

FILE

DATE: February 25, 1997
TO: All Departments
FROM: City Clerk
RE: PLEASE POST FOR THE INFORMATION OF ALL EMPLOYEES

SUMMARY OF DECISIONS

FOR THE REGULAR MEETING OF RED DEER CITY COUNCIL
HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, FEBRUARY 24, 1997

COMMENCING AT ***4:30 P.M.***

- (1) Confirmation of the Minutes of the Regular Meeting of February 10, 1997

DECISION - Confirmed as transcribed

PAGE #

(2) **UNFINISHED BUSINESS**

1. Inspections & Licensing Manager - Re: One Hour Parking .. 1

DECISION - Agreed to continue *One Hour Free Parking in Downtown* and the present method of calculating the Business contribution towards same

2. City Clerk - Re: Business Tax Bylaw Amendment 3128/A-97
(See Bylaw Section for Readings) .. 7

DECISION - Report received as information

(3) **PUBLIC HEARINGS**

(4) **REPORTS**

1. Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/H-97 (Part of the SE ¼ 10-38-27-4) / Anders East - Phases 5C & 5D - Anders East Developments Ltd. (See Bylaw Section for Readings) . . 15

DECISION - Report received as information

2. E. L. & P. Manager - Re: Electric Rate Changes / Utility Bylaw Amendment 2960/B-97 / Schedule "C" (See Bylaw Section for Readings) . . 18

DECISION - Report received as information

3. City Assessor - Re: Fees for Information / Bylaw No. 3182/97 to Repeal Bylaw No. 2961/88 (See Bylaw Section for Readings) . . 21

DECISION - Report received as information

4. Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/G-97 (Part of the SW ¼ 14-38-27-4) Deer Park - Phase 7B / Melcor Developments Ltd. (See Bylaw Section for Readings) . . 23

DECISION - Report received as information

5. City Clerk - New Council Policy No. 4103 - City Interventions: Alberta Energy & Utilities Board (AEUB) Rate Applications . . 27

DECISION - Agreed to new Council Policy No. 4103 - City Interventions: Alberta Energy & Utilities Board Rate Applications

6. Inspections & Licensing Manager - Re: Construction Permit Fees / Bylaw Amendment 3149/A-97 / Increase In Fees (See Bylaw Section for Readings) . . 30

DECISION - Report received as information

(5) **CORRESPONDENCE**

1. Ronald McGinnis - Re: Handicap Parking Penalty / Request to Cancel Violation Ticket . . 40

DECISION - Agreed not to deal with this matter

2. Snell & Oslund Surveys (1979) Ltd. - Re: Request to Amend Road Closure Bylaw 3160/96 - Subdivision of Lot 1, Block 9, Plan 962-1393 and Part of Kennedy Drive / (See Bylaw Section for Readings) . . 50

DECISION - Correspondence received as information

3. Janelle Bergey - Re: Request to Amend Health Bylaw No. 2934/87, Schedule "D" - Smoking in the Work Place . . 55

DECISION - Agreed not to change the Health Bylaw relative to *smoking in the workplace*

4. Rocky & Susan Jones - Re: Application To Retroactively Reduce Lot Price - Oriole Park . . 59

DECISION - Item withdrawn

5. People's Choice Kitchen & Bath - Re: Application for Discretionary Use at #5401-48 Avenue (Lot 1, Block 33, Plan 656 N.Y.) .. 63

DECISION - Denied application for a discretionary land use at #5401 - 48 Avenue

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. 2960/B-97 - Utility Bylaw Amendment / Amend Utility Bylaw No. 2960/88 / Schedule "C" Electric Rate Changes - 3 Readings .. 72
.. 18

DECISION - Bylaw given 3 Readings

2. 3128/A-97 - Amend Business Tax Bylaw 3128/95 - 3rd Reading .. 77
.. 7

DECISION - Bylaw given 3rd Reading

3. 3149/A-97 - Amendment to Permit Fee Bylaw No. 3149/95 / Increase in Rates - 3 Readings .. 78
.. 30

DECISION - Bylaw given 1st and 2nd Readings

4. 3156/G-97 - Land Use Bylaw Amendment / Part of the SW ¼ 14-38-27-4 / Deer Park - Phase 7B (Melcor Developments Ltd.)
- 1st Reading .. 88
.. 23

DECISION - Bylaw given 1st Reading

5. 3156/H-97 - Land Use Bylaw Amendment / Part of the SE ¼ 10-38-27-4 / Anders East - Phases 5C & 5D - Anders East Developments Ltd. - 1st Reading . . 90
.. 15

DECISION - Bylaw given 1st Reading

6. 3160/A-97 - Road Closure Bylaw Amendment / Amend Legal Description of Land - 3 Readings . . 92
.. 50

DECISION - Bylaw given 3 Readings

7. 3182/97 - The Taxation and Assessment Fees Bylaw / To Repeal Bylaw No. 2961/88 - 3 Readings . . 93
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DECISION - Bylaw given 3 Readings

A G E N D A

FOR THE ***REGULAR MEETING OF RED DEER CITY COUNCIL***

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

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| 2. City Clerk - Re: Business Tax Bylaw Amendment 3128/A-97
(See Bylaw Section for Readings) | .. 7 |

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Committee of the Whole:

- (a) Land Matter
- (b) Land Matter
- (c) Legal Opinion

MEMO

DATE: February 19, 1997

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER
Inspections & Licensing Manager

RE: ONE HOUR PARKING

When City Council approved the above referenced program, a report to Council on the "free parking program," operated for one year, was to be submitted by the administration. Also, we were to report on how a proposal to place advertising signs on the parking meters was proceeding. An interested contractor was found who was operating similar businesses in two other Alberta cities; however, they were unable to proceed as there was no interest from the business community.

Attached is a survey that was conducted by the Town Center Association, which concludes that the majority of those businesses effected by the program are in favor of it being continued.

The most notable exception is that some businesses in the one hour zone feel their contribution entitles them to park all day at a meter. Some even go as far as rubbing the chalk marks off their tires. Our conclusion is that for 1996, it appears the program will be effectively revenue neutral, however this could change quickly and instead produce a deficit.

When considering the one hour program, we should begin with our 1996 parking budget and actual numbers as shown.

(A)	Total Budgeted - Parking Revenue	\$296,648.00
(B)	Total - Actual Revenue - December 1996	\$314,476.00

Which is comprised of:

■	Revenue from on-street meters:	
(A)	Budget	\$189,000.00
(B)	Actual - December 1996	\$192,764.00
■	Off Street Parking:	
(A)	Budget	\$107,648.00
(B)	Actual - December 1996	\$121,712.00
■	Other revenue sources:	
(A)	Fines - Budget	\$196,200.00
(B)	Actual - December 1996	\$316,121.00

CITY CLERK - ONE HOUR PARKING
February 19, 1997
Page 2

■	The total revenue from parking was:	
	(A) Budgeted	\$492,848.00
	(B) Actual - December 1996	\$630,597.00

Our projected deficit for 1996 was \$37,819.00, and our actual will be a surplus of approximately \$130,000.00 when the business contribution is included. These totals will be effected by any spending above budget such as vandalism or snow removal.

We are aware that the method used to calculate the business contribution is considered unfair by some businesses. When the Downtown Planning Committee considered the free parking program, the business contribution calculation was carefully considered, and several methods of calculating this were explored before a decision was made. One of the considerations was that regardless of the business size, all have the same access to parking; therefore the assumption is that they should all make equal payments. Another consideration is that this system is reasonably simple to calculate and to collect. Alternate and more complicated systems would increase our collection cost, which in turn would increase the amount each business would be required to contribute. Whatever system is utilized, it will appear unfair to some segment of the effected group.

The surplus that we have for this year should not be taken as an indication that 1997 will be as successful. In fact, we have budgeted for a \$65,000 deficit when the budget was put together, as our revenues were not as good at that time as shown now. However, fine revenue could drop back to 1995 levels, people could start using other parking areas all of which would have a negative effect on parking revenue.

When trying to determine what affect the one hour program has had on revenues, it is difficult in view that we do not have the ability to segregate the revenue by specific locations other than on/off-street meter/spitter lots etc. Consequently, we have no exact way of determine the impact the one hour program has had on revenue. For what reason fine revenue is increased is difficult to determine. or if it is related to the one hour parking program.

■	Revenue from on-street meters:	
	Actual - 1995	\$274,253.00
	Budget - 1996	\$189,000.00
	Actual - 1996	\$192,764.00

Revenue for on-street parking in 1995 was \$274,253.00, and \$192,764.00 in 1996, which means a loss of \$81,489.00 in that category. As nothing else has changed, it seems likely that the bulk of the reduction is occurring from reduced revenue in the one hour parking zone. This is offset by the actual business contribution of \$28,000.00 per year, giving a net loss of \$53,489.00. Fine revenue in 1995 was \$209,000.00, and in 1996 the actual revenue of \$316,121.00, a gain of \$107,121.00. The increase in fine revenue is not primarily from the one hour zone, as the Commissioners advise that generally most tickets are written outside of the area.

The bulk of the on street meters, and certainly those with the highest occupancy, are located in the one hour district, therefore the reduction in revenue can be attributed mostly to the one hour free parking.

CITY CLERK - ONE HOUR PARKING
February 19, 1997
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It appears the 1 hour program is costing the park fund approximately \$50,000.00 per year. This year, this has been offset by increased fine revenue, but if this declines, we will have to consider an increase to the business contribution for this program.

- RECOMMENDATIONS:**
- (a) Continuation of the program.
 - (b) The method of calculating the business contribution remain the same.
 - (c) All of the participants should be aware that if significant changes to the revenue accounts occur, there will be a need to consider changes to the free parking program.

Sincerely,



R. STRADER
Inspections & Licensing Department

RS:yd

Att

c Bryon Jeffers, Director of Development Services



ONE HOUR FREE PARKING SURVEY

November 25, 1996

As requested by the City of Red Deer, the Association completed a survey of businesses in the downtown, affected by the one hour free parking, to determine the affects and values of the one hour free concept.

The survey was distributed as our November newsletter by Canada Post, with a total of 753 copies being mailed. They went to businesses alone. The response on the total distribution was 4.7%, which is consided a reasonable return on any survey. Of the 232 affected businesses, we recorded a response of 15.1%, considered very good for a survey.

The survey clearly indicated that no response would be recorded as in favor of the program, and that if business had a problem with the program, they must respond, so that Council can make a final decision on the program.

Results of the questions were as follows;

- | | |
|--|--|
| <i>1. We like the one hour program and want it continued.</i> | <i>77% of responses.
represents 97.8% of affected
businesses.</i> |
| <i>2. We do not like the program and want it dis-continued.</i> | <i>22.7% of responses.
represents 2.2% of affected
businesses.</i> |
| <i>3. We think \$15 a month for free parking is reasonable.</i> | <i>50% of responses.</i> |
| <i>4. We think the assessment is unfair.</i> | <i>41% of responses.</i> |
| <i>5. Free one hour parking has been good for our clients.</i> | <i>73% of responses.</i> |
| <i>6. Free one hour parking has hurt our business.</i> | <i>4.5% of responses.</i> |
| <i>7. We would like the free one hour parking extended to our block.
7 businesses not in the program, selected this question, and indicated they want to be
included in the one hour free parking.</i> | |

One response suggested the one hour should be two hour free.

Comments were made that the assessment should be based on square footage, not simply a flat fee. Comments were made that the City should simply cover the cost within the existing parking budget, without the need for any assessment.

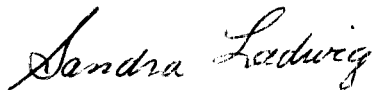
DATE: FEBRUARY 14, 1997
TO: MAYOR & CITY COUNCIL
FROM: DOWNTOWN PLANNING COMMITTEE
RE: **ONE HOUR FREE PARKING PROGRAM**

At the Wednesday, February 12, 1997 meeting of the Downtown Planning Committee, the following resolution was introduced and passed supporting continuation of the One Hour Free Parking program:

"THAT the Downtown Planning Committee recommend to
Red Deer City Council

- (a) Continuation of the One Hour Free Parking Program;
- (b) That the method of calculating the business contribution remain the same;
- (c) That all of the participants be aware that if significant changes to the revenue accounts occur, there will be a need to consider changes to the free parking program."

Respectfully submitted,



for CLARENCE TORGERSON
Chairman
Downtown Planning Committee

Comments:

We concur with the recommendations of the Downtown Planning Committee with the understanding that the Inspections and Licensing Manager will monitor the revenue during the course of 1997. If it appears there is a significant shortfall in revenue, same shall be reported to Council.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997
TO: Inspections & Licensing Manager
FROM: City Clerk
RE: **ONE HOUR PARKING**

Reference Report: Inspections and Licensing Manager,
dated February 19, 1997


Resolution Passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the Inspections and Licensing Manager, dated February 19, 1997 re: One Hour Parking, hereby agrees as follows:

1. That the One Hour Free Parking Program in Downtown Red Deer be continued;
2. That the method of calculating the business contribution towards the One Hour Free Parking remain as is;
3. That the Inspections and Licensing Manager continue to monitor the revenue during the course of 1997, and if it appears there is a significant shortfall in revenue, a report is to be presented back to City Council;

and as presented to Council February 24, 1997."

Report Back to Council Required: As per the above resolution.



Kelly Kloss
City Clerk

/clr

c Director of Development Services
City Assessor

Downtown Planning Committee
Manager, Towne Centre Association

Item No. 2

DATE: February 13, 1997

TO: City Council

FROM: City Clerk

RE: ***BUSINESS TAX BYLAW AMENDMENT 3128/A-97***

At the Council Meeting of February 10, 1997, Council gave 1st and 2nd Readings to Business Tax Bylaw Amendment 3128/A-97. I have attached hereto, for your information, the reports that appeared on that Council agenda.

Business Tax Bylaw Amendment 3128/A-97 is now being presented for consideration of third Reading.

RECOMMENDATION

Council may now give Business Tax Bylaw Amendment 3128/A-97 third Reading.



Kelly Kloss
City Clerk

KK/clr
attchs.

DATE: February 4, 1997

TO: City Clerk

FROM: City Assessor

RE: BUSINESS ASSESSMENT & TAX

City Council has passed Business Tax bylaw #3128/95 pursuant to the Municipal Government Act. This bylaw incorporates the tax rate.

Section 377(1) of this Act reads:

"Each Council that has passed a business tax bylaw must pass a business tax rate bylaw annually."

1995 and 1996 history of City of Red Deer Business Assessment and Tax

1995	Business Tax Budget	1,662,376
	Number of Business Tax Accounts	1,963
	Actual Business Tax Collected	1,746,442
	Collections in Excess of Budget	84,066
1996	Business Tax Budget	1,764,000
	Number of Business Tax Accounts	1,995
	Actual Business Tax Collected	1,687,274
	Collections Short of Budget	76,726

and projected for 1997

Business Tax Budget	1,782,000
Less Allowance for business moves (incorporated in budget)	<u>35,000</u>
Total Adjusted Business Tax Budget	1,747,000

Number of Business Tax Accounts:	1,988
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Business Assessment:

Projected 1997 Business Assessment	82,662,520
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At Same Rate as 1995/96 - 2.10% - income	1,735,913
Less Additional Allowance for Business moves	<u>43,000</u>
Actual Projected Income for 1997	1,692,900

Budgeted Business Tax Income	1,747,000
Projected Income for 1997	<u>1,693,000</u>
Shortfall	\$ 54,000

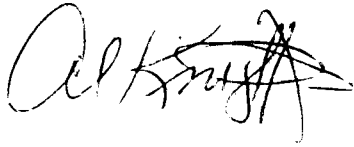
City Clerk
February 4, 1997
Page 2

The projected shortfall in the Business Tax Levy can be made up from the mill rate stabilization fund. This can then be reviewed and adjusted in the 1998 budget year.

The reasons for the decline in business tax revenue are difficult to pinpoint. (i.e. business move-outs during the year that require a refund of paid tax and new businesses move-ins that start during the year) Obviously the reductions are greater than the increases, as is evident from the number of businesses in 1996 to 1997 and the decline in revenue experienced in 1996.

RECOMMENDATION

Respectfully recommend, in accordance with City Council direction, that the 1997 Business Tax Rate in Bylaw 3128/95, Section 6, be set at 2.10%. This is the same rate as passed by Council for 1995 and 1996 taxation.

A handwritten signature in black ink, appearing to read 'Al Knight', with a stylized flourish at the end.

Al Knight, A.M.A.A.
City Assessor

AK/ngl

c.c. Director of Corporate Services
Tax Coordinator

Comments: (Comments appearing on Council Agenda of February 10, 1997)

We concur with the recommendation of the City Assessor and that Council give three readings to Bylaw Amendment No. 3128/A-97.

"G. D. SURKAN"
Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997

TO: City Assessor

FROM: City Clerk

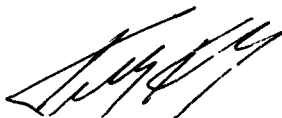
RE: **BUSINESS TAX BYLAW AMENDMENT 3128/A-97**

Reference Report: City Clerk, dated February 13, 1997

Bylaw Passed: Business Tax Bylaw Amendment 3128/A-97 was given 3rd Reading at the Council Meeting of February 24, 1997. A copy is attached hereto.

Report Back to Council Required: No

Comments/Further Action: Our office will be distributing an amended consolidated copy of Business Tax Bylaw 3128/95, in due course.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
Tax Coordinator
C. Rausch

DATE: February 4, 1997

TO: City Clerk

FROM: City Assessor

RE: BUSINESS REVITALIZATION ZONE TAX RATE

Alberta Regulation 377/94, Section 19, states:

"(1) Each council that has passed a business revitalization zone tax bylaw must pass a business revitalization zone tax rate bylaw annually." And

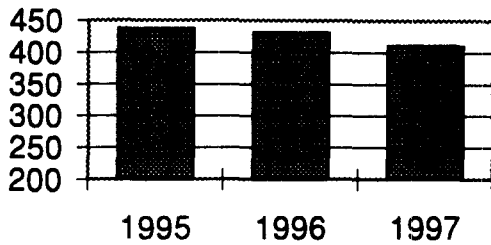
"(3) The business revitalization zone tax rate for a zone must be sufficient to raise the amount that the board is to receive from the municipality in respect of the business revitalization zone tax as set out in the board's approved budget."

Some history from the last two years on the assessment in the Business Revitalization Zone is as follows:

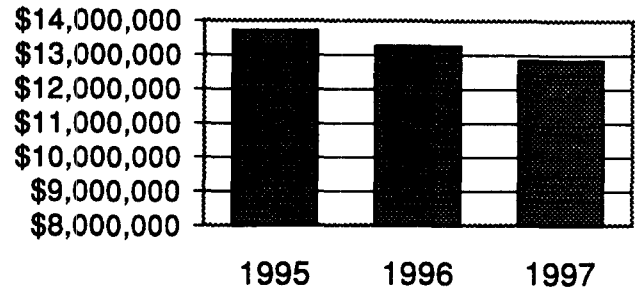
1995	Number of Businesses assessed:	436
	Total Business Assessment	13,693,950
	Budget as approved by Council	111,000
	Actual Collected	<u>109,056</u>
	Shortfall	1,944
1996	Number of Businesses assessed	430
	Total Business Assessment	13,246,890
	Budget as approved by Council	111,000
	Actual Collected	<u>107,527</u>
	Shortfall	3,473
1997	Number of Businesses assessed	410
	Total Business Assessment	12,819,810
	Budget as approved by Council	111,000

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Number of Businesses



Assessment



Provincial legislation requires that, if and when a business closes, relocates or, downsizes, a refund of the unused portion of the tax is made. In 1995 and 1996, it is evident by the number of businesses in the Business Revitalization Zone and the total assessment that more businesses are relocating, closing, etc., than are establishing or moving into the zone. The result is decreased assessment.

To satisfy the legislation and comply with the budget request of the Towne Centre Association as approved by City Council for 1997 at \$111,000, we respectfully recommend a rate of 0.61% be approved. (1995 and 1996 rate was 0.57%). This represents an increase of approximately 7%. The Towne Centre Association maintains a contingency account and will utilize this if a shortfall occurs in 1997.

The Business Revitalization Zone Rate Bylaw, as approved in the past, has incorporated a minimum \$100 Business Revitalization zone tax. Information available indicates that 218 of the 410 Business Revitalization zone accounts in 1997 will experience no Business Revitalization Zone tax increase and 192 of the 410 will experience an increase utilizing the 0.61% tax rate, as recommended. In 1996, 229 accounts were at the \$100 minimum.

The Towne Centre Association has advised that they do not wish to have the shortfall in 1995 and/or 1996 added to the 1997 levy. The shortfall will be made up from the contingency fund, as noted above.

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RECOMMENDATION

To comply with legislation and collect the required funds for the Towne Centre Association, we respectfully recommend that Council amend Bylaw 3128/95, Clause 7(1) to the rate of 0.61% in place of 0.57%, with all other wording and sections to remain the same.

A handwritten signature in black ink, appearing to read 'Al Knight', with a large, stylized star or 'A' shape drawn over the end of the signature.

Al Knight, A.M.A.A.
City Assessor

AK/ngl

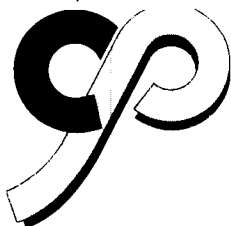
c.c. Director of Corporate Services
Taxation Coordinator

Comments: (Comments appearing on Council Agenda of February 10, 1997)

We concur with the recommendation of the City Assessor and that Council give three readings to Bylaw Amendment No. 3128/A-97. As pointed out in the report from the City Assessor, once a budget is approved for the Business Revitalization Zone, Council is obliged by regulation to raise the amount required from the contributing businesses.

"G. D. SURKAN"
Mayor

"H. M. C. DAY"
City Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570

Date: February 18, 1997

To: City Council

From: Frank Wong, Planning Assistant

**Re: Land Use Bylaw Amendment 3156/H-97
Part of the SE 1/4 Sec. 10-38-27-4
Anders East - Phases 5C & 5D
Anders East Developments Ltd.**

Al-Terra Engineering Ltd., on behalf of Anders East Developments Ltd., is proposing to redesignate 3 41 ha (8.43 ac) of land in the southwest portion of Anders East Subdivision for residential use. The proposed redesignation will be from A1 Future Urban Development District to R1 Residential Low Density District and R1A Residential (Semi-Detached Dwelling) District.

The redesignation will accommodate 12 single family lots and 14 semi-detached lots in Phase 5C and 12 single family lots and 12 semi-detached lots in Phase 5D. The proposal does not comply with the Outline Plan and an application to amend the Outline Plan is being processed simultaneously with the land use amendment. An open house regarding the Outline Plan amendment will be held on February 19, 1997 for area residents. Our written report on the Outline Plan amendment will be available for the March 10, 1997 Council agenda. A verbal report on the Open House will be available at the February 24 Council meeting.

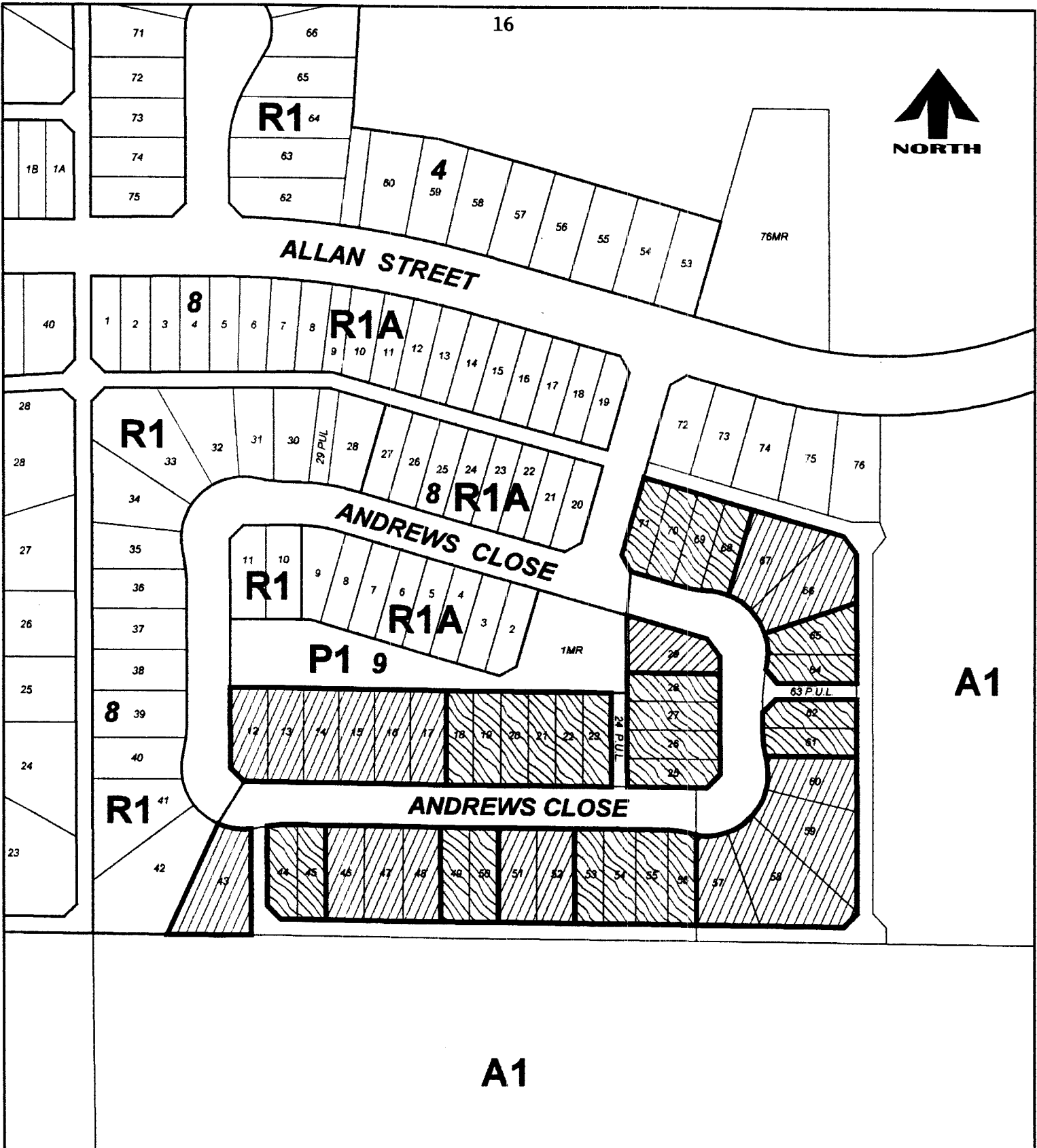
Recommendation

Planning staff recommend that City Council proceed with first reading of the Land Use Bylaw Amendment 3156/H-97.

Sincerely,

Frank Wong,
Planning Assistant

Attachment



Change from: A1 to R1



& A1 to R1A



WHERE AS :

A1 - FUTURE URBAN

DEVELOPMENT DISTRICT

R1 - RESIDENTIAL DISTRICT

R1A - RESIDENTIAL DISTRICT

(SEMI DETACHED DWELLING)

MAP NO. 8 / 97

BYLAW NO. 3156/H - 97

Comments:

In order to assist the Developer by expediting the process, we are recommending that Council give 1st reading to Land Use Bylaw Amendment 3156/H-97 at this meeting. However, depending upon the outcome of the consultation with the neighbourhood at the public meeting, we may not be able to support 2nd and 3rd readings of this bylaw amendment.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997
TO: Principal Planner
FROM: City Clerk
RE: **LAND USE BYLAW AMENDMENT 3156/H-97,
PART OF THE SE ¼ SEC. 10-38-27-4,
ANDERS EAST - PHASES 5C & 5D (Anders East Developments Ltd.)**

Reference Report: Planning Assistant, Parkland Community Planning Services, dated February 18, 1997


Bylaw Passed: Land Use Bylaw Amendment 3156/H-97 was given 1st Reading. A copy is attached hereto.

Report Back to Council Required: Yes, Public Hearing to be held March 24, 1997 at 7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment 3156/H-97 provides for the rezoning of approximately 3.41 ha (8.43 ac) of land in the SW portion of Anders East Subdivision, from A1 (Future Urban Development) District to R1 (Residential Low Density) District and R1A (Semi-Detached Dwelling) District, to accommodate 12 single family lots and 14 semi-detached lots in Phase 5C, and 12 single family lots and 12 semi-detached lots in Phase 5D.

This office will now proceed with the advertising for a Public Hearing. Our office has advised Melcor Developments Ltd., via letter, that they will be responsible for the advertising costs.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief
 City Assessor
 Land and Economic Development Manager
 Council and Committee Secretary, S. Ladwig

FILE

Office of the City Clerk

February 25, 1997

Melcor Developments Ltd.
400, 4808 Ross Street
Red Deer, AB T4N 1X5

Faxed to: 343-7510

Att: Mr. Guy Pelletier

Dear Mr. Pelletier:

RE: LAND USE BYLAW AMENDMENT 3156/H-97, PART OF SE ¼ 10-38-27-4, ANDERS EAST - PHASES 5C & 5D, ANDERS EAST DEVELOPMENTS LTD.

At the City of Red Deer's Council Meeting held February 24, 1997, first reading was given to Land Use Bylaw Amendment 3156/H-97, a copy of which is attached hereto.

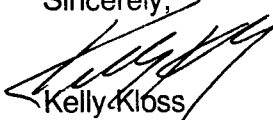
Land Use Bylaw Amendment 3156/H-97 provides for the rezoning of approximately 3.41 ha (8.43 ac) of land in the SW portion of Anders East Subdivision, from A1 (Future Urban Development) District to R1 (Residential Low Density) District and R1A (Semi-Detached Dwelling) District, to accommodate 12 single family lots and 14 semi-detached lots in Phase 5C, and 12 single family lots and 12 semi-detached lots in Phase 5D.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, March 24, 1997 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600. We require this deposit by no later than 10:00 a.m., Wednesday, March 5, 1997, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.

c Sandra Ladwig

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4



DATE: February 14, 1997

TO: City Clerk

FROM: E. L. & P. Manager

RE: Electric Rate Changes
Utility Bylaw Amendment 2960/B-97

The Council approved 1997 E. L. & P. Department Budget provides for an increase in electrical rates of 1.8%. This increase is to be applied on an across-the-board basis. The necessary amendments to Utility Bylaw Schedule "C" are attached to this Council Agenda.

At the same time as the above change is made, it would be appropriate to make another change to the Utility Bylaw Schedule "C" to reflect the current cost structure on which we purchase our energy supply.

In the past, our purchase was based, in part, on the maximum City demand for electricity. The billing demand was calculated as the greater of the metered demand in the current month or 85% of the highest metered demand in the 12 month period including and ending with the current billing month. Under the present provincial utility structure, we are billed on the basis of the greater of the Contract Demand or 100% of the highest metered demand in any billing period while the contract is effective. The Contract Demand can only be reduced by giving a minimum notice of 1 year.

The existing E. L. & P. rates reflect the 85% demand factor in calculating our customer's bills. To enable our total costs to be recovered in a manner which reflects cost causation and to present the appropriate price signals respecting demand to our customers, it is recommended that the 85% factor be changed to a 100% factor. The amendments to Utility Bylaw Schedule "C" attached to this Council Agenda reflect this change.

The demand factor change affects the approximately 375 commercial customers who have a demand of 50 kVA or higher. Small commercial customers and residential customers are not affected by this change. The cost impact will be different for each affected customer and is dependent on the ratio of average load to maximum load. While our computer systems do not enable a thorough analysis, it is estimated that an average increase of 1.5% will be seen by these 375 commercial customers.

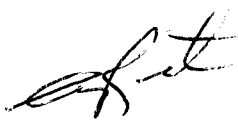
City Clerk
 Page 2
 February 14, 1997

For Council's reference, the last changes in the E. L. & P. rates were made on November 15, 1995 and were as follows:

Rate E61	Residential	Average 1.0% decrease
Rate E63	General Service (Energy Rate Only)	Average 19.2% decrease
Rate E64	General Service (Demand/Energy Rate)	Average 2.0% decrease
Rate E78	Large General Service/Industrial (Demand/Energy Rate)	Average 5.7% decrease

RECOMMENDATION

It is respectfully requested that Council approve the amendments to Schedule "C" of the Utility Bylaw to reflect both the 1.8% across-the-board rate increase and, the change in the historical demand calculation factor from 85% to 100%. It is further requested that Council give the necessary three readings at the February 24, 1997 Council meeting to enable the changes to be implemented on the February 28, 1997 date specified in the amended Bylaw.



A. Roth,
 Manager

AR/jjd

Attachment

c.c. Director of Development Services
 Director of Corporate Services
 Treasury Services Manager

Comments:

We concur with the recommendations of the E. L. & P. Manager and respectfully recommend that Council give three readings to Utility Bylaw Amendment 2960/B-97 at this meeting in order that we meet the budgeted revenues.

“B. HULL”
Deputy Mayor

“H. M. C. DAY”
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997

TO: E. L. & P. Manager

FROM: City Clerk

RE: **ELECTRIC RATE CHANGES - UTILITY BYLAW AMENDMENT 2960/B-97**

Reference Report: E. L. & P. Manager, dated February 14, 1997

Bylaw Passed: Utility Bylaw Amendment 2960/B-97 was given three Readings at the Council Meeting of February 24, 1997. A copy is attached hereto.

Report Back to Council Required: No

Comments/Further Action:

This office will now be updating the office consolidation copy of Utility Bylaw 2960/88 and distributing same in due course.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
 Director of Development Services
 Treasury Services Manager
 Utility Billing Supervisor
 C. Rausch

Item No. 3

DATE: February 14, 1997

TO: City Clerk

FROM: City Assessor

RE: **FEES FOR INFORMATION** (BYLAW NO. 3182/97)

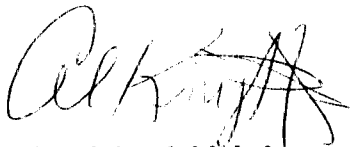
Section 217(1)(b) of the Municipal Government Act provides that copies of information must be provided to any person on payment of a reasonable fee, established by bylaw.

The 1997 budget, as approved by Council, contained a schedule of increased fees for Tax Certificates, Searches, and Assessment information.

Please repeal Bylaw No. 2961/88 with Bylaw No. 3182/97, **effective March 1, 1997**, incorporating the following fees in subsection 2:

	Staff Assisted	Computerized (IVR)
a) Tax Certificate	\$20.00	\$15.00
b) Tax/Assessment Search	\$ 8.00	\$ 6.00
c) Assessment Information	\$10.00	Not Available

Thank you.



Al Knight, A.M.A.A.
City Assessor

AK/ngl

Comments:

Bylaw No. 3182/97 is in conformance with, and implements, the rate increases approved by Council in the Budget.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997

TO: City Assessor

FROM: City Clerk

RE: THE TAXATION AND ASSESSMENT FEES BYLAW NO. 3182/97

Reference Report: City Assessor, dated February 13, 1997

Bylaw Passed:

Taxation and Assessment Fees Bylaw No. 3182/97 was given three Readings at the Council Meeting of February 24, 1997. Bylaw No. 3182/97 becomes effective March 1, 1997 and at that time Bylaw No. 2961/88 shall be repealed. A copy is attached hereto.

Report Back to Council Required: No

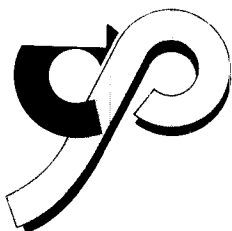
Comments/Further Action:



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
Tax Coordinator
C. Rausch



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570

Date: February 13, 1997

To: City Council

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/G-97
Part of the SW 1/4 Sec. 14-38-27-4
Deer Park - Phase 7B
Melcor Developments Ltd.

Melcor Developments Ltd. presently have title to the remaining land in Deer Park containing approximately 7.77 ha (19.2 ac). They wish to redesignate 2.467 ha (6.1 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District.

This proposal (Phase 7B) is to create 29 single family lots which will be developed with the recently approved Phase 7A. The proposed redesignation complies with the recently approved Outline Plan.

Recommendation

Planning staff recommend that City Council proceed with first reading of the Land Use Bylaw Amendment 3156/G-97.

Sincerely,

A handwritten signature in black ink that reads 'Frank Wong'. The signature is written in a cursive, flowing style.

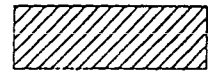
Frank Wong,
Planning Assistant

Attachment

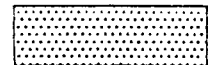
RED DEER
Deerpark Subdivision
Outline Plan
Showing a
Subdivision
of the
S.W.1/4 SEC.14-38-27-4
for
MELCOR DEVELOPMENTS LTD.

LEGEND & NOTES

MR LOTS SHADED THUS



DUPLEX (R1A) LOTS SHADED THUS



Phase 7A
Increased from 22 to 26 lots

Phase 7B
Increased from 26 to 29 lots

Phase 7C
Minimum Lot Widths of 45 feet

SCALE = 1:5000m

— N —

Jan. 7/97
REVISED: NOV. 20, 1996
REVISED: OCT. 29, 1996
REVISED: OCT. 25, 1996

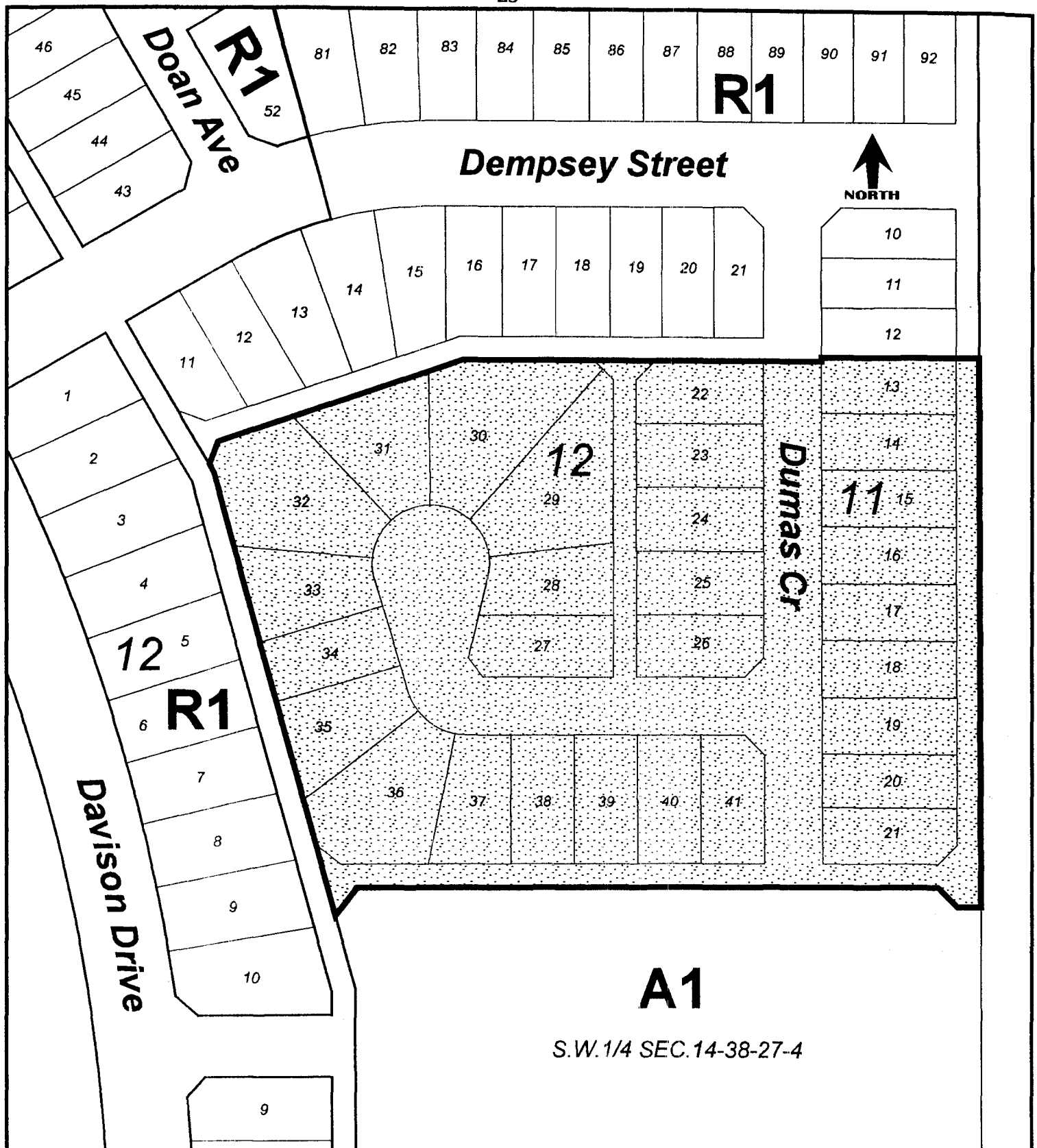
Council Approval: Jan. 13/97

January 7, 1997
Parkland Community
Planning Services

AL-TERRA
ENGINEERING LTD.

EDMONTON

RED DEER



Change from: A1 to R1



WHERE AS :

**A1 - FUTURE URBAN
DEVELOPMENT DISTRICT
R1 - RESIDENTIAL DISTRICT**

Comments:

We recommend Council proceed with First Reading of Land Use Bylaw Amendment 3156/G-97.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997
TO: Principal Planner
FROM: City Clerk
RE: **LAND USE BYLAW AMENDMENT 3156/G-97, PART OF SW ¼ 14-38-27-4,
DEER PARK - PHASE 7B (MELCOR DEVELOPMENTS LTD.)**

Reference Report: Planning Assistant,
dated February 13, 1997

Bylaw Passed: Land Use Bylaw Amendment 3156/G-97 given
1st Reading. A copy is attached hereto.

Report Back to Council Required: Yes, Public Hearing to be held March 24, 1997 at
7:00 p.m.

Comments/Further Action:

Land Use Bylaw Amendment 3156/G-97 provides for the redesignation of approximately 2.467 ha (6.1 ac) of land from A1 (Future Urban Development) District to R1 (Residential Low Density) District to accommodate 29 single family lots which will be developed with recently approved Phase 7A.

This office will now proceed with the advertising for a Public Hearing. Our office has advised Melcor Developments, via letter, that they will be responsible for the advertising costs.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief
 City Assessor
 Land and Economic Development Manager
 Council and Committee Secretary, S. Ladwig

FILE

Office of the City Clerk

February 25, 1997

Box 5008

Red Deer, Alberta

T4N 3T4

Melcor Developments Ltd.
400, 4808 Ross Street
Red Deer, AB T4N 1X5

Faxed to: 343-7510

Att: Mr. Guy Pelletier

Dear Mr. Pelletier:

RE: LAND USE BYLAW AMENDMENT 3156/G-97, PART OF SW ¼ 14-38-27-4, DEER PARK - PHASE 7B (MELCOR DEVELOPMENT LTD.)

At the City of Red Deer's Council Meeting held February 24, 1997, first reading was given to Land Use Bylaw Amendment 3156/G-97, a copy of which is attached hereto.

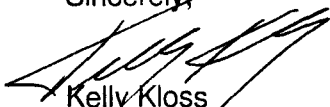
Land Use Bylaw Amendment 3156/G-97 provides for the redesignation of approximately 2.467 ha (6.1 ac) of land from A1 (Future Urban Development) District to R1 (Residential Low Density) District to accommodate 29 single family lots which will be developed with recently approved Phase 7A.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, March 24, 1997 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$600. We require this deposit by no later than 10:00 a.m., Wednesday, March 5, 1997, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Sandra Ladwig



Item No. 5

DATE: February 13, 1997
TO: City Council
FROM: City Clerk
RE: ***NEW COUNCIL POLICY NO. 4103 - CITY INTERVENTIONS:
- ALBERTA ENERGY & UTILITIES BOARD (AEUB) RATE APPLICATIONS***

At the Council Meeting of February 10, 1997, the following resolution was passed with respect to the above:

"RESOLVED that Council of The City of Red Deer, having considered report from the E. L. & P. Manager dated February 3, 1997, re: Northwestern Utilities Limited - Applications to the Alberta Energy and Utilities Board, hereby agrees:

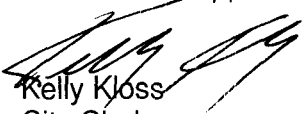
1. to delegate authority to the Utility Committee to participate, on behalf of The City of Red Deer, in interventions with respect to Northwestern Utilities Limited 1997 General Rate Application and the Northwestern Utilities Limited 1996/97 Winter Gas Recovery Application; and
2. to delegate to the Utility Committee the authority to participate, on behalf of The City of Red Deer, in future interventions regarding rate applications before the Alberta Energy and Utilities Board (EUB); and
3. that the Utility Committee will present reports to Council on the outcome of hearings before the Alberta Energy and Utilities Board (EUB) that they have participated in; and
4. that the Utility Committee has the authority to engage the resources of Bryan & Company, Robert L. Bruggeman Regulatory Consulting, and any others as deemed necessary for the purpose of presenting the interventions;

and as presented to Council February 10, 1997."

As the above resolution appears to reflect Council policy, it is believed that it should be formally included in the Council Policy Manual. Please find attached hereto new Council Policy No. 4103 for consideration.

RECOMMENDATION

That Council approve Council Policy No. 4103.


Kelly Kloss
City Clerk

KK/clr
attchs.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

4103

Page 1 of 1

TITLE:

***City of Red Deer Interventions
Into Rate Applications Before
the Alberta Energy and Utilities
Board (AEUB)***

***Date of Approval:
February 24, 1997***

SECTION:

***Development Services
(Electric, Light & Power)***

Dates of Revision:

POLICY STATEMENT

To establish a policy to provide for the intervention of The City of Red Deer into rate applications before the Alberta Energy and Utilities Board (AEUB).

1. Definition:

"The Alberta Energy and Utilities Board" will hereafter be referred to as the AEUB.

"The Utility Committee" of The City of Red Deer, will be comprised of the following members:

City Manager
Director of Corporate Services
Director of Development Services
Electric, Light & Power Manager

2. The Utility Committee has the authority to participate, on behalf of The City, in interventions regarding rate applications before the AEUB.
3. The Utility Committee will present reports to Council on the outcome of hearings before the AEUB that they have participated in.
4. The Utility Committee has the authority to engage the resources of Bryan & Company, Robert L. Bruggeman Regulatory Consulting, and any others as deemed necessary for the purpose of presenting the interventions.

Comments:

We concur with the recommendation of the City Clerk.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997
TO: E. L. & P. Manager
FROM: City Clerk
RE: **COUNCIL POLICY NO. 4103 - CITY INTERVENTIONS:
ALBERTA ENERGY & UTILITIES BOARD (AEUB) RATE
APPLICATIONS**

Reference Report: City Clerk, dated February 13, 1997

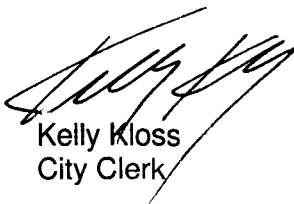
Resolution Passed:

"RESOLVED that Council of The City of Red Deer, having considered report from the City Clerk dated February 13, 1997 re: New Council Policy No. 4103 - City Interventions: Alberta Energy & Utilities Board Rate Applications, hereby approves Council Policy No. 4103 as presented to Council February 24, 1997."

Report Back to Council Required: No

Comments/Further Action:

Please find attached new Council Policy No. 4103. This office will be distributing copies to respective departments in due course.



Kelly Kloss
City Clerk

/clr
attchs.

c Director or Community Services
Director of Corporate Services
Director of Development Services
C. Rausch

MEMO

DATE: February 18, 1997

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER
Inspections & Licensing Manager

RE: CONSTRUCTION PERMIT FEES

Please place the following before Council for their consideration:

We are proposing to increase the fees for the following permits:

- | | | |
|-------------|---------------|------------------------|
| 1) Building | 3) Gasfitting | 5) Ditch Installations |
| 2) Plumbing | 4) Heating | |

The fees for demolition, development, moving and applications to the Municipal Planning Commission will not be increased.

Permit fees in general have not been raised since 1992. Building permits fees are an exception because of the manner in which they are calculated. They are calculated based on the cost of construction and the permit fee bylaw does contain a provision for increase based on the previous years cost of construction per square foot that is added at the beginning of the year. The purpose of fees is to offset the cost of inspections. For the last several years, we have tried to put almost all of our inspection related activities on a cost recovery basis.

Appendix A illustrates a comparison of our recommended fees with other municipalities and private inspection firms. We were not able to graph all of the various fees, and the method of calculation of fees varies considerably.

The fees are intended to cover the costs of inspections as well as the office function which includes record keeping, answering questions from contractors and homeowners regarding buildings.

In the case of a building permit, the fee would include a minimum of **four (4) inspections**; foundation, insulation, pre-drywall and an occupancy inspection. Commercial projects receive as many inspections as required, an average of 8 inspections per project.

In addition to the building permits, we do pre-permit checks which involves meeting with the contractors, homeowners, architects and engineers to discuss construction related issues.

CONSTRUCTION PERMIT FEES

February 18, 1997

Page 2

We are spending more time in plan checking and in the field on account of the ever increasing complexity of construction. A good example is residential construction, especially on the larger homes where the support system requires a step by step review during plan checking and construction. On the larger commercial, industrial and multi-family buildings, a number of inspections are done on occasions suite by suite for each phase; eg. an apartment will have a floor by floor inspection done for the plumbing system rather than requiring the entire system to be finished. This enables the contractors to proceed with drywall and finishing on lower floors while the upper floors are still under construction.

In 1996, revenue was \$60,000 below budget, and in order to bring this into balance, we are requesting the permit fees increase.

The attached is our inspection budget, and does not include the other activities such as City Hall dog control and parking administration that are the responsibility of this department. This shows revenue and expenditures in balance based on increased permit fees and increases in the total numbers of permits issued. Without the permit fee increases, there will be a deficit in this fund.

The response from the construction industry to the proposed increase has varied. Our biggest mechanical customer has indicated that he would accept a fee increase, as have several commercial building contractors have made the same statement. The Red Deer house builders have indicated the proposal is unacceptable.

The estimated increase proposed for residential fees only, as per the means manual:

• 1996	-	\$132,380.00
• 1997	-	\$139,980.00
• The revenue from the recommended fee increase	-	<u>\$ 7,300.00</u>

What should be decided is whether or not the inspection department should function on a user pay principle. If that is the decision then a permit increase is needed because of the increased complexity of the construction industry, which requires additional input from our staff.

Sincerely,



R. STRADER

Inspections and Licensing Department

RS:yd

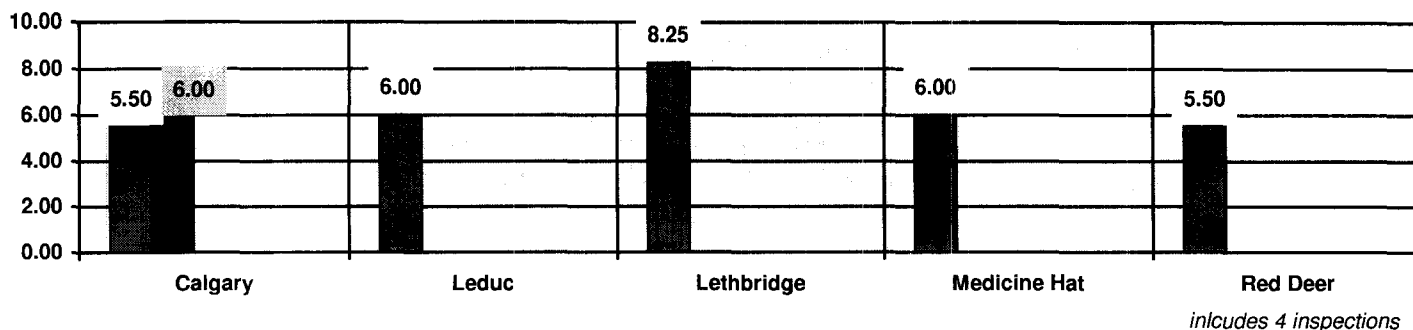
Att

INSPECTIONS & LICENSING DEPARTMENT **PERMIT FEES SCHEDULE** **BUILDING**

CALGARY	Estimated construction cost of project: Up to and including \$20,000.00 Up to and including \$200,000.00 Over \$200,000.00 Single construction permit fees	\$5.00/\$1,000.00 \$5.50/\$1,000.00 \$6.00/\$1,000.00 \$8.00/\$1,000.00
LEDUC	Prevailing market value Minimum fee of \$30.00	\$6.00/\$1,000.00
LETHBRIDGE	Proposed erection, alterations or repair of the building. Minimum fee of \$30.00	\$8.25/\$1,000.00
MEDICINE HAT	Total construction value up to \$200,000.00 Total construction value in excess of \$200,000.00	\$6.00/\$1,000.00 \$6.25/\$1,000.00
RED DEER	Total construction cost Minimum fee of \$50.00	\$6.00/\$1,000.00

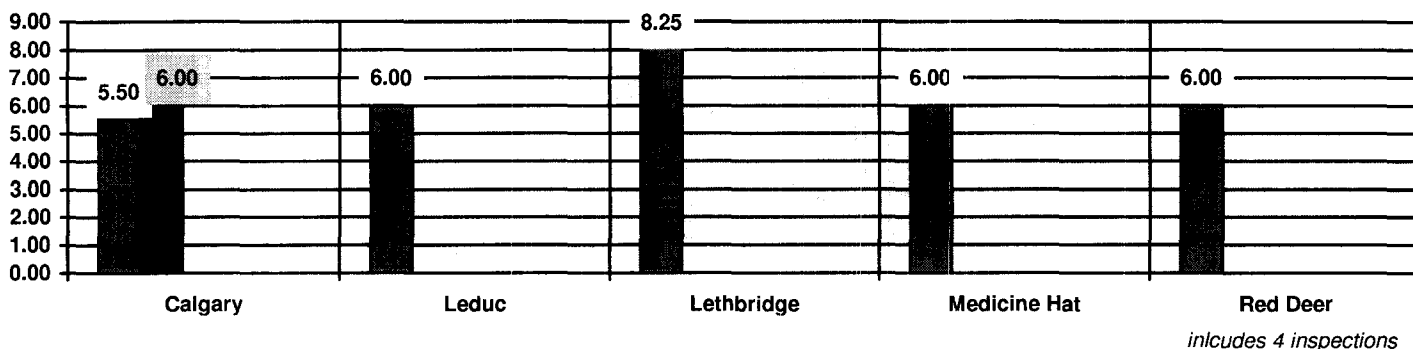
BUILDING PERMIT FEES **ACTUAL (1996)**

■ each \$1,000.00 of construction cost



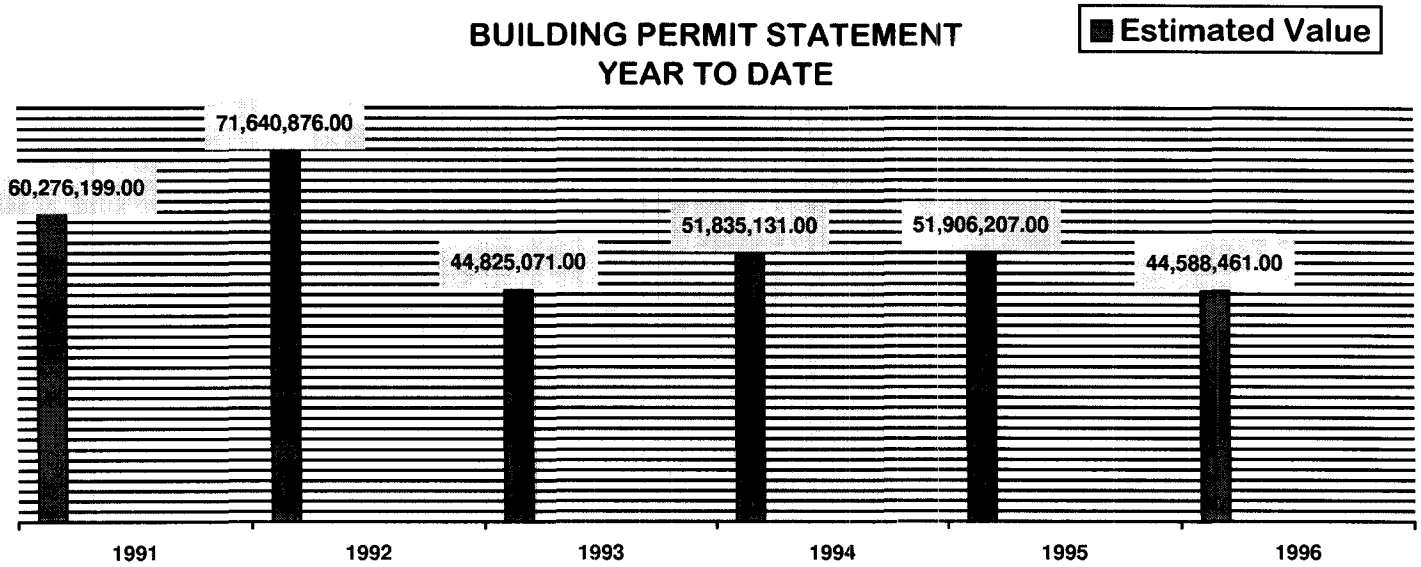
BUILDING PERMIT FEES **PROPOSED (1997)**

■ each \$1,000.00 of construction cost

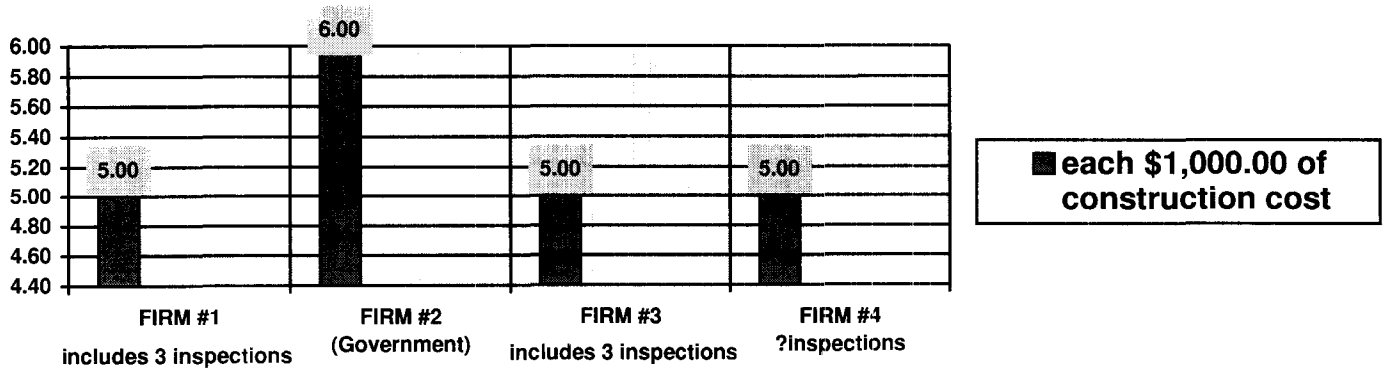


33
INSPECTIONS & LICENSING DEPARTMENT
PERMIT FEES SCHEDULE

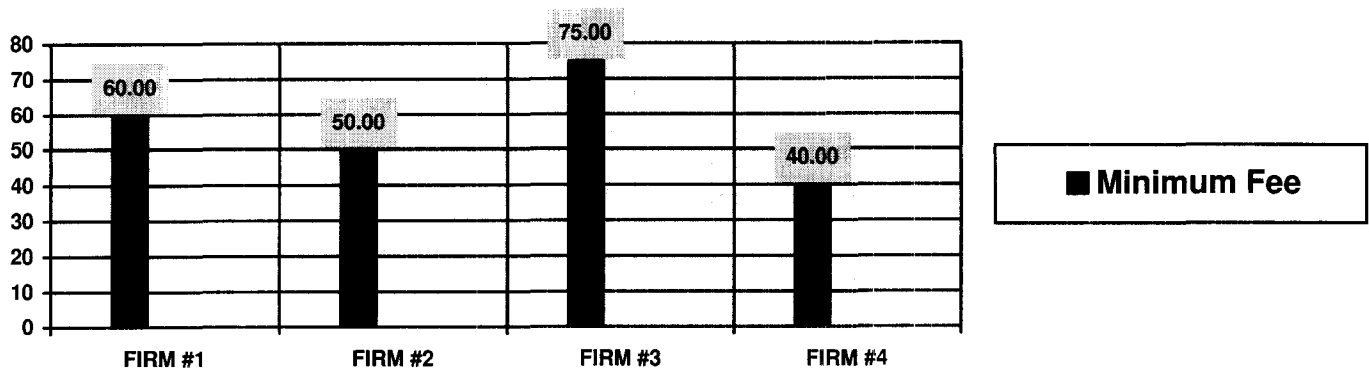
**BUILDING PERMIT STATEMENT
YEAR TO DATE**



**BUILDING PERMIT FEES
PRIVATE FIRMS**



**BUILDING PERMIT FEES
PRIVATE FIRMS**

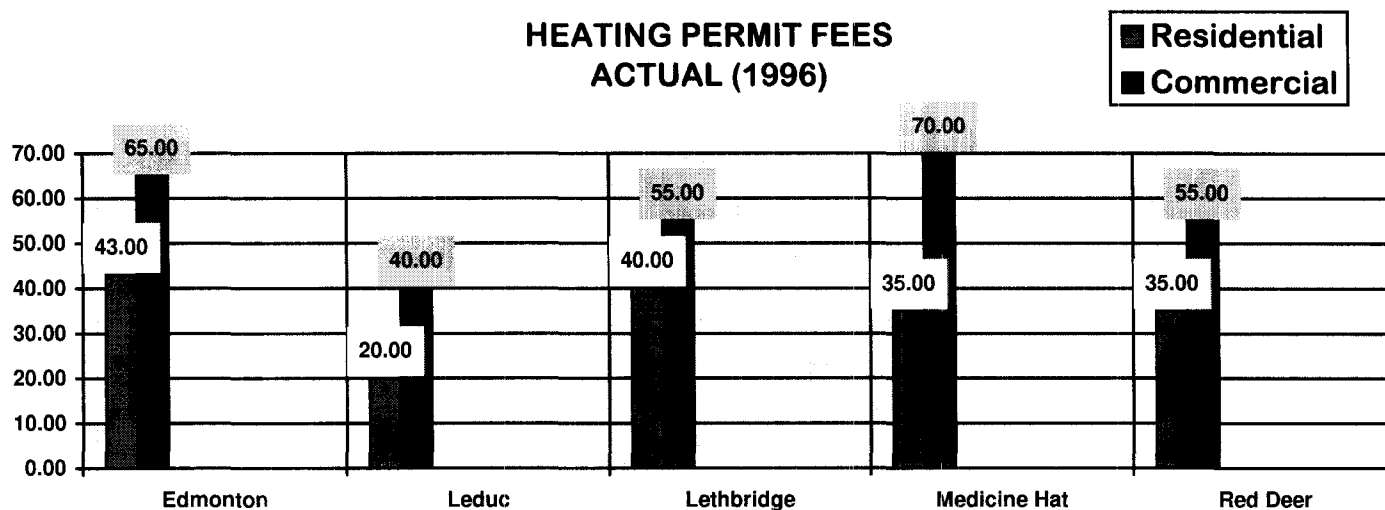


INSPECTIONS & LICENSING DEPARTMENT
PERMIT FEES SCHEDULE
HEATING

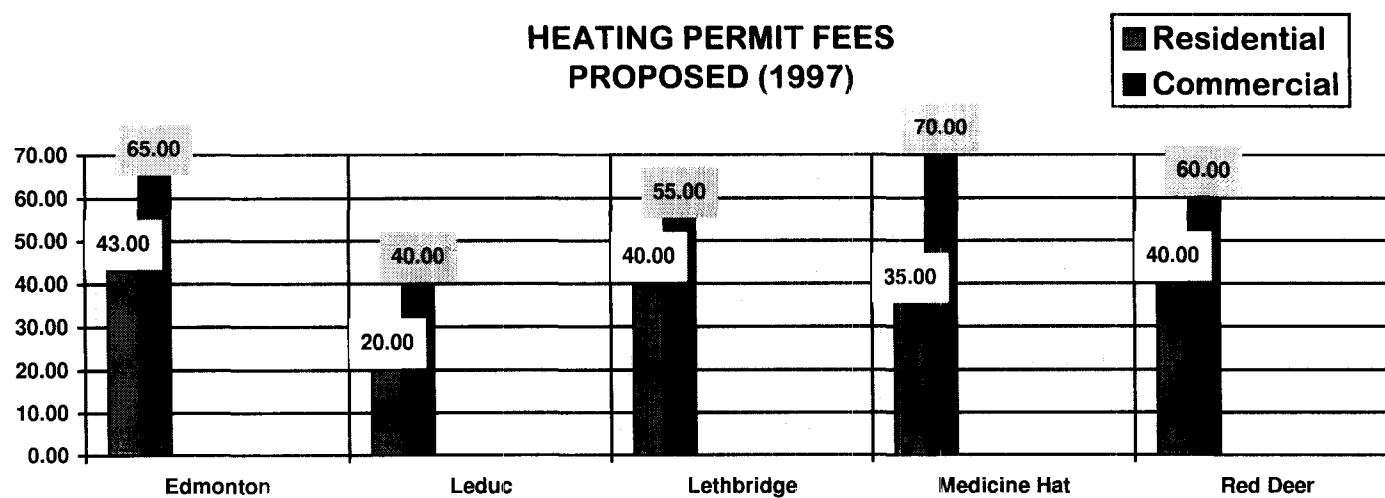
EDMONTON	Residences (not including apartments) new single detached house Hydronic heating system/boiler input Forced warm air system/furnace input	\$43.00 \$65.00 \$65.00
LEDUC	Single family, two family or residential unit with independent heating system per furnace, boiler, hot water coil, or heating appliance. Other buildings, per boiler, hot water coil, make up air system, package heat/cool system, furnace incorporating a split system air conditioner, furnace or heating appliance. - Up to and including 400,000 B.T.U. - 400,000 TO 1,000,000 B.T.U. - Over 1,000,000 B.T.U. Replace of boiler, hot water coil, make up air system, package heat/cool system, furnace, heating appliance or alterations, and extensions of duct or pipe system.	\$20.00 \$40.00 \$80.00 \$100.00 \$15.00
LETHBRIDGE	Forced Air System For each heating unit and/or system installed in a single family or two family dwelling, including replacement, alterations or extensions to the system or unit. For each heating Unit and/or system installed in other than a single or two family dwelling, including replacement, alterations or extensions to the system or unit. For each heating unit heat exchanger replacement.	 \$40.00 \$55.00 \$30.00
MEDICINE HAT	Forced Air System For each heating unit and/or system installed in a single or two family dwelling, including replace, alternation of extensions to the system. For each heating Unit and/or system installed in other than a single or two family dwelling, including replacement, alterations or extensions to the system . Exhaust system permit fees - For each exhaust system over 75 cfm - For each exhaust system up to 75 cfm	 \$35.00 \$70.00 \$30.00 \$5.00
RED DEER	Residential - Each heating unit or system Commercial - - 66,000 - 400,000 BTU - 400,001 - 500,000 BTU - 500,001 - 1,000,000 BTU - 1,000,001 - 5,000,000 - 5,000,001 BTU or more	\$40.00 \$60.00 \$80.00 \$110.00 \$200.00 \$275.00

INSPECTIONS & LICENSING DEPARTMENT PERMIT FEES SCHEDULE

HEATING PERMIT FEES ACTUAL (1996)



HEATING PERMIT FEES PROPOSED (1997)



INSPECTIONS & LICENSING DEPARTMENT PERMIT FEES SCHEDULE

PLUMBING & GAS

CALGARY	Plumbing & Gas - Value of Work - \$1,001 - \$2,000	\$40.00
	Plumbing & Gas - Value of Work - \$10,001 - 20,000	230.00
	Plumbing & Gas - Value of Work - over 200,000.00	\$1,255
EDMONTON	Plumbing - New Construction Single Detached Houses - 0 to 950	\$64.00
	- New Construction Single Detached Houses - over 3500	\$128.00
LEDUC	Plumbing - minimum fee	\$30.00
	Each fixture, whichever is the greater.	\$8.00
	Service Connection Fees (for the first 75 feet)	\$20.00
LETHBRIDGE	Plumbing - Installation minimum fee charged for the first four (4) outlets. Each additional outlet thereafter.	\$42.00 \$7.00
	Gas - system installed in a single or two family dwelling.	\$45.00
	For each installation of a gas appliance to an existing system, including replace, alteration or extensions to the system.	\$30.00
	For each system installed in other than a single or two family dwelling.	
	- 100,000 B.T.U. or less	\$60.00
	- 100,001 - 200,000 B.T.U.	\$65.00
	- 200,001 - 400,000 B.T.U.	\$70.00
	- 400,001 - 1,000,000 B.T.U.	\$80.00
	- each additional 1,000,000 B.T.U.	\$50.00
MEDICINE HAT	Plumbing - Each fixture outlet	\$8.50
	Minimum Fee (4 outlets)	\$35.00
	Gas Permits - Residential occupancy up to two dwelling units:	
	Installation with not more than 2 outlets which require a meter	\$40.00
	Additional Outlets	\$23.00
	Temp installation permit fee	\$40.00
	Residential occupancy over two dwelling units and non-residential occupancy.	
	- 100,000 B.T.U. or less	\$50.00
	- 100,001 - 200,000 BTU	\$80.00
	- 200,001 - 400,000 BTU	\$110.00
	- 400,001 - 1,000,000 BTU	\$150.00
	- 1,000,001 - 2,000,000 BTU	\$220.00
	- For each additional 1,000,000 BTU	\$80.00
	Laboratory burners over 2 outlets	\$23.00/ea
	Interim permit fee (temp. installations)	\$40.00
	Reinspection fee	\$60.00
	Operational Test	
	- Test includes on appliance	\$100.00
	- Over one appliance	\$60.00
	Inspections for approval of nonapproved gas appliances at a rate/hour	\$100.00/hr

INSPECTIONS & LICENSING DEPARTMENT
PERMIT FEES SCHEDULE
PLUMBING & GAS

RED DEER	Plumbing - each Fixture	\$7.00
	- minimum Fee	\$35.00
	Cross Connection & Backflow Prevention	\$30.00
	Gas Permits - minimum fee for residential	\$35.00
	- under 65,000 BTU	\$35.00
	- 65,001 - 400,000 BTU	\$50.00
	- 400,001 - 500,000 BTU	\$85.00
	- 500,001 - 1,000,000 BTU	\$110.00
	- 1,000,001 - 5,000,000	\$200.00
	- 5,000,001 BTU or more	\$275.00
	Temporary Gas Line	\$35.00
	Alterations	\$35.00
	Operational Tests	
	- plus \$35.00 per unit	\$150.00
	- retest	\$60.00

* In view of the complex way in which the Plumbing and Gas is calculated, a graph is not available.

- Page 7

Comments:

The attached report is in conformance with, and provides for, the implementation of rate increases approved by Council in the Budget.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

FILE

Council Decision - February 24, 1997 Meeting

DATE: February 25, 1997
TO: Inspections & Licensing Manager
FROM: City Clerk
RE: **CONSTRUCTION PERMIT FEES - PERMIT FEE BYLAW AMENDMENT
3149/A-97 (AMENDS PERMIT FEE BYLAW 3149/95)**

Reference Report: Inspections & Licensing Manager,
dated February 18, 1997

Bylaw Passed:

Permit Fee Bylaw Amendment 3149/A-97 was given 1st and 2nd Readings.

Report Back to Council Required: Yes.

Bylaw 3149/A-97 will be presented for third Reading at the Council Meeting of March 10, 1997.

Comments/Further Action:



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Corporate Services
Director of Development Services
C. Rausch

COUNCIL MEETING OF FEBRUARY 24, 1997

ATTACHMENT TO REPORT ON OPEN AGENDA

RE:

Construction Permit Fees - Bylaw 3149/A-97

Summary of Revenue - Expenditures

Description	1995 Actual	1996 Budget	1997 Projected	1998 Projected	1999 Projected
Expenditures:					
City Hall Operation	661,673	590,976	610,975	610,975	610,975
Animal Control	121,065	130,750	167,350	167,350	167,350
Protective Inspections	734,984	825,443	825,746	825,769	825,769
Parking Fund	671,993	595,873	595,102	594,241	593,280
Total Expenditures	2,189,715	2,143,042	2,199,173	2,198,335	2,197,374
Revenues:					
City Hall Operation Expenditures	14,842	12,294	9,849	7,147	4,162
Animal Control	68,629	49,000	65,000	65,000	65,000
Protective Inspections	817,085	875,500	848,700	848,700	848,700
Parking Fund	671,993	595,873	595,102	594,241	593,280
Total Revenues	1,572,549	1,532,667	1,518,651	1,515,088	1,511,142
Net Mill Rate Levy	617,166	610,375	680,722	683,247	686,232

FTE's	1992	1996	Reduction
Inspections & Licensing	15.8	15.3	0.5
Parking Fund	4.4	4.2	0.2
Totals	20.2	19.5	0.7

Central Alberta Home Builder's Association
#201, 7819 - 50 Avenue
Red Deer, AB
T4P 1M8

Submitted To City Council
Date: Feb. 24/97

February 24, 1997

Mr. Peter Holloway and Members of City Council
City of Red Deer
4914 - 48 Avenue
Red Deer, AB
T4N 3T4

Dear Sir and Members of City Council:

RE: Building Permit Rate Increase

Members of the home building industry met with Peter Holloway of the Inspection Department on January 29, 1997 and discussed a number of options for helping the City contain their costs and recover their costs on a more appropriate basis. The City already charges more than competing private agencies, and an increase will only serve to widen the gap.

I remind City Council that building permits have increased every year, even during the years when there have been no tax increases. Building permits are based on construction costs, which are based on an independent, third party manual, and increased annually to account for inflation. The increase being proposed here is in addition to inflation.

One reason that the private firms operate cheaper is that they do less inspections. One reason that they do less inspections is that they have cross trained staffs. For example, they can do a plumbing inspection at the same time as a framing inspection. Naturally, their costs will be lower. Private agencies also do pre construction checks as well as consult with builders needing advice.

One area of concern that the Inspection Department voiced at our meeting was that private home builders were taking an inordinate amount of time by City staff. They admitted that professional home builders subsidize inexperienced builders and amateurs.

We suggested that we would accept a two level pricing system, whereby professional builders (defined as subscribing to an independent third party warranty service) could pay \$4.50 per thousand, and others would pay \$7.00 per thousand. City staff suggested they would look into this, but they have never responded to us, nor is there any mention of this in their comments to council.

We have done our own research into the prices charged by private inspection agencies, and these are substantially different than the numbers generated by the City.

The last statement in Mr. Strader's report does not encapsulate the issue at all. The decision to recover cost is an easy one, one that our industry supports. What is at issue is how this is to be done, and how the City is to manage it's department.

Our industry and Our association stands ready to help the City manage the inspection department, but not by paying ever increasing amounts of money to it.

As Professional Home Builders, we have many extra expenses to incur such as:

- Business Licenses (City of Red Deer)

- Liability Insurance on each House

- Members of an Accredited New Warranty Program (every home is enrolled)

- Workers Compensation Board (Injured workers on the job)

- Lawsuits

- Taxes on Profits

We appreciate your time on this matter and look forward to hearing from you.

Sincerely,

Hugh MacBeth

Central Alberta Home Builder Association

Chairman New Home Builders' Committee



Building A Better Way Of Life

January 22 1997

City of Red Deer
4914 48 Avenue, Red Deer,
Alberta T4N 3T4
FAX: 346-6195

LAEBON DEVELOPMENTS LTD.
5128 - 52ND STREET
RED DEER, ALBERTA T4N 6Y4
TELEPHONE (403) 346-7273
FAX (403) 341-4165

Attention: Mayor Gail Surkan

Dear Mayor Surkan

Submitted To City Council

Date: Feb 24/97

re: building permit fee increases

It appears that once again an item pertaining to a price increase has gone into a council agenda without input from the building industry. There was a meeting held to discuss the proposal, but no conclusions were drawn, and no warning was given that this issue was going to council.

Hugh Macbeth, our builder committee chairman, is preparing a response from the industry, and is hoping to appear before council today.

This is a response from myself only, as I have not had an opportunity to review it with industry representatives. Would you please pass it on to members of council.

Yours Truly

LAEBON DEVELOPMENTS LTD.

W.G. (Gord) Bontje
President



Building A Better Way Of Life

February 24 1997

Submitted To City Council

TO: City Council

Date: Feb 24/97

FROM: Gord Bontje

LAEON DEVELOPMENTS LTD.
5128 - 52ND STREET
RED DEER, ALBERTA T4N 6Y4
TELEPHONE (403) 346-7273
FAX (403) 341-4165

On January 22 1997, I wrote to council, in response to an item in the budget of the Inspections and Licensing Development, objecting to a proposed increase in building permit fees. In my letter, I advised council that building permit fees had kept pace with inflation because the price that is charged for them is indexed annually using an independent third party costing manual. Any move to increase the fees from \$5.50 per thousand to \$6.00 per thousand is over and above an inflationary increase.

Further research has indicated that privatization might be the preferred option. Under the Safety Codes Act, the Alberta Building Code can be enforced by either an "accredited municipality" or an "accredited agency". Independent third party agencies are accredited by the province, just as the City is. They must file a Quality Management Plan, with the province, just as the City did, and are audited by the province, just as the City is.

The vast majority of municipalities between Calgary and Edmonton have chosen to use accredited agencies. As a result of this, there are plenty of these agencies available in Central Alberta. Several have offices in Red Deer. Often their employees are citizens of Red Deer.

Accredited agencies charge as little as \$4.25 per thousand for building permits. This is the price charged in neighbouring communities of Blackfalds, Sylvan Lake, Innisfail and the County of Red Deer. The quality of their inspections is equal to or better than those done by the City of Red Deer.

I don't know why City of Red Deer staff should cost more than employing private sector workers. I expect that this is yet another example where privatization is a money saver because middle management overhead is reduced or eliminated.

I would like to ask City Council to do two things:

1. Delay implementation of the proposed increase for ninety days.
2. Strike a task force to review this entire area, and make recommendations regarding privatization of building inspection services. This committee should include representation by the Central Alberta Homes Builders Association, the Red Deer Construction Association, the Urban Development Institute and City Council.

①

Mayor & Council
Red Deer, Alberta
T4N 3T4

Feb 10, 1997

Dear Council:

This letter concerns a parking ticket. The date of the ticket is Jan 20, 1997.

I drove ~~two~~^{two} seniors to Red Deer. (Mrs. Marks & Mrs. Bailey. (Ages 72 and 93 respectively).

Mrs. Marks owns the car that received the ticket. I dropped the two seniors off in front of Zellers because the lot is all covered up with snow and ice. I parked the car across from the store. There was a handicap sign there but I did not knowingly park by the sign. I help seniors all the time. I drive them shopping ^(local) or to Red Deer shopping or help in any way I can. (when I can).

I am not working right now because I can only find seasonal work. (lawns, painting, help during harvest season). Why would I purposely park in a handicapped area to get a ticket? (when I am not working)

I will now explain in detail:



- ① The sign is small to start with.
- ② The ground around the sign is covered up with snow and ice.
- ③ You cannot see any markings on the ground.
- ④ The sign has two small arrows on the bottom.

②

⑤ There is only a single sign.

⑥ There is no explanation ^{on sign} of where you park.

I conclude this from these points:

Without the ground being cleared this sign becomes ambiguous (doubtful) - where do you actually park. (a) This means you could park close to sign but not directly in front of the sign. (my interpretation)

Without another sign to the left or right ^{of this sign} and the ground covered by ice and snow this makes both patrons and handicapped patrons confused. (Where do you actually park?)

I also believe this sign creates "entrapment" for mall patrons. (This ~~lures~~ lures you into a position which compromises the ~~victim~~ victim - with the present condition - ground covered by snow.

I will now explain the ticket (in this case two tickets were on the windshield under the mirrors) The ticket numbers were V005960 and V005961 Both tickets have the identical information: time (4:25 p.m.) licence HBP 193 make - Chev etc. etc.

① I phoned the Traffic section on the third floor in city hall and asked why there was two tickets - lady explained that one ticket was issued to a Toyota from B.C.

② When I went back to the traffic section to appeal the ticket and ~~asked~~ ^{asked} about the other ticket I lady said that ticket number V005961 was a duplicate ticket. How could it be if there were two tickets. This makes me still confused. Who is telling the right facts in traffic section.

③

③ I appealed the ticket but was turned down by a Sgt. Blair (Traffic section) R.C.M.P.

④ They told me in city hall that the officer who issued the ticket would respond to the appeal - but he did not. Sgt. Blair made the decision (if he was not there how could he tell exactly where the vehicle was parked)

⑤ I phoned Sgt. Blair to clarify further about the ticket. I was explaining to him further details when he suddenly slammed down the receiver. I re-dialed and he answered after about six rings. He told me there was a line on the ground - how could you see a line on the ground, with the ground covered up by snow and ice.

⑥ I also told him about the two tickets. (no success).

⑦ I conclude by saying with the ground not clear how can an officer issue a ticket if he is not 100% sure - He issued two tickets with the same information also - answer this question Why.

On Feb. 7, 1997.

① I contacted Bower Mall Administration

② I went to the Administration office and talked to Ed Remin (operations manager for the mall)

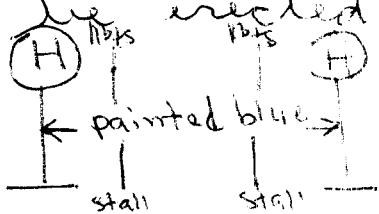
③ I told Mr. Remin the same information I am writing to you.

④ Mr. Remin said he was sorry for what happened but could not help me about the ticket because the R.C.M.P. issued it.

(4)

⑤ He said he could have done something about the ticket if his mall security had issued it.

⑥ I made a recommendation that 2 signs be erected - with no parking between signs



⑦ Mr. Reimin told me he would look into the matter

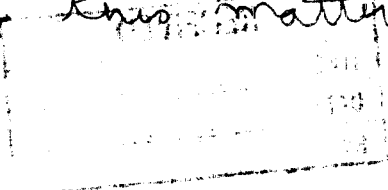
⑧ Up to Feb 7, 1997 (which is also about three weeks after I received the ticket - there has been ~~no~~ no attempt to clear the snow and ice by this sign.

⑨ I have been back to this area several times in the last two weeks. Patrons have been parking right up to the sign but not in front of the sign like I explained.

⑩ I observed one handicap person parked further down from the sign. (He must of thought the whole area was a handicapped area.) With the ground not cleared (who knows)

The traffic section took ticket # U005961 when I appealed the ticket (check with them)

With this information hopefully you can help us with this matter.



Yours truly!

Ronald M. Inniss
4720 - 47 Ave

phone
227-3276

Innisfail, Alberta
T4G 1N9.

Date: **February 12th, 1997**

To: **City Clerk**

From: **Inspector Sutton, R.C.M.P.**

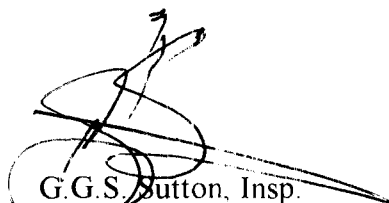
Re: Ronald McGINNIS - Handicapped Parking Penalty

Your request dated yesterday, dealing with the above issue refers. I have reviewed the circumstances relating to this incident and I wish to advise that we will be proceeding with the charge under the City of Red Deer Traffic Bylaw.

From speaking with Sgt. BLAIR and the investigating officer, it is readily apparent that Mr. McGINNIS was clearly in violation of the Traffic By Law by parking in a handicap zone. Adequate signage was displayed at the time and I do not agree with his assumption that snow and inadequate signage created confusion.

Mr. McGINNIS's contribution in assisting seniors is most noteworthy, nevertheless his assistance does not grant him privilege for opportunities created for those in need. There is no reason why he could not have dropped his elderly passengers off, and thereafter sought a convenient parking location.

Correspondence from Sgt. BLAIR and the issuing officer, Cst. Young is attached for your information.



G.G.S. Sutton, Insp.
Detachment Commander
Red Deer City R.C.M.P.



Government
of Canada

Gouvernement
du Canada

MEMORANDUM NOTE DE SERVICE

To
À

O. I/C Red Deer City Detachment

From
De

NCO I/C Red Deer City Traffic Svcs.

Security Classification - Classification de sécurité

PROTECTED "A"

Our File - Notre référence

05960

Your File - Votre référence

Date

1997-02-12

Subject
Objet

**Re: Ronald MCGINNIS - Parking Violation,
Handicapped Parking Zone, Bower Mall
Red Deer, AB 1997-01-20**

On 1997-01-20, Cst. Wayne YOUNG of this office issued a parking ticket to a vehicle that Cst. Young reported as being "in" a handicapped zone. The ticket was issued under the City of Red Deer By-Law # 33.1, which is for parking a vehicle in a spot designated for handicapped marked vehicles. On 1997-01-28, I received a Traffic Tag Complaint form from Mr. Ronald MCGINNIS of Innisfail, AB, complaining about the afore-mentioned ticket. I gave the complaint to Cst. YOUNG who responded to the complaint. After receiving his response I looked at all the circumstances, and felt that MCGINNIS would have to have seen the sign, as Cst. YOUNG even drew a diagram on the ticket to show the arrows on the sign to signify where not to park.

Mr. MCGINNIS makes a big issue about snow being on the ground, and not being able to see the parking stalls. The signs mark quite clearly where not to park, and especially because there is an abundance of snow on the ground, handicapped people should not have to go to the back end of the mall and try to stumble their way to the shops in the mall, because of an inconsiderate act by someone who is able to walk to the mall.

Mr. MCGINNIS phoned me to again emphasize that he did not or would not park in a handicapped stall, and made accusations that I was making the decision for Cst. YOUNG. I had asked YOUNG about the situation, and he told me the pertinent facts. I then decided that this charge should stand, as he either didn't see the sign (clearly marked) or he ignored it, thinking he would not be charged.

R.M.G. "Bob" BLAIR, Sgt.
i/c Red Deer City Traffic services.

cc. attachments



Royal
Canadian
Mounted
Police

Gendarmerie
royale
du
Canada

Security Classification/Designation
Classification/désignation sécuritaire

PROTECTED "A"

Red Deer City Traffic Services
4811-49th. Street,
Red Deer, Alberta T4N-6A1

Your File Votre référence

Ronald McGINNIS
Innisfail, Alta TAG-1N9

Our File Notre référence

97-01-28

Dear *Mr. McGINNIS*

RED DEER CITY VIOLATION/PARKING TAG #

U5960

This letter is to advise you that I have reviewed all circumstances relating to this ticket and wish to inform you that we will be proceeding with the offence and your ticket will be processed. The amount of fine indicated is due within one (1) week of the date of this letter, to qualify for the initial discount. Should you wish to take this matter to Court, an offence notice will be mailed to the registered owner from City Hall advising of the first appearance date in Court with details on how to enter a "Not Guilty" plea.


R.G. "Bob" BLAIR, Sgt
NCO i/c Red Deer City Traffic Sec.

cc: Inspections & Licensing
Red Deer City Hal

Canada

47
TRAFFIC TAG COMPLAINT FORM

0-E
Tag Number U 5960
License Number HBP-193
Offence Date 97.01.24 Amount Owning \$140.00 Section Used 33.1

Complainant:

Name ☒ Ronald M. Ginnis Telephone Number ☒ 227-3276
Address ☒ Innisfail, Alta Postal Code ☒ T4G 1N9

Complainant States: ☒ Area is all covered with snow. Only ① Sign. The sign is misleading. You don't know exactly where to park. ~~where~~ I was not even close to the sign. Most handicapped areas have two signs which clearly indicates where to park. So, with the ground covered up by snow it is hard to tell where to park. I deal with seniors all the time. I would never knowingly park in a senior marked area. Jan 24, 1997 I just came from the mall now. There were eight cars parked closer than I was. (only 1 has a tag) So who knows where to park

Bylaw Enforcement Section remarks: The other side is the same cars are parked just as close to the sign as this area

Issuing Officer's Comments: I remember this offence quite well. The vehicle was an old yellow chevrolet (Rusty) And it was parked directly to the right of the arrow. There was no need to have a road painted area the sign was directly in front and slightly to the right of the vehicle. This individual must not have seen the arrow pointing down to the side. This one was stupid.

Officers' initials: 27395

Bylaws & Inspections Manager's Decision

Stop Processing tag

- a) Send usual stop form letter
- b) Send stop letter indicating this time only
- c) Other

Complainant informed: in writing
by telephone
(time & date)

Date:

Continue processing tag ☒ (yes)

- ☒ a) Send usual continue letter
- b) Indicate meter was checked
- c) Indicate complaint was rec'd from property owner
- d) Other



THE CITY OF RED DEER

4914 - 48 AVE., RED DEER, ALBERTA T4N 3T4

THIS TAG ISSUED FOR BREACH OF SECTION 33.1 U005960TRAFFIC BYLAW DOG BYLAW HIGHWAY TRAFFIC ACT 3 1975

PENALTY						
15.00	18.00	20.00	25.00	30.00	35.00	40.00

- A) PENALTY REDUCED \$10.00 IF PAYMENT RECEIVED BY CITY CASHIER WITHIN 7 DAYS.
 B) PENALTY REDUCED \$5.00 IF PAYMENT RECEIVED BY CITY CASHIER BETWEEN 8 & 15 DAYS
 C) NO REDUCTION IN PENALTY AFTER 15 DAYS.

VEHICLE LICENCE No. HBP-193 MAKE Chev.

YEAR	MONTH	DAY	TIME	A.M.	P.M.
19 <u>97</u>	<u>01</u>	<u>20</u>	<u>4:25</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OFFENCE AND LOCATION ☐ METER VIOLATION Bower Mall (Zeller)Park in Handicapped Zone.NAME [Signature] METER No. 2730ADDRESS [Signature] ISSUER 2730

YOU MAY AVOID PROSECUTION FOR THIS OFFENCE BY PAYING THE PENALTY REQUIRED, WITHIN 22 DAYS, TO THE ABOVE ADDRESS.
 FAILURE TO COMPLY WILL RESULT IN PROSECUTION IN THE PROVINCIAL COURT OF ALBERTA.

DO NOT DETACH

PENALTY MAY BE REMITTED BY MAIL (CHEQUE OR MONEY ORDER ONLY) OR BY DEPOSITING IN BOX PROVIDED AT CITY HALL. TAG MUST ACCOMPANY PAYMENT.

RECEIPT SUPPLIED ON REQUEST IF SENDER'S NAME AND ADDRESS ARE FURNISHED.

FURTHER INFORMATION REQUIRED REGARDING THIS OFFENCE MAY BE OBTAINED FROM THE BYLAW DEPT., THE CITY OF RED DEER.

CASH REGISTER FIGURES
 CONSTITUTE A RECEIPT
 FROM THE CITY OF RED DEER
 FOR THE AMOUNT SHOWN.

U005960

COMPLETE TAG MUST BE PRESENTED.
 SEE REVERSE SIDE FOR ADDITIONAL INFORMATION.

Comments:

The attached complaint is regarding a ticket issued for parking in a handicap zone at the Bower Mall. The ticket was issued by the R.C.M.P. and, subsequent to the complaint, was thoroughly investigated by them. The R.C.M.P. concluded that there were no valid grounds for cancelling the ticket as the signs were adequately displayed. As was indicated, Mr. McGinnis could have dropped the elderly people at the entrance to the mall and found a regular parking space.

Further, this infraction took place on private, not City, property. It is interesting to note that when Council recently considered a similar complaint with respect to a City on street handicap parking space, the complainant expressed the view that the handicap parking spaces in the malls were better signed than those on the street. While we sympathize with Mr. McGinnis, we cannot recommend that Council cancel this ticket.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

DATE: February 11, 1997

TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
X R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: **RONALD MCGINNIS - HANDICAPPED PARKING PENALTY**

Please submit comments on the attached to this office by February 18, 1997 for the Council Agenda of February 24, 1997.

"Kelly Kloss"

City Clerk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

February 11, 1997

Ronald McGinnis
4720 47 Avenue
INNISFAIL, AB T4G 1N9

Dear Mr. McGinnis :

I am in receipt of your letter dated February 10, 1997 re: Handicapped Parking Penalty. Your letter will be placed on the Red Deer City Council Agenda of February 24, 1997.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, February 21, 1997.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, February 21, and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/nb

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FILE

Office of the City Clerk

February 25, 1997

Mr. Ronald McGinnis
4720 - 47 Avenue
Innisfail. AB T4G 1N9

Dear Mr. McGinnis:

Re: Handicap Parking Penalty - Request To Cancel Violation Ticket

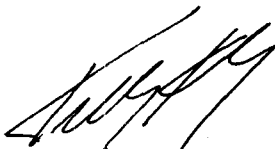
Thank you for attending The City of Red Deer's Council meeting held February 24, 1997. At that meeting, Council passed the following resolution with respect to the above request:

"RESOLVED that Council of The City of Red Deer hereby agrees that the correspondence from Ronald McGinnis dated February 10, 1997 re: Handicap Parking Penalty / Request to Cancel Violation Ticket, not be considered by Council."

As I indicated to you at the meeting, Council agreed that your appeal should be directed through the Courts and not through City Council.

Please do not hesitate to contact me if you require any further information or clarification of the above resolution. Thank you.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Corporate Services
 Director or Development Services
 O.i/c Red Deer City Detachment
 Inspections & Licensing Manager

The City of Red Deer

Box 5008
Red Deer, Alberta
T4N 3T4



Snell & Oslund Surveys (1979) Ltd.

LAND SURVEYORS AND PROFESSIONAL ENGINEERS

PHONE: (403) 342-1255

FAX: (403) 343-7025

G. OSLUND, A.L.S., PENG.

D. VANDENBRINK, A.L.S., PENG.

P.O. BOX 610

#2, 5128 - 52 STREET

RED DEER, ALBERTA T4N 5G6

February 6, 1997

Our File: 397-036

The City of Red Deer
P.O. Box 5008
Red Deer, AB
T4N 3T4

ATTENTION: KELLY KLOSS, City Clerk

Dear Sir:

Re: Subdivision of Lot 1, Block 9, Plan 962 1393 and Part of Kennedy Drive

Please accept this letter as a request for a revision in the description of Road Closure Bylaw No. 3160/96. We respectfully request that the description be revised as shown on the enclosed sheet. Also enclosed are copies of two sketches showing the concerned area. We will require a certified copy of the amended Road Closure Bylaw.

The new description contains exactly the same lands as intended in the original Road Closure Bylaw.

Thank you for your attention to this matter. If you have any questions or concerns please call us at 342-1255.

Yours truly,



SNELL & OSLUND SURVEYS (1979) LTD.

Dick VandenBrink, A.L.S., P.Eng

DV/so
encs.

SCHEDULE "A"

REMAINDER OF THE
N.W. 1/4 SEC. 32, TWP. 38, RGE. 27 W 4M

NOT INCLUDED IN SUBDIVISION WHICH
CREATED LOT 1 BLOCK 9 PLAN 962 1393

APPROVED
SUBDIVISION

LOT 1
BLOCK 9
PLAN 962 1393

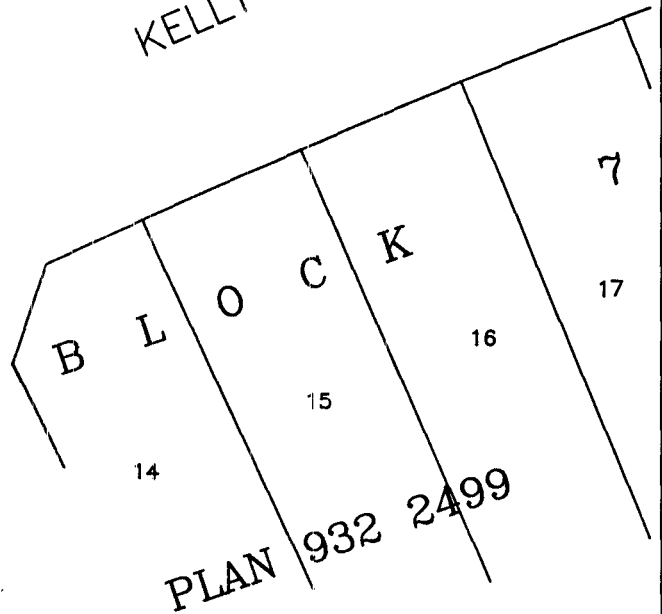


KENNEDY DRIVE

KELLY STREET

SKETCH SHOWING
PORTION TO BE CLOSED OF
KENNEDY DRIVE, PLAN 812 1094
CONTAINED WITHIN
SUBDIVISION PLAN

IN THE
N.W. 1/4 SEC. 32, TWP. 38, RGE. 27 W 4M



SCALE = 1:500

BY: DIRK VANDENBRINK A.L.S.



LEGEND & NOTES

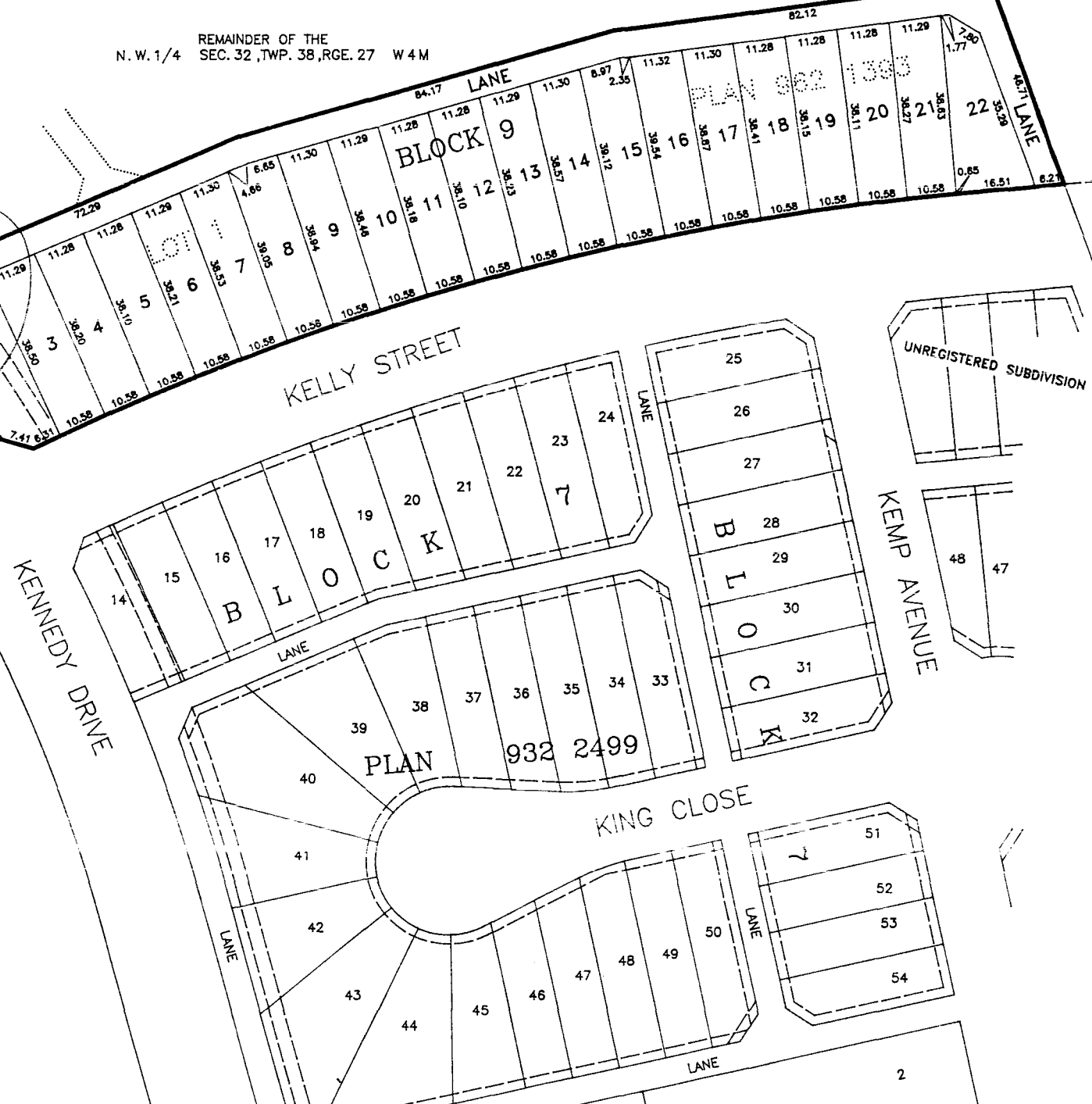
AREA OF KENNEDY DRIVE PROPOSED TO BE CLOSED IS SHADED THUS
AND CONTAINS 0.003 ha.



SNELL & OSUND SURVEYS (1979) LTD.
RED DEER - ROCKY MOUNTAIN HOUSE
397-029

THIS PORTION OF
KENNEDY DR. WILL NOW
BE PART OF
LOT 1, BLOCK 9,
PLAN

REMAINDER OF THE
N.W. 1/4 SEC. 32, TWP. 38, RGE. 27 W4M



RED DEER (KENTWOOD SUBDIVISION)

Plan Showing a Proposed Subdivision
of

LOT 1, BLOCK 9, PLAN 962 1393

and part of

KENNEDY DRIVE, PLAN 812 1094

in the

N.W.1/4 SEC.32,TWP.38,RGE.27 W4M

&

N.E.1/4 SEC.32,TWP.38,RGE.27 W4M

SCALE = 1:1000

BY: DIRK VANDENBRINK A.L.S.

0 10 20 40 60 80 100 Metres

LEGEND & NOTES

DISTANCES ARE IN METRES AND DECIMALS THEREOF.

DISTANCES ARE APPROXIMATE AND MAY VARY PRIOR TO FINAL REGISTRATION.

AREA TO BE REGISTERED IS OUTLINED THUS
AND CONTAINS AS FOLLOWS

FROM: Part of KENNEDY DRIVE	=	0.003 ha. (0.01 Acs.)
LOT 1, BLOCK 9, PLAN 962 1393	=	1.064 ha. (2.63 Acs.)
TOTAL	=	1.067 ha. (2.64 Acs.)



SNELL & OSLUND SURVEYS (1979) LTD.
RED DEER ~ ROCKY MOUNTAIN HOUSE
PHONE: (403) 342-1255 FEBRUARY 4, 1997
JOB No.: 397-036

BYLAW NO. 3160/96

Being a Bylaw to close a portion of road in The City of Red Deer as described herein.

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

- 1 The following portion of roadway in The City of Red Deer is hereby closed:

Lot 2 Block 9??
 "All that portion of Kennedy Drive, Plan 812-1094 contained within Lot 1 Block 1, Plan ✓ ✓ in the north west Quarter Section 32, Township 38, Range 27 west of the Fourth Meridian containing 0.003 hectares more or less.

EXCEPTING THEREOUT ALL MINES AND MINERALS."

- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 26 day of ~~February~~ A.D. 1996.


READ A SECOND TIME IN OPEN COUNCIL this 9 day of April A.D. 1996.

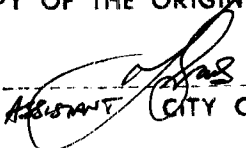
READ A THIRD TIME IN OPEN COUNCIL this 9 day of April A.D. 1996.

AND SIGNED by the Mayor and City Clerk the 9 day of April A.D. 1996.


 MAYOR

CERTIFIED TO BE A TRUE AND CORRECT
 COPY OF THE ORIGINAL BYLAW.


 CITY CLERK ASSISTANT


 CITY CLERK

Comments:

We concur with the request of Snell & Oslund Surveys (1979) Ltd. that Council approve the amended description. Council should note that this is the *third* such request that we have had recently and we are currently working with the surveying industry to reduce the frequency of these occurrences.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

February 25, 1997

Snell & Oslund Survey's (1979) Ltd.
2, 5128-52 Street
Red Deer, AB T4N 5G6

Faxed to: 343-7025

Att: Dick VandenBrink, A.L.S., P. Eng.

Dear Mr. VandenBrink:

**RE: SUBDIVISION OF LOT 1, BLOCK 9, PLAN 962-1393 AND PART OF
KENNEDY DRIVE**

At The City of Red Deer's Council meeting held February 24, 1997, consideration was given to your correspondence dated February 6, 1997, regarding the above request to amend the legal description on Road Closure Bylaw 3160/96.

At that meeting, Road Closure Bylaw Amendment 3160/A-97 was given three Readings, a certified copy of which is attached hereto.

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

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Land & Economic Development Manager

BYLAW NO. 3160/A-97

Being a bylaw to amend Road Closure Bylaw 3160/96.

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

Bylaw No. 3160/96 is hereby amended by:

- 1 Deleting section 1 in its entirety and replacing same with the following:

"1 The following portion of roadway in the City of Red Deer is hereby closed:


"All that portion of Kennedy Drive, Plan 812-1094 contained within Lot 2, Block 9, Plan _____ in the north west Quarter Section 32, Township 38, Range 27 west of the Fourth Meridian containing 0.003 hectares more or less. Excepting thereout all mines and minerals."
- 2 Deleting section 2 in its entirety.

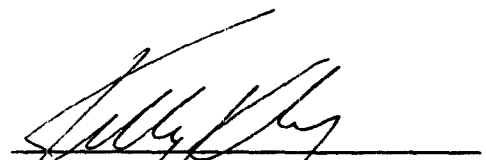
READ A FIRST TIME IN OPEN COUNCIL this 24 day of February A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this 24 day of February A.D. 1997.


READ A THIRD TIME IN OPEN COUNCIL this 24 day of February A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this 24 day of February A.D. 1997.


MAYOR


CITY CLERK

CERTIFIED TO BE A TRUE AND CORRECT
COPY OF THE ORIGINAL BYLAW.


CITY CLERK

Members of City Council,

January 28, 1997

I would like to request that Council re-examine Bylaw No. 2934/87 Schedule D To THE HEALTH BYLAW in regards to Smoking in the workplace.

The reason that I am requesting this is due to a situation I was placed in on January 13, 1997. At my place of employment there was scheduled a mandatory 3 hour staff meeting in which the majority of participants, including the manager of the business, smoked. Being 6 months pregnant at the time I did not wish to subject neither my unborn child nor myself to the second hand smoke that I was forced to be exposed to throughout the 3 hour duration of the meeting. The Medical Health Officer of the Red Deer Health Unit believes that both voluntary and involuntary exposure to smoking is hazardous to health, and yet there is no law set-up so as not to infringe on the rights of those who do not wish to be exposed to smoke.

In my opinion there should be a law set up so that if in a mandatory position for employment purposes to be present at work or a staff meeting, then, unless agreed upon by all present members, there should be no smoking allowed.

Thank-you for your consideration in this matter.

Janelle Bergey

BY	02
DATE	97.01.28
TIME	2:20 P.M.
RECEIVED	

THE CITY OF RED DEER
CLERK'S DEPARTMENT

05 FEB 97

TO: City Clerk
FROM: OIC Red Deer City RCMP
RE: **HEALTH BYLAW - SMOKING IN THE WORKPLACE**

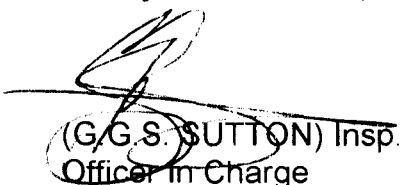
Ms. Janelle BERGEY's letter of January 28th directed to City Council refers.

Ms. BERGEY is asking Council to pass a bylaw, which would in effect, state that unless agreed upon by all employees present, there should be no smoking allowed at any business/work meeting. She suggests that Bylaw 2934/87, Schedule D be re-examined.

The Schedule referred to states among other things, that "Council **strongly encourages** employers and workers to adopt policies to eliminate or restrict smoking in the workplace." They do not go so far as to say that every business **will** adopt a "No Smoking" policy. My view is that they are correct in this direction. Although Council does have the authority to restrict smoking in municipal offices and public buildings for which they have control, if they went so far as to tell **private** businesses that they **will** adopt a "no smoking policy" they would be exceeding their mandate and authority. It is my opinion that Council has gone as far as they can in responding to recognized dangers of secondhand smoke.

I sympathize with Ms. BERGEY's situation and unfortunately it would appear that within her company/business, there is little tolerance for minority opinions. One must always be aware that some legislation can only go so far without the danger of encroachment on individual rights. Thereafter, a private business must address employee concerns through mutual problem solving. The Municipal Government can only go so far.

The bylaw as it reads, I feel, goes as far as it can with direction given to private industry.




(G.G.S. SUTTON) Insp.
Officer in Charge
Red Deer City Detachment

DATE: February 3, 1997
TO: KELLY KLOSS
City Clerk
FROM: LOWELL R. HODGSON
Community Services Director
RE: HEALTH BYLAW

Ms. Bergey has raised the issue of smoking in the workplace and, while I appreciate the issues that this creates, I would not recommend that the City attempt to enforce "No Smoking" in private workplaces. Facilities under our jurisdiction, public places and restaurants are enforceable and reasonable compromises seem to have developed. Ms. Bergey's issues are those of her employer and fellow staff and, as long as it remains on private property, I believe these issues must be resolved there, without asking the City to intervene in what would be an almost impossible situation to monitor or enforce.

RECOMMENDATION

THAT Council of The City of Red Deer not attempt to enforce "No Smoking" regulations in private workplaces as requested.



LOWELL R. HODGSON

:dmg

Comments:

The applicant is requesting that Council change the current Health Bylaw (Bylaw No. 2934/87) to enforce *no smoking* in the work place unless the employees are unanimous that smoking be allowed.

The current bylaw "strongly encourages" employers and employees to eliminate or restrict smoking in the work place, however, other than requiring the posting of "smoking" and "no smoking" signs in areas so designated, it does not mandate that such areas shall be established. Bylaw No. 2934/87 is much stronger in areas such as public assembly, restaurants, common public areas, etc. We question as to what extent Council wishes to intrude further into the work place and we concur with the recommendations of the Administration that Council not change the current Health Bylaw.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager

COUNCIL MEETING OF FEBRUARY 24, 1997

ATTACHMENT TO REPORT ON OPEN AGENDA

RE:

**Janelle Bergey
Health Bylaw - Smoking in the Workplace**

OFFICE CONSOLIDATION

BYLAW 2934/87

THE HEALTH BYLAW

BYLAW NO. 2934/87

Being a Bylaw of The City of Red Deer with respect to the health of the citizens of Red Deer and the regulation of smoking.

WHEREAS under section 7 of the Municipal Government Act, a Council of the City may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property.¹

AND WHEREAS it has been determined that smoking, and second-hand tobacco smoke is a health hazard and a public nuisance because of its adverse effect upon and risk to the health of the inhabitants of The City of Red Deer;

AND WHEREAS it is desirable for the health, safety, and welfare of the inhabitants of The City of Red Deer to provide for regulating smoking for the better protection of persons from conditions injurious to health in accordance with the provisions of this bylaw;

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

SHORT TITLE

- 1 This bylaw may be cited as "The Health Bylaw".

DEFINITIONS

- 2 In this bylaw;

- (a) "Beverage Room" or "Lounge" means any premises which have been

¹ 2934/A-95

licensed for the sale of liquor pursuant to the provisions of the Liquor Control Act of Alberta;

(b)¹ DELETED

(c) "Health Care Facility" includes any place in which medical, dental, optical, physiotherapy, chiropractic or other similar health services are provided or arranged;

(d) "Hospital" means an institution operated for the care of diseased, injured or sick people, and shall include the common public areas of nursing homes or senior citizen homes;

(e) "No Smoking Area" means an area in which smoking is prohibited pursuant to this bylaw, including an area designated by a proprietor as a no smoking area;

(f) "Place of Employment" means any indoor place of work other than

(i) a private home which also serves as a place of work, or

(ii) a place of work occupied solely by an independent contractor or only by the partner to a partnership,

and includes any parts of a retail shop used exclusively by the employees of such premises, but does not include a reception area;

¹ 2934/A-95

- (g) "Place of Public Assembly" means any building or portion thereof where the public may gather for such purposes as entertainment, recreation, education, deliberation, business or amusement, but does not include
 - (i) a place where a private social function is being held,
 - (ii) pool halls, bowling alleys, games arcades, bingo halls,
 - (iii) restaurants,
 - (iv) beverage rooms, or
 - (v) school buildings.
- (h) "Post" means the erection or placing of a sign and includes the act of keeping continuously displayed;
- (i) "Private Social Function" means a special social event for which an entire room or hall has been exclusively reserved, and at which attendance is limited to people who have been specifically invited or designated by the sponsor thereof, but does not include events which are held privately for the purpose of business, sales or education;
- (j) "Proprietor" means
 - (i) the occupant or owner of premises referred to in to this bylaw and includes any person in charge thereof or who controls, governs or directs the activity carried on therein. In respect of

a building occupied by more than one occupant, "owner" shall mean, in respect of the common areas of the premises, the legal owner or his agent or representative;

- (ii) the owner or driver of a taxi-cab;
 - (iii) the owner of a public bus or other form of public transportation;
 - (iv) the owner or driver of a school bus;
 - (v) the Board of Trustees of a school, college or hospital.
-
- (k) "Public Washrooms" means any washroom or lavatory open to the general public;
 - (l) "Restaurant" means any place of business where food or refreshments are prepared to order and sold for human consumption on the premises and includes a restaurant, lunch counter or cafeteria but does not include an outdoor dining area or outdoor food stall;
 - (m) "School Building" means a building provided or managed by a Board of Directors or Trustees or independent persons or organizations for the education of persons to and including the grade 12 level;
 - (n) "Seating Capacity" means the number of seats provided for use by patrons or customers for the consumption of food while seated;
 - (o) "Service Line" means an indoor line of two or more persons awaiting service of any kind, regardless of whether or not such service

involves the exchange of money, including but not limited to sales, provision of information, transactions, or advice, and transfers of money or goods, but does not include a service line at a private social function;

- (p) "Smoke or Smoking" means the inhaling, exhaling, burning or carrying of a lighted cigarette, cigar, pipe or other lighted smoking equipment burning tobacco or any other weed or substance, but does not include smoking by actors as part of a stage or theatrical performance;
- (q) "Smoking Area" means an area, designated by the proprietor, in which smoking is permitted;
- (r) "Taxicab" means any taxicab licensed pursuant to the provisions of the City Taxi Business Bylaw to carry on business in the City.

PLACES OF PUBLIC ASSEMBLY

- 3 No person shall smoke in those parts of a place of public assembly which are used as a concert hall, auditorium, gymnasium, swimming pool, indoor sporting area, library, classroom, lecture hall or in the seating area of a theatre or motion picture house, music hall or in a display area in a museum or art gallery, or in any portion of a place of public assembly designated as a no smoking area.
- 4 The proprietor of a place of public assembly shall designate not less than 50% of the floor area of the building, structure, place, or area such as a lobby, foyer or concourse that is generally open to the public to enter and assemble, as a non-smoking area provided that any area described in

Section 3 shall not be used in the calculation of the floor area for the purposes of this section.

- 5 The proprietor of a place of public assembly shall post a no smoking sign in each area wherein smoking is prohibited pursuant to this Bylaw or which is designated as a no smoking area by the proprietor, and shall post smoking signs in smoking areas.

RESTAURANTS

- 6 The proprietor of a restaurant having a seating capacity of more than 20 persons shall designate in one location not less than 35% of the floor area thereof used for the seating and service of customers as a no smoking area.

- 7 The proprietor of a restaurant shall:

- (a) Post a no smoking sign in the no smoking area, or

Place a no smoking sign on each table in the no smoking area, and

- (b) Post a sign at the entrance to the restaurant containing the words "smoking permitted only in smoking areas", and

- (c) Not place ashtrays on tables in non-smoking areas.

COMMON PUBLIC AREAS

- 8 No person may smoke

- (a) In an elevator, escalator, inside stairway or public washroom, in any building, except school buildings, generally open and accessible by the public,
- (b) In a school bus, public bus or other form of public transportation, or
- (c) In a service line.

9 The proprietor of a public bus, school bus or other form of public transportation, and of any building or premises containing a service line, or any of the areas described in Section 8 (a) shall post a no smoking sign in each such areas.

HEALTH CARE FACILITIES

- 10 The proprietor of a hospital or a health care facility may designate all or any part of such premises as a no smoking area, and may designate smoking areas.
- 11 Upon designating no smoking areas, the proprietor shall post a no smoking sign at the entrance doors to each no smoking area.
- 12 Upon designating smoking areas, the proprietor shall post a sign at the main entrance containing the words "smoking permitted only in smoking areas" and shall post smoking permitted signs in the smoking areas.

SCHOOL BUILDING

- 13 The proprietor of a school building may designate all or any part of such building as a no smoking area.

- 14 Upon electing to designate all or any portion of a school building as a no smoking area, the proprietor
- (a) shall post at each entrance thereto a no smoking sign, or a sign containing the words "smoking permitted only in smoking areas", and
 - (b) shall post smoking permitted signs in smoking areas, and
 - (c) may post no smoking signs in the school building.

TAXI CAB

- 15 No person shall smoke in a taxi cab unless otherwise designated pursuant to Section 16.
- 16 The proprietor of a taxi cab may designate the taxi cab as a smoking area from time to time subject to the consent of the driver and all passengers actually occupying the taxi cab.
- 17 The proprietor of a taxi cab shall post in a conspicuous position in the taxi cab clearly visible to the passengers therein
- (a) A no smoking sign in general conformity with Schedule "A", or
 - (b) A sign containing the words "smoking permitted only by consent of all passengers and driver".

PLACES OF EMPLOYMENT

- 18 Effective January 1, 1988 no person shall smoke in a place of employment except in a smoking area.
- 19 The proprietor of a place of employment may designate all or any part of such premises as a smoking area, in accordance with Schedule D.
- 20 The proprietor of a place of employment shall
- (a) post a no smoking sign at each of the entrances thereto, or
 - (b) upon designating a smoking area shall post a sign at each of the entrances to the place of employment containing the text "smoking permitted only in smoking areas" and shall post smoking permitted signs in such smoking area.
- 21 Until December 31, 1987 the policy of the City with respect to smoking in a place of employment is as set forth in Schedule "D" hereto. Until December 31, 1987 proprietors of places of employment are recommended to utilize the policy in the decision to designate smoking areas.

GENERAL AREAS

- 22 The proprietor of any building, or other indoor premises not specifically listed in this Bylaw may designate all or any portion of such premises as a no smoking area, by posting therein no smoking signs in accordance with this Bylaw.

SIGNS

23 Where this Bylaw permits a smoking area to be designated by a proprietor, such smoking area

- (a) shall be identified by means of signs provided for in this Bylaw;
- (b) shall be designed, constructed or arranged to ensure that smoke or gas resulting from smoking is minimized in adjacent no-smoking areas;
- (c) shall not exceed the size limitations imposed by any other section of this bylaw;
- (d) shall not include any part of the premises to which non-smokers may need access, and
- (e) shall not include any area in which smoking is prohibited pursuant to any fire bylaw, regulation or statute.

24 Signs prohibiting smoking shall

- (a) Be in a form in general conformity with Schedule "A" annexed hereto, and may include the words "City of Red Deer Health Bylaw", or
- (b) Be a written sign including the words "no smoking", such text to be not less than 1" in vertical height, or
- (c) Be a combination of (a) and (b) above.

- 25 A sign permitting smoking shall
- (a) Be in a form in general conformity with Schedule "B" annexed hereto,
 - (b) Be a written sign including the text "smoking area" such text to be not less than 1" in vertical height, or
 - (c) Be a combination of (a) and (b) above.
- 26 Signs shall consist of at least two contrasting colours, or if the lettering is to be applied to a clear panel then the lettering shall contrast to the colour of the background against which the sign is posted.
- 27 No person shall remove, alter, conceal, deface or destroy any sign posted by any person pursuant to this Bylaw.
- 28 The proprietor of any premises in which smoking is prohibited pursuant to this Bylaw shall post a no smoking sign within the building in proximity to the main public entrance of such place and conspicuously in at least one location on each floor therein.
- 29 All signs used to identify smoking or no smoking areas shall be placed at a height and location easily seen by a person in the premises, and shall not be obscured in any way.

PENALTIES

- 30 No person shall smoke in a no smoking area designated by a proprietor, or established pursuant to this Bylaw.

31 (1)¹ Any proprietor who contravenes any provision of this Bylaw is guilty of an offence and is liable to a specified penalty of \$110.00.

(2) Any other person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a specified penalty of \$40.00.

32² Where a Peace Officer, Bylaw Enforcement Officer or a member of the Canadian Corps of Commissionaires has reasonable grounds to believe that a person has contravened any provision of this Bylaw, he may serve upon such person an offence ticket allowing payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence.

33³ DELETED

34⁴ DELETED

35⁵ DELETED

36⁶ DELETED

¹ 3067/92

² 3067/92

³ 3067/92

⁴ 3067/92

⁵ 3067/92

⁶ 3067/92

- 37 Should any provision of this Bylaw be found to be invalid it is the express wish of the Council for the City that such invalid portion be severed and that the remainder of the Bylaw be maintained.
- 38 Bylaw 2835/85 is hereby repealed upon this Bylaw coming into full force.
- 39 This Bylaw shall come into full force the 1st day of September, 1987.

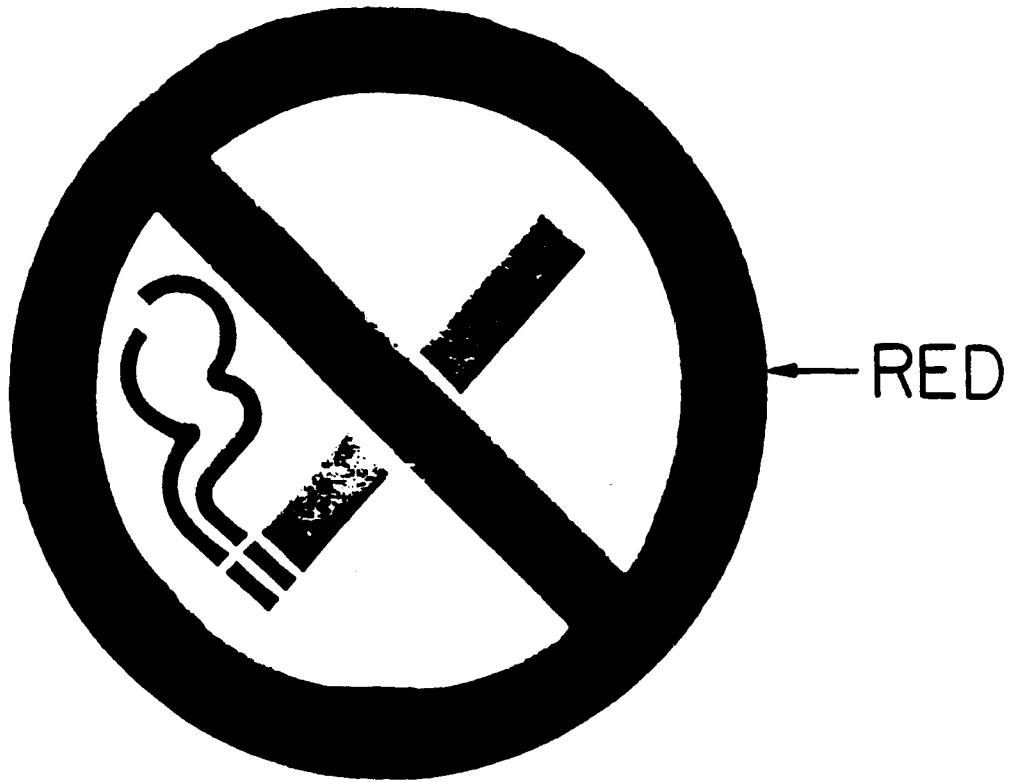
READ A FIRST TIME IN OPEN COUNCIL this 4 day of May, A.D. 1987.

READ A SECOND TIME IN OPEN COUNCIL this 4 day of May, A.D. 1987.

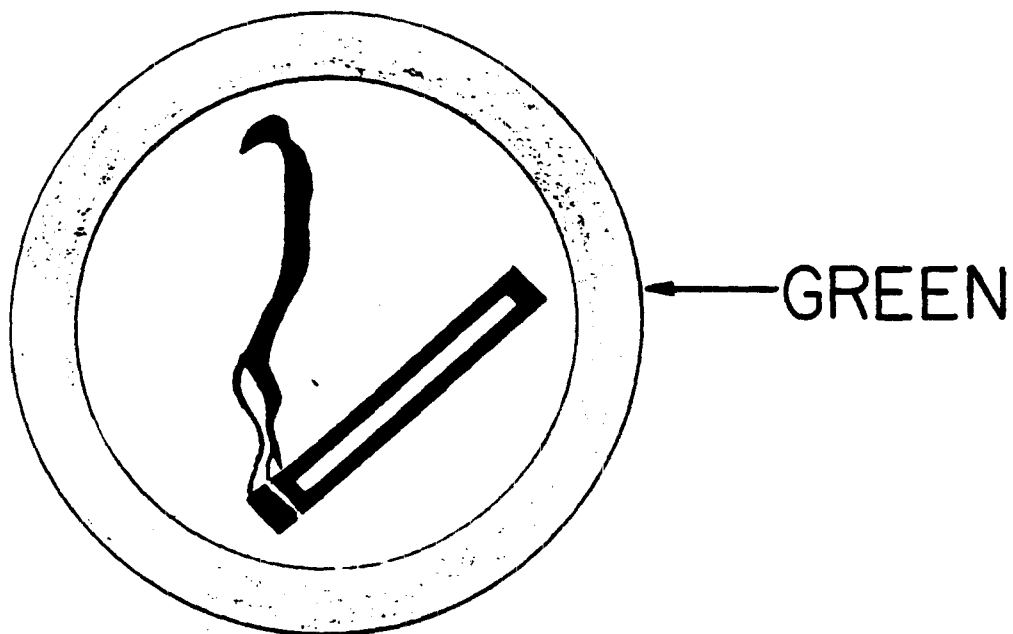
READ A THIRD TIME IN OPEN COUNCIL this 19 day of May, A.D. 1987.

"R.J. MCGHEE"
MAYOR

"C. SEVCIK"
CITY CLERK



NO SMOKING
CITY OF RED DEER



BYLAW NO. 2934/87

SCHEDULE "C"¹ - DELETED

SCHEDULE "D" TO THE HEALTH BYLAW

COUNCIL POLICY ON SMOKING IN THE WORKPLACE

Council of the City and the Medical Health Officer of the Red Deer Health Unit believe that voluntary and involuntary exposure to smoking is hazardous to health and that significant numbers of the working population of Red Deer may be involuntarily exposed to such hazard in the work place.

Council strongly encourages employers and workers to adopt policies to eliminate or restrict smoking in the work place. Employers are encouraged to consult with workers on the issue and the following are recommended as acceptable minimum criteria;

- (a) the employer/proprietor will take all reasonable steps to ensure that no person shall be involuntarily exposed to smoking in the workplace;
- (b) any smoker may object to the employer or other person having control about smoking in his or her workplace. The employer will attempt to reach a reasonable accommodation, insofar as possible between the preferences of smoking workers and those who do not wish to be exposed to smoke.
- (c) If an accommodation cannot be reached which is satisfactory to all of the affected workers in any given workplace, then the preference of workers who do not want their air polluted by smoking shall prevail and the proprietor shall prohibit smoking in the work place to the end that those workers will work in a smoke-free environment.

DATE: January 29, 1997

TO: DIRECTOR OF COMMUNITY SERVICES

DIRECTOR OF CORPORATE SERVICES

DIRECTOR OF DEVELOPMENT SERVICES

CITY ASSESSOR

E. L. & P. MANAGER

ENGINEERING DEPARTMENT MANAGER

FIRE CHIEF (EMERGENCY SERVICES)

INFORMATION TECHNOLOGY SERVICES MANAGER

INSPECTIONS AND LICENSING MANAGER

LAND AND ECONOMIC DEVELOPMENT MANAGER

X PERSONNEL MANAGER

X PUBLIC WORKS MANAGER

X R.C.M.P. INSPECTOR

X RECREATION, PARKS & CULTURE MANAGER

SOCIAL PLANNING MANAGER

TRANSIT MANAGER

TREASURY SERVICES MANAGER

PRINCIPAL PLANNER

X CITY SOLICITOR

FROM: CITY CLERK

RE: **HEALTH BYLAW**

Please submit comments on the attached to this office by February 3, 1997 for the Council Agenda of February 10, 1997

"Kelly Kloss"

City Clerk

NO BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FILE

Office of the City Clerk

February 25, 1997

Ms. Janelle Bergey
5836-60 Street
Red Deer, AB T4N 2P6

Dear Ms. Bergey:

Re: Smoking In The Workplace - Request To Amend Health Bylaw No. 2934/87

At The City of Red Deer's Council meeting held February 24, 1997, consideration was given to your correspondence dated January 28, 1997, wherein you requested an amendment to The City of Red Deer's Health Bylaw No. 2934/87. At that meeting, the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Janelle Bergey dated January 28, 1997 re: Request to Amend Health Bylaw Number 2934/87 relative to Schedule "D" - Smoking in the Workplace, hereby agrees that no change be made to said Bylaw at this time, and as presented to Council February 24, 1997."

Thank you for attending the Council meeting and for expressing your concerns to Council. Please do not hesitate to contact me should you have any questions or require clarification of the above decision.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Director of Community Services
O.i/c Red Deer City Detachment
Personnel Manager



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

January 29, 1997

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Janelle Bergey
5836 60 Street 347-9193
RED DEER, AB T4N 2P6

Dear Ms. Bergey:

I am in receipt of your letter dated January 28, 1997 re: Health Bylaw 2934/87. Your letter will be placed on the Red Deer City Council Agenda of February 10, 1997.


Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, February 7, 1997.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, February 7, and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,


Kelly Kloss
City Clerk

KK/nb

Submitted To City Council

Date: Feb. 28/97

Date: Feb 21, 1997

TO: City Clerk
Kelly Kloss

FROM: Occupational Health Nurse
Yolande Stubbs

RE: Health Bylaw-Smoking in the Workplace

Grant Howell has asked me to comment on a letter sent to you on January 28, 1997 by Janelle Bergey regarding Smoking in the Workplace.

As Ms. Bergey has pointed out, extensive studies have been carried out which indicate that second hand smoke is hazardous to the health of those in the same room. As well, it has been found that constant exposure to cigarette smoke can injure the health of non-smoking mothers and their unborn babies. Smoking is a health issue.

At present there is no legislation to regulate smoking in the workplace. 1996 Bill 222 NON-SMOKERS HEALTH ACT was to be presented to the Legislative Assembly of Alberta on a private member's bill, but this has not yet received First Reading. This bill would set out regulations concerning building construction, designation of smoking areas, and the requirement that everyone would be in agreement before smoking would be allowed.

At present, employees are asking for and getting a smoke-free environment by making their concerns known to management. Management is responding to employee concerns by co-operating to develop and implement company policies concerning smoking at work.

Ms. Bergey's suggestion that an agreement must be reached by all present before smoking at work is allowed is a good plan. Smoking breaks away from meeting rooms must also be provided.


YL:ab

Feb 12, 1997

City of Red Deer

Attention City Council

Re: Decreasing Oriole Park Lot prices by 10%.

We are in the process of purchasing Lot 16 Owens Close. We have paid \$600.00 down deposit on Oct 11, 96 and 1/3 of total lot price on Nov 11, 96. Our next payment is due March 19th with final payment plus 55% on July 18th. We would like to qualify for the 10% reduction in price... a savings of almost \$5000.00. It is my understanding that we are the only ones in the middle of purchasing a lot at this time. Mr. Al Scott is aware of our options as he has informed myself over the phone. Please consider this Appeal.

THE CITY OF RED DEER	
CLERK'S DEPARTMENT	
RECEIVED	
TIME	2:50 P.M.
DATE	97.02.12.
BY	R

Thank you
Rocky Jones.
Susan Jones

DATE: February 14, 1997
TO: Kelly Kloss, City Clerk
FROM: Alan Scott, Land and Economic Development Manager
RE: **ROCKY AND SUSAN JONES - ORIOLE PARK LOT PRICES**

On October 11, 1996, Mr. and Mrs. Jones paid a \$600.00 deposit on lot 16, Block 31, Plan 942-2419. On November 18, 1996, the Jones' paid 1/3 of the purchase price of the lot and entered into an Option and Development Agreement. The remainder of the purchase price is payable in two equal installments, the first one falling due on March 11, 1997, the final payment due July 11, 1997.

Clause 5 of the Agreement states as follows:

"If the Optionee does not accept the option as herein provided, the deposit shall be absolutely forfeited onto the City as liquidated damages, the option herein granted shall thereupon be terminated, in which event, the City shall refund to the Optionee the option fee and extended option fee, less an amount equal to interest calculated on the full purchase price at 10% per annum from the date of this agreement, as liquidated damages and not as penalty or forfeiture."

Using the date upon which the Council resolution relative to the reduction in price was passed, the agreement was outstanding for 85 days. This would result in a penalty of \$1,141.37, plus the deposit of \$600.00, for a total of \$1,741.37. It would therefore be to the advantage of the Jones' to terminate this agreement, pay the penalty, and re-purchase the lot at the new price of \$44,111.00. The saving, even after the penalty would be \$3,159.63.

Council should also be aware that prior to the development of Lancaster Meadows Phase 2, the penalty clause within our agreements imposed a penalty based on 6% per annum rather than 10%. In an effort to come up with some kind of a compromise solution, we have estimated the interest based on 6% at \$684.76, for a total penalty, including the deposit of \$1,284.76.

Recommendation:

Unfortunately, as is often the case in situations such as this, there are always one or two people affected by a change in price. In this situation, Mr. and Mrs. Jones are essentially part way through purchasing a residential building lot. They have signed the agreements, and are therefore committed to the price as indicated in the document. They feel that

Kelly Kloss, City Clerk
February 14, 1997
Page 2

because of their circumstances, they should be entitled to some consideration in the form of a reduction. The resolution of Council is very specific, stating that the reduction in price is affective with the passage of the resolution. No consideration was given to purchases made prior to the meeting of Council. If circumstances were reversed, and an increase in price was being implemented, we would not be asking for additional funds from Mr. and Mrs. Jones.

I would recommend that Council abide by the resolution and not grant a refund to Mr. and Mrs. Jones. The only realistic option for Mr. and Mrs. Jones would then be to cancel the existing agreement and repurchase the lot at the new price. In an effort to reach some middle ground, I would further recommend that we reduce the penalty to 6% from the stated 10%, which would result in a penalty of \$1,284.76, and a real reduction in the price from that originally agreed to of approximately \$3,600.00.

Respectfully submitted,



Alan Scott, Land and Economic Development Manager

AVS/rp

Comments:

The attached request from Mr. & Mrs. Jones is an application to Council to RETROACTIVELY reduce the price of the lot they are currently purchasing in Oriole Park.

The Council resolution reducing the price of these lots was quite specific in defining an effective date of the price reduction to avoid the whole question of retroactivity. In similar circumstances when there is a price increase, increases are not applied to land sale agreements in the process of being completed. Equally, when prices are decreased, as in this case, the price reductions should not apply as such an action immediately raises the question of how far back the retroactively should apply. Already, the City has had verbal requests for \$5000.00 rebates, from people who have built homes, on the grounds that we have "reduced the market value of their property by \$5000.00." Once Council gives consideration to such retroactivity, there will be no end to the number of requests we may receive. (In this case 11 lots have been sold.)

With respect to the attached request, Mr. & Mrs. Jones can in fact terminate their current agreement, pay the penalty, and repurchase the lot, realizing a savings of \$3159.63, which is more than half way to the \$5000.00 they are requesting. We believe this is not an unreasonable compromise for someone in this position. At the same time, it has the advantage of preserving the principle of the Council resolution that price adjustments are not made retroactive. Accordingly, we recommend that Council reaffirm its decision that the price change be effective February 10, 1997.

For Council's reference, following is the resolution passed on February 10, 1997:

Moved by Councillor Flewwelling, seconded by Councillor Moffat

"RESOLVED that Council of The City of Red Deer, having considered correspondence from Vesna Higham dated January 29, 1997, re: Proposal to Reduce Lot Prices in Oriole Park - Phase 2A, Plan. 932-2354, hereby agrees to the request of Vesna Higham that The City of Red Deer further reduce by 10% the selling price of residential building lots on Owens Close and Osmond Close, and further agrees that there will be no form of rebate on those lots on Owens Close and Osmond Close which have already been purchased prior to the date of passage of this resolution, and as presented to Council February 10, 1997."

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

February 25, 1997

Rocky & Susan Jones
3722 - 44 Street
Red Deer, AB T4N 1G5

Dear Mr. & Mrs. Jones:

Re: Lot Pricing in Oriole Park

As per your request, your correspondence dated February 12, 1997 regarding the above, was withdrawn from the Council Meeting of February 24, 1997.

Please do not hesitate to contact me should you require information or assistance in the future, or if you have further concerns regarding the purchase of the above land.

Sincerely,

Kelly Kloss
City Clerk

/clr

c Director of Corporate Services
Land & Economic Development Manager

DATE: February 12, 1997
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
X LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK
RE: **ROCKY & SUSAN JONES**

Please submit comments on the attached to this office by February 18, 1997 for the Council Agenda of February 24, 1997.

"Kelly Kloss"
City Clerk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

February 12, 1997

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Rocky and Susan Jones
3722 44 Street
RED DEER, AB T4N 1G5

Dear Mr. & Mrs. Jones:

I am in receipt of your letter dated February 12, 1997 re: Appeal for reduction in Lot Price - Lot 16 Owens Close. Your letter will be placed on the Red Deer City Council Agenda of February 24, 1997.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, February 21, 1997.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, February 21, and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

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If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Kelly Kloss
City Clerk

KK/nb

PEOPLE'S CHOICE KITCHEN & BATH

#18 SHERWOOD CT
RED DEER, AB
T4N 0A3

Phone 342 7798
Fax 342 7798

February 6, 1997

City Clerks Department
P O Box 5008
Red Deer AB
T4N 3T4

Dear City Clerk

This is to formally make application for discretionary use of the house located at 5401-48 Ave Red Deer. Land description Lot 1, Block 33, Plan 656 NY.

People's Choice Kitchen and Bath request to operate business in the sale of kitchen cabinets, antique bath fixtures and related accessories. This building and this site have been selected by People's Choice for the following reasons:

- a) The character of the building is well suited to our line of goods
- b) The competitive price will allow our business to thrive

The property has been previously approved for discretionary use operating as:

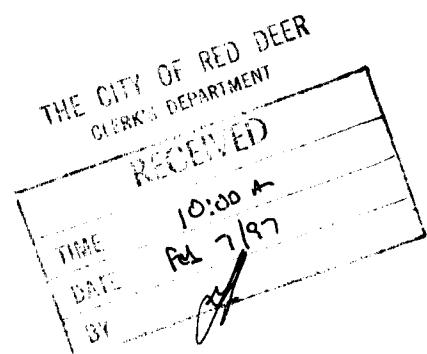
Blind View Window Fashions... interior design Final approval reading... January 1993
Almont Rose Center... learning center Final approval reading... August 1995

To assist you in your response... Previous correspondence between the above mentioned businesses and the city has been enclosed.

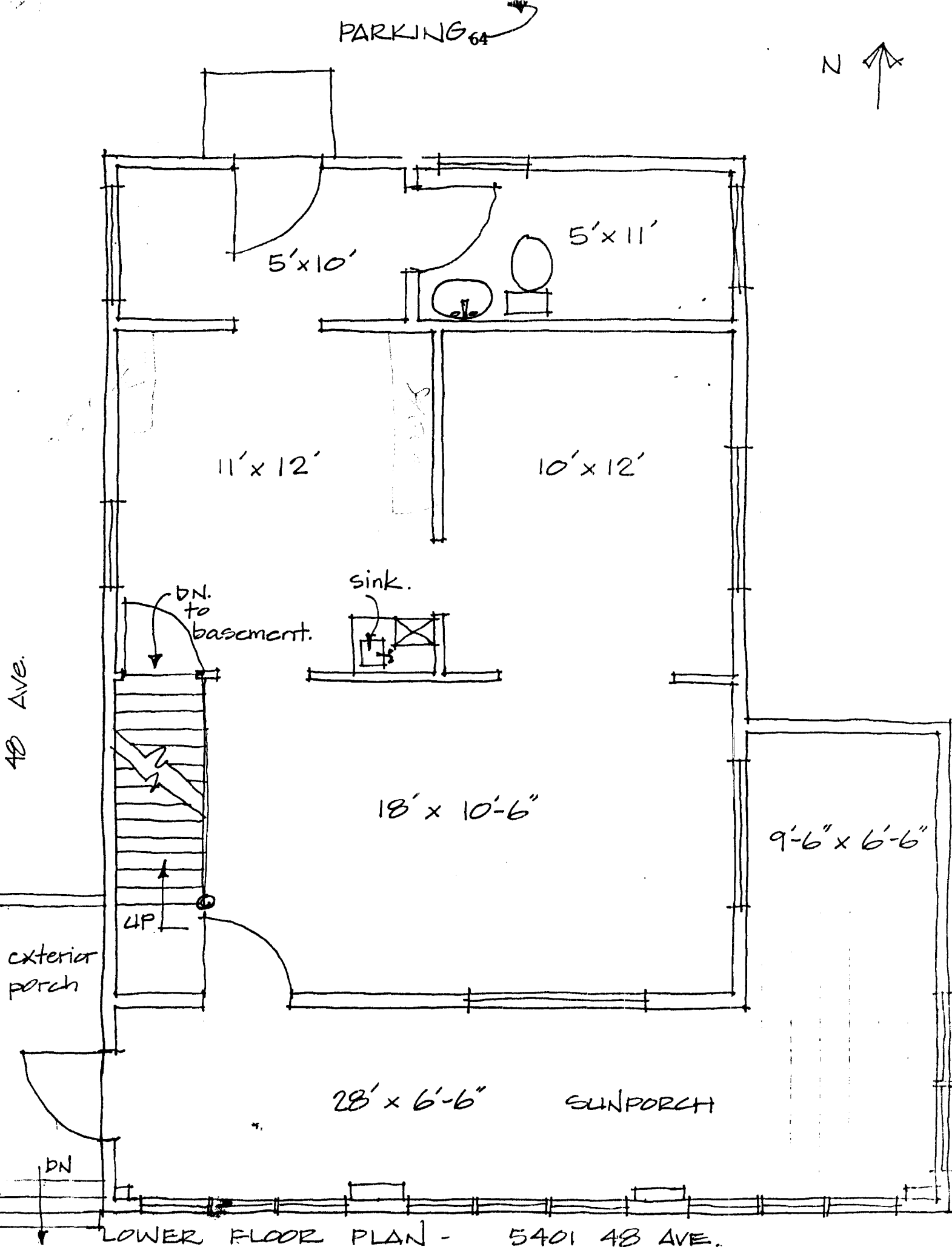
An interior floor plan and parking plan have been included as well.

Sincerely


Joel Martens



PARKING 64

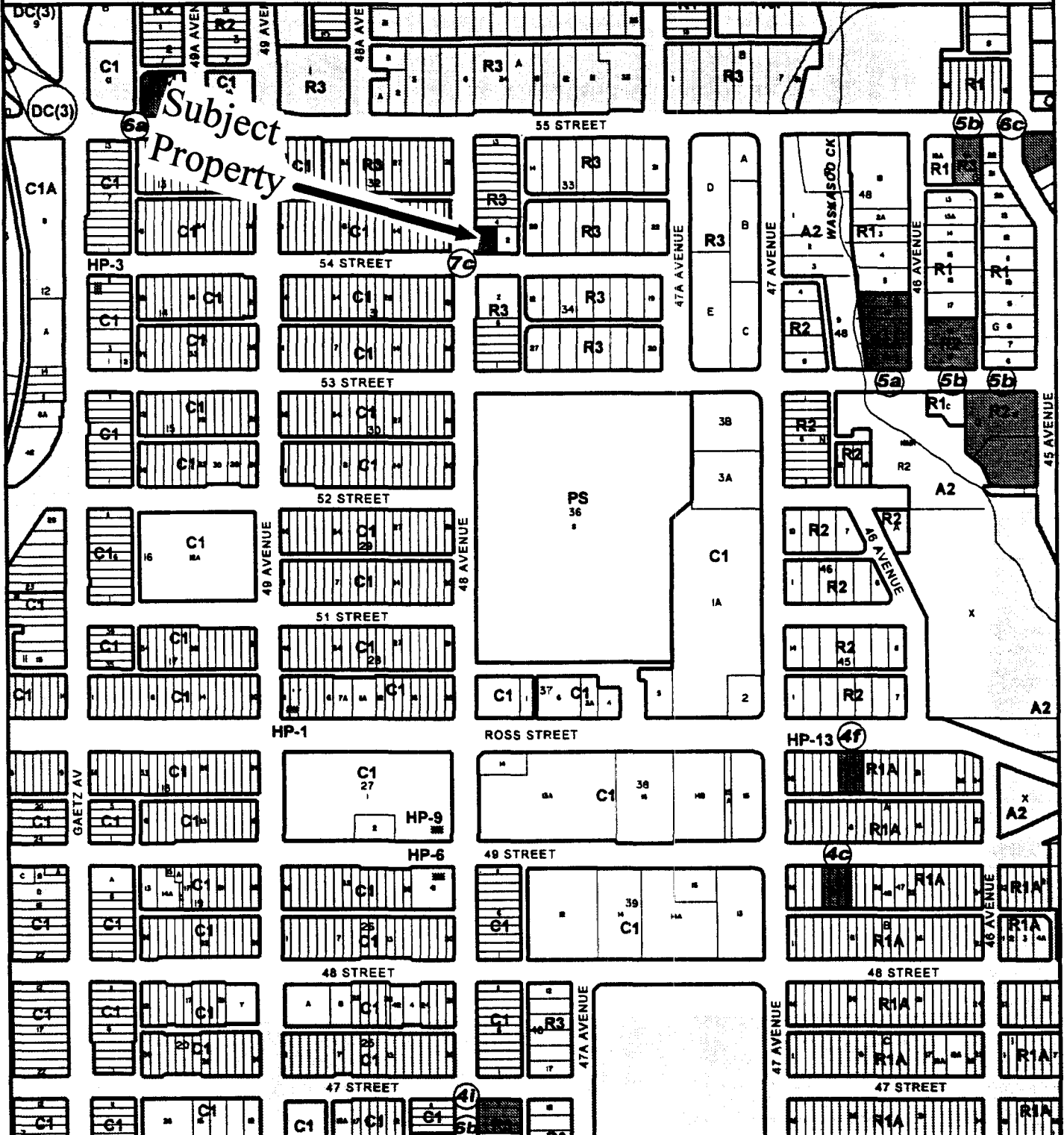


LOWER FLOOR PLAN - 5401 48 AVE.

THE CITY OF RED DEER - LAND USE BYLAW

LAND USE DISTRICTS

G9



BYLAW NUMBER - 3156/96

AMENDMENTS:



SCALE 1:5000
29-APR-1996

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

F10	G10	H10
F9	G9	H9
F8	G8	H8

N.W. ¼ -16-38-27-4

MEMORANDUM

To: City Council
From: Paul Meyette
Subject: Proposed Land Use Amendment to allow commercial use
at 5401 - 48 Avenue
Date: February 13, 1997

People's Choice Kitchen and Bath is proposing to operate a kitchen and bath fixtures and accessory shop from 5401 - 48 Avenue. The site is currently designated R3 (Residential Multiple Family District). Council has twice before approved "exceptions" to the land use bylaw to allow an interior design store and a learning centre.

Background Information

The proposed site is an older single family home. Property west of this site is zoned C1 (Commercial City Centre) District while properties north, south and east are zoned R3 (Residential Multiple Family District). The Downtown Plan designates this area for high density housing: the plan places a high priority on increasing residential development in the downtown area.

Planning Comments

Planning staff have two concerns with this proposal:

1. **Attracting Residential Development**

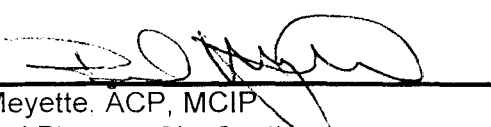
There are a limited number of sites which are designated R3 in the land use bylaw. By continuing to allow commercial use in these areas, Council will undermine the Downtown Plan's objective of increasing the amount of housing in the downtown area.

2. **Need for a Compact Downtown**

The Downtown retail area already covers a very large area. The continued rezoning of sites outside of the downtown will continue to spread out the downtown and undermine owners of land within the commercial area. Approval of proposals such as this one will make infill development unlikely in the existing downtown.

Recommendation

Planning staff recommend that Council deny the request for rezoning.



Paul Meyette, ACP, MCIP
Principal Planner, City Section

DATE: February 13, 1997

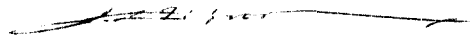
TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: LAND USE BYLAW AMENDMENT - DISCRETIONARY USE:
5401 - 48 AVENUE, RED DEER

This site, while intended for higher density housing, has been spot zoned for two previous commercial undertakings. The request now before City Council from People's Choice Kitchen & Bath is similar to the previous two commercial businesses; thus, it is difficult to do anything but accept this request, based on the two earlier approvals. I can concur, however, with earlier raised concerns that the commercial zoning in the downtown might be too spread out, and our downtown would be much healthier with more infill.

We should do all that we can to encourage residential development at this location. Therefore, if Council is supportive of this application, it is recommended that it be for this use only, with the previous approvals withdrawn as discretionary use. It is further recommended that, should this existing home be in any way significantly altered or removed, the site will revert back to residential development only.



LOWELL R. HODGSON

:dmg

MEMO

Date: February 11, 1997

To: KELLY KLOSS
City Clerk

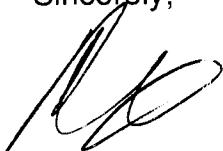
From: RYAN STRADER
Inspections & Licensing Manager

RE: 5401 - 48 AVENUE
LOT 1, BLOCK 33, PLAN 656 N.Y.

In response to your memo regarding the above referenced, Council has approved two previous applications for commercial uses on this site. In view of these approvals, we assume this application will be approved.

RECOMMENDATIONS: That if approval is granted, this shall be subject to: **a)** an occupancy permit being issued prior to building being occupied; **b)** any on site parking to be approved as a condition of the occupancy permit.

Sincerely,



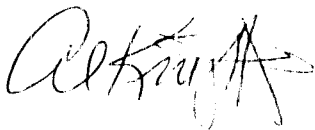
R. STRADER
Inspections & Licensing Department

RS:yd

DATE: February 11, 1997
TO: City Clerk
FROM: City Assessor
RE: LAND USE BYLAW AMENDMENT - DISCRETIONARY USE
5401 - 48 AVENUE, RED DEER

I see the issues no differently today than what they were in 1992 and 1993 when the original proposals and approvals were dealt with.

We have no serious concerns in allowing this business to proceed.

A handwritten signature in black ink, appearing to read 'Al Knight', with a stylized flourish at the end.

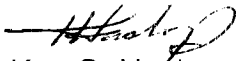
Al Knight, A.M.A.A.
City Assessor

AK/ngl

DATE: February 18, 1997
TO: City Clerk
FROM: Engineering Department Manager
**RE: LAND USE BY-LAW AMENDMENT
5401 - 48 AVENUE, RED DEER**

Our comments are limited to the availability of parking and space for delivery vehicles to support this proposal. Assuming that the use involving the sale only of the kitchen cabinets and related accessories is approved, the demand for parking and delivery vehicles should be small. There is on-site space available to support five or six parking stalls and smaller delivery vehicles.

Should the use be more intense, we would be concern about the accessibility and impact of parking on the adjacent street.



Ken G. Haslop, P. Eng.
Engineering Department Manager

KGH/emr

- c. Director of Community Services
- c. City Assessor
- c. Fire Chief
- c. Inspections and Licensing Manager
- c. Principal Planner
- c. City Solicitor

Comments:

We concur with the recommendation of Parkland Community Planning Services not to change the zoning for this location.

This proposal raises a broader planning issue for Council, related particularly to the ongoing expansion of the core commercial area into potential sites for high density residential development.

As Council is aware, commercial zoning has been allowed to spread down 48 Avenue to the south, limiting its eventual redevelopment to residential uses. Proposals for additional expansion along 48 Avenue north would further expand the commercial area, rather than encourage infill. For example, across 48 Street are a number of similar residential-style properties already zoned commercial and ripe for redevelopment. While the current proposal would not unduly disrupt the neighbourhood due to its location, a better long term approach would be to encourage commercial infill in the area immediately west which is already planned and zoned appropriately.

"B. HULL"
Deputy Mayor

"H. M. C. DAY"
City Manager



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

February 25, 1997

People's Choice Kitchen & Bath
18 Sherwood Crescent
Red Deer, AB T4N 0A3

Dear Mr. Martens:

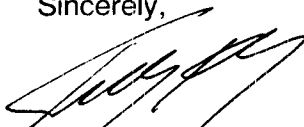
**Re: Application For Discretionary Use at #5401 - 48 Avenue, Red Deer, AB
(Lot 1, Block 33, Plan 656 N.Y.)**

At The City of Red Deer's Council Meeting held February 24, 1997, consideration was given to your correspondence dated February 6, 1997, concerning the above. At that meeting, the following resolution was passed:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from People's Choice Kitchen & Bath dated February 6, 1997, re: Application for Discretionary Use at 5401 - 48 Avenue, hereby denies said application, and as presented to Council February 24, 1997."

Thank you for attending the Council Meeting. Please do not hesitate to contact me should you have any questions or concerns, or require clarification of Council's decision in this regard.

Sincerely,



Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Development Services
 Inspections & Licensing Manager
 City Assessor
 Engineering Department Manager
 Principal Planner

DATE: February 7, 1997

TO: X DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
X CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
X FIRE CHIEF (EMERGENCY SERVICES)
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
X LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
X CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK

RE: **LAND USE BYLAW AMENDMENT - DISCRETIONARY USE
5401 48 AVENUE, RED DEER**

Please submit comments on the attached to this office by February 14, 1997 for the Council Agenda of February 24, 1997.

"Kelly Kloss"

City Clerk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

February 7, 1997

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Joel Martens
People's Choice Kitchen & Bath
18 Sherwood Crescent
RED DEER, AB T4N 0A3

Dear Mr. Martens:

I am in receipt of your letter dated February 6, 1997 re: discretionary use of the house located at 5401 48 Avenue (Lot 1, Block 33, Plan 656 N.Y.). Your letter will be placed on the Red Deer City Council Agenda of February 24, 1997.

Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, February 21, 1997.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, February 21, and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

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If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,

Jeff Graves
Assistant City Clerk

/nb

COUNCIL MEETING OF FEBRUARY 24, 1997

ATTACHMENT TO REPORT ON OPEN AGENDA

RE:

**People's Choice Kitchen & Bath
Rezoning Request: 5401-48 Avenue**



NO. 5

*Blind View
Window
Fashions*

Nov. 10, 1992

City Clerks Department
City of Red Deer
2nd floor City Hall
4914 48 Ave
Red Deer, Alberta
T4N 3T4

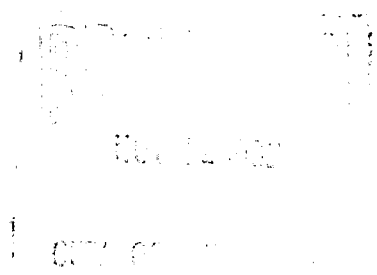
Dear City Clerk,

I would like to make application to rezone the property located at 5401 - 48 Ave from the existing R3 to C1 zoning. There is presently an older 2 storey home on this property that I would to establish my Drapery and decorating business in. The business would maintain a Victorian theme in the old house and eventually if suitable also include a Tea Room.

Thank You for considering this zoning change.

Sincerely,

Roxene Kelloway
Roxene Kelloway



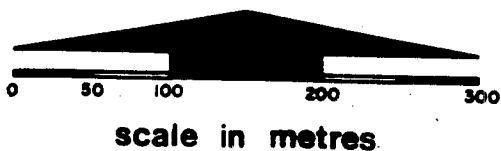
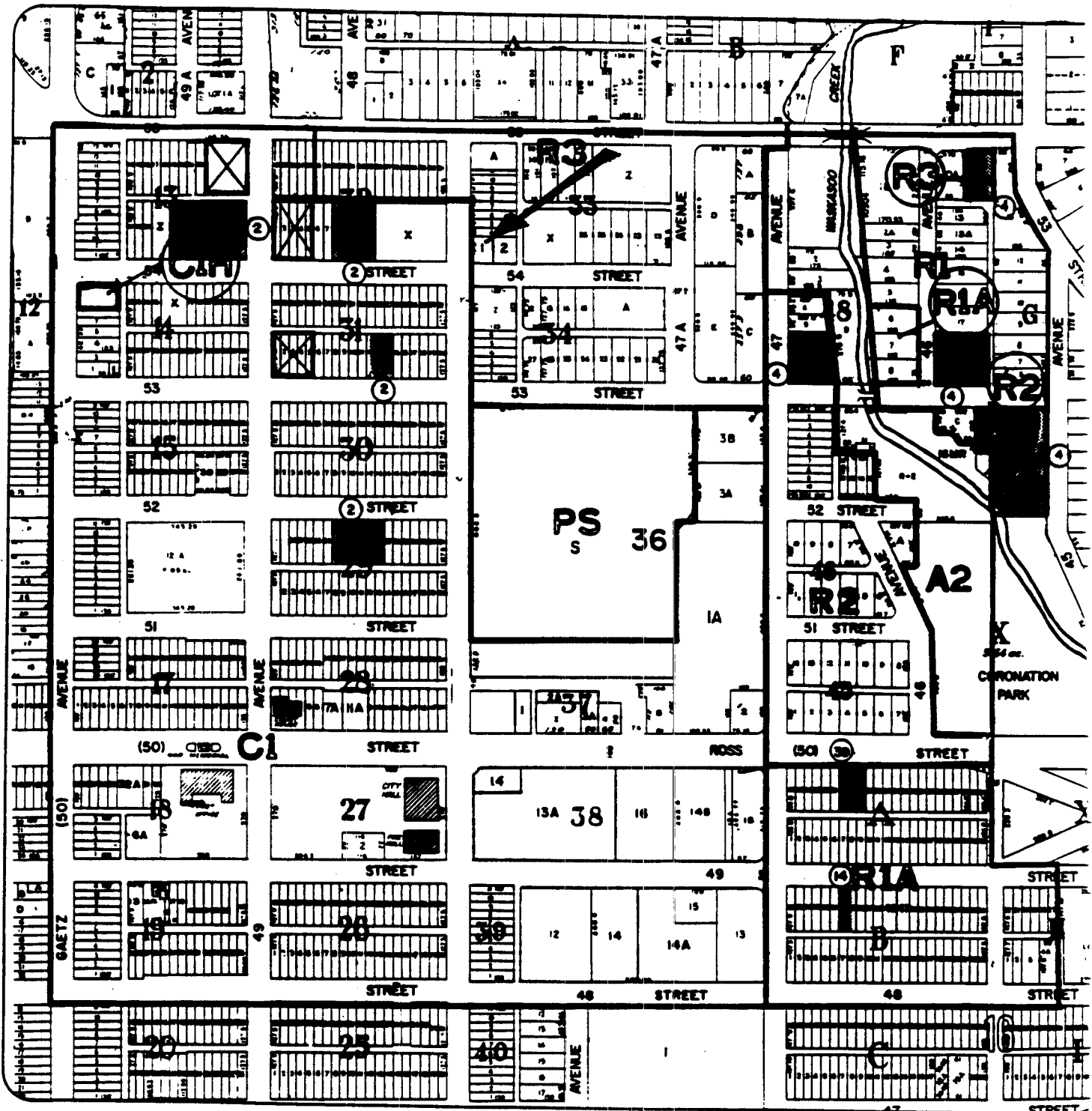
343-1945

Box 53, R.R. 1, Site 12, Red Deer, Alberta T4N 5E1

City of Red Deer --- Land Use Bylaw

Land Use Districts

G.9

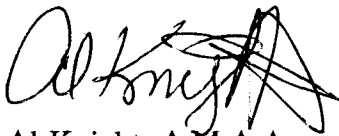


Revisions :

2672 - P/80(10/NOV/80)
 2672 - B/81(2/MAR/81)
 2672 - F/87(21/APR/87)
 2672 - V/91(6/JAN/92)

DATE: 16 November 1992
TO: City Clerk
FROM: City Assessor
RE: BLIND VIEW WINDOW FASHIONS - REZONING REQUEST

Adjacent properties on subject side of the street are zoned R3. Properties across the street are zoned C1, although actual uses are mixed being residential, some owner-occupied and some rented. At first blush and without considerable investigation, I would think that there would be adequate C1 zoned sites in existence without creating a spot zone as requested. Once existing zoning is utilized, I would then support rezoning of other areas.

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

Al Knight, A.M.A.A.
City Assessor

AK/ngl

c.c. Director of Engineering Services
Bylaws & Inspections Manager
E. L. & P. Manager
Urban Planning Section Manager



**RED DEER
REGIONAL PLANNING COMMISSION**

2830 BREMNER AVENUE, RED DEER,
ALBERTA, CANADA T4R 1M9

DIRECTOR: W. G. A. Shaw, ACP, MCIP

Telephone: (403) 343-3394
Fax: (403) 346-1570

MEMORANDUM

TO: C. Sevcik
City Clerk

DATE: November 17, 1992

FROM: Paul Meyette
Principal Planner

RE: BLIND VIEW WINDOW FASHIONS - REZONING REQUEST
5401 - 48TH AVE, LOT 1, BLOCK 33, PLAN 656 NY

Roxene Kelloway is proposing to establish a drapery and decorating business in an older two storey home along 48th Avenue.

The site is located at the N.E. corner of 48th Avenue and 54th Street. It is currently in the R3 Residential District which permits higher density housing such as apartments. The entire block as well as the block to the south are designated R3. The R3 designation is being used to encourage higher density housing in the downtown area. It is hoped that continuing residential development in this area will ultimately strengthen and enhance the City's downtown. There are a number of alternate sites west of 48th Avenue which are already zoned C1 which would be suitable for the proposed use.

RECOMMENDATION:

Planning staff do not support the rezoning of this site to the C1 (Downtown Commercial) District. The site is located in a residentially zoned block and alternate C1 sites exist for the proposed use.

Paul Meyette, ACP, MCIP
PRINCIPAL PLANNER, CITY SECTION

PM/eam

cc. Director of Engineering Services
City Assessor

Bylaws & Inspections Manager
E.L. & P. Manager

MUNICIPALITIES WITHIN COMMISSION AREA

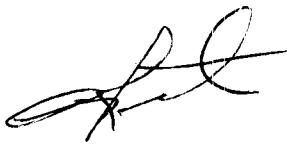
CITY OF RED DEER • MUNICIPAL DISTRICT OF CLEARWATER No. 99 • COUNTY OF STETTTLER No. 6 • COUNTY OF LACOMBE No. 14 • COUNTY OF MOUNTAIN VIEW No. 17 • COUNTY OF PAINTERTON No. 18 • COUNTY OF RED DEER No. 23 • TOWN OF BLACKFALDS • TOWN OF BOWDEN • TOWN OF CARSTAIRS • TOWN OF CASTOR • TOWN OF CORONATION • TOWN OF DIDSBURY • TOWN OF ECKVILLE • TOWN OF INNISFAIL • TOWN OF LACOMBE • TOWN OF OLDS • TOWN OF PENHOLD • TOWN OF ROCKY MOUNTAIN HOUSE • TOWN OF STETTTLER • TOWN OF SUNDRE • TOWN OF SYLVAN LAKE • VILLAGE OF ALIX • VILLAGE OF BENTLEY • VILLAGE OF BIG VALLEY • VILLAGE OF BOTHA • VILLAGE OF CAROLINE • VILLAGE OF CLIVE • VILLAGE OF CREMONA • VILLAGE OF DELBURN • VILLAGE OF DONALDA • VILLAGE OF ELMORA • VILLAGE OF GADSBY • VILLAGE OF HALKIRK • VILLAGE OF MIRROR • SUMMER VILLAGE OF BIRCHCLIFF • SUMMER VILLAGE OF GULL LAKE • SUMMER VILLAGE OF HALF MOON BAY • SUMMER VILLAGE OF JARVIS BAY • SUMMER VILLAGE OF NORGLINWOLD • SUMMER VILLAGE OF ROCHON SANDS • SUMMER VILLAGE OF SUNBREAKER COVE • SUMMER VILLAGE OF WHITE SANDS • SUMMER VILLAGE OF BURNSTICK LAKE

DATE: November 18, 1992
TO: City Clerk
FROM: E. L. & P. Manager
RE: Blind View Window Fashions - Rezoning Request
5401 - 48 Avenue

The E. L. & P. Department has no objections to the proposal, however, we do wish to make the applicant aware of the consequences of rezoning on possible future electrical servicing costs.

The site is located within the area defined as "Downtown" by Council Policy #603 - Electrical Upgrading in Downtown Area. If the site zoning is changed to C-1, and if the electrical service size must be increased, the site must be serviced by means of the underground system and the underground costs would have to be paid.

If, however, the site zoning is to remain as R-3, the cost of providing a larger electrical service will be the lesser of 40% of the cost of connecting to the underground system or the cost of providing the electrical facilities on the surface of the site.



A. Roth,
Manager

AR/jjd

DATE: November 19, 1992

FILE NO. 92-1610

TO: City Clerk

FROM: Bylaws and Inspections Manager

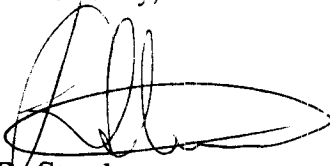
RE: **BLIND VIEW WINDOW FASHIONS**
5401-48 AVENUE
LOT 1, BLOCK 33, PLAN 656 N.Y.

In response to your memo regarding the above referenced site, we have the following comments for Council's consideration.

On either side of the subject site are single family dwellings and adjacent to them are apartment buildings. If this site is developed as a commercial use, then the adjacent properties will be limited in potential redevelopment.

Recommendation: That, as there are numerous undeveloped C1 sites, this application be denied.

Yours truly,

A handwritten signature in black ink, appearing to be 'R. Strader', written over a horizontal line.

R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

RS/vs

Commissioners' Comments

Generally speaking in the downtown we want to encourage two things: One is the consolidation of property where appropriate for large scale multi family dwelling like R3 development; and secondly, the adaptive re-use where appropriate of older housing stock in existing C1 areas. For that reason R3 has been distinguished from C1 in this area. We still endorse the current direction towards consolidation for apartment construction in the existing R3 area and encourage the kind of uses in this application to move further west into the C1 area. On the block in question there is a significant number of relatively new apartment buildings and we would hope to encourage that trend by ensuring land is zoned and left available for consolidation.

Accordingly, we support the administration and recommend that the request be not approved for this site.

"G. SURKAN"
Mayor

"M.C. DAY"
City Commissioner

BYLAW NO. 2672/GG-92

Being a Bylaw to amend Bylaw No. 2672/80, the Land Use Bylaw of the City of Red Deer.


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

- 1 Section 4.13.1 is amended by adding the following;
 - (48) on those sites or portions thereof, hereinafter listed, "Sale of Drapery and Decorating Items" is a permitted use
 - (a) Lot 1, Block 33, Plan 656 N.Y.
- 2 This Bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 21 day of December A.D. 1992.

READ A SECOND TIME IN OPEN COUNCIL this 18 day of January A.D. 1993.

READ A THIRD TIME IN OPEN COUNCIL this 18 day of January A.D. 1993.



MAYOR



CITY CLERK

NO. 4THE CITY OF RED DEER
CLERK'S DEPARTMENT

RECEIVED	
TIME	10:50
DATE	July 18/95
BY	gfr

Mr. Kelly Kloss
City Clerk
City of Red Deer
4914 - 48 Avenue
Red Deer, Alberta
T4N 2T1

July 17, 1995

Dear Mr. Kloss,

I currently own and operate the Almont Rose Centre for Learning in Fort McMurray. I wish to open an additional centre in Red Deer at 5401 - 48 Avenue. The location is currently zoned as an exception under R3 for the "sale of drapery and decorating items". I wish to petition Council to make a zoning exception under the R3 zoning for that site to accommodate the Almont Rose centre.

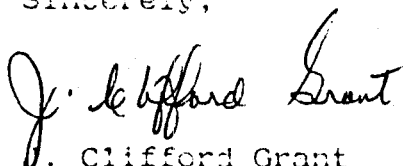
The Almont Rose Centre for Learning will be accredited by Alberta Education to assist 'at risk' learners, primarily adults, to earn their High School Diplomas using non-traditional computer-assisted instruction. The location of Almont Rose in a non-traditional home-like atmosphere will enable us to provide a self-paced, non-threatening, individualized learning environment. Traditional office or institutional structures can be seen as barriers to students who have not been successful in the past and so are not appropriate to the type of student my centre will serve.

Initially, Almont Rose will provide 8 computer stations with software especially designed for adult and 'at-risk' learners, using interactive and integrative approaches to learning. Thus, the maximum numbers of students in the centre at any one time would be 8-12. My experience in Fort McMurray has shown that most students attracted by our centre do not own vehicles. However, there is currently on-site parking for five cars so it is unlikely that traffic or parking concerns would arise.

I am happy to note that a long-time citizen of Red Deer, Mr. Alan Rich, who worked nineteen years for Alberta Education at the Red Deer Regional Office of Education, will be managing the operation of the Almont Rose centre in Red Deer for me.

I would be happy to provide documentation regarding accreditation from Alberta Education and Advanced Education and references regarding the success of our program in Fort McMurray, upon request.

Sincerely,



J. Clifford Grant
(for J. Clifford Grant & Associates)

J. CLIFFORD GRANT
ALMONT ROSE CENTRE FOR LEARNING
9919 MANNING AVENUE
FORT McMURRAY , AB
T9H 2B8

PH: (403) 743 - 4990
FAX: (403) 743 - 5417

LOCAL CONTACT :

ALAN RICH
32 OGDEN AVENUE
RED DEER, AB
T4N 5B2

PH: (403) 343-1937

Almont Rose Centre for Learning is dedicated to helping individuals learn and refine their missions in life to facilitate success.

By using non-traditional Computer Assisted Instruction, and other proven instructional methods in a self-paced individualized learning environment, we offer adults and at-risk youth a program of:

1. **Relevancy.** Topics of interest and concern to learners.
2. **Privacy.** Others do not know learner levels. There is no public disclosure or competition.
3. **Control.** The learner controls the pace, the direction and the extent of learning.
4. **Success.** Provides instant feed-back on results and reinforces successful behaviors.

For additional details
and tuition information
contact:

Alan or Janice Rich

343-1937

The Red Deer Campus is a satellite of the
Almont Rose Centre for Learning,
Fort McMurray, Alberta.

Head Office:
Almont Rose Centre for Learning
9919 Manning Avenue
Fort McMurray, Alberta T9H 2H8
Telephone (403) 743-4990 Fax (403) 743-5417



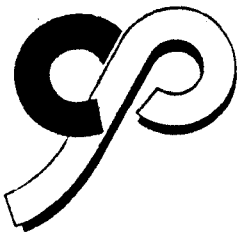
Almont Rose Centre
for Learning

assisting learners to earn their

High School
Diplomas

Red Deer Campus

An adult-based, enhanced
learning environment
accredited
by Alberta Education



DATE: 24 July 1995
TO: City Clerk
FROM: Paul Meyette
SUBJECT: Proposed Zoning Exception at 5401 - 48 Avenue
Almont Rose Centre for Learning/Rezoning Request

The Almont Rose Centre for Learning is requesting that the R3 site noted above be spot zoned through the "Exceptions" section of the land use bylaw to allow a learning centre on the site.

Background Information

The site at 5401 - 48 Avenue contains an older single family home. The site is zoned R3 which means that higher density housing could be constructed on this site. On January 18, 1993, City Council approved an exception to allow "Sale of Drapery and Decorating Items". This business has not succeeded and the house is currently for sale.

Plans for the Site

The Downtown Concept Plan designates this area for high density housing. The land use bylaw designates the site as R3 (Multiple Family).

The proposal to place a school at 5401 - 48 Street will continue the commercial use of the site and therefore makes it unavailable for redevelopment to a high density use. From a planning perspective, this is a concern because it is clearly the intent of the Downtown Concept plan to encourage high density residential development. There are an adequate number of alternate sites which are commercially zoned which would be suitable for the school.

Impact Upon the Neighbourhood

The Almont Rose proposal involves the initial placement of 8 computer stations with the potential of 8 - 12 students in attendance at any one time. There are five parking stalls. The bylaw requires 0.3 parking spaces per student so the parking provided is adequate. The site is located on a corner so there is less of an impact on the neighbourhood than if the site were located mid-block.

Su 4

This is a commercial site and should be rezoned to commercial use. The school should be located on a mid-block site.

Planning Recommendation

Planning staff do not support the proposal for an exception to the land use bylaw to allow a commercial school in this location. There are a number of vacant sites elsewhere in the commercially zoned downtown which would be suitable.

If Council decides to support the request for an "exception", it is recommended that the existing "exception" allowing the sale of the Drapery and Decorating Items be eliminated.



Paul Meyette, ACP, MCIP
Principal Planner, City Section

PM/sdd

DATE: July 20, 1995
TO: City Clerk
FROM: Bylaws & Inspections Manager
RE: 5401 - 48 AVENUE
LOT 1, BLOCK 33, PLAN 656 N.Y.
ALMONT ROSE CENTRE

342-8190.

7. 11. 96

In response to your memo regarding the above site, we have the following comments for Councils consideration.

As mentioned in the applicants letter, the site is zoned R3 with an exception for this site to allow the 'sale of drapery and decorating items' as a permitted use. This was approved by City Council, December 21, 1992, in the following resolution.

"Resolved that Council of the City of Red Deer having considered correspondence from Blind View Window Fashion, dated November 10, 1992, re: Rezoning Request #5401 - 48 Avenue/R3 -C1, hereby agrees that the Land Use Bylaw be amended to allow the 'Sale of Drapery and Decorating Items' as a permitted use from the aforesaid site."

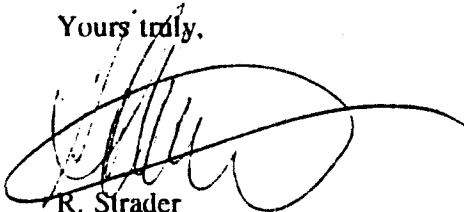
We did not support the 1992 request, as this site is adjacent to apartments and other single family sites. There are numerous sites zoned to permit C1 use available in the core area.

Another concern is parking; the applicant indicate the maximum numbers of students in the centre at any one time would be 8-12 students plus an instructor, while their experience in other cities indicate there is no need for parking, parking is always an issue, especially in the downtown area of Red Deer..

Recommendations: That the application not be approved as there is adequate C1 available. If the use is approved, it should be subject to:

1. An occupancy permit being revised prior to building occupancy.
2. A detailed site plan indicating at least 6 stalls contained on site, with a common access approved by the City Engineering Department.

Yours truly,



R. Strader
Bylaws and Inspections Manager
BUILDING INSPECTION DEPARTMENT

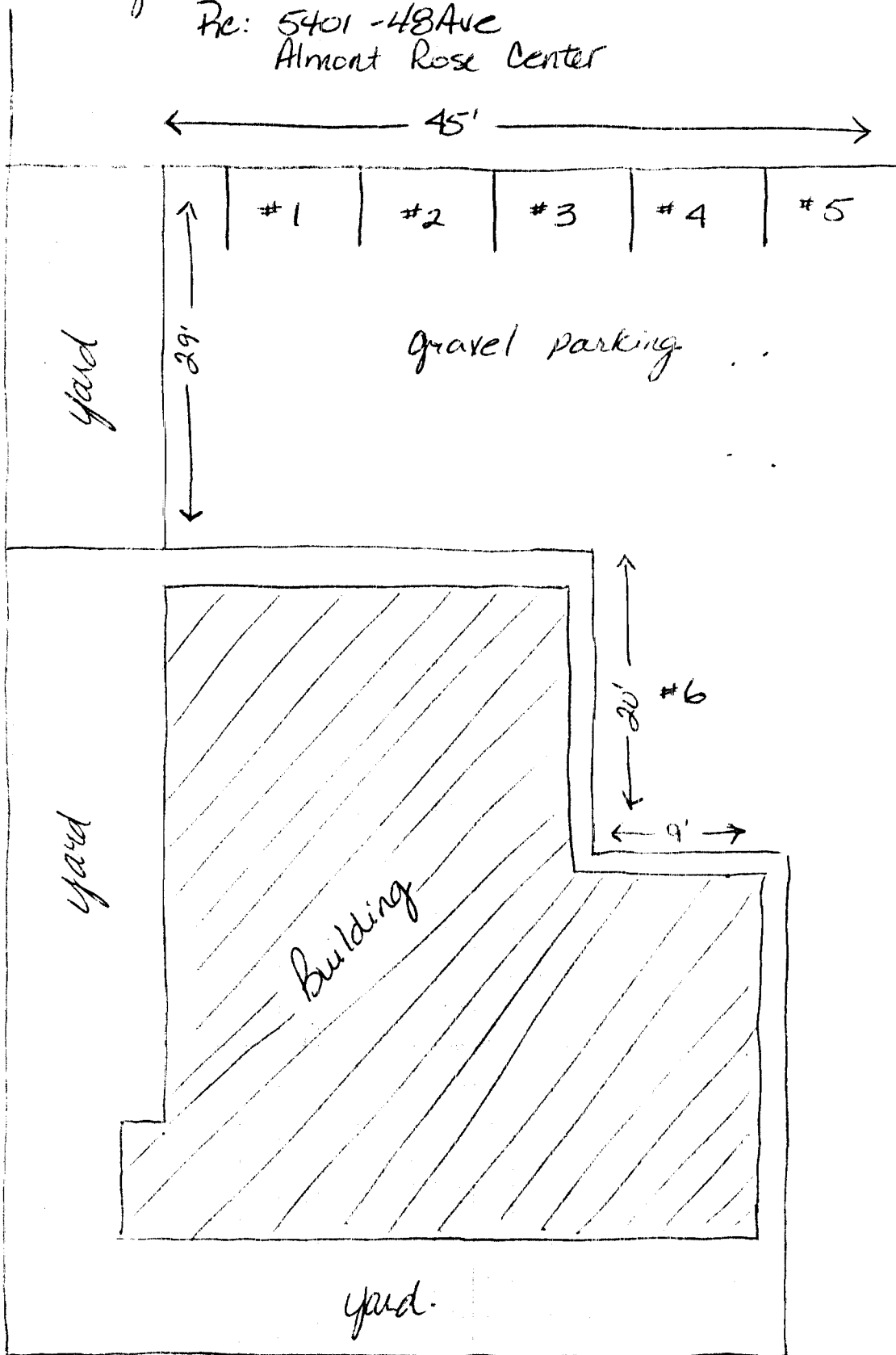
RS/yd

8' 1/2' x 18'

site accommodates
6 sites now
with a 7th if necessary

ATTN: Ryan Strader
Re: 5401 - 48 Ave
Almont Rose Center

48th Ave

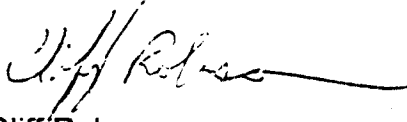


There are
6 spaces
8'6" x 15'
on site.
Also an
additional
6 spaces
bordering
the property
on the street.

54 St.

DATE: July 20, 1995
TO: City Clerk
FROM: Fire Marshal
RE: 5401 - 48 Avenue

This Department has no objection to this proposal subject to the building complying with all Fire and Building Code requirements.



Cliff Robson
Fire Marshal

/tmp

060-099

DATE: July 24, 1995
TO: City Clerk
FROM: Director of Development Services
RE: **ALMONT ROSE CENTRE FOR LEARNING/REZONING REQUEST**
5401 - 48 AVENUE

We have no concern for the above rezoning request to operate a high school for eight to 12 students.

Ms. Janice Rich, representing the developer, indicated that there will be three staff working in the school. Surveys at Red Deer high schools indicated a demand of one parking stall for every two students. Based on this, the total parking demand for the proposed school would be:

- | | | |
|----|---------------------|-----------------|
| 1. | 3 staffs require | 3 stalls |
| 2. | 12 students require | <u>6 stalls</u> |

Total Parking Demand 9 stalls

The present site can accommodate three to five parking stalls, with the remainder of the anticipated parking to be accommodated on street. Based on the information provided, we do not see any significant traffic or parking concern with the proposal for a 12-student high school on this site.



Bryon C. Jeffers, P. Eng.
Director of Development Services

CYL/cm

COMMENTS:

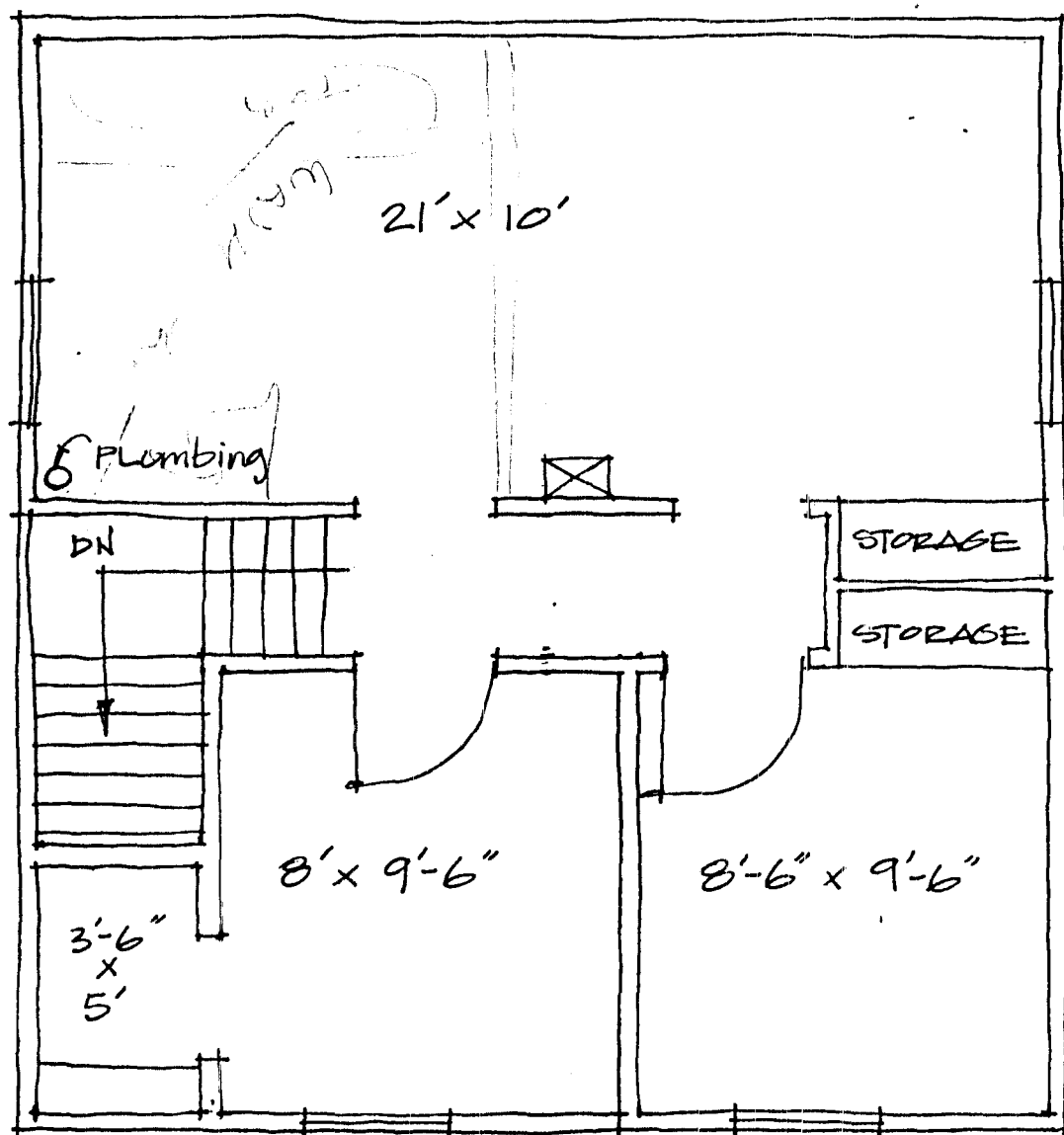
We concur with the recommendation of the Parkland Community Planning Services not to change the zoning for this location.

This proposal raises a broader planning issue for Council, related particularly to the ongoing expansion of the core commercial area into potential sites for high density residential development.

As Council is aware, commercial zoning has been allowed to spread down 48 Avenue to the south, limiting its eventual redevelopment to residential uses. Proposals for additional expansion along 48 Avenue north would further expand the commercial area, rather than encouraging infill. For example, across 48 Street are a number of similar residential-style properties already zoned commercial and ripe for redevelopment. While the current proposal would not unduly disrupt the neighbourhood due to its location, a better long term approach would be to encourage commercial infill in the area immediately west which is already planned and zoned appropriately.

"G. SURKAN"
Mayor

"A. WILCOCK"
Acting City Manager



UPSTAIRS FLOOR PLAN. - 5401 48 Ave.
N.T.S.

BYLAW NO. 2960/B-97

Being a bylaw to amend Bylaw No. 2960/88, The Utility Bylaw of The City of Red Deer.

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

Bylaw No. 2960/88 is hereby amended:

- 1 by deleting Schedule "C" in its entirety and replacing same with the attached Schedule "C".

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK

**EFFECTIVE FOR ALL CONSUMPTION, ESTIMATED OR ACTUAL, ON OR AFTER
FEBRUARY 28, 1997.**

SCHEDULE "C"

PART 7

ELECTRIC, LIGHT AND POWER RATES

GENERAL

The kVA of Billing Demand with respect to the monthly billing period will be the greater of:

- 1 the highest kVA metered demand in the monthly billing period; or
- 2 the highest kVA metered demand in the 12 month period including
 and ending with the monthly billing period.

The kVA metered demand will be measured by either a thermal demand meter having a demand response period of 90% in 15 minutes and a 30 minute test period, or 15 minute interval demand metering equipment.

The kVA of Billing Demand will be re-established on such shorter periods of time as designated by the Electric, Light and Power Manager for the individual customer as warranted by that customer's changing load characteristics. In the event that the customer disagrees with the re-established kVA of Billing Demand, the dispute shall be referred to the Council of the City whose decision shall be final and conclusive.

SCHEDULE "C"**RESIDENTIAL - RATE 61**

Applies to all residential premises served by a single meter which contain not more than two dwelling units.

Service Charge	\$8.50 per month
Energy Charge	
- First 150 kWh per month	\$0.0902 per kWh
- Over 150 kWh per month	\$0.0530 per kWh
Minimum Charge	\$8.50 per month

GENERAL SERVICE - RATE 63

Applies to non-residential consumers and to residential premises not entitled to Rate 61, plus the "house lights" services (including common area lighting and utility rooms) of apartment buildings where the kVA of Demand is less than 50 kVA. If the kVA of Demand exceeds 50 kVA, Rate 64 will be applied immediately and will be continued to be applied irrespective of future kVA of Demand.

Service to be taken at one of the following nominal voltages:

120/240 Volts, single phase, 3 wire;

120/208Y Volts, network, 3 wire;

120/208Y Volts, three phase, 4 wire;

347/600Y Volts, three phase, 4 wire;

SCHEDULE "C"**Rates:**

Service Charge	\$9.75 per month
First 2025 kWh per month	\$0.1110 per kWh
All additional kWh per month	\$0.0647 per kWh
Minimum Charge	\$9.75 per month

GENERAL SERVICE - RATE 64

Applies to commercial and industrial installations where service is taken at the voltage listed for Rate 63 but where the kVA of Demand is 50 kVA or greater.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand	\$0.0538 per kWh
Over 350 kWh/kVA of Billing Demand	\$0.0254 per kWh

Minimum Charge:

\$5.60/kVA of Billing Demand

SCHEDULE "C"**LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78**

Applies where 4,160 volts or greater is available with adequate system capacity and service is taken at 4,160 volts or greater, balanced three phase and the kVA of Demand is not less than 1000 kVA.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand	\$0.0456 per kWh
-------------------------------------	------------------

Over 350 kWh/kVA of Billing Demand	\$0.0254 per kWh
------------------------------------	------------------

Primary Service Credit:

\$0.51/kVA of Billing Demand per month

The primary service credit is applicable to all customers served on Rates 76 and 77 as of November 15, 1995, and to all subsequent customers on Rate 78.

Minimum Charge:

\$5.60 per kVA of Billing Demand less \$0.51 per kVA Primary Service Credit

Item No. 2

BYLAW NO. 3128/A-97

Being a bylaw to amend Bylaw No. 3128/95, The Business Tax Bylaw of the City of Red Deer.

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

Bylaw No. 3128/95 is hereby amended:

1 by deleting section 6 in its entirety and replacing same with the following:

"6 The business tax to be paid in 1997 shall be 2.10% of the business assessment."

2 by deleting subsection (1) of section 7, and substituting in its place the following:

"7 (1) In addition to business tax, 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 0.61% of the business assessment of that business or the sum of \$100.00, whichever is the greater sum."

READ A FIRST TIME IN OPEN COUNCIL this 10 day of February A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this 10 day of February A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK

Item No. 3

BYLAW NO. 3149/A-97

Being a bylaw to amend Permit Fee Bylaw No. 3149/95.

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

That Bylaw 3149/95 be amended as follows:

- 1 By deleting Schedule "A" in its entirety and replacing same with the attached Schedule "A".
- 2 By deleting Schedule "B" in its entirety and replacing same with the attached Schedule "B".

READ A FIRST TIME IN OPEN COUNCIL this	day of	A.D. 1997.
READ A SECOND TIME IN OPEN COUNCIL this	day of	A.D. 1997.
READ A THIRD TIME IN OPEN COUNCIL this	day of	A.D. 1997.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	A.D. 1997.

MAYOR

CITY CLERK

SCHEDULE "A"**FEES FOR PERMITS UNDER SAFETY CODES ACT****1 PLUMBING PERMITS**

(a)	for each fixture, discharge device or weeping tile	\$ 7.00
(b)	Minimum Fee	\$ 35.00
(c)	Cross Connection & Backflow Prevention	
(i)	install backflow device	\$ 35.00
(ii)	install lawn sprinkler	\$ 35.00
(iii)	install water softener	\$ 35.00
(d)	Ditch Permit to service site	
(i)	Residential	\$ 35.00
(ii)	Commercial	\$ 35.00

2 GAS PERMITS

(a)	Minimum fee for any residential gas permit requiring inspection	\$ 35.00
(b)	All major occupancies other than single family and two family residences (fee to be determined by the total B.T.U. rating for all gas fixture, furnaces, or other devices installed)	
(i)	65,000 BTU/HR input or less	\$ 35.00
(ii)	65,001 - 400,000 BTU/HR input or less	\$ 50.00
(iii)	400,001 - 500,000 BTU/HR input or less	\$ 85.00
(iv)	500,001 - 1, 000,000 BTU/HR input or less	\$ 110.00

SCHEDULE "A"**FEES FOR PERMITS UNDER SAFETY CODES ACT**

	(v)	1,000,001 - 5,000,000 BTU/HR input or less	\$200.00
	(vi)	5,000,001 BTU/HR input or more	\$275.00
	(c)	Temporary Gas Line	\$ 35.00
	(d)	Alterations	\$ 35.00
3	HEATING PERMITS		
	(a)	Residential - each heating unit or system	\$ 40.00
	(b)	Commercial - each heating unit or system	
	(i)	65,000 - 400,000 BTU/HR input or less	\$ 60.00
	(ii)	400,001 - 500,000 BTU/HR input or less	\$ 85.00
	(iii)	500,001 - 1, 000,000 BTU/HR input or less	\$ 110.00
	(iv)	1,000,001 - 5,000,000 BTU/HR input or less	\$ 200.00
	(v)	5,000,001 BTU/HR input or more	\$ 275.00
4	FIREPLACE PERMITS		\$ 35.00
5	BUILDING PERMITS		
	(a)	\$6.00 for each \$1,000.00 or part thereof of construction cost;	
	(b)	A minimum fee of \$50.00 shall be charged for the issuance of any Building Permit.	
6	Re-Inspection Fee for any inspection not approved		\$100.00

SCHEDULE "A"**FEES FOR PERMITS UNDER SAFETY CODES ACT****7 PERMIT FEE - ELECTRICAL****(a) CONTRACTORS**

(i)	Minimum Permit Fee - Less than \$1000 installation cost	\$ 30.00
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(ii) Installation Cost:

\$ 1000 - \$ 1999	\$ 60.00
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\$ 2000 - \$ 2999	\$ 75.00
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\$ 3000 - \$ 3999	\$ 90.00
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\$ 4000 - \$ 4999	\$105.00
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\$ 5000 - \$ 5999	\$115.00
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\$ 6000 - \$ 6999	\$125.00
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\$ 7000 - \$ 7999	\$135.00
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\$ 8000 - \$ 8999	\$145.00
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\$ 9000 - \$10000	\$155.00
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Over \$10000 - Add 1% to Fee for every
\$1000 of installation cost

(iii)	Re-Inspection Fee (work not ready for inspection purposes)	\$100.00
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(iv)	Requested Additional Inspection	\$ 30.00
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SCHEDULE "A"**FEES FOR PERMITS UNDER SAFETY CODES ACT**

NOTE: (1) Installation cost to include labour and material (all electrical components and fixtures).

(2) Electrical drawings may be required on any electrical installation and are mandatory on installations over \$10000 labour and material.

(b) ANNUAL PERMIT FEE

RATING OF INSTALLATION kV.A	FEE
100 or less	\$127.50
101 to 2500	\$127.50 plus \$12.75 per 100 kV.A or fraction of 100 kV.A over 100 kV.A
2501 to 5000	\$433.50 plus \$9.50 per 100 kV.A or fraction of 100 kV.A over 2500 kV.A
5001 to 10000	\$671.00 plus \$6.50 per 100 kV.A or fraction of 100 kV.A over 5000 kV.A
10001 to 20000	\$996.00 plus \$3.25 per 100 kV.A or fraction of 100 kV.A over 10000 kV.A
over 20000	\$1321.00 plus \$0.80 per 100 kV.A. or fraction of 100 kV.A over 20000 kV.A

SCHEDULE "A"**FEES FOR PERMITS UNDER SAFETY CODES ACT****(c) HOMEOWNERS**

Value of Material			Permit Fee	Value of Material			Permit Fee
0.00	-	150.00	30.00	1550.01	-	1600.00	84.00
150.01	-	200.00	33.00	1600.01	-	1650.00	85.50
200.01	-	250.00	36.00	1650.01	-	1700.00	87.00
250.01	-	300.00	39.00	1700.01	-	1750.00	88.50
300.01	-	350.00	42.00	1750.01	-	1800.00	90.00
350.01	-	400.00	45.00	1800.01	-	1850.00	91.50
400.01	-	450.00	48.00	1850.01	-	1900.00	93.00
450.01	-	500.00	51.00	1900.01	-	1950.00	94.50
500.01	-	550.00	52.50	1950.01	-	2000.00	96.00
550.01	-	600.00	54.00	2000.01	-	2050.00	97.50
600.01	-	650.00	55.50	2050.01	-	2100.00	99.00
650.01	-	700.00	57.00	2100.01	-	2150.00	100.50
700.01	-	750.00	58.50	2150.01	-	2200.00	102.00
750.01	-	800.00	60.00	2200.01	-	2250.00	103.50
800.01	-	850.00	61.50	2250.01	-	2300.00	105.00
850.01	-	900.00	63.00	2300.01	-	2350.00	106.50
900.01	-	950.00	64.50	2350.01	-	2400.00	108.00
950.01	-	1000.00	66.00	2400.01	-	2450.00	109.50
1000.01	-	1050.00	67.50	2450.01	-	2500.00	111.00
1050.01	-	1100.00	69.00	2500.01	-	2550.00	112.00
1100.01	-	1150.00	70.50	2550.01	-	2600.00	113.00
1150.01	-	1200.00	72.00	2600.01	-	2650.00	114.00

SCHEDULE "A"**FEEES FOR PERMITS UNDER SAFETY CODES ACT**

(c) HOMEOWNERS - continued

Value of Material		Permit Fee	Value of Material		Permit Fee
1200.01	- 1250.00	73.50	2650.01	- 2700.00	115.00
1250.01	- 1300.00	75.00	2700.01	- 2750.00	116.00
1300.01	- 1350.00	76.50	2750.01	- 2800.00	117.00
1350.01	- 1400.00	78.00	2800.01	- 2850.00	118.00
1400.01	- 1450.00	79.50	2850.01	- 2900.00	119.00
1450.01	- 1500.00	81.00	2900.01	- 2950.00	120.00
1500.01	- 1550.00	82.50	2950.01	- 3000.00	121.00

SCHEDULE "B"**FEES FOR PERMITS AND OTHER SERVICES
UNDER THE LAND USE BYLAW****1 DEVELOPMENT PERMITS**

(a)	Residential	\$ 65.00
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Special residential uses (group homes, lodging and boarding houses, churches, nursing homes, institutional homes for senior citizens, widows or children)

Multi-Family (calculated by number of units)

4 - 10 Units	\$ 50.00
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11 - 20 Units	\$ 95.00
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21 - 50 Units	\$125.00
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51 Units and over	\$315.00
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(b)	Commercial
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Building area based on less than:

500 m ²	\$ 65.00
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501 m ² - 2000 m ²	\$125.00
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2001 m ² - 5000 m ²	\$200.00
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Multi-Tenancy Industrial Buildings or Complexes Exceeding 5000 m ²	\$400.00
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SCHEDULE "B"**FEES FOR PERMITS AND OTHER SERVICES
UNDER THE LAND USE BYLAW****(c) Miscellaneous**

Public service buildings, churches, schools, fire halls,
police stations, auditoriums, etc, based on building
area:

Under 500 m ²	\$ 65.00
Over 500 m ²	\$125.00

- 2 If any case where a fee is not listed in the Fee Schedule for a specific development, such a fee shall be determined by the Development Officer and shall be consistent with those fees listed in the Schedule for similar developments.

3 Miscellaneous Residential

- | | |
|--------------------------|----------|
| (a) detached garage | \$ 50.00 |
| (b) accessory structures | \$ 50.00 |
| (c) basement renovations | \$ 50.00 |

- 4 Where the Approving Authority requires a Caveat to be registered to ensure the performance of any conditions of a Development Permit, the Applicant shall pay to the City:

- | |
|--|
| (a) a fee of \$50.00 for the preparation of such Caveat; and |
| (b) the costs of registration of the Caveat at Land Titles Office, including the cost of a certified copy of title providing proof of such registration. |

5 OCCUPANCY PERMITS

SCHEDULE "B"**FEES FOR PERMITS AND OTHER SERVICES
UNDER THE LAND USE BYLAW**

- (1) Apartment buildings - three or more suites or apartments - \$10.00 per unit (maximum of \$250.00).
- (2) Commercial buildings - up to and including 500 m² - \$55.00 per 100 m² or portion thereof (maximum of \$250.00).
- (3) Industrial buildings - up to and including 500 m² - \$55.00 per 100 m² or portion thereof (maximum of \$250.00).

6 MISCELLANEOUS SERVICES

- | | | |
|-----|--|---------------|
| (1) | Review and endorse approval on real property report | \$ 50.00/site |
| (2) | Respond verbally to inquiries respecting land use classifications | \$ 10.00/site |
| (3) | Provide Land Use Bylaw conformance Letters | \$ 50.00/site |
| (4) | Issue of Development Permit for approval of use per application | \$ 50.00 |
| (5) | Advertising fee with respect to any decision of the approving authority which requires publication | \$ 60.00/site |
| (6) | Neighbourhood survey fee, where notification is to be given to adjacent or surrounding property owners | \$100.00 |
| (7) | Issue Development Permit with respect to relaxation of residential development requirement and set-backs | \$ 50.00 |
| (8) | Application for a Discretionary Home Occupation | \$ 50.00 |

Goods and Services Tax on all services where the City is obligated to collect the same under federal legislation.

BYLAW NO. 3156/G-97

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map" as referred to in Section 5 is hereby amended in accordance with the Use District Map No. 7/97 attached hereto and forming part of the Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1997.

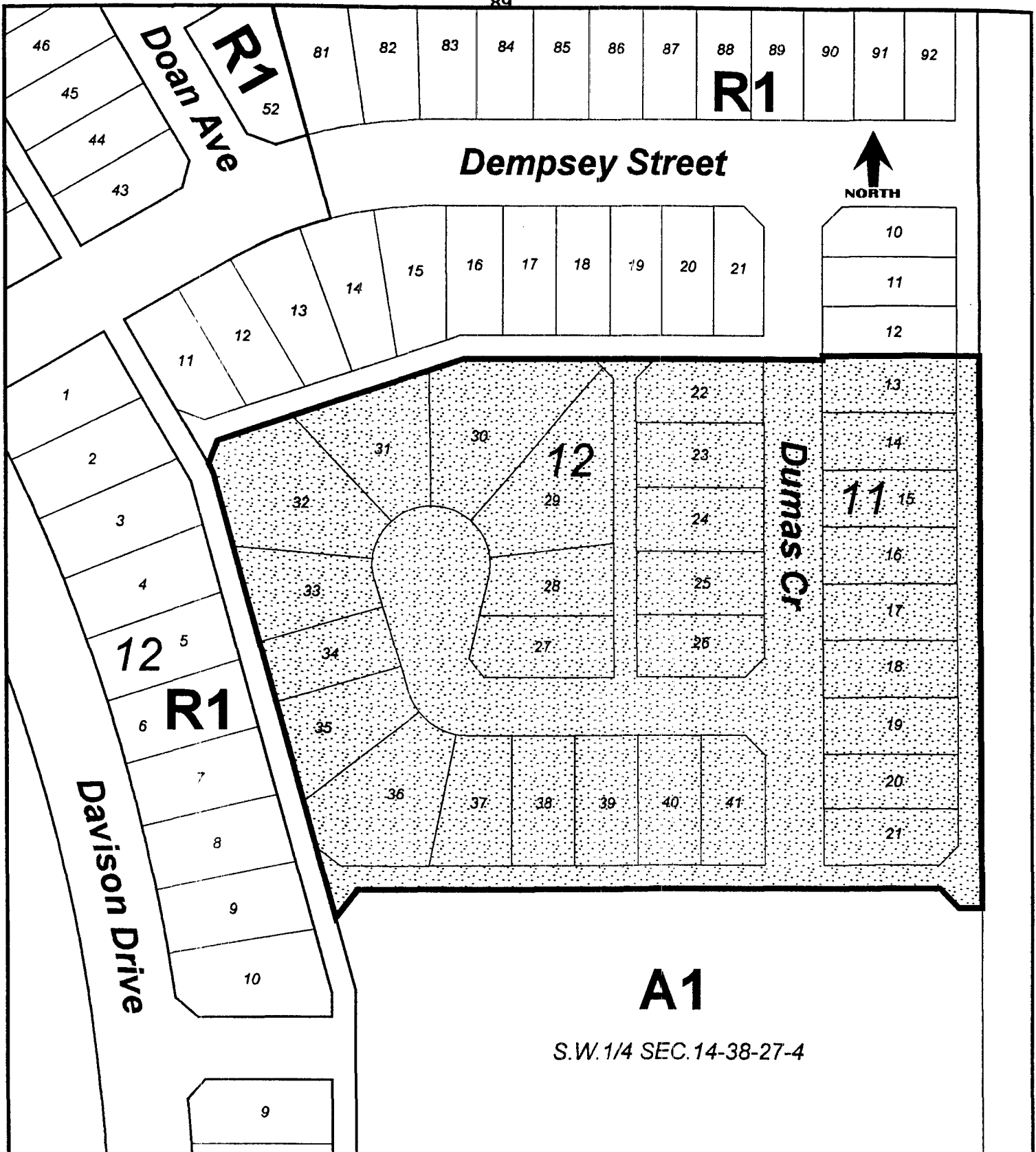
READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

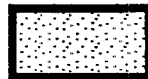
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK



Change from: A1 to R1



WHERE AS :

A1 - FUTURE URBAN

DEVELOPMENT DISTRICT

R1 - RESIDENTIAL DISTRICT

MAP NO. 7 / 97

BYLAW NO. 3156/G - 97

Item No. 5

BYLAW NO. 3156/H-97

Being a Bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map" as referred to in Section 5 is hereby amended in accordance with the Use District Map No. 8/97 attached hereto and forming part of the Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1997.

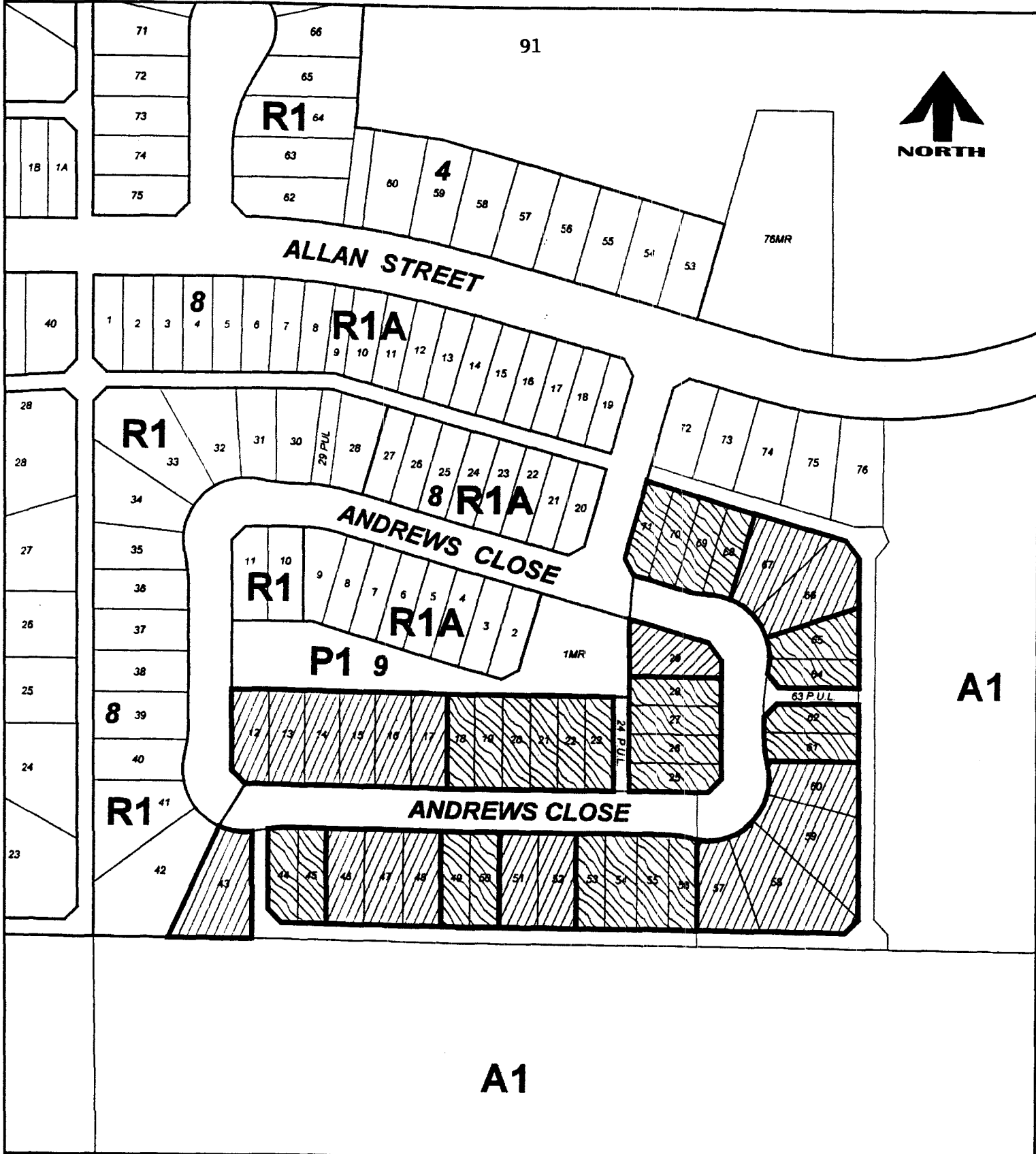
READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK



Change from: A1 to R1



& A1 to R1A



WHERE AS :

A1 - FUTURE URBAN

DEVELOPMENT DISTRICT

R1 - RESIDENTIAL DISTRICT

R1A - RESIDENTIAL DISTRICT

(SEMI DETACHED DWELLING)

MAP NO. 8 / 97

BYLAW NO. 3156/H - 97

BYLAW NO. 3160/A-97

Being a bylaw to amend Road Closure Bylaw 3160/96.

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

Bylaw No. 3160/96 is hereby amended by:

1 Deleting section 1 in its entirety and replacing same with the following:

"1 The following portion of roadway in the City of Red Deer is hereby closed:

"All that portion of Kennedy Drive, Plan 812-1094 contained within Lot 2, Block 9, Plan _____ in the north west Quarter Section 32, Township 38, Range 27 west of the Fourth Meridian containing 0.003 hectares more or less. Excepting thereout all mines and minerals."

2 Deleting section 2 in its entirety.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK

BYLAW NO. 3182/97

Being a bylaw of the City of Red Deer, in the Province of Alberta, to provide for fees with respect to Tax Certificates/Searches and Assessment Searches.

WHEREAS Council of the City must, under the *Municipal Government Act*, provide information and copies of information on payment of a fee;

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

- 1 This bylaw shall be known as "The Taxation and Assessment Fees Bylaw".
- 2 The fees for each Certificate or Search issued by the City, under the provisions of the Municipal Government Act, shall be as follows:

	Staff Assisted	Computerized (IVR)
(a) Tax Certificate	\$20.00	\$15.00
(b) Tax Search	\$ 8.00	\$ 6.00
(c) Assessment Search	\$10.00	Not Available

- 3 Notwithstanding anything contained herein, no fee shall be payable by the registered owner of property for requests of information in sections 2(b) and 2(c) contained herein.

- 4 For the purpose of facilitating the payments provided for herein, a person may establish an operating account with the City. Where the registered owner of property requires a Certificate in respect of the property of which he is the registered owner and for which a fee is payable, and if such fees are unpaid, such fees shall be added to the tax account for the property in question and shall be recovered as municipal taxes in arrears.
- 5 Notwithstanding anything contained herein, where a person requests bulk information concerning the name of registered owners, legal description, civic address and the amount of the assessment in respect of a list, the City shall charge a fee of \$1.00 per property in respect of such bulk information requests.
- 6 This Bylaw shall come into full force and effect on March 1, 1997 and on that date Bylaw No. 2961/88 shall be repealed.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1997.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1997.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1997.

MAYOR

CITY CLERK