mm)	\$3,190.00
6" (150 mm)	\$3,950.00
8" (200 mm)	\$5,200.00
10" (250 mm)	\$6,550.00
12" (300 mm)	\$8,320.00

Larger sanitary or storm sewer:

8" 200 mm Ribbed DR35	\$210.00 \$295.00
10" (250 mm) Ribbed DR35	\$320.00 \$480.00

SCHEDULE "A"

	12" (300 mm)		
	Ribbed	\$440.00	
	DR35	\$690.00	
	15" (375 mm)		
	Ribbed	\$ 640.00	
	DR35	\$1,005.00	
	18" (450 mm)		
	Ribbed	\$1,015.00	
	DR35	\$1,450.00	
	24" (600 mm)		
	Ribbed	\$1,715.00	
2	Disconnection of service (water kill)		
	up to 50 mm in size		\$2,600.00
	up to 50 mm in size, same dig at time of basic service		\$1,130.00
	over 50 mm in size		\$4,375.00
3	Additional fee for winter construction of service (Nov. 15 – May 15)		
	Lane	\$1,475.00	
	Street	\$2,205.00	
4	Other Charges		
	Construction of manhole to 3.1 metres in depth		\$3,715.00
	(a) Additional cost per vertical metre in excess of 3.1 metres in depth		\$510.00

SCHEDULE "A"

Inspection Chamber	\$2,150.00
Fire Hydrant and Valve Installation	\$5,875.00
Cutting and replacing pavement:	
(a) Single or double service 3" (75 mm) and under	\$2,650.00
(b) Single or double service over 3" (75 mm)	\$2,450.00
(c) Triple service 3" (75 mm) and under	\$3,500.00
(d) Triple service over 3" (75 mm)	\$4,032.00
(e) For service kill 3" (75 mm) and under	\$1,700.00
(f) For service kill over 3" (75 mm)	\$1,890.00
(g) For water service renewal	\$1,390.00
Replacing sidewalks:	
(a) Single or double service residential	\$2,650.00
(b) Single or double service commercial	\$4,210.00
(c) Triple service residential	\$3,150.00
(d) Triple service commercial	\$4,400.00
Replacing curb only:	
(a) Single or double service	\$1,680.00
(b) Triple or dual service	\$1,785.00
Landscaping Repairs (boulevard area)	\$ 160.00
Landscaping Repairs (utility lot/reserve)	\$ 550.00
5 Turn water off or on for repairs or line testing	
(a) during regular working hours	\$52.00
(b) after regular working hours	\$140.00

SCHEDULE "A"

6	Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 115 cubic feet (10 cubic metres) consumption. (Consumption in excess of 115 cubic feet (10 cubic meters) will be billed at current water consumption rate)	\$65.00
7	Meter Test	\$75.00
8	Repairs to water meters	at cost
9	Thawing water service	at cost
10	Repair to damaged standpipe	at cost
11	Private fire hydrant maintenance	
	(a) Spring inspection (Mar. 2 – June 30)	\$33.00/hydrant
	(b) Fall inspection (Aug. 1 – Oct. 31)	\$33.00/hydrant
	(c) Winter inspection (Nov. 1 – Mar. 1)	\$61.00/hydrant
	(d) Damage evaluation	\$52.00/hydrant
	(e) Paint	\$72.00/hydrant
12	Bulk Water	
	Use of designated fire hydrant to obtain water	\$65.00
		per permit plus
		water
		consumption charges

SCHEDULE "A"

13	Clearing plugged sewer	
	(a) During regular working hours	\$120.00
	(b) After regular working hours	\$250.00
14	Televise sewer lines	
	(a) Service (regular hours only)	\$185.00
	(b) Mains (regular hours only)	at cost

SCHEDULE "A"**WATER RATES**

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$0.6638 for each cubic metre of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	\$17.52
3/4" (19 mm)	\$28.04
1" (25 mm)	\$51.05
1½ " (38 mm)	\$119.16
2" (50 mm)	\$287.68
3" (75 mm)	\$485.71
4" (100 mm)	\$1,028.24
6" (150 mm)	\$1,926.84
8" (200 mm)	\$3,405.01

SCHEDULE "B"

Effective for all rates, estimated or actual, on or after March 1, 2010

WASTEWATER RATES

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$34.97 per month.
- 2 Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay at the rate of \$1.411 per cubic metre of wastewater calculated in the manner herein set forth with a minimum of \$34.97 per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on \$1.063 per cubic metre
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:
 - B.O.D.: \$0.78 per kg
 - Suspended Solids: \$0.84 per kg
 - Grease: \$0.24 per kg

SCHEDULE "B"

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.
- 5 Disposal at Liquid Waste Station and FOG Station (Fats, Oils and Grease):
- | | |
|--------------------|---------------|
| Single axle load | \$29.79 |
| Tandem axle load | \$49.67 |
| Multi-axle load | \$126.93 |
| Passenger Vehicles | \$57.03/month |

Note: See Schedule "A" for Miscellaneous Wastewater Rates

SCHEDULE "D"***Effective for all rates, on or after March 1, 2010*****SCHEDULE OF SOLID WASTE COLLECTION RATES**

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate			
	1.5 m ³ (2 yd ³)	2.3 m ³ (3 yd ³)	3.1 m ³ (4 yd ³)	4.6 m ³ (6 yd ³)
<u>Service on Demand:</u>				
Container rental	31.91	42.58	53.21	63.89
Lift charge	31.91	42.58	53.21	63.89
<u>Scheduled Service:</u>				
1 lift per month	34.45	41.04	47.63	60.78
1 lift every 2 weeks	47.63	60.78	73.99	100.33
1 lift per week	56.07	84.11	109.35	147.20
2 lifts per week	112.18	168.26	218.71	272.53
3 lifts per week	168.26	252.36	309.57	398.72
4 lifts per week	224.35	336.49	403.80	538.37
5 lifts per week	280.38	420.60	504.75	670.88
6 lifts per week	336.49	504.75	605.71	807.59
Extra lift for scheduled service	31.91	42.58	53.21	63.89

SCHEDULE "D"
SCHEDULE OF SOLID WASTE COLLECTION RATES

Charges for special container services in addition to the above rates will be as follows:

RATES PER CONTAINER

Standard Lid	No charge
Castors on Containers	\$ 9.30 per month

2. Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick-Up
	1	2	3	4	5	6	
≤ 0.4 m ³ (≤ .5 yd ³)	9.06	18.12	27.18	36.24	45.30	54.36	9.30
> 0.4 – 0.8 m ³ (≥ 5-1 yd ³)	18.12	36.24	54.36	72.48	90.60	108.72	18.60
.765>0.8-1.5 m ³ (≥ 1-2 yd ³)	36.24	72.48	108.72	144.96	181.20	217.44	27.91
≥ 1.5-2.3 m ³ (≥ 2-3 yd ³)	54.36	108.72	163.08	217.44	271.81	326.71	37.21
>2.3-3.1 m ³ (≥ 3-4 yd ³)	72.48	144.96	217.44	289.93	362.41	434.89	46.51
>3.1-3.8 m ³ (≥ 4-5 yd ³)	90.60	181.20	271.81	362.41	453.01	543.61	55.81
>3.8-4.6 m ³ (≥ 5-6 yd ³)	108.72	217.44	326.17	434.89	543.61	652.33	65.11
>4.6-5.3 m ³ (≥ 6-7 yd ³)	126.84	253.69	380.53	507.37	634.21	761.06	74.42

Note: 0.383 m³ (1/2 yd³) is approximately equal to 3 units (bags or cans) of garbage

SCHEDULE "D"**SCHEDULE OF SOLID WASTE COLLECTION RATES**

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or a dwelling unit in a multiple family building or multiple family development, the charge for basic residential collection shall be \$10.90 per month per dwelling unit for the collection of a maximum of 5 units of solid waste per week year round and once a week collection of yard waste for six months per year. The charge for solid waste tags for units in excess of the basic residential collection service shall be \$1.00 per garbage tag.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" or "R63" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$5.65 per month per dwelling unit.
- (b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$5.10 per month per dwelling unit.
5. Disposal Grounds Rates for Acceptance of Solid Waste and Refuse

	<i>Description</i>	<i>Rate</i>
(1)	Residents hauling residential refuse from their own residences	\$56.00 per metric tonne
(2)	Private companies or commercial haulers with commercial or residential refuse	\$56.00 per metric tonne
(3)	Demolition, concrete, asphalt and tree rubble	\$56.00 per metric tonne
(4)	Special Waste	\$77.00 per metric tonne
(5)	Asbestos	\$77.00 per metric tonne

SCHEDULE “D”

SCHEDULE OF SOLID WASTE COLLECTION RATES

<i>Description</i>	<i>Rate</i>	
(6) When fractional metric tonnes are delivered, the rate charged for the same shall be determined by prorating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$5.00 shall apply for items 5 (1), 5 (2), 5 (3), 5 (4), and a minimum charge of \$55.00 shall apply for item 5 (5).		
(7) Cover Material as defined in The City of Red Deer Waste Management Facility Disposal Guidelines		No Charge
(8) A surcharge of \$20.00 per load will be applied to unsecured loads as outlined in section 129 (3)		
 6. Dry Waste Disposal Site		
	<i>Dirt</i>	<i>Concrete and Asphalt</i>
Single Axle	\$ 10.00	\$ 32.00
Tandem	\$ 10.00	\$ 32.00
End Dumps	\$ 20.00	\$ 64.00
Pups and Trucks	\$ 20.00	\$ 64.00
 Service charge for opening the gate (If special trip is required)		 \$15.00/trip

Bylaws Item No. 10

BYLAW NO. 3445/2010

Being a bylaw to provide for municipal and school trustee elections in the city of Red Deer;

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

Title

1 This bylaw may be called the "Election Bylaw".

Definitions

2 Except as otherwise provided for in this bylaw, the terms used in the Local Authorities Election Act (the Act), where used or referred to in this bylaw, have the same meaning as defined or provided in the Act.

3 In this bylaw, the following terms mean:

"Automated voting system" means an automated or electronic system designed to automatically count and record votes and process and store the election results;

"Auxiliary ballot box" means a separate compartment in the ballot box for ballot cards that have been marked by voters but not counted by the vote tabulator.

"Ballot" means the part of a printed or electronically produced ballot card on which is indicated the office to be voted on, the names of the candidates, the bylaw name and number or the questions if any, and containing the spaces in which the elector is to mark his vote;

"Ballot box" means a container for paper ballots or ballot cards that have been marked by the voters;

"Ballot card" means a paper card, in a form approved by the Returning Officer, listing the ballots to be voted on in the election;

"City" means the municipal corporation of The City of Red Deer, in the Province of Alberta;

"Council" means the Council of The City elected pursuant to the Act;

"Counting centre" means an area designated by the Returning Officer in a controlled access building and equipped for the counting of votes and the tabulation of election results;

"Electronic Ballot Device" means a data storage unit that records and counts votes by electronic means where a voter casts his or her vote using touch screen technology.

"Local Jurisdiction" means, and includes, The City of Red Deer, the Red Deer Public School District No. 104, and the Red Deer Catholic Regional Division #39.

"Marking instrument" means the pen or other device, approved by the Returning Officer, for use in marking ballots by the elector;

"Memory Storage Device" means a computer memory unit that plugs into the Vote Tabulator or Electronic Ballot Device that contains:

- (a) the names of the candidates for each contest;
- (b) the alternatives 'yes' and 'no' for each bylaw or question (where there is a bylaw or question); and
- (c) a secure mechanism to record and count votes;

"Register Tape" means the printed record generated from the Vote Tabulator or Electronic Ballot Device which shows:

- (a) the number of ballots received;
- (b) the number of ballots accepted;
- (c) the number of votes for each candidate; and
- (d) where there is a vote on a bylaw or question, the number of votes for and against each bylaw or question;

"Secrecy sleeve" means an open ended envelope, in a form approved by the Returning Officer, used to cover a printed ballot card to conceal the markings made on the ballot card by the elector without covering the initials of the election official;

"Vote tabulator" means a machine into which ballot cards are inserted and:

- (a) records the number of votes for each candidate; and
- (b) where applicable, records the number of votes for and against each bylaw or question.

Joint Election

- 4 The Legislative & Administrative Services Manager of The City is authorized to enter into agreements, on behalf of The City, to conduct elections on behalf of other local jurisdictions in Red Deer whose boundaries may or may not be contiguous with the City but do have areas in common.

Returning Officer

- 5 The Legislative & Administrative Services Manager of The City is appointed the Returning Officer for The City (hereinafter referred to as the "Returning Officer") for the purpose of conducting elections under the Act.

Nomination Hours

- 6 The Returning Officer will receive nominations of candidates for the local jurisdiction elections between the hours of 8:00 a.m. and 12:00 noon on Nomination Day and on any subsequent day to which the time for receipt of nominations is adjourned.

Receipt of Nominations

- 7 The Returning Officer may establish locations, in addition to the local jurisdiction office, where a deputy may receive nominations.

Voting Subdivisions

- 8 The Returning Officer may alter the boundaries of voting subdivisions and create additional voting subdivisions as long as the changes are made before notice of election is given.

Ballots

- 9 Following nomination day, the Returning Officer will ensure sufficient ballots and ballot cards are printed and/or prepared electronically.

Form of Ballot

- 10 The form of the ballot will be established by the Returning Officer.

Voting Hours

- 11 (1) Every voting station will be kept open continuously on election day and during the advance vote from 10 am until 8 pm.
- (2) The Returning Officer may alter voting hours to correspond with hours established in areas where The City partners in the conduct of the Red Deer Catholic Regional Division #39 election of trustees.

Advance Voting

- 12 An advance vote may be held on any vote held in an election for the local jurisdiction.
- 13 The advance vote will be held on the dates and times set by the Returning Officer.
- 14 An electronic ballot device will be used to conduct the advance vote within the city of Red Deer and:
- (a) A deputy will:
 - (i) explain the voting procedures for the electronic ballot device;
 - (ii) take the voter to the voting compartment
 - (iii) activate the electronic ballot device by loading the correct ballot into the unit; and
 - (iv) leave the voting compartment.
 - (b) The voter may only vote by selecting a candidate's name (or

candidates, where there is more than one vacancy) and where there is a vote on a bylaw or question, beside “yes” or “no”.

- (c) Once a voter has pressed the “vote” button and cast the ballot, a replacement ballot shall not be issued.
- (d) In the event that a voter leaves the voting station without pressing the “vote” button to cast the ballot, the deputy will cancel the ballot and it will be recorded as a rejected ballot.
- (e) At the end of each day of an advance vote the presiding deputy will replace the electronic ballot device into a protective lock mode and physically lock each electronic ballot device.
- (f) The electronic ballot device will be closed and sealed at the close of the advance vote and will remain like that until opened for the tabulation of results on election day.

- 15 The Returning Office will establish the form of ballot and voting procedures for any Advance Vote held on behalf of the Red Deer Catholic Regional Division #39 in the area outside of the city of Red Deer.

Vote by Special Ballot

- 16 A vote by special ballot will be provided for those electors who are unable to vote at an advance vote or at the voting station on election day because of
- a) physical incapacity,
 - b) absence from the local jurisdiction, or
 - c) being a returning officer, deputy returning officer, constable, candidate, official agent or scrutineer who may be located on election day at a voting station other than that for the elector’s place of residence.
- 17 (1) Applications for special ballots will be accepted at any time between July 1 in the year of an election and the closing of voting stations on election day.
- (2) The Returning Officer will set dates for receipt of applications for special ballots in the event of a by-election or a vote held on a question, other than that held in conjunction with a general election.

- 18 At the close of voting on election day, the deputy supervising the special ballot box and one other deputy designated by the presiding deputy will immediately deliver the sealed ballot boxes to the counting centre for counting.

Incapacitated Elector at Voting Station

- 19 The electronic ballot device with an audio ballot feature is provided as a blind voter template to allow for the vote of a blind elector at the advance vote held within the local jurisdiction of the city of Red Deer.

Incapacitated Elector at Home

- 20 If a voter is unable to attend at a voting station because of physical incapacity or mobility limitations, that voter may request, at least 48 hours before the end of the advance vote period, to have a deputy attend at the voter's residence in order to take the vote of the voter.
- 21 If the Returning Officer is satisfied that the voter is unable to attend at a voting station due to physical incapacity or mobility limitations, the Returning Officer will:
- (a) advise the voter that the request has been accepted;
 - (b) appoint two deputies to attend at the voter's residence; and
 - (c) inform the voter of the date and approximate time that the deputies will attend the residence.
- 22 The ballot boxes used in the incapacitated elector at home vote will be closed and sealed upon the completion of the incapacitated elector at home vote and will remain like that until opened for the counting of ballots on election day.

Institutional Voting Stations

- 23 The Returning Officer is authorized to designate the location of one or more institutional voting stations for an election.
- 24 Date(s) and time(s) of the institutional vote will be posted at the institution at least two days before the vote is to be taken.
- 25 The deputies, accompanied by an official of the institution, may attend with

a ballot box on those patients or residents confined in their rooms, and take the votes of any of those patients or residents who express a desire to vote.

- 26 The ballot boxes used in the institutional vote will be closed and sealed upon the completion of the institutional vote and will remain like that until opened for the counting of ballots on election day.

Automated Voting System

- 27 The taking of votes of the electors and the tabulation of election results on any question or in any election conducted by The City may be done by means of an automated voting system, as directed by the Returning Officer.

- 28 In the event that an automated voting system is used in the election, the Returning Officer will:

- (a) satisfy himself, prior to the date of the election, that the automated voting system has been pre-tested and is accurate and in good working order; and
- (b) take whatever reasonable safeguards may be necessary to secure the automated voting system and any part thereof, including the vote tabulators and the ballot boxes from unauthorized access, entry, use, tampering, or any unauthorized use of the ballot cards or tabulated results.

- 29 Notwithstanding anything in this bylaw, in the event of:

- (a) a malfunction of an automated voting system;
- (b) the unavailability of an automated voting system or any of its components;
- (c) a defect in the ballots or ballot marking pens; or
- (d) anything related to the operation of an automated voting system or any of its components;

the Returning Officer may make any directions that he or she thinks necessary or desirable with respect:

- (e) to the voting procedures to be used;

- (f) to the taking of votes;
- (g) for the counting of the votes; and
- (h) where required, for a recount.

Voting Procedures

- 30 Each elector eligible to vote shall be given:
- (a) the ballot card(s) that the elector is eligible to receive and that has been initialled by a deputy;
 - (b) a secrecy sleeve; and
 - (c) if requested, an explanation of the voting procedures.
- 31 Upon receiving the ballot card(s) and secrecy sleeve, the elector will proceed to the voting compartment to vote.
- 32 While the elector is in the voting compartment, the elector will mark the ballots only with the marking instrument provided in the compartment, by completing the arrow pointing to his choice of candidate or, where there is more than one vacancy, the candidates of the elector's choice. Where the ballot includes a bylaw or question, the elector will mark his vote within the portion of the ballot containing the affirmative or negative, or containing the for or against, whichever way he decides to vote by completing the arrow pointing to his choice.
- 33 After the elector has finished marking the ballot card and has completed his voting, he shall immediately:
- (a) insert the ballot card into the secrecy sleeve without showing the markings on the ballot card to anyone and without folding the ballot card; and
 - (b) leave the voting compartment and deliver the secrecy sleeve, containing the ballot card, to the deputy supervising the ballot box and/or the vote tabulator.
- 34 The Deputy at the ballot box and or the vote tabulator must:
- (a) ensure that the ballot card was initialled by a Deputy; and

- (b) insert the ballot card directly from the secrecy sleeve into the ballot box and/or vote tabulator, ensuring that the ballots are not exposed.

Spoiled Ballot Card

- 35 (1) If a voter has made a mistake when marking a ballot, the voter may return the ballot card to the designated deputy.
- (2) The designated deputy must issue a new ballot card to a voter and mark the ballot card 'SPOILED' if the designated deputy is satisfied the voter made a mistake.
- 36 (1) If a ballot card is rejected by the vote tabulator, the deputy at the ballot box must advise the voter to request another ballot card.
- (2) If the voter requests another ballot card, the designated deputy must issue a new ballot card to the voter and mark the returned ballot card 'SPOILED.'
- 37 If the voter refuses to request another ballot card, the deputy at the ballot box must mark the ballot card with the word 'REJECTED.'
- 38 (1) Spoiled ballot cards must be retained and kept separately from all other ballot cards.
- (2) Rejected ballot cards must be retained and kept separately from all other ballot cards.

Vote Tabulator Failure

- 39 If the automated ballot counting system fails to work or stops working, the deputy at the ballot box must insert into the auxiliary ballot box all ballot cards delivered by voters while the vote tabulator is not working.
- 40 Notwithstanding sections 32 to 35, the Returning Officer may establish such other procedures as required to facilitate an electronic vote.
- 41 The voting procedure prescribed in this bylaw will, during an advance vote and an institutional vote, as far as is practicable, apply and may be modified as may be necessary upon the direction of the Returning Officer.
- 42 Each elector must follow the voting procedures as set out in this bylaw and as posted in the voting station, and upon the deposit of his or her

ballot card into the ballot box, the elector shall leave the voting station.

Vote on a Bylaw or Question

- 43 Unless otherwise specified by statute or decided by council, a vote on any bylaw or question will be held in conjunction with a general municipal election.

Sealing of Ballot Boxes

- 44 (1) Prior to the removal of the ballot box(es) from any voting station, the ballot box(es) containing the used ballot cards shall be:
- (a) closed and sealed with the presiding deputy's seal so that it cannot be opened without breaking the seal; and
 - (b) marked on the outside with the voting station name and number.
- (2) Electronic equipment used to acquire electronic votes is deemed to be a sealed ballot box.
- (3) The electronic ballot device(s) used in the advance vote will be closed and sealed upon the completion of voting of the advance vote and will remain like that until opened for the counting of ballots on election day.
- (4) The ballot boxes used in the incapacitated elector at home vote will be closed and sealed upon the completion of the incapacitated elector at home vote and will remain like that until opened for the counting of ballots on election day.
- (5) The ballot boxes used in the institutional vote will be closed and sealed upon the completion of the institutional vote and will remain like that until opened for the counting of ballots on election day.
- (6) The Returning Officer may direct that the sealed ballot boxes be delivered to the counting centre until they are opened for the counting of ballots, or may make any other direction deemed necessary for the storage and disposition of said ballot boxes

Post Vote Procedures

- 45 (1) Relative to automated ballot counting systems, immediately after the close of the voting station, the presiding deputy must, in the presence of at least one and any additional officers that he or she considers necessary, and the candidates and agents if any:
- (a) insert any ballot cards from the auxiliary ballot box into the vote tabulator;
 - (b) secure the vote tabulator so that no more ballot cards can be inserted;
 - (c) produce the required number of copies of the register tape as directed by the Returning Officer;
 - (d) together with another deputy, certify the register tapes as directed by the Returning Officer;
 - (e) package and seal all voted ballot cards and place them into the ballot transfer container(s);
 - (f) count the unused ballot cards, the rejected ballot cards and the spoiled ballot cards and place them, packaged separately and sealed, in the ballot transfer container(s) along with the voting register and all statements;
 - (g) seal and initial the ballot transfer container(s) and ensure that it is ready to be delivered to the Returning Officer;
 - (h) ensure that the deputy supervising the ballot box and one other deputy designated by the presiding deputy report the results to the Returning Officer by immediately delivering the vote tabulators, complete with memory cards to the counting centre;
- (2) Relative to non-automated ballot counting systems, immediately after the close of the voting station, the presiding deputy must, in the presence of at least one and any additional officers that he or she considers necessary, and the candidates and agents if any:
- (a) count the unused ballot cards, the rejected ballot cards and the spoiled ballot cards and place them, packaged separately and sealed, in an empty ballot box(es) along with the voting register and all statements;
 - (b) seal and initial the ballot boxes and ensure that they are ready to be delivered to the Returning Officer; and

- (c) ensure that the deputy supervising the ballot box and one other deputy designated by the presiding deputy immediately deliver the sealed ballot boxes to the counting centre for counting.
- (3) After the close of the voting station, the presiding deputy will personally, as soon as is practicable, deliver to the Returning Officer the ballot account and in a sealed box, the counted unused ballot cards, the spoiled ballot cards, together with the voting register and all statements.
- (4) The Returning Officer may also require that results be reported by telephone.
- (5) The presiding deputy shall not permit more than one candidate or his or her agent, or more than one agent of either side of a vote on any bylaw or question to be present at the same time after the voting station is closed.

Ballot Counting

46 The deputy supervising at the counting centre will:

- (a) receive all sealed ballot boxes containing used ballots and all vote tabulators containing votes and record for each the time of arrival and the voting station name and number in a check-in book and initial each entry;
- (b) immediately after 4:00 p.m. on election day, if provided for by the Returning Officer, in the presence of at least one and any additional officers that the Returning Officer considers necessary, ensure that the ballot boxes referred to in Sections 20, 27 and 31 are opened, and cause the ballots to be counted by inserting the ballot cards through the vote tabulator;
- (c) if the vote tabulator rejects the ballot, and a vote, though incorrectly marked on a ballot clearly indicates for whom or what the voter intended to vote:
 - (i) a duplicated ballot may be prepared in the presence of two deputies to reflect the intent of the elector, and the word "DUPLICATE" shall be marked on the ballot, and the word "ORIGINAL" shall be marked on the incorrectly marked ballot; and
 - (ii) the duplicated ballot will be assigned a number which will also be recorded on the incorrectly marked ballot and the

duplicated ballot will be inserted into a vote tabulator to be counted.

- (d) upon completion of the ballot count for each individual ballot box, place the counted ballot cards into the ballot box, and close and seal the ballot box;
- (e) ensure that no result totals are generated prior to 8:00 p.m. on election day;
- (f) after 8:00 p.m. on election day, activate the vote tabulator(s) to produce one (1) copy of the tally register tape for each voting subdivision, or such other number as may be directed by the Returning Officer, and as soon as is practicable, deliver to the Returning Officer the tally register tapes and the sealed ballot boxes containing the counted ballot cards.

Rejected Ballot Card

- 47 (1) A rejected ballot will not be counted. A ballot is rejected if:
- (a) the ballot card does not bear the initials of the deputy;
 - (b) more votes are cast on the ballot than an elector is entitled to cast;
 - (c) the ballot card is torn, defaced or otherwise dealt with by an elector so that he or she can be identified;
 - (d) no vote is cast by an elector or the ballot has not been marked sufficiently for the vote tabulator to discern a vote;
 - (e) a ballot has been marked outside of the space indicated on the ballot for the placing of a mark;
 - (f) a ballot that is rejected or returned by the vote tabulator or that cannot be read by the vote tabulator or deputy.
- (2) The deputy must mark any such ballot card with the word 'REJECTED.'
- (3) Rejected ballot cards must be retained and kept separately from all other ballot cards.

Recount

48 If the Returning Officer makes a recount, pursuant to the Act, the ballots shall be recounted by the automated voting system.

Disposition of Election Material

49 (1) Upon the completion of the tabulation of the election results, the Legislative & Administrative Services Manager shall retain the voting registers, the ballot boxes with their seals unbroken, and the programs and the memory cards of the automated voting system for six (6) weeks from the date of voting.

(2) After six weeks from the date of voting the Returning Officer will ensure that all voter registers and used ballots are destroyed and that any information retained on memory cards is cleared.

Transitional

50 Bylaw 3382/2007 is repealed.

READ A FIRST TIME IN OPEN COUNCIL this day of 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

FORM OF BALLOT

<h1 style="margin: 0;">CITY OF RED DEER</h1> <h2 style="margin: 0;">GENERAL ELECTION</h2> <h3 style="margin: 0;">OCTOBER</h3> <div style="text-align: right; margin-top: 10px;"> <div style="border: 1px solid black; width: 40px; height: 30px; display: inline-block;"></div> Deputy's Initial </div> <p style="text-align: center; margin-top: 10px;"> To Vote, completely fill in the arrow(s) </p> <p style="text-align: center;"> Pointing to your choice like this: </p> <p style="text-align: center; font-weight: bold;">Use Only The Special Pen Provided</p>	
<p>For the Office of</p> <p>(Vote for a Maximum of One (1) Candidate)</p> <hr/> <p>CANDIDATE'S Name </p>	<p>For the Office of</p> <p>(Vote for a Maximum of Eight (8) Candidates)</p> <hr/> <p>CANDIDATE'S Name </p>
<div style="display: flex; justify-content: space-between; font-size: small;"> A B C </div>	<div style="display: flex; justify-content: space-between; font-size: small;"> A B C </div> <p style="font-size: x-small; margin-top: 5px;">Typ:01 Seq:0001 Spt:01</p> <p style="font-size: x-small; margin-top: 5px;">7.2.0.0 / 011002 © Election Systems & Software, Inc. 1991, 2002</p>

