

CITY COUNCIL

AGENDA

Monday, July 08, 2019 – Council Chambers, City Hall

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

I. IN CAMERA MEETING

I.1. Motion to In Camera

I.1.a. 2019/2020 Citizen Representative Appointment to Committees - FOIP 17(1) Disclosure harmful to personal privacy and FOIP 24(1)(a) - Advice from officials

I.2. Motion to Revert to Open Meeting

2. MINUTES

2.1. Confirmation of the Minutes of the June 24, 2019 Council Meeting
(Agenda Pages 1 – 10)

3. POINTS OF INTEREST

4. REPORTS

4.1. 2019/2020 Citizen Representative Appointments to Committees
(Agenda Pages 11 – 12)

4.2. 2019 Environmental Master Plan: Our Environment, Our Future
(Agenda Pages 13 – 61)

- 4.3. Lane Closure Request (Vincent Close/Voisin Close) - Request to Table
(Agenda Pages 62 – 62)

- 4.3.a. Motion to Table

- 4.4. Regulating Fireworks in Red Deer
Discussion and Request for Direction from Council
(Agenda Pages 63 – 70)

5. BYLAWS

- 5.1. Loan Bylaw 3627/2019 - Red Deer Pickleball Club
(Agenda Pages 71 – 73)

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

- 5.2. Commercial and Multi-family Garbage Contract
Utility Bylaw Amendment 3606/C-2019
(Agenda Pages 74 – 142)

- 5.2.a. Consideration of First Reading of the Bylaw

6. PUBLIC HEARINGS

- 6.1. Land Use Bylaw Amendment - Omnibus Bylaw 3357/S-2019
(Agenda Pages 143 – 218)

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

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

7. ADJOURNMENT



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Monday, June 24, 2019
commenced at 2:30 P.M.**

Present: Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

City Manager, Allan Seabrooke
Director of Communications & Strategic Planning, Julia Harvie-Shemko
Director of Community Services, Sarah Cockerill
Director of Corporate Services, Lisa Perkins
Director of Development Services, Kelly Kloss
Acting Director of Human Resources, Tracy Bruce
Director of Planning Services, Tara Lodewyk
Director of Protective Services, Paul Goranson
City Clerk, Frieda McDougall
Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Amber Senuk
Senior Planner, Orlando Toews

Absent: Councillor Tanya Handley



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to enter into an In-Camera meeting of Council on Monday, June 24, 2019 at 2:30 p.m. and hereby agrees to exclude the following:

- All members of the media; and
- All members of the public; and
- All non-related staff members

to discuss Annexation Exploration FOIP 23(1)(a) – Local public body confidences, FOIP 24(1)(a) – Advice from officials, FOIP 25(1)(c) – Disclosure harmful to economic and other interests of a public body

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

MOTION CARRIED

I.1.a. Annexation Exploration FOIP 23(1)(a) - Local public body confidences, FOIP 24(1)(a) - Advice from officials, FOIP 25(1)(c) - Disclosure harmful to economic and other interests of a public body

The following people were in attendance as the topic under discussion related to their position within the organization.

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes



City Manager Allan Seabrooke, Director of Communications & Strategic Planning Julia Harvie-Shemko (arrived at 3:10 p.m.), Director of Community Services Sarah Cockerill, Director of Corporate Services Lisa Perkins, Director of Development Services Kelly Kloss, Acting Director of Human Resources Tracy Bruce, Director of Planning Services Tara Lodewyk, Director of Protective Services Paul Goranson, City Clerk Frieda McDougall, Deputy City Clerk Samantha Rodwell, Corporate Meeting Administrator Amber Senuk, City Solicitor Michelle Baer, Planning Manager Emily Damberger, Chief Financial Officer Dean Krejci, Major Projects Planner David Girardin

Councillor Dianne Wyntjes declared a pecuniary interest as there may be personal financial impacts related to this item. Councillor Wyntjes left Council Chambers at 2:31 p.m.

1.2. Motion to Revert to Open Meeting

Moved by Councillor Buck Buchanan, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, June 24, 2019 at 3:24 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong

ABSENT: Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 3:24 p.m. and reconvened at 3:40 p.m.

Councillor Dianne Wyntjes returned to Council Chambers at 3:40 p.m.

2. MINUTES

2.1. Confirmation of the Minutes of the June 10, 2019 Council Meeting



Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby approves the Minutes of the June 10, 2019 Regular Council Meeting as transcribed.

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

MOTION CARRIED

3. REPORTS

3.1. Community Capacity and Innovation Funding Allocation

Community Housing Advisory Board, Chair Sandi Chalmers presented this item.

Moved by Councillor Ken Johnston, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Social Planning, dated June 6, 2019 re: Community Capacity and Innovation Funding Allocation hereby endorses funding in the amount of \$71,180 for the period April 1, 2019 to March 31, 2020 be allocated as follows:

Administration Allocation	This is a standard contract requirement. The contract terms allow up to 15% administrative allocation. CORD is currently supported by CHAB and Council to recover 8%.	\$ 5,694
Educational Bursaries	Targeted support for CHAB, CHHIP and Funded Agency Partners (ex: National Canadian Alliance to End Homelessness Conference is in Edmonton for 2019).	\$10,000
Innovation Planning	Significant planning efforts will occur in 2019 for Red Deer. Innovation funding here can be utilized to support opportunities such as	\$10,000



	establishing solution design labs, etc. for community planning and engagement.	
Innovation Projects & Process Improvements	The focus of this will be to respond to prior evaluation recommendations and pilot process improvements prior to the next RFP cycle.	\$29,486
Point In Time Count 2020	The majority of the planning work will begin in summer of 2019 for the count in 2020. Proposal is to recover \$16,000 in 2019 and \$16,000 in 2020.	\$16,000

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

MOTION CARRIED

3.2. 2018 Reserve Report

Council accepted this report as information.

3.3. 2018 Variance Report

Council accepted this report as information.

3.4. Pond & Wetland Enhancement Reserve

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Engineering Services, dated June 24, 2019 re: Pond & Wetland Enhancement Reserve hereby approves the establishment of a Pond & Wetland Enhancement Reserve as follows:

- I) Establish a Pond & Wetland Enhancement Reserve as follows:
 - a. Purpose: track wetland compensation transactions
 - b. Category: capital



- c. Transfers In:
 - i. Fee amounts otherwise paid to Alberta Environment & Parks for wetland compensation
 - ii. Interest Income as per Investment Income Procedure
- d. Transfers Out:
 - i. Fund projects The City has Permittee-Responsible status from Alberta Parks & Environment plus Council expenditure approval
 - ii. In the event a project is discontinued with mutual agreement between The City of Red Deer and Alberta Parks & Environment, then a payment will be made to Alberta Parks & Environment or another Permittee-Responsible
- e. Closure of Reserve: When all responsibilities as Permittee-Responsible have been completed, then a transfer of the balance will be to Capital Projects Reserve.

IN FAVOUR:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer having considered the report from Engineering Services, dated June 24, 2019 re: Pond & Wetland Enhancement Reserve hereby approves the transfer of the wetland compensation in the sum of \$504,883.35 from Deferred Revenue – Engineering to the Pond & Wetland Enhancement Reserve.

IN FAVOUR:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



4. **BYLAWS**

4.1. **Bylaw 3628/2019**

A Bylaw Approving an Agreement between The City of Red Deer and Red Deer County concerning Subdivision Authority Jurisdiction

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

FIRST READING: That Bylaw 3628/2019 (a bylaw to approve the Hazlett Lands Subdivision Authority Agreement between The City of Red Deer and Red Deer County) be read a first time.

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

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

SECOND READING: That Bylaw 3628/2019 be read a second time.

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

MOTION CARRIED



Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that with the unanimous consent of Council members present, that Bylaw 3628/2019 be read a third time.

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

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3628/2019 be read a third time.

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

MOTION CARRIED

5. ADD TO THE AGENDA

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to add consideration of Annexation Exploration as discussed In Camera, to the June 24, 2019 City Council Agenda.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong,



Councillor Dianne Wyntjes

MOTION TO ADD TO THE AGENDA CARRIED

Councillor Dianne Wyntjes declared a pecuniary interest as there may be personal financial impacts related to this item. Councillor Wyntjes left Council Chambers at 5:13 p.m.

Moved by Councillor Ken Johnston, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered an In Camera item on June 24, 2019 re: Annexation Exploration, hereby endorses the recommended Option 2, as revised, and agrees that the contents of the report will remain confidential, as protected by the Freedom of Information and Protection of Privacy Act, Section 23(1)(a) Local public body confidences, FOIP 24(1)(a) Advice from officials and FOIP 25(1)(c) Disclosure harmful to economic and other interests of a public body. The principles of this report will be released after they have been shared at the joint City/County workshop to be held on Thursday, June 27, 2019.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong

ABSENT: Councillor Dianne Wyntjes

MOTION CARRIED

6. ADJOURNMENT

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, June 24, 2019 Regular Council Meeting of Red Deer City Council at 5:14 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong



10

City Council Regular Meeting Minutes –
UNAPPROVED - Monday, June 24, 2019

ABSENT: Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



June 26, 2019

2019/2020 – Citizen Representative Appointments to Committees

Legislative Services

Report Summary & Recommendation:

Council appoints citizens to the various committees, boards, commissions, community engagement groups, and societies. The names of the people nominated are submitted to Council in confidence.

City Manager Comments:

Council's direction is requested.

Allan Seabrooke
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated June 26, 2019 re: 2019/2020 Citizen Representative Appointments to Committees hereby appoints the following to serve on the Community Housing and Homelessness Integration Plan (CHHIP) Ad Hoc Committee:

Business Representative (with terms of these appointments to conclude at the completion of this work)

Business Representative (with terms of these appointments to conclude at the completion of this work)



Report Details

Background:

At the Monday, April 29, 2019 City Council Meeting, Council directed Administration to seek additional Business Community Representation.

Discussion:

The following summary indicates the appointments which are to be made:

2 Business Community Representatives



Council Decision – July 8, 2019

DATE: July 10, 2019
TO: Tricia Hercina, Social Planning Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: 2019/2020 Citizen Representative Appointments to Committees

Reference Report:

Legislative Services, dated June 26, 2019

Resolution:

At the Monday, July 8, 2019 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated June 26, 2019 re: 2019/2020 Citizen Representative Appointments to Committees hereby appoints the following to serve on the Community Housing and Homelessness Integrated Plan (CHHIP) Ad Hoc Committee:

Colleen Bredo	Business Representative (with terms of these appointments to conclude at the completion of this work)
Michael Sinclair	Business Representative (with terms of these appointments to conclude at the completion of this work)

Report back to Council:

No.

Comments/Further Action:

None.

A handwritten signature in blue ink, appearing to read 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Community Services
Social Planning Supervisor – Resource & Capacity Development
Committees Coordinator



July 8, 2019

2019 Environmental Master Plan

Our Environment, Our Future

Environmental Services

Report Summary & Recommendation:

Under the umbrella of the Environmental Sustainability Pillar, the Environmental Master Plan (EMP) was developed in 2011 as a guiding document. The EMP has since supported Red Deer's journey towards a 25 year environmentally responsible vision with the understanding that the progress of the Plan would be periodically reviewed.

A review of the EMP was completed which included a comprehensive consultation process. The review affirmed that The City is a leader in environmental sustainability and should continue, with some minor adjustments, on its current path. There is not a major shift in direction proposed but rather a set of refinements, updates, and improvements to keep Red Deer moving towards its Environmental Vision.

The attached updated EMP will serve as the environmental pillar of Red Deer's municipal sustainability plan.

It is recommended that Council approve the 2019 Environmental Master Plan Our Environment, Our Future, as a guiding document.

City Manager Comments:

I support the recommendation of Administration. This document will serve as a road map for our actions with respect to our environment over the next 25 years.

Allan Seabrooke
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Environmental Services dated July 8, 2019 re: 2019 Environmental Master Plan Our Environment, Our Future hereby approves the 2019 Environmental Master Plan Our Environment, Our Future, as a guiding document.



Report Details

Background:

In 2011 under the umbrella of the Environmental Sustainability Pillar, The City of Red Deer adopted its first Environmental Master Plan (EMP) supporting Red Deer's journey towards a 25 year environmentally responsible vision. Since that time, there have been many achievements including receiving the Sustainability in Action Award from the Alberta Urban Municipalities Association (AUMA) in recognition of the ongoing work to implement the Plan.

To keep the EMP at the forefront, annual reviews are completed to monitor the Plan's progress with a public annual report being produced. In addition, approximately every five years a more comprehensive review is completed to verify the EMP still reflects current trends, the needs of the community, and to allow for changes to continue positioning Red Deer for success. The attached 2019 EMP reflects the results of the first major review.

Public Consultation:

Public consultation for the EMP review was multi-faceted and included:

1. The establishment of a stakeholder Citizen Engagement Group who provided valuable input into this refresh of the Plan;
2. Engagement of key stakeholder groups;
3. Feedback from the general public;
4. Input from City departments; and
5. Involvement by members of Council.

Overwhelmingly the feedback through the consultation process was Red Deer should continue on its current path of being a leader in environmental sustainability. The 2019 EMP reflects the spirit of reducing our environmental footprint for the community today and into the future.

While the broad theme of the consultation is to continue on the current path, many specific ideas, concepts and actions were identified and articulated. These have been captured and will help inform the continued implementation of the EMP. Some ideas may fall within The City's current ability to implement, while others may take more analysis and at times, specific direction from Council.

Beyond the public consultation portion of the review, considerable background research and analysis was conducted. This included the results of the Plan to date, a review of the annual reports, and benchmarking against other communities. In addition, a cross-departmental team was formed to seek their input, thoughts, and implementation experience.



Discussion:

While the outcome of the EMP refresh process affirmed the vision of the Plan and the need to continue on the current path, a number of updates to the document were identified and included. In summary, these updates to the 2011 Plan were:

- 1) Format – As the EMP is meant to be a guiding governance document, the Plan was streamlined focusing on goals, principles and the groundwork that will inform and facilitate the implementation process. Technical details will now be included in an administrative implementation and monitoring document, which will be used to measure the annual progress of the EMP;
- 2) Focus Areas – The EMP is organized based on six focus areas: Water, Waste, Energy, Ecology, Community Design, and Air. Previously there were seven focus areas however, Transportation and Built Environment were seen to be intrinsically linked and as such are now expressed as “Community Design”. Each Focus Area includes an overarching goal and metrics related to that goal;
- 3) Metrics and Targets - Metrics track environmental progress by defining how environmental performance will be measured and reported. Each Focus Areas has two to six metrics identified; a total of 20 are in the Plan. Some metrics have been updated or clarified from the earlier EMP. As in the existing EMP, Targets have been set for each metric based on benchmark data and steady, moderate progress to continue to move Red Deer forward;
- 4) Actions – The Actions have been refined from the more than 120, to 20. Actions reflects ideas and concepts to guide and stimulate the continued forward movement of the EMP vision and goals. The list is not exhaustive as the intent of the Plan is to be open to other ideas and actions as the community moves along its environmental path. The Actions take the form of corporate initiatives The City may undertake, community outreach actions, and research or strategy development on topics that require further consideration and direction;
- 5) Community Approach – Through the refresh process it became clear that achieving the EMP vision and goals could not be achieved just by actions of The City as a corporation. Assistance is needed by the community as a whole to achieve the targets. Through the processes of education and awareness, the aim is to inform the community how they can participate in helping Red Deer reduce its environmental footprint.

Next Steps:

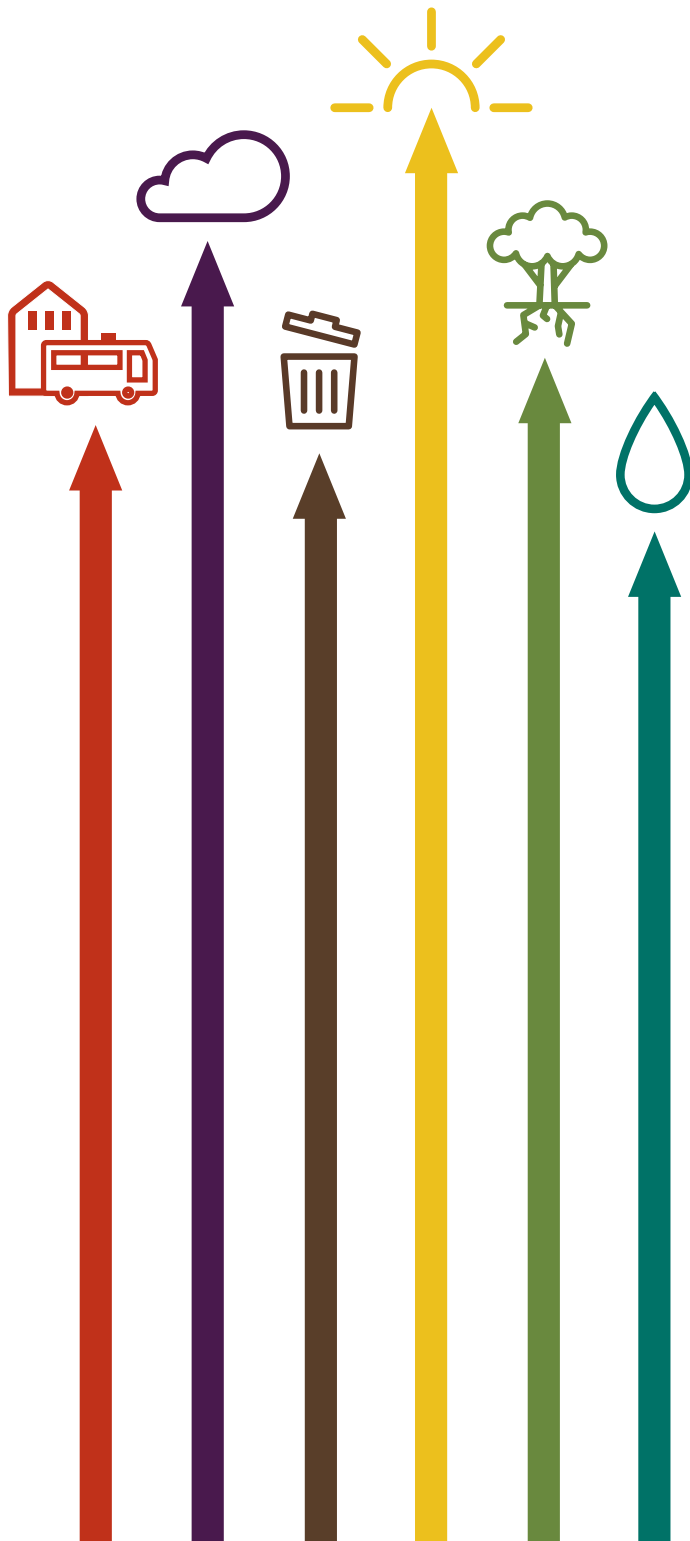
Once the 2019 EMP is approved, the next steps are:

1. Communicate the Plan to the public and stakeholders;
2. Continue to move forward administratively to implement the Plan;
3. Annually track the progress of the Plan;
4. Plan for a comprehensive review of the Plan in approximately five years.



Recommendation:

That Council approves the 2019 Environmental Master Plan Our Environment, Our Future as a guiding document.



2019

ENVIRONMENTAL MASTER PLAN

OUR ENVIRONMENT, OUR FUTURE

June 3, 2019

CONTENTS

Executive Summary	1
Part One: The Future of the Environment in Red Deer	4
1.1. An Environmental Master Plan for Red Deer	4
1.1.1 About the Environmental Master Plan	4
1.1.2 Implementing the Initial Environmental Master Plan	6
1.1.3 Process	8
1.2. Future Direction	10
1.2.1 Vision	10
1.2.2 Focus Areas	10
1.2.3 The role(s) of The City of Red Deer	19
1.2.4 An Approach to Implementation	20
1.3. Summary	21
Part Two: Environmental Master Plan Actions	22
2.1. Taking Action	22
2.1.1 Understanding the Actions	22
2.1.2 Action Descriptions	23
2.2 Moving Forward	43

ENVIRONMENTAL MASTER PLAN

EXECUTIVE SUMMARY

As part of The City of Red Deer's ongoing commitment to understanding, protecting and improving its environmental performance and public services, The City has developed this refreshed *Environmental Master Plan (EMP)*. Originally developed in 2011, this updated *Environmental Master Plan* is designed to provide The City and the people of Red Deer with a road map to improved environmental performance. To achieve this, the plan includes clear goals and measurable environmental targets, as well as suggested actions for The City of Red Deer to undertake as future implementation, budget scoping, and collaboration occurs.

Red Deer's Environmental Vision

The *Environmental Master Plan* is built around a 25 year vision for Red Deer's environmental future that was developed in collaboration with the people of Red Deer:

Red Deer actively enhances its rich natural environment and minimizes its ecological footprint through City leadership, community collaboration and active stewardship. Red Deer is a leading example of a resilient and sustainable community in which urban and natural systems are effectively integrated to the benefit of both.

EMP Focus Areas

The *Environmental Master Plan* is designed to be a living document that The City of Red Deer can use to guide and monitor environmental progress. The plan is organized around six focus areas:

- Water
- Waste
- Energy
- Ecology
- Community Design
- Air

Each focus area includes an overarching goal, as well as related targets. The EMP provides direction on actions for future consideration that can achieve the respective focus area goals.

A Framework for Action

The EMP also provides guidance on the varied roles that The City of Red Deer can play in implementing the plan. While intended for use by The City, other community organizations can use this frame as they initiate their own environmental actions and collaborate with other organizations.

Moving forward, translating the goals into an implementation framework will keep the EMP relevant and at the forefront. The framework will continue The City's strong legacy of environmental reporting and builds opportunities for review, reflection and adjustment.

In this way, an approach of continual learning and improvement can accelerate progress towards the direction set out in this plan. This framework includes four elements: **Act; Report; Assess; Adjust.**

Together, these provide a comprehensive approach to improving the environmental well-being of Red Deer for years to come.



AIR



COMMUNITY DESIGN



ECOLOGY



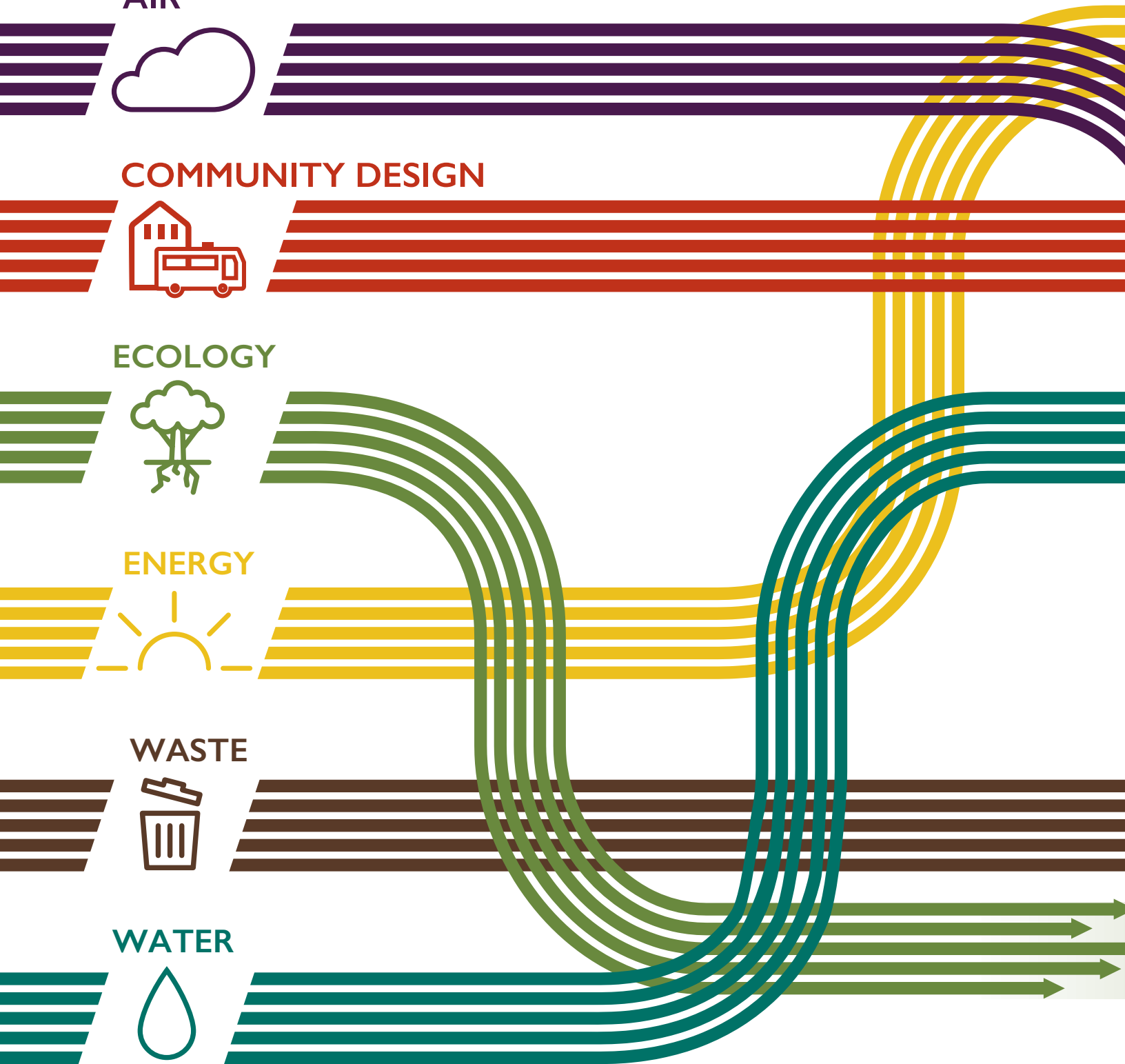
ENERGY



WASTE



WATER





PART ONE: THE FUTURE OF THE ENVIRONMENT IN RED DEER

1.1. AN ENVIRONMENTAL MASTER PLAN FOR RED DEER

1.1.1 ABOUT THE ENVIRONMENTAL MASTER PLAN

The original *Environmental Master Plan* (EMP) was accepted by City Council in 2011. Since then, the EMP has served as a guide to improve environmental sustainability in the city by establishing a vision for the environment of Red Deer, setting goals and providing strategies to move towards our desired environmental future. This refreshed EMP represents the next step towards that future state. Through a process of review and reflection, an understanding of successes and challenges over the implementation of the original EMP was established.

The process to refresh the EMP was not a full revision, re-design or re-write of the plan, as The City of Red Deer has only begun to work towards the 25-year vision. Rather, the review was intended to ensure Red Deer remains on an appropriate track of responsible environmental stewardship and sustainability. The main goal of this review was to maintain the City's resolve to achieve a healthy environment, meet the plan's vision and goals, and determine how to best maintain momentum in order to ensure Red Deer's progress.

This plan aims to instill natural environment considerations into the decisions of The City of Red Deer to ensure that basic needs of citizens are met today while also proactively addressing emerging issues that can affect the quality of life of citizens.

The refreshed 2019 *Environmental Master Plan, Our Environment, Our Future* is founded upon an extensive research and engagement program to build upon the foundational work that has taken place since the 2011 endorsement of the plan. Furthermore, the metrics, targets and actions in the EMP align with the United Nations Sustainable Development goals adopted in 2015.



THE EMP IS DESIGNED TO:

- ▶ Provide a long-term vision and goals for the environment in Red Deer
- ▶ Provide measurable targets to track environmental progress
- ▶ Identify metrics to measure environmental progress
- ▶ Identify the roles that The City of Red Deer plays in ensuring environmental sustainability
- ▶ Establish a process of monitoring, evaluation and adaptation as the plan is implemented

IMPLEMENTATION PLANNING FOR THE EMP IS DESIGNED TO:

- ▶ Identify actions that will move Red Deer towards our environmental vision
- ▶ Identify actions that The City of Red Deer can take in order to become a leader in environmental stewardship
- ▶ Identify a process to report on environmental progress over time
- ▶ Discuss future implementation, strategies, roles and required resources

1.1.2 IMPLEMENTING THE INITIAL ENVIRONMENTAL MASTER PLAN

The Plan is a long term planning document that will guide The City in its work. The speed of implementation will depend on available budget, and current priorities and opportunities.

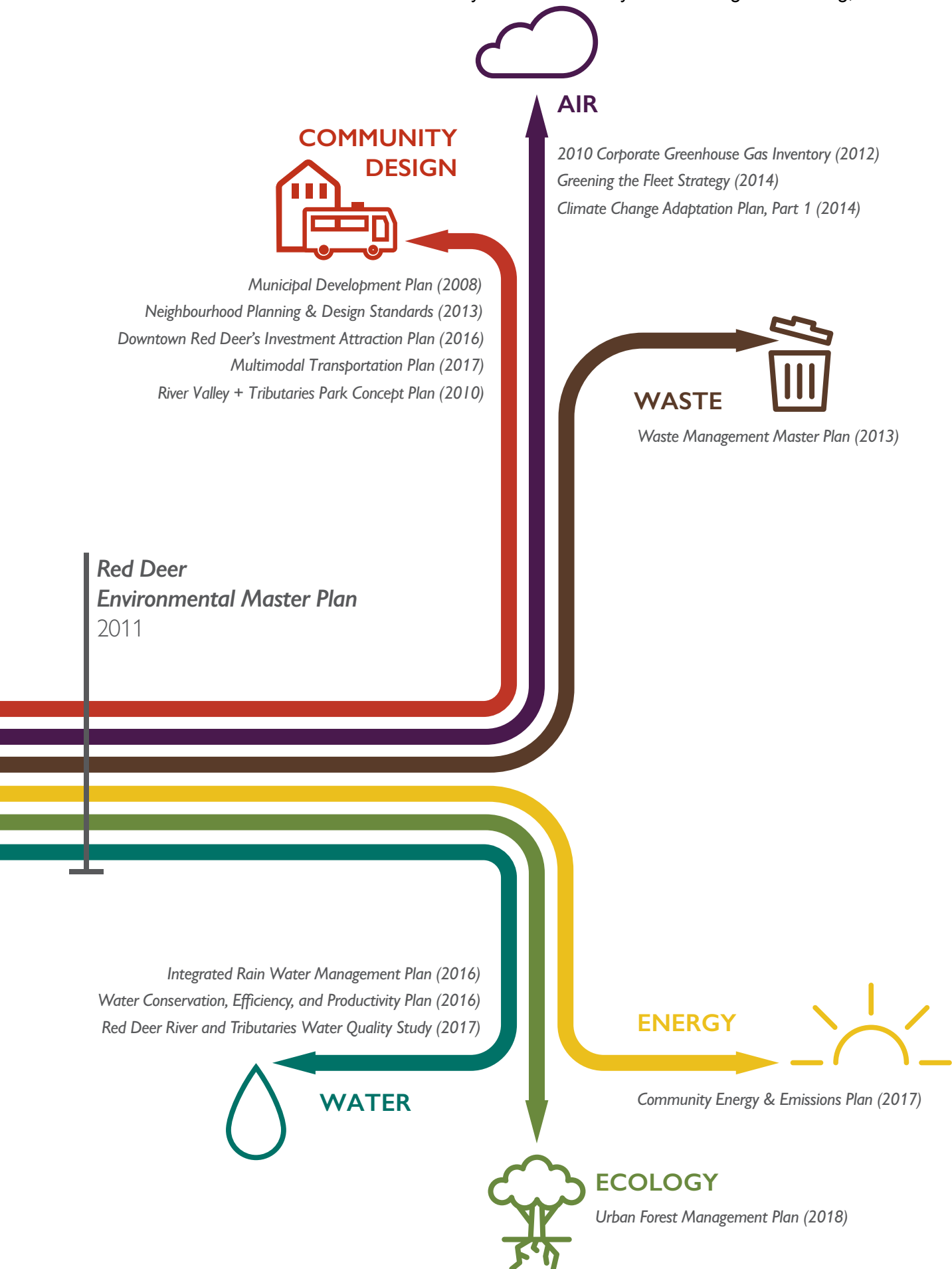
The *Environmental Master Plan* establishes a 25-year vision for Red Deer's environmental future and focus areas. These components provide the foundation for the *Environmental Master Plan* and were crafted through consultation with the community and stakeholder groups. Achieving the environmental future envisioned by The City and the community through this process will require action – from The City, the people of Red Deer, and its various business, educational and industrial communities.

This *Environmental Master Plan* frames the actions needed to work towards The City's environmental vision. For each focus area, measurable targets along with specific actions are set out to ensure that The City and the community are working together to achieve the vision.

Since the acceptance of the EMP, a number of plans have been developed, providing a much higher level of detail in policy and program direction than existed prior to 2011. In this regard, the EMP has been extremely successful in translating strategic direction to meaningful action in many of the Focus Areas. The adjacent diagram identifies existing plans that provide direction on implementation within the Focus Areas of the EMP.

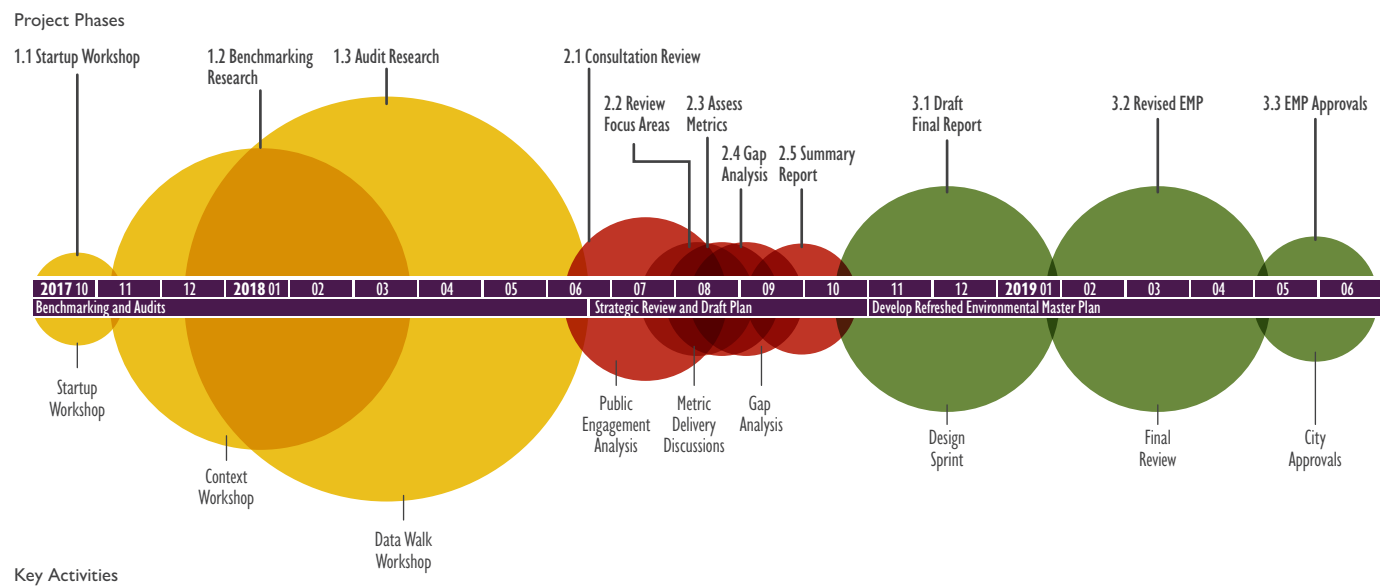
The diagram does not reflect a typical policy hierarchy (where a statutory document like the MDP would be illustrated 'above' the EMP) but rather is intended to illustrate the presence of plans that provide additional direction and clarity on areas of implementation of the EMP.

Part One of the EMP provides an update to the direction of this plan. Using the current vision and goals, metrics and targets have been updated to provide enhanced clarity on the future of the environment in Red Deer. In addition, implementation roles and approaches are included in Part One. Part Two builds on the work of previous years and recommends actions that address areas that require additional activity in order to achieve progress towards the vision, goals and targets of the EMP.



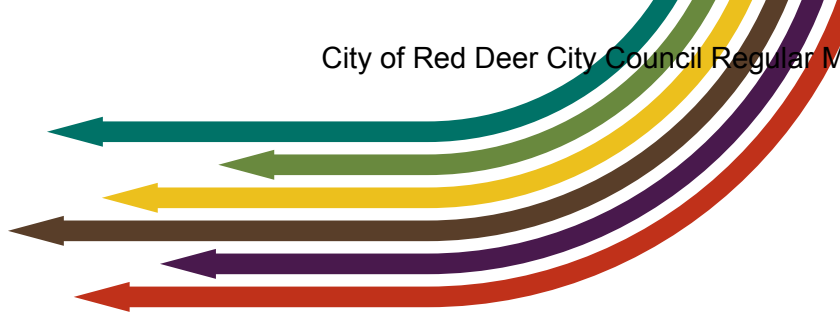
1.1.3 PROCESS

The EMP refresh was developed using a three-phase process that blended a variety of research elements with engagement of City staff, community stakeholders and the general public. The graphic below illustrates the process.



Phase 1: Benchmarking and Audits: This phase was intended to review and fully understand the success and challenges experienced during the first five years of implementing the EMP in order to establish a solid base for moving forward with a plan refresh/update. A number of approaches were used to gather information during this phase, including:

- **EMP Annual Reports:** Reviewing The City's annual progress reports (2011-2017) to understand metrics, action and progress.
- **Benchmark Research:** Reviewing Red Deer's environmental performance against nine selected Alberta municipalities: Lethbridge, Medicine Hat, Leduc, Grande Prairie, Strathcona County, St. Albert, Fort McMurray, Edmonton and Calgary. These communities were selected, given the relative population similarities and matching legislative context.
- **Online Surveys:** Obtaining City of Red Deer department-specific feedback on progress around the actions found in the EMP.
- **Workshops:** Insights from key implementers regarding the experience of working with the EMP and ideas for how to improve in the future.



Phase 2: Strategic Review and Draft Plan Preparation: This phase was intended to build upon the work of Phase 1 in order to determine key gaps, major policy shifts, or needed updates to focus areas, metrics and plan targets. The steps of this phase were:

- Analyze feedback from the public and staff and clarify issues to be identified in the drafting of the EMP refresh.
- Identify key gaps to be addressed in the EMP refresh.
- Evaluate the seven Focus Areas and recommend any changes.
- Evaluate the metrics and targets and recommend any changes.

Phase 3: Develop Refreshed Environmental Master Plan: This phase built upon the work of Phase 1 and 2 in order to develop a plan that most effectively meets the needs of Red Deer in 2019 and onwards.

The results of this phase are the recommended refreshed *Environmental Master Plan*.





1.2. FUTURE DIRECTION

1.2.1 VISION

Red Deer's ENVIRONMENTAL VISION STATEMENT is:

Red Deer actively enhances its rich natural environment and minimizes its ecological footprint through City leadership, community collaboration and active stewardship. Red Deer is a leading example of a resilient and sustainable community in which urban and natural systems are effectively integrated to the benefit of both.

1.2.2 FOCUS AREAS

The *Environmental Master Plan* is organized around six focus areas – air, community design, ecology, energy, waste and water. These focus areas each include a goal (the desired long-term direction), targets (specific, measurable aims) and metrics (measures that track environmental progress). Within this section, each focus area is explained and the subsequent elements are provided.

MEASURING PROGRESS IN THE EMP

As in the original EMP, the metrics selected for the Plan shape how Red Deer's environmental progress will be measured and reported. Metrics provide a quantifiable measurement of progress towards a target. The metrics included in the EMP were selected to be effective, clear, relevant, and appropriate in scale. They were also selected with consideration for what The City of Red Deer is already measuring or could feasibly/reasonably acquire measurement data for. Metrics are not meant to tell the entire story but instead reflect a measurement of the overall quality or condition of one aspect of the environment or share a measure of the success of an initiative to improve the environment. Within each focus area two to six metrics have been identified.

Targets are presented for each of the metrics within the timeline of the EMP. The targets are based on a City of Red Deer baseline (ie where Red Deer is now or was at the time the EMP was initially written), if known. The Plan's targets have been carefully selected based on research of industry standards and other municipality's experiences, subject matter experts advice, or the wants and needs of the community of Red Deer. Targets are defined for the life of the plan (to 2035).

FOCUS AREA 1.2.2.1

WATER



Goal: To improve the quality of our water resources and increase water conservation.

Water is vital for all forms of life. Sustaining our water resources includes understanding and effectively managing issues such as water conservation, water quality protection, watershed well-being, and storm and surface water management. Managed sustainably, our watershed river, and municipal water system will support the health of citizens, maintain aquatic and terrestrial environments, enable a variety of beneficial ecological services, provide community recreation options and support a robust local economy.

Metric: Potable water consumption

Monitoring potable water consumption of residential and industrial / commercial / institutional (ICI) users.

Targets:

2035: A 30% reduction from 2009 baseline, from the existing 15% reduction target.

Residents: 169 litres per person per day

ICI Users: 95 litres per person per day

Baseline (2009):

Residents: 242 litres per person per day

ICI Users: 135 litres per person per day

Metric: Annual water losses recorded

Monitoring total water losses includes reviewing all unmetered water such as metering inaccuracies, data handling errors, unmetered City operations as well as water thefts, pipe leakages and water main breaks.

Targets:

2035: A maximum of 7% of total water use attributed to losses

Baseline (2015):

15% of total water use attributed to losses.

Metric: Water quality of receiving bodies

Monitoring surface water quality in Red Deer.

Targets:

2035: Maintain and lower concentrations of water quality parameters, based on the *Red Deer River Watershed Alliance Blueprint Integrated Watershed Management Plan* water quality objectives.

Baseline (2017):

In 2017, Red Deer met the water quality parameters set out in the *Red Deer River Watershed Alliance Blueprint Integrated Watershed Management Plan* water quality objectives for the key water quality parameters.

FOCUS AREA 1.2.2.2

WASTE



Goal: To decrease the amount of waste going to landfill and increase waste diversion opportunities.

Waste refers to any unwanted material, garbage, refuse or other material discarded by a community. Waste can have a number of environmental impacts, including the release of greenhouse gases (notably methane) through decomposition, requirements for large tracts of land occupied by waste facilities such as landfills and the resources required to collect and process waste. Waste generation is related to a number of factors including economic activity, community consumption patterns, diversion opportunities and attitudes, and lifestyle choices. To lessen the environmental impact, prevention or reduction of waste is the top priority, followed by reuse and recycling of materials as the next best choice with energy recovery and disposal as the least preferred options.

Metric: Overall waste disposal rate

Measuring the total amount of solid waste disposed per year per capita, excluding waste from regional customers.

Note: The longest-term target is 2023 in order to align with the Waste Management Master Plan, which runs until 2023.

Targets:

2023: 500 kg / capita

Baseline (2011):

812 kg/capita

Metric: Amount of residential solid waste

Measuring residential garbage in kilograms collected curbside in the city per household per year.

Note: The longest-term target is 2023 in order to align with the Waste Management Master Plan, which runs until 2023.

Targets:

2023: 400 kg / residential curbside program account

Baseline (2009):

641 kg / residential curbside program account

Metric: Waste Diverted

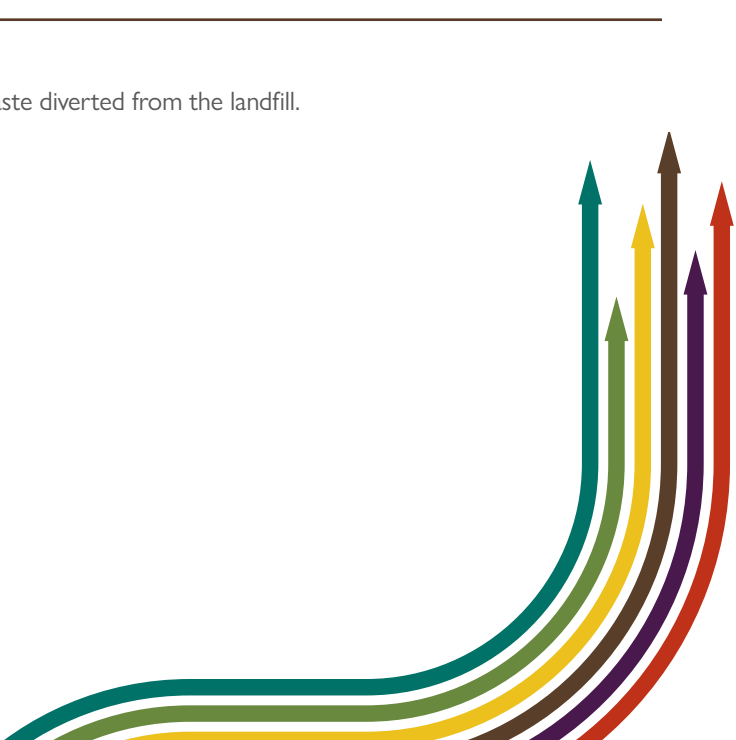
Measuring the percentage of waste diverted from the landfill.

Targets:

2035: 50% of waste diverted

Baseline (2009):

10% of waste diverted



FOCUS AREA 1.2.2.3

ENERGY

Goal: To reduce energy use and move towards using renewable energy sources.

Energy use is closely tied to economic and population growth. The production of some kinds of energy can have significant environmental impacts, including increased air pollution and production of greenhouse gas emissions. Reducing the environmental impact of energy use can be achieved through energy efficiency efforts, which can occur from the individual and household level to the city-wide scale. Considering energy sources such as solar, wind, geothermal and other renewable sources are options to reduce the environmental impact of energy use.

Metric: Renewable and Alternative Electricity Sources

Percentage of renewable or alternative electricity we can generate to satisfy the average electricity demand, for both The City of Red Deer and the entire community.

Targets:

2035: 25% each Community and City

Baseline (2010):

0.05% Community; 0.24% City

Metric: Community Energy Use

Measuring total energy use for the community as a whole.

Targets:

2035: Not to exceed a moderate increase to 18,400,000 gigajoules

Baseline (2010):

13,941,000



FOCUS AREA 1.2.2.4

ECOLOGY



1. British Ecological Society,
"Ecology is a Science That Matters,"
<https://www.britishecologicalsociety.org/about/what-is-ecology/>.

2. Parks Canada Agency, and
Government of Canada. "Ecological
Integrity." Ecological Integrity - Science
and Conservation. May 02, 2018.
<https://www.pc.gc.ca/en/nature/science/conservation/ie-ei>.

Goal: To protect and enhance the terrestrial and aquatic health of the natural heritage system.

Ecology refers to the the distribution and abundance of organisms, the interaction between organisms, the interaction between organisms and their environment, and structure and function of ecosystems.¹ Ecosystems have integrity when they have their native components intact, including: the physical elements, such as water and rocks (abiotic components), the make-up and number of species and communities in an ecosystem, including diversity in plants and animals (biodiversity) and the engines that makes ecosystem work; e.g. fire, flooding, predation (ecosystem processes).² Through the pattern of urban development that occurs in a city, the landscape is engineered in ways that impacts the natural systems of the region, which in turn affects the function of these systems.

Metric: Protected Areas

Monitoring the share of protected areas within Red Deer as a percent of the overall urban area, including natural areas and constructed natural areas.

Targets:

2035: 14% protected

Baseline (2018):

8.59% protected

Metric: Integrated Pest Management

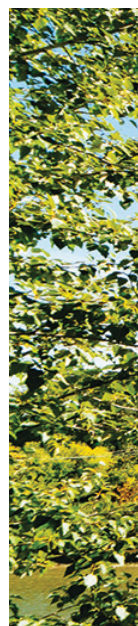
Monitoring the proportion of City-owned and managed grass areas where non-chemical integrated pest management measures such as mowing, digging, grazing, and hand-pulling are used to control weeds.

Targets:

2035: 50% of grass areas

Baseline (2018):

35% of The City of Red Deer's grass areas (turf and natural) are currently maintained using non-chemical integrated pest management.



Metric: Tree Species Suitability

Monitoring the percentage of tree population (on City owned and managed land) suitable for Red Deer's urban environment and adapted to regional conditions. ('Suitable' is defined as being a non-invasive, native or nursery cultivated species, which are resilient to local pest and diseases and successfully adapted to the soil and local climate conditions.)

Targets:

2035: 95% of trees are considered suitable for the area

Baseline (2017):

83% of recorded tree species are currently suitable (deemed good or excellent) for Red Deer

Metric: Tree Species Diversity

Monitoring the percentage of genetically diverse tree population on City owned and managed property.

Targets:

2035: No single species represents more than 10% of total tree population; no genus more than 20%; and no family more than 30%

Baseline (2017):

Species: 2 species represent more than 10% of the tree population:
White Spruce 16% and Colorado Blue Spruce 11%

Genus: 1 genus represents more than 20% of the tree population: Picea 27%

Family: 1 family represents more than 30% of the tree population: Pinaceae 35%



FOCUS AREA 1.2.2.5

**COMMUNITY
DESIGN**

Goal: To plan and build a well-connected, sustainable community that contributes to a quality of life for residents to live, work, move around and enjoy recreational and cultural pursuits.

A great community starts with great design and development. We know the design and development of our communities has a significant impact on the health and well-being of the natural systems of a region. How a city develops can reshape the natural landscape, resulting in impacts to how water moves, where animals can live and move and the diversity of plants and animals. Development patterns also influence decisions that citizens make on how to travel around a city. The combined impacts of individual citizens can then have implications for air quality, water quality and human health. The design of the city also has implications for energy use in the city, including residential, commercial and industrial building needs and transportation requirements.

Metric: Length of bicycle and pedestrian routes

Measuring the length of all bicycle and pedestrian routes per hectare of urban development (m/ha). Urban development is calculated as the total amount of land within the city that has an urban-type zoning (and is used – or will imminently be used – for urban uses) plus roads.

Targets:

2035: 148.4 m/ha

Baseline (2018):

125.3 m/ha

Metric: Fuel Consumption

Measuring the total fuel (gas and diesel) consumed annually in the city, based on total sales from commercial fuel stations.

Targets:

2035: 1069 L / person

Baseline (2009):

1257 L / person

Metric: Emissions from Transportation

Measuring the emissions attributed to transportation in Red Deer.

Targets:

Maintain emissions levels attributed to transportation modes at or below the 2017 levels, even with population and economic growth.

Baseline (2017):

3.55 tonnes of emissions per person based on a population of 99,832. In Red Deer, 21% of all GHG emissions were attributed to transportation modes.



Metric: Transit Ridership

Measuring annual transit trips per capita taken on Red Deer Transit, including regional services.

Targets:

2035: 31 trips/capita

Baseline (2016):

27 trips/capita

Metric: Land Development Footprint

Measuring urban development in metres squared per person. Urban development is calculated as the total amount of land within the city that has an urban-type zoning (and is used – or will imminently be used – for urban uses) plus the amount of land dedicated to roads shared across the current Red Deer population.

Targets:

2035: 563 m² of urban development / person

Baseline (2011):

740.8 m² of urban development / person

Metric: Community Garden Plots

Measuring the number of garden plots as well as the number of reported Red Deer residents who benefit from garden produce grown.

Targets:

2035: 1029 plots; 4488 residents benefiting from garden produce

Baseline (2017):

466 plots; 1791 residents benefiting from garden produce



FOCUS AREA 1.2.2.6

AIR



Goal: To improve air quality and reduce emissions.

Clean air is essential to all forms of life. Generally, clean air is of good quality, has no harmful pollutants or emissions in it and is safe to breathe. Human activities such as transportation, generation of electricity and emissions from industrial processes can all contribute to reduced air quality. Air pollution can have significant negative impacts on human health.

Environmental impacts can include reduced growth and productivity of vegetation as well as impacts on fish and wildlife. Related to air quality is greenhouse gas emissions (GHG), gases which absorb radiation from the sun and trap heat in the atmosphere. To protect local air quality as well as mitigate climate change, it is important to reduce emissions.

Metric: Air Quality

Did you know air quality level in Canada is managed based on a green-yellow-orange-red colour code, with green being the best?

Measuring ambient concentrations of airborne pollutants as defined by the *Canadian Ambient Air Quality Standards* (CAAQS) and Alberta Environment and Parks.

Targets:

2035: Maintain clean air as defined by the *Canadian Ambient Air Quality Standards* (CAAQS) by not exceeding yellow air quality management levels.

Baseline (2009):

- PM_{2.5}: Yellow
- O₃: Yellow
- SO₂: Green
- NO₂: Green

Metric: Greenhouse Gas Emissions (Corporate and Community)

Did you know methane gas is a more harmful greenhouse gas than carbon dioxide? As both impact global climate change, reducing these keeps our air cleaner.

Measuring greenhouse gas emissions in tonnes (CO₂ equivalent) for The City of Red Deer as an organization and for the community as a whole. Communities around the world have adopted targets to reduce GHG emissions, including more than 200 in Canada through their environmental master plans or as part of the Federation of Canadian Municipalities (FCM) *Partners for Climate Protection* program.

Targets:

- 2035: Corporate: 50% reduction from 2010 baseline
- Community: Not more than a 10% increase from 2010 baseline

Baseline (2010):

- Corporate: 151,347 tCO₂e (top three sources include buildings, Waste Management Facility, and streetlights)
- Community: 1,674,171 tCO₂e (top three sources include private and commercial buildings, private and commercial transportation, and solid waste and wastewater)

1.2.3 THE ROLE(S) OF THE CITY OF RED DEER

3. City of Red Deer, "Social Policy Framework," (2015), p. 11.

To paraphrase The City of Red Deer *Social Policy Framework* (SPF), which was approved in 2015, "environmental health and well-being is the result of complex systems, relationships and interactions, and are not the sole responsibility of local government."³ While The City of Red Deer has a vital role to play in the health of the environment of Red Deer, the broader community, including community organizations, businesses, households and individuals, will all contribute to realizing the goals of the EMP.

With this in mind, this EMP defines the levels of responsibilities and roles that The City can play to support community goals in the context of complex situations where the broader community has a role to play. The levels of responsibility that The City of Red Deer can play in environmental issues is illustrated in the image below.



Municipal Levels of Responsibility

Within these three levels of responsibility, The City can play different roles. A role is a general function The City can fulfil to help achieve the EMP's community goals. The City can act in one or more of these roles at a given time and can coordinate roles with others for increased effect.



There are eight typical roles The City may perform:

Advocate: Seek to influence decisions and policy through an organized effort.

Educator: Communicate, support and develop knowledge and understanding.

Capacity Builder: Improve the ability of other organizations to deliver and partner on shared goals.

Convener: Draw people and organizations together to explore, strategize and work through opportunities and challenges.

Coordinator: Support various individuals and organizations to align and coordinate initiatives, programs, funding, etc.

Funder: Provide funding to other organizations to do their work.

Planner/Regulator: Develop plans, policies and regulations that affect The City and others.

Service Delivery: Provide services directly to our citizens or customers.

While this identification of roles applies to The City of Red Deer, this framework can also be used by other community organizations as part of their own individual or collaborative efforts to improve the environmental well-being of Red Deer.

1.2.4 AN APPROACH TO IMPLEMENTATION

In order to build on the success of the initial *Environmental Master Plan* and the process of its refresh, an implementation framework will help to continue The City's strong legacy of environmental reporting and build opportunities for review, reflection and adjustment in the coming years. In this way, an approach of continual learning and improvement can accelerate progress towards the direction set out in this plan. A review and refresh of the EMP every five years is part of keeping the Plan relevant.

There are four elements to this framework: **Act; Report; Assess; Adjust.**

Act: Although the EMP is a long term plan to 2035, it is important along the way to implement new initiatives, build momentum on the plan and establish lessons learned to inform future actions..

Report: The City will continue to deliver an annual progress report focusing on highlights, metrics, and actions. In addition these reports will highlights what actions the community can take to create positive change in Red Deer.

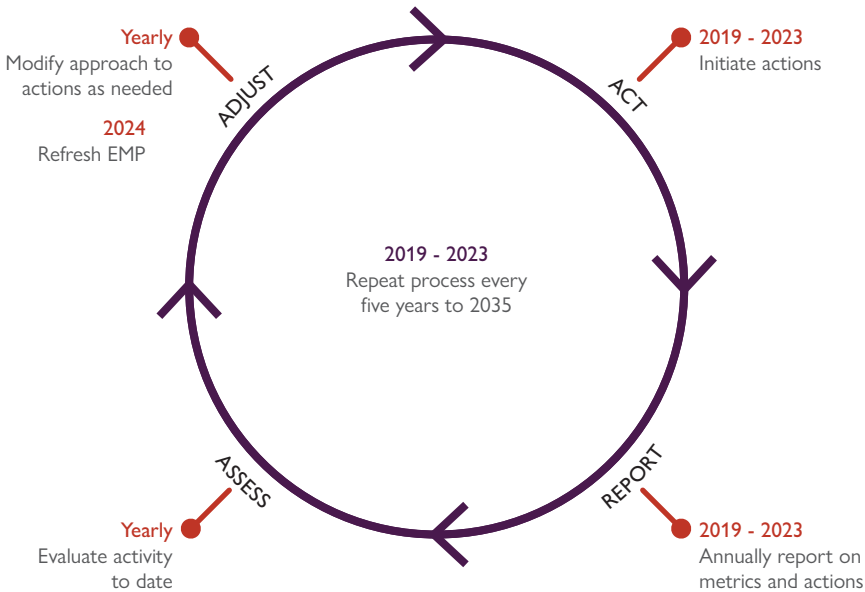
Assess: As the implementation of the EMP progresses, an assessment of successes, challenges, capacity and timing is an important part of the process. Indeed, part of the process includes conversations with stakeholders and the community.

Adjust: This aspect of the framework is reflected in two timelines.

Annually, The City will adapt actions and processes to reflect the insights and learning gained through the Assess phase. Adjustments could include new approaches to an action, new collaborations or identification of new resources required. Any adaptations should focus on more effective ways to achieving the measure of success identified for each action in future implementation documents.

It is recommended that the *Environmental Master Plan* undergo a refresh or review approximately every five years. Similar to the process to update the original EMP, this review would reflect on the previous five years of action and the lessons learned as well as evaluate the performance of plan metrics.

The graphic below illustrates this implementation framework.



1.3. SUMMARY

As Red Deer looks to the future, it is important to recognize that committing to the sustainability and resilience of the community will have lasting benefits for today’s residents and those who are to come. Through this *Environmental Master Plan*, a shared direction can galvanize efforts by both The City of Red Deer and the broader community. The collaborative framework to implement this plan provides The City and the community it serves with an opportunity to become increasingly responsive to emerging realities of the well-being of our local environment.

Part Two of the plan outlines examples of key actions to move the community towards the vision for the environment in Red Deer. Combined, these elements will contribute to the environmental sustainability of Red Deer today and into the future.

PART TWO ENVIRONMENTAL MASTER PLAN ACTIONS

2.1. TAKING ACTION

To achieve the goals and targets of the EMP, an action plan is needed. This portion of the EMP outlines potential actions to move Red Deer forward in realizing its environmental vision.

2.1.1 UNDERSTANDING THE ACTIONS

The first portion of this EMP provides direction for positive change to the environment of Red Deer across six focus areas. The second portion outlines the potential actions for implementation of the EMP. During the development of the refreshed EMP, ideas for action were evaluated based on:

- Achievability
- Establishing a foundation for future actions
- Addressing current gaps in the EMP
- Measurability
- Contributing to multiple Focus Area goals

Achieving these identified actions takes a purposeful and collaborative approach. Key outcomes of implementing the EMP include:

- Environmental considerations are incorporated into City planning and reporting;
- There is an active network of stakeholders and organizations who support the EMP vision;
- Community partnerships are established to increase the impact of the EMP across Red Deer.

The EMP actions fall into two categories:

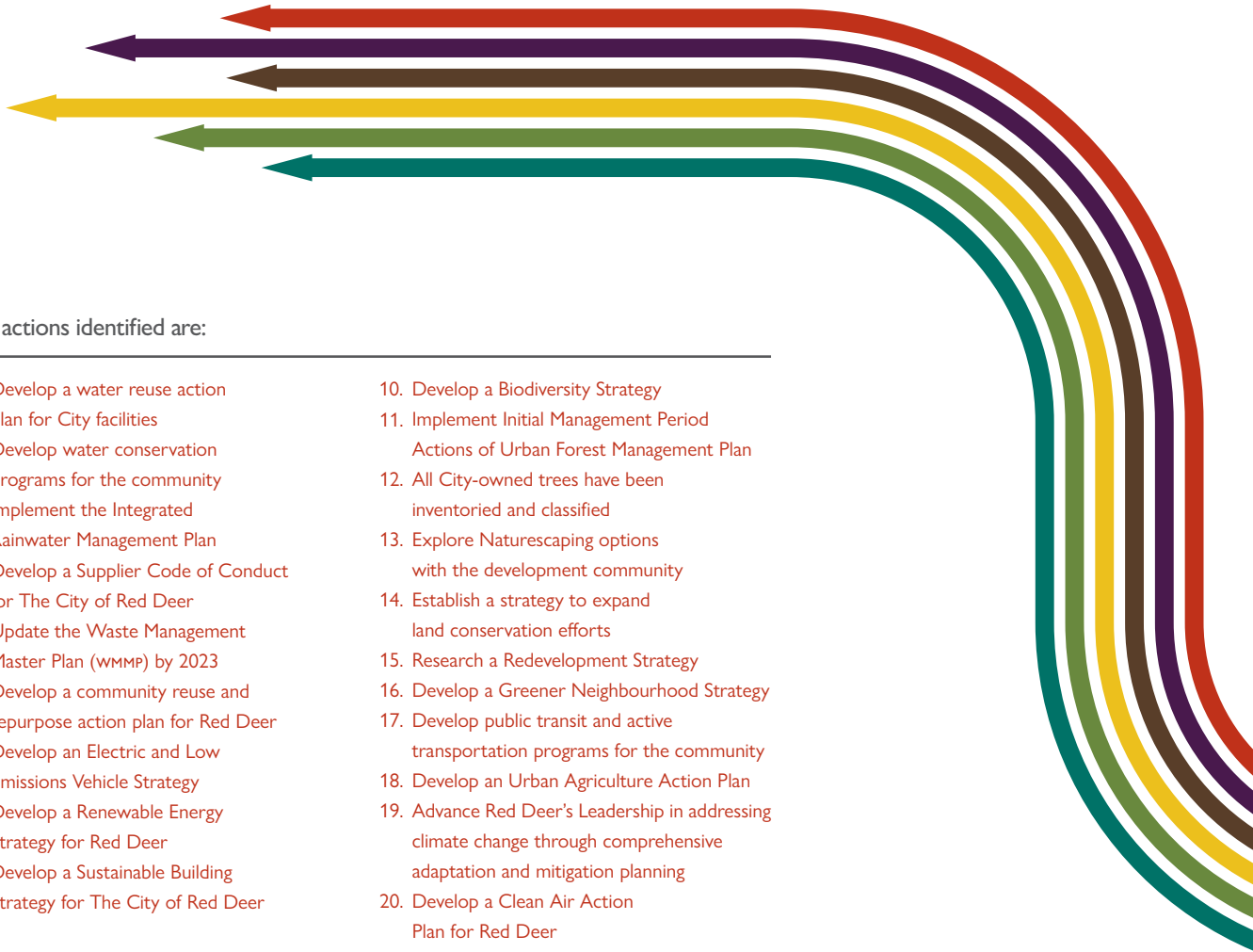
CITY ORGANIZATIONAL INITIATIVES:

- » Those actions that relate to what The City can do as an organization.

COMMUNITY INITIATIVES:

- » Those actions where if the public and community joined in, the likelihood of achieving the EMP goals increase. In this area, The City's primary role is education and coordination.





The actions identified are:

- | | |
|--|---|
| 01. Develop a water reuse action plan for City facilities | 10. Develop a Biodiversity Strategy |
| 02. Develop water conservation programs for the community | 11. Implement Initial Management Period Actions of Urban Forest Management Plan |
| 03. Implement the Integrated Rainwater Management Plan | 12. All City-owned trees have been inventoried and classified |
| 04. Develop a Supplier Code of Conduct for The City of Red Deer | 13. Explore Naturescaping options with the development community |
| 05. Update the Waste Management Master Plan (WMMP) by 2023 | 14. Establish a strategy to expand land conservation efforts |
| 06. Develop a community reuse and repurpose action plan for Red Deer | 15. Research a Redevelopment Strategy |
| 07. Develop an Electric and Low Emissions Vehicle Strategy | 16. Develop a Greener Neighbourhood Strategy |
| 08. Develop a Renewable Energy Strategy for Red Deer | 17. Develop public transit and active transportation programs for the community |
| 09. Develop a Sustainable Building Strategy for The City of Red Deer | 18. Develop an Urban Agriculture Action Plan |
| | 19. Advance Red Deer's Leadership in addressing climate change through comprehensive adaptation and mitigation planning |
| | 20. Develop a Clean Air Action Plan for Red Deer |

A more fulsome description of these actions follows in Section 2.1.2

2.1.2 ACTION DESCRIPTIONS

The actions that follow is not an exhaustive list of all possible actions, however, it provides a strong foundation in moving forward. Each of the identified actions includes supporting information to enhance the understanding of these initiatives. Each action contains the following information:

- **Action Name:** The identified name of the action
- **Description:** An explanation of the action to be taken
- **Why this Action matters:** A description of the supporting rationale for the action
- **Related Focus Area(s):** Identification of the focus area(s) to which the action contributes

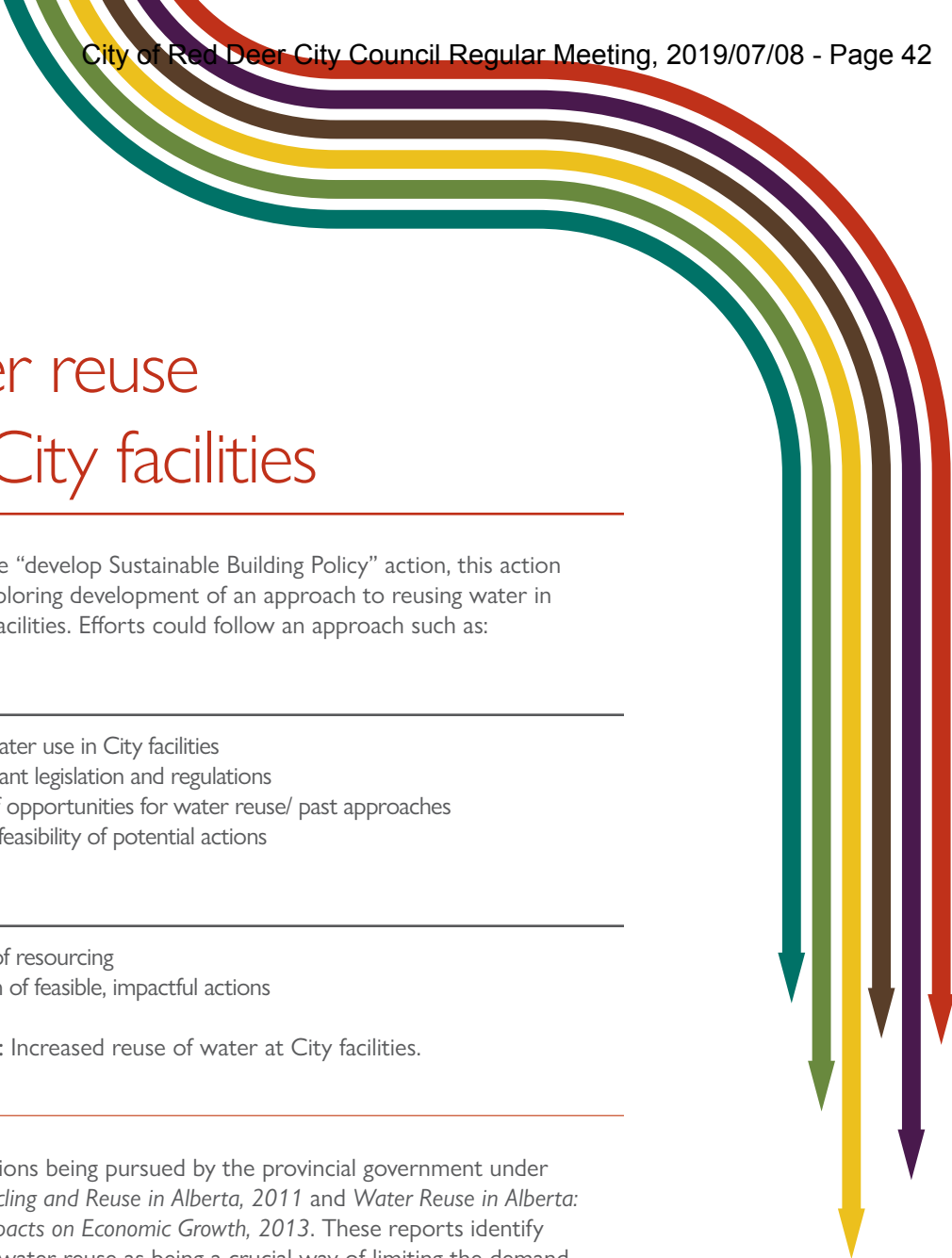


ACTION 1

Develop a water reuse action plan for City facilities

DESCRIPTION	<p>Complementing the “develop Sustainable Building Policy” action, this action would focus on exploring development of an approach to reusing water in City of Red Deer facilities. Efforts could follow an approach such as:</p> <p>FIRST STAGE</p> <ul style="list-style-type: none">» Evaluation of water use in City facilities» Review of relevant legislation and regulations» Identification of opportunities for water reuse/ past approaches» Assessment of feasibility of potential actions <p>SECOND STAGE</p> <ul style="list-style-type: none">» Establishment of resourcing» Implementation of feasible, impactful actions <p>Intended outcome: Increased reuse of water at City facilities.</p>
WHY THIS ACTION MATTERS	<p>This aligns with actions being pursued by the provincial government under the <i>Greywater Recycling and Reuse in Alberta, 2011</i> and <i>Water Reuse in Alberta: Experiences and Impacts on Economic Growth, 2013</i>. These reports identify the importance of water reuse as being a crucial way of limiting the demand on freshwater systems and providing alternative uses for wastewater which would otherwise go unused. Identifying opportunities within City facilities for water reuse will align the city with provincial framework, reduce the impact on freshwater systems, and demonstrate environmental leadership by The City.</p>

RELATED
FOCUS AREAS



ACTION 2

Develop water conservation programs for the community

DESCRIPTION

This action would focus on new initiatives that contribute to the water conservation goals of The City's *Water Conservation, Efficiency and Productivity Plan* (CEP). These efforts would include:

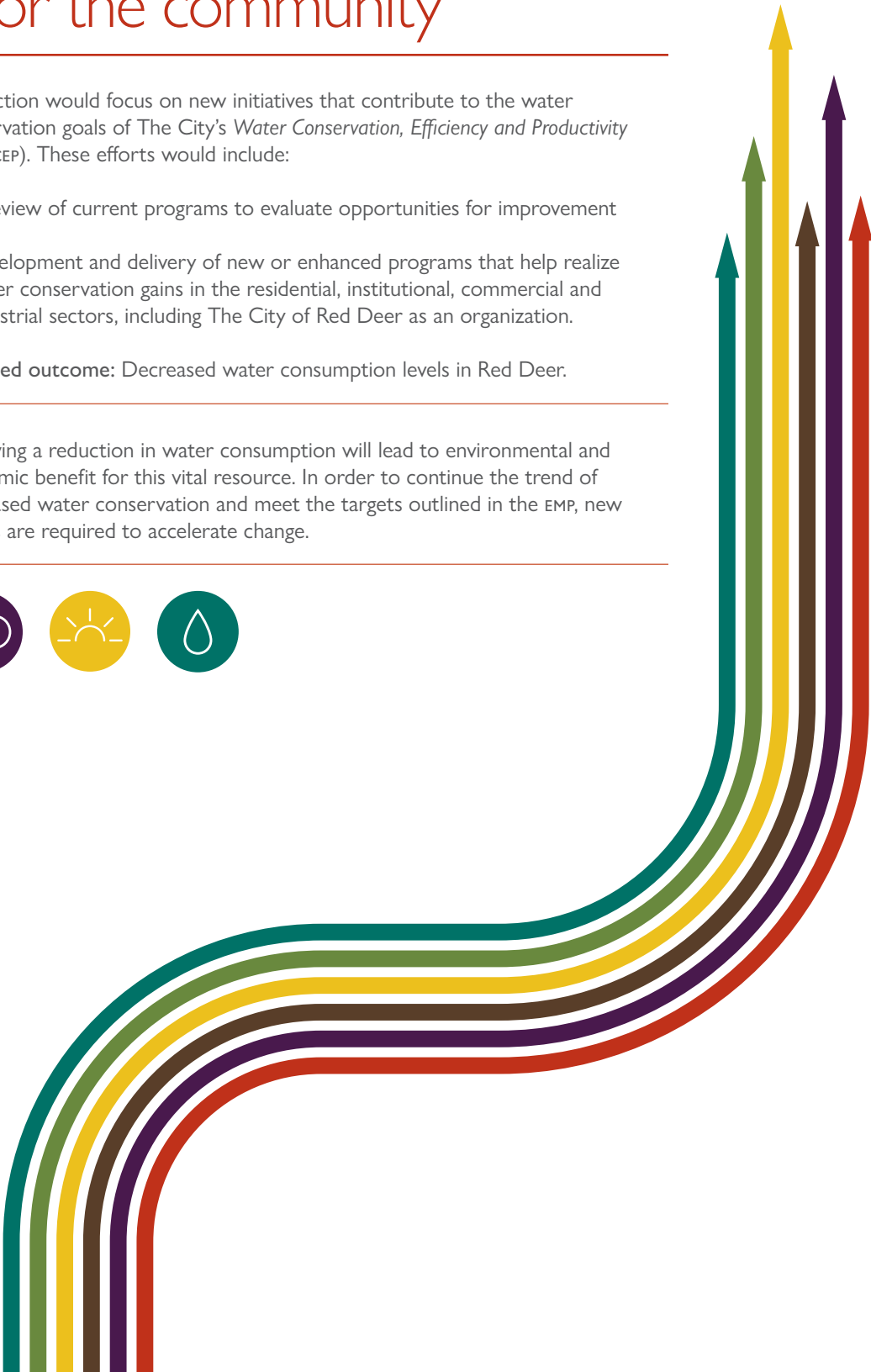
- A review of current programs to evaluate opportunities for improvement
- Development and delivery of new or enhanced programs that help realize water conservation gains in the residential, institutional, commercial and industrial sectors, including The City of Red Deer as an organization.

Intended outcome: Decreased water consumption levels in Red Deer.

WHY THIS ACTION MATTERS

Achieving a reduction in water consumption will lead to environmental and economic benefit for this vital resource. In order to continue the trend of decreased water conservation and meet the targets outlined in the EMP, new efforts are required to accelerate change.

RELATED FOCUS AREAS



ACTION 3

Implement the *Integrated Rainwater Management Plan*

DESCRIPTION

The objective of this Plan is to identify opportunities to incorporate low impact development (LID), better land use planning and stormwater best practices into City projects. Pilot projects will be utilized to set the stage for broader implementation in the future. Potential LID measures include:

- » Bioswales
- » Rain gardens
- » Constructed wetlands
- » Subsequent monitoring.

Intended outcome: Construction of multiple LID measures and determination of which stormwater LID measures are best suited for Red Deer.

WHY THIS ACTION MATTERS

Low impact development (LID) has the potential to protect the natural environmental, provide opportunities for enhanced aesthetics of urban communities and potentially reduce the size requirements of stormwater management facilities. Many LID measures have been shown to improve water quality and quantity treatment in warmer climates, but this practice has not been widely implemented in Alberta. These measures aim to mimic the natural treatment of stormwater rather than the traditional pipe to outlet configuration. Should the LID measures prove to be successful in Red Deer, stormwater discharged to our lakes and rivers will be cleaner.

**RELATED
FOCUS AREAS**



ACTION 4

Develop a Supplier Code of Conduct for The City of Red Deer

DESCRIPTION	<p>The code of conduct would clarify the expectations of all suppliers in their environmental behaviours and impacts, as they work with The City, to support achieving a consistent environmental direction.</p> <p>Intended outcome: Reduced environmental impact by City suppliers.</p>
WHY THIS ACTION MATTERS	<p>Ensuring suppliers operate in ways consistent with the EMP can ensure improved environmental performance across a range of focus areas.</p>

RELATED
FOCUS AREAS



ACTION 5

Update the *Waste Management Master Plan* (WMMP) by 2023

DESCRIPTION	<p>The WMMP is a long term plan with an anticipated update occurring in or around 2023, to ensure the continuation of the great work that has been occurring as a result of this plan. Elements of an update should include:</p> <ul style="list-style-type: none">• Setting stretch targets reaching to 2035, aligning with the target timelines of the EMP• Expansion of organics diversion service to multifamily and Institutional, Commercial and Industrial users• Alignment with EMP direction; consider setting performance targets in the top 15% performance of EMP benchmarked communities.
-------------	--

WHY THIS ACTION MATTERS	<p>Waste is a universal and increasingly complex issue, with jurisdictions in every corner of the world considering new ways to manage increasing amounts of waste generation to limit its impacts to human and wildlife health, the local environment and municipal economic sustainability. Updating the WMMP will continue Red Deer’s comprehensive approach to waste reduction and diversion as a key tool for reducing waste in the community.</p>
-------------------------	---

RELATED
FOCUS AREAS



ACTION 6

Develop a community reuse and repurpose action plan for Red Deer

DESCRIPTION

Complementing the direction found within the WMMP, this strategy would focus on enabling the community to decrease waste. The strategy could include:

- » Food waste
- » Textiles
- » Swap meets
- » Issues surrounding the circular economy

Intended outcome: Increased community-based opportunities for waste reduction through reuse and repurposing.

WHY THIS ACTION MATTERS

This plan can explore opportunities to reduce waste entering the waste stream, and promote reuse. By focusing on community efforts, the activities of The City can be bolstered through increased activity to reduce waste.

RELATED FOCUS AREAS



ACTION 7

Develop an *Electric and Low Emissions Vehicle Strategy*

DESCRIPTION

This strategy can address both corporate and community aspects in order to support the growth and development of low emissions vehicles in Red Deer. A strategy could include:

- An overview of low emissions vehicle (e.g. electric) trends and best practices
- Opportunities and barriers related to low emissions vehicles in Red Deer
- Corporate and community strategies and actions (infrastructure, programs, incentives, education) to enhance low emissions vehicle adoption and use

Intended outcome: Increased proportion of vehicles on Red Deer roads are low emission vehicles.

WHY THIS ACTION MATTERS

As identified in the *Community Energy and Emissions Plan*, vehicle use is the second largest emissions producer in Red Deer.⁴ Changes to the urban structure of the city and the improvement of non-private vehicle mobility options take considerable time, which leads to the likelihood of private vehicles being the primary way of moving around the city for the foreseeable future. Low emission vehicle technology (e.g. electric vehicles [EVs], hybrid vehicles, compressed natural gas powered vehicles) is constantly improving, but still faces barriers to adoption. Enhancing the use of these low emission vehicles can contribute to reduced environmental impacts of transportation in the future.

4. City of Red Deer and Sustainability Solutions Group. "Red Deer Community Energy and Emissions Plan." September 13, 2017. p. 17.

RELATED FOCUS AREAS



ACTION 8

Develop a *Renewable Energy Strategy* for Red Deer

DESCRIPTION

Complementing the action “Advance Red Deer’s Leadership in addressing Climate Change through comprehensive adaptation and mitigation planning,” this strategy would provide direction for transitioning corporate and community energy supply and use towards increased renewable sources. The strategy could include:

- Evaluation of the potential of varied renewable energy sources
- Identification of corporate and community strategies and actions to increase the proportion of renewable energy generated and consumed in Red Deer

Intended outcome: An increase in the renewable energy capacity and use in Red Deer.

WHY THIS ACTION MATTERS

The production of renewable energy and related reduction of GHG emissions complements other EMP initiatives that address climate change and greening neighbourhoods. In addition to emission reductions, taking a proactive approach to renewable energy can have positive impacts on air quality and economic development.

RELATED
FOCUS AREAS



ACTION 9

Develop a Sustainable Building Strategy for The City of Red Deer

DESCRIPTION Initial work on this strategy has been undertaken as a result of the original EMP. Establishing environmentally sensitive standards for City-owned buildings, including new builds and building retrofits and renovations provides a framework for future development.

Intended outcome: A clear, consistent approach to guide decisions on City-owned buildings to positively contribute to the direction of the EMP.

WHY THIS ACTION MATTERS Sustainable buildings have been shown to reduce energy and water use, lower waste to landfill and improve the health and productivity of building users. This helps realize environmental benefits through improved building performance and places The City in a leadership role.

RELATED FOCUS AREAS



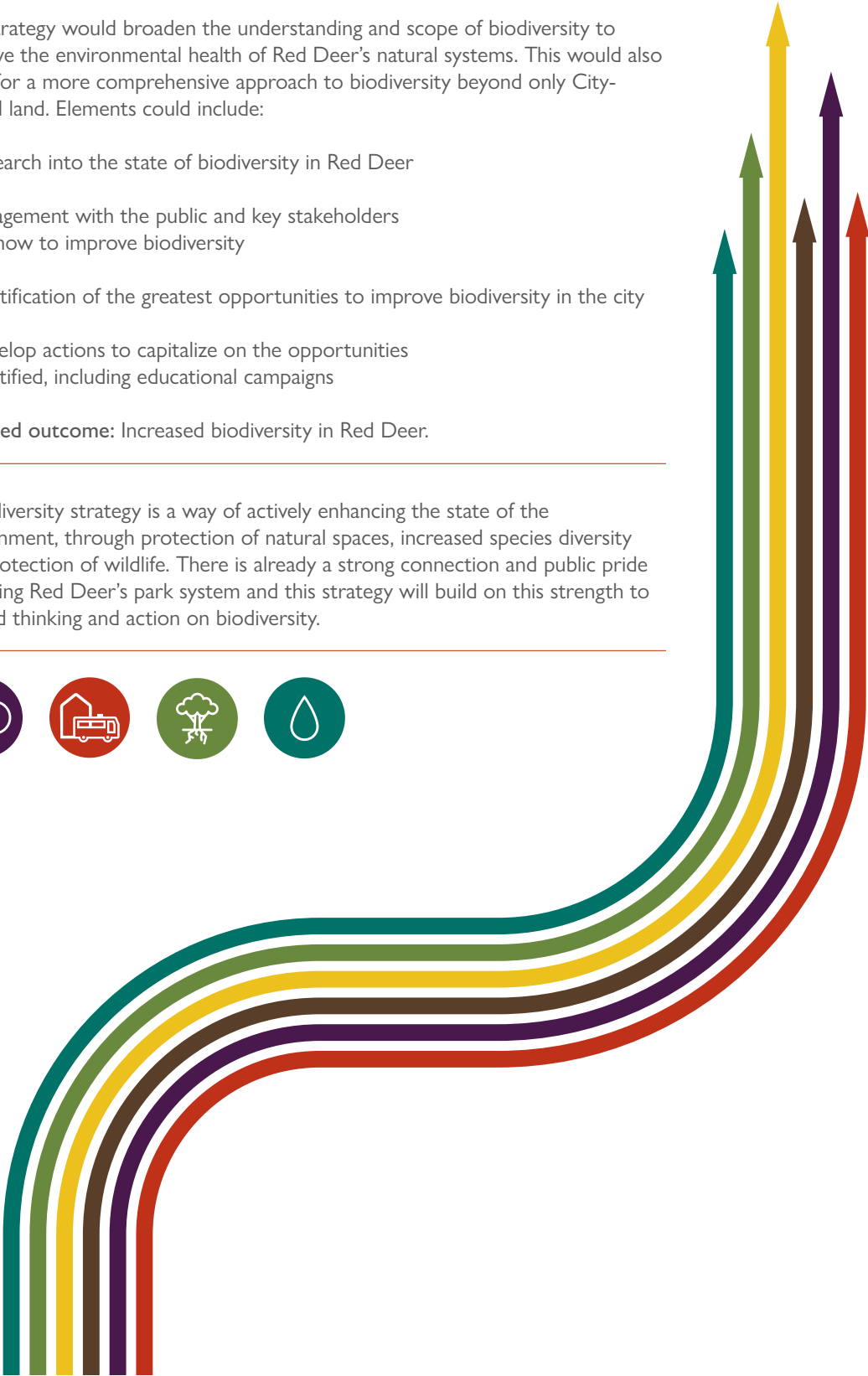
ACTION 10

Develop a *Biodiversity Strategy*

DESCRIPTION	<p>This strategy would broaden the understanding and scope of biodiversity to improve the environmental health of Red Deer’s natural systems. This would also allow for a more comprehensive approach to biodiversity beyond only City-owned land. Elements could include:</p> <ul style="list-style-type: none">• Research into the state of biodiversity in Red Deer• Engagement with the public and key stakeholders for how to improve biodiversity• Identification of the greatest opportunities to improve biodiversity in the city• Develop actions to capitalize on the opportunities identified, including educational campaigns <p>Intended outcome: Increased biodiversity in Red Deer.</p>
-------------	---

WHY THIS ACTION MATTERS	<p>A biodiversity strategy is a way of actively enhancing the state of the environment, through protection of natural spaces, increased species diversity and protection of wildlife. There is already a strong connection and public pride regarding Red Deer’s park system and this strategy will build on this strength to expand thinking and action on biodiversity.</p>
-------------------------	---

RELATED
FOCUS AREAS



ACTION 11

Implement Initial Management Period Actions of *Urban Forest Management Plan*

DESCRIPTION	<p>The <i>Urban Forest Master Plan</i> identifies four management periods for the implementation of the plan. These are:</p> <ul style="list-style-type: none">» Management Period 1 (2018-2022)» Management Period 2 (2023-2027)» Management Period 3 (2028-2032)» Management Period 4 (2033-2037) <p>There are a number of actions identified for Management Period 1, which coincides with the majority of the implementation timeframe of the EMP. Implementation of these actions will work towards the ecology focus area targets and will set the stage for Management Period 2.</p> <p>Intended outcome: Knowledge, processes and resources are established to enhance the urban forest in Red Deer.</p>
WHY THIS ACTION MATTERS	<p>The urban forest provides vital environmental services to maintain a sustainable community, such as carbon capture, cleaning the air, reducing and cleaning stormwater that flows to the Red Deer River, and providing wildlife habitat. It also has valuable economic benefits, such as increasing property values and reducing energy use. Trees in urban areas also contribute to social and community wellbeing, and promote healthy active living. The urban forest will even help the city and its residents mitigate and adapt to climate change.⁵</p>

RELATED
FOCUS AREAS



5. City of Red Deer and Urban Forest Innovations Inc. "Urban Forest Management Plan (2018-2037) Implementation Strategy." p.6-7.

ACTION 12

All City-owned trees have been inventoried and classified

DESCRIPTION In order to proceed with actions outlined in the *Urban Forest Master Plan*, a complete inventory and classification of City-owned trees should be completed.

WHY THIS ACTION MATTERS To proceed with many of the Management Period 1 Actions, as identified in the *Urban Forest Master Plan*, The City of Red Deer needs a thorough understanding the status of its urban forest assets.

RELATED FOCUS AREAS



ACTION 13

Explore Naturescaping options with the development community

DESCRIPTION This action would explore integrating natural landscaping elements in future developments. Building upon the work of the *Urban Forest Management Plan*, native species of trees, shrubs, and grasses could be considered as standard for new development. Educational efforts could complement the discussions to provide the community and development industry with an understanding of naturescaping benefits.

Intended outcome: Increased native species incorporated in landscaping of new development.

WHY THIS ACTION MATTERS Expanding the prevalence of native species in Red Deer can help reduce invasive species, contribute to improved biodiversity and ecosystem health and build connections to the natural heritage of the area. In addition, water demands would be reduced through planting of native species that can thrive through naturally occurring precipitation.

RELATED FOCUS AREAS



ACTION 14

Establish a strategy to expand land conservation efforts

DESCRIPTION This action is an effort to commit to long term protection of natural lands in Red Deer. This will be designed to balance greenfield and brownfield development or redevelopment as an effort to minimize the ecological footprint of the city. This will help to align with the *River Valley and Tributaries Park Space Concept Plan* and community design standards.

Intended outcome: The protection of valuable natural landscapes.

WHY THIS ACTION MATTERS Proactively planning for land conservation enables the understanding of what landscapes and natural assets are in need of protection. This provides the foundation for action to conserve land for natural functions that sustain the health of the community.

RELATED FOCUS AREAS



ACTION 15

Research a Redevelopment Strategy

DESCRIPTION

This action would start with engagement and information sharing with the development industry and the broader community to build momentum and change towards increased redevelopment activity in the city. This could include:

- Focused engagement with the development industry to understand the market opportunities and barriers to infill in Red Deer.
- Engagement and research with the community / market to understand consumer preferences related to infill.
- Education and information on the environmental, lifestyle and cost benefits of redevelopment. This could include regular reporting on where growth is occurring in Red Deer, in order to understand and communicate the 'share' of development that is being realized through infill.
- Identify the greatest opportunities for redevelopment in the city.
- Develop actions to capitalize on the opportunities identified.

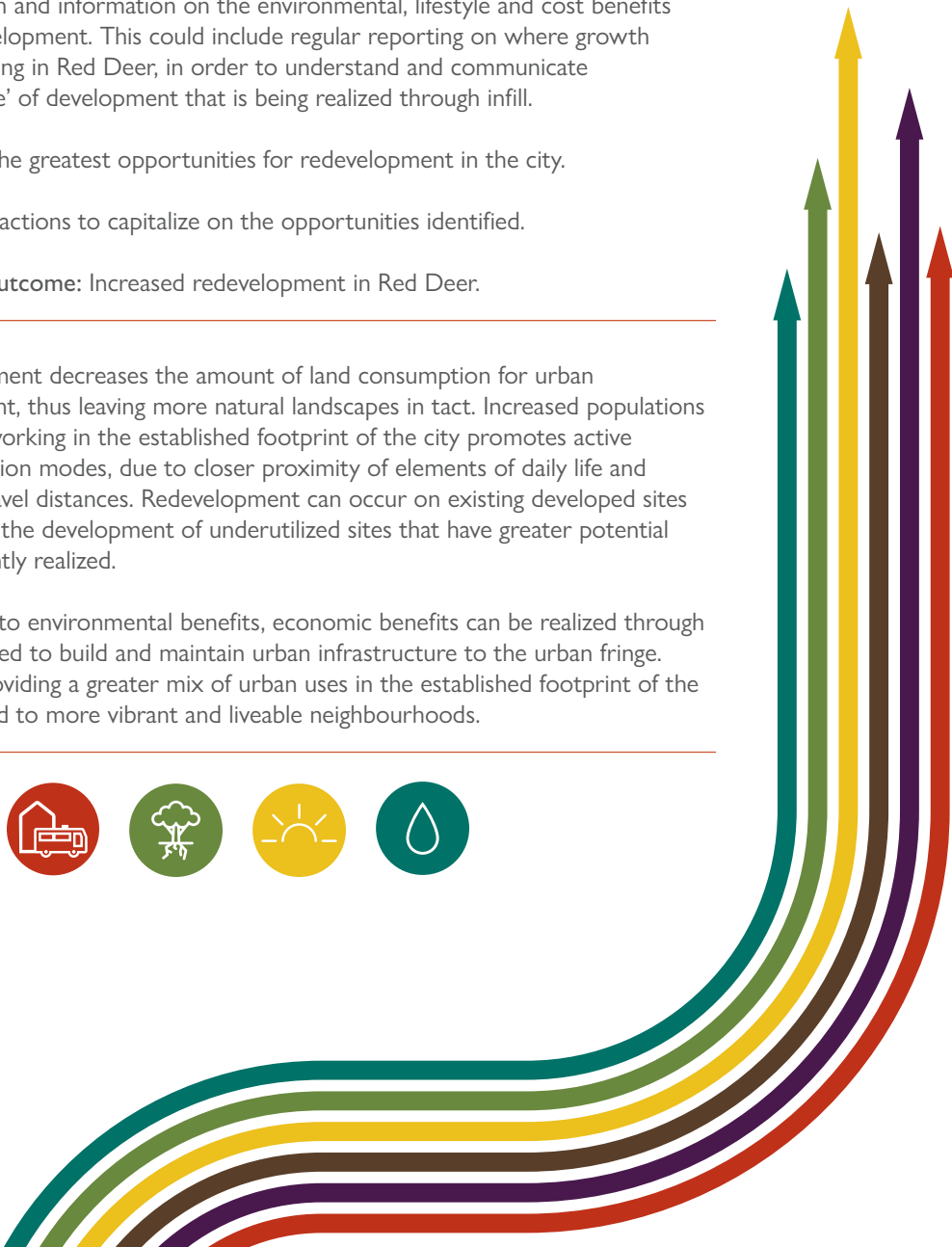
Intended outcome: Increased redevelopment in Red Deer.

WHY THIS ACTION MATTERS

Redevelopment decreases the amount of land consumption for urban development, thus leaving more natural landscapes in tact. Increased populations living and working in the established footprint of the city promotes active transportation modes, due to closer proximity of elements of daily life and reduced travel distances. Redevelopment can occur on existing developed sites or through the development of underutilized sites that have greater potential than currently realized.

In addition to environmental benefits, economic benefits can be realized through reduced need to build and maintain urban infrastructure to the urban fringe. Socially, providing a greater mix of urban uses in the established footprint of the city can lead to more vibrant and liveable neighbourhoods.

RELATED
FOCUS AREAS



ACTION 16

Develop a Greener Neighbourhood Strategy

DESCRIPTION

This strategy would focus on identifying opportunities for the community to participate in reducing the environmental impact of their own neighbourhoods. Elements could include:

- Identify the greatest opportunities for reducing environmental impact of neighbourhoods.
- Research into areas of potential impact.
- Develop community focused initiatives, such as incentives and educational campaigns.
- Identify opportunities for improved standards and regulations to enhance the environmental performance of neighbourhoods.
- Develop voluntary goals on energy efficiency, waste reduction, water conservation & quality protection and ecological protection in ways that surpass minimum standards.

Intended outcome: Reduced environmental impact of neighbourhoods in Red Deer.

WHY THIS ACTION MATTERS

This action would include consideration of both redevelopment and greenfield situations in Red Deer to address an area that has significant impact on the environment – our neighbourhoods. This action would take a comprehensive approach to how elements of neighbourhoods (e.g. buildings, community design, mobility options) and the choices made by those living in neighbourhoods can be reexamined to contribute to EMP targets.

RELATED FOCUS AREAS

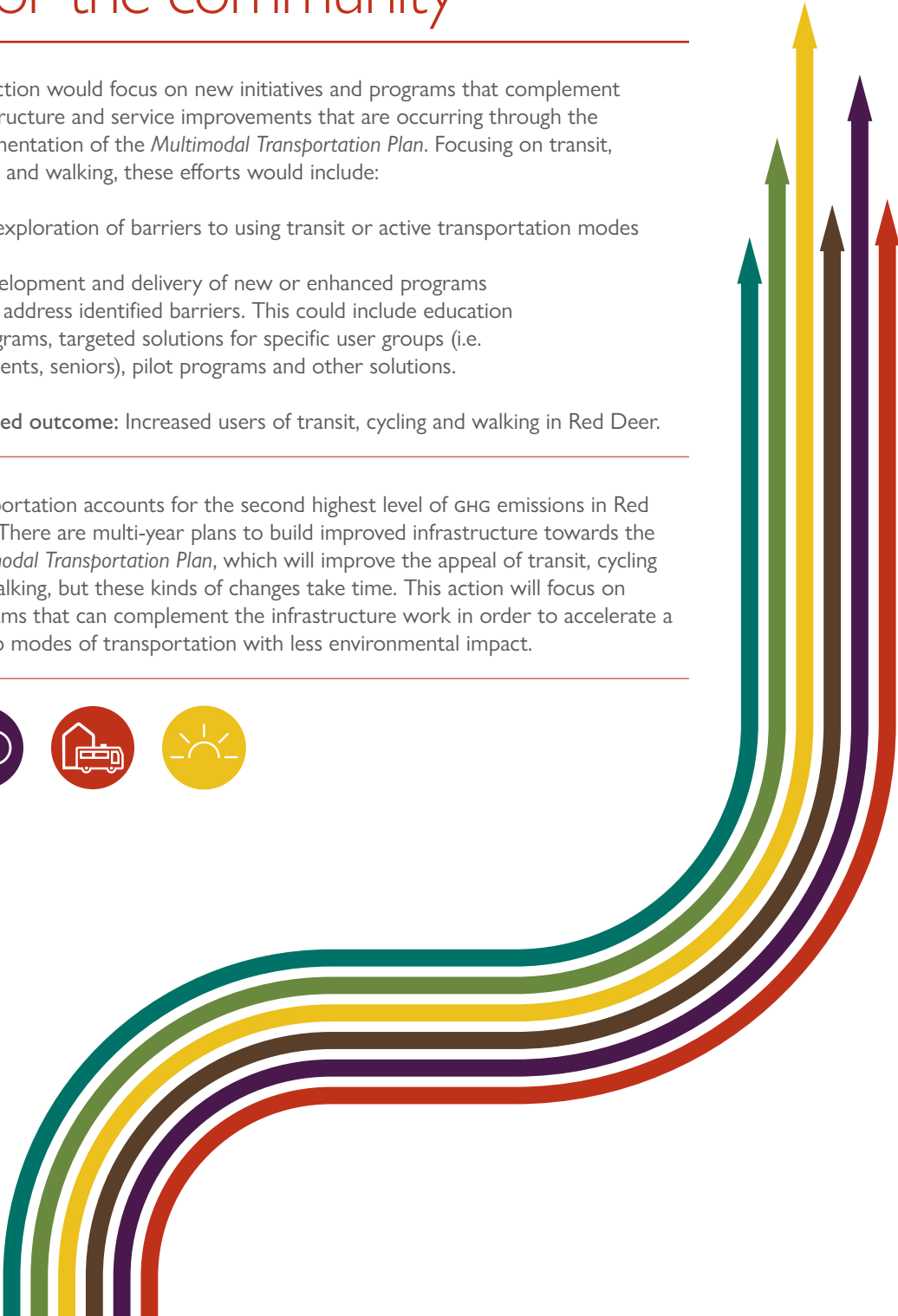


ACTION 17

Develop public transit and active transportation programs for the community

DESCRIPTION	<p>This action would focus on new initiatives and programs that complement infrastructure and service improvements that are occurring through the implementation of the <i>Multimodal Transportation Plan</i>. Focusing on transit, cycling and walking, these efforts would include:</p> <ul style="list-style-type: none">• An exploration of barriers to using transit or active transportation modes• Development and delivery of new or enhanced programs that address identified barriers. This could include education programs, targeted solutions for specific user groups (i.e. students, seniors), pilot programs and other solutions. <p>Intended outcome: Increased users of transit, cycling and walking in Red Deer.</p>
WHY THIS ACTION MATTERS	<p>Transportation accounts for the second highest level of GHG emissions in Red Deer. There are multi-year plans to build improved infrastructure towards the <i>Multimodal Transportation Plan</i>, which will improve the appeal of transit, cycling and walking, but these kinds of changes take time. This action will focus on programs that can complement the infrastructure work in order to accelerate a shift to modes of transportation with less environmental impact.</p>

RELATED
FOCUS AREAS

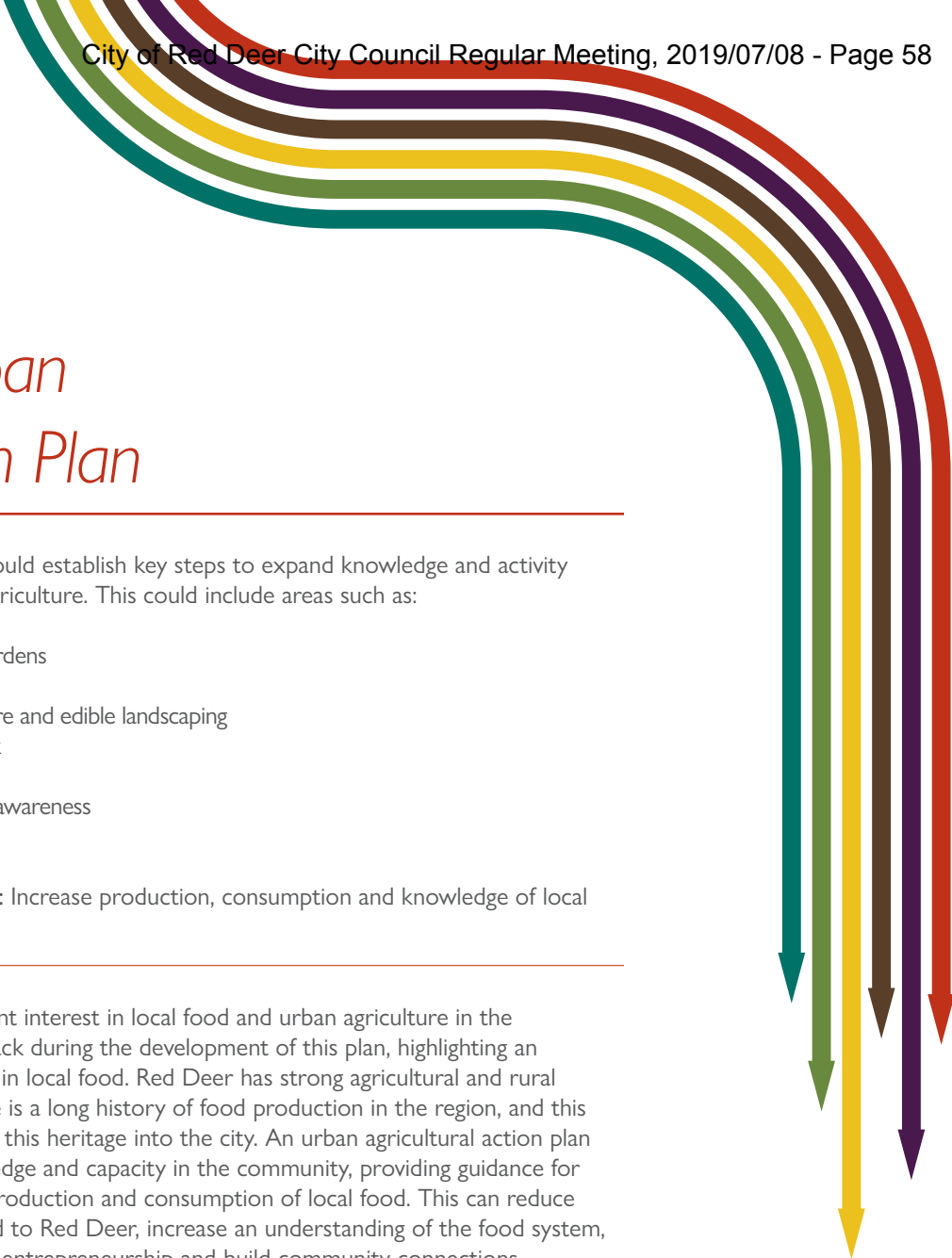


ACTION 18

Develop an Urban Agriculture Action Plan

DESCRIPTION	<p>This action plan would establish key steps to expand knowledge and activity related to urban agriculture. This could include areas such as:</p> <ul style="list-style-type: none">» Community gardens» Urban farming» Public agriculture and edible landscaping» Urban livestock» Home gardens» Education and awareness» Soil quality <p>Intended outcome: Increase production, consumption and knowledge of local food in Red Deer.</p>
WHY THIS ACTION MATTERS	<p>There was significant interest in local food and urban agriculture in the engagement feedback during the development of this plan, highlighting an appetite for action in local food. Red Deer has strong agricultural and rural connections. There is a long history of food production in the region, and this action will connect this heritage into the city. An urban agricultural action plan will expand knowledge and capacity in the community, providing guidance for the expansion of production and consumption of local food. This can reduce food miles travelled to Red Deer, increase an understanding of the food system, contribute to local entrepreneurship and build community connections.</p>

RELATED
FOCUS AREAS



ACTION 19

Advance Red Deer’s Leadership in addressing climate change through comprehensive adaptation and mitigation planning

DESCRIPTION

A strong foundation of climate work has been accomplished in the first 5 years of the EMP. This would build on that work to make continued progress. Steps would include:

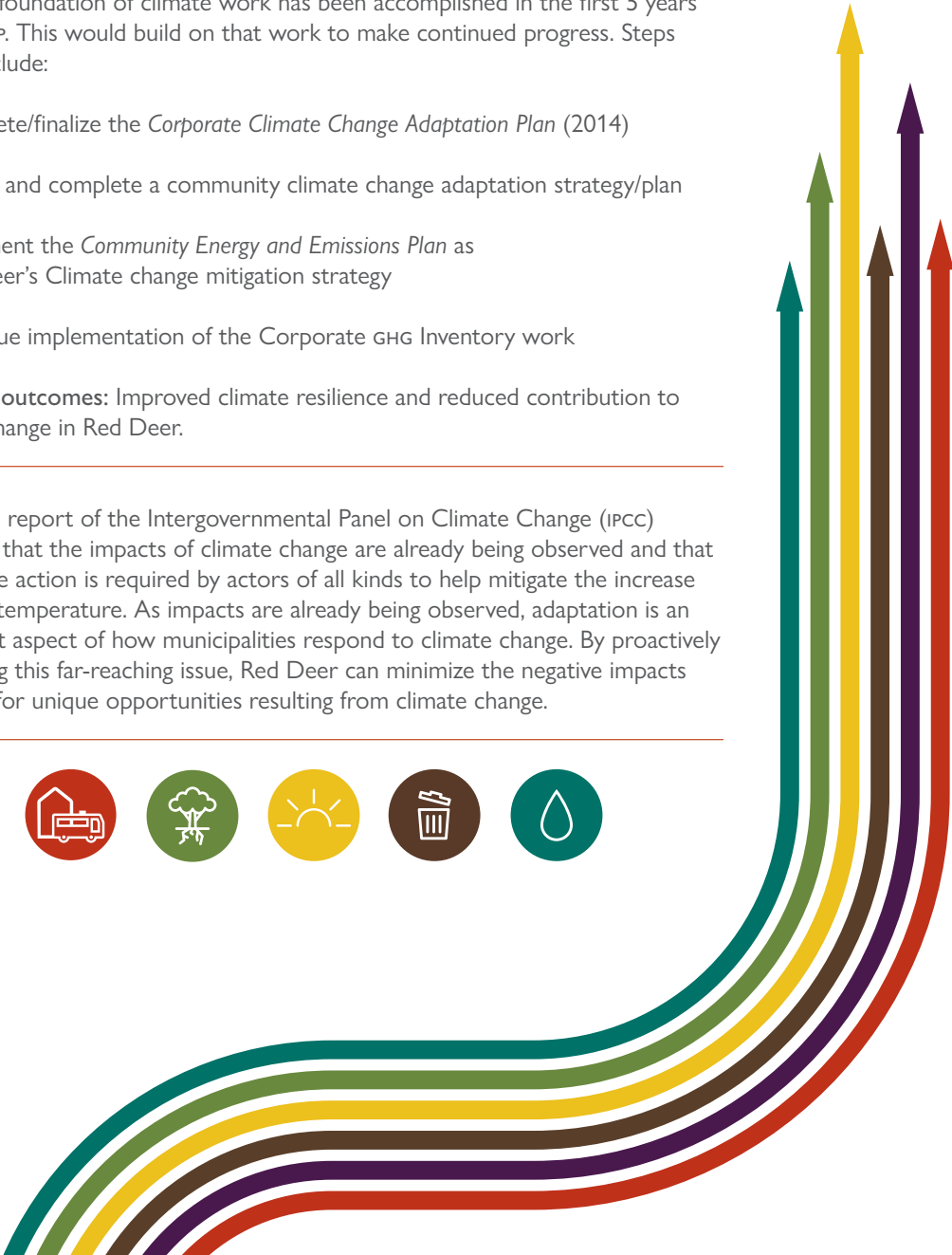
- Complete/finalize the *Corporate Climate Change Adaptation Plan* (2014)
- Launch and complete a community climate change adaptation strategy/plan
- Implement the *Community Energy and Emissions Plan* as Red Deer’s Climate change mitigation strategy
- Continue implementation of the Corporate GHG Inventory work

Intended outcomes: Improved climate resilience and reduced contribution to climate change in Red Deer.

WHY THIS
ACTION MATTERS

The 2018 report of the Intergovernmental Panel on Climate Change (ipcc) highlights that the impacts of climate change are already being observed and that immediate action is required by actors of all kinds to help mitigate the increase of global temperature. As impacts are already being observed, adaptation is an important aspect of how municipalities respond to climate change. By proactively addressing this far-reaching issue, Red Deer can minimize the negative impacts and plan for unique opportunities resulting from climate change.

RELATED
FOCUS AREAS



ACTION 20

Develop a Clean Air Action Plan for Red Deer

DESCRIPTION

Within the first five years of implementing the EMP, air has been a focus area with limited supporting plans or strategies. This action would address this gap and approach air quality in a comprehensive way. The *Action Plan* will need to establish an appropriate balance between regulation, education, incentives and advocacy. Aspects of an *Action Plan* could include:

- Community education and data sharing
- Community idling approach
- Open air burning
- Wood burning
- Impact of vehicles on air quality, including aftermarket parts modification to vehicles

Intended outcome: Improved air quality in Red Deer.

WHY THIS
ACTION MATTERS

Taking a focused approach to improving air quality in Red Deer can have positive impacts on ecosystem health, including soils, vegetation, water and wildlife. Clear air also will improve the health of residents – particularly those with pre-existing health challenges, such as respiratory illness.

RELATED
FOCUS AREAS



2.2 MOVING FORWARD

As action on the refreshed EMP occurs in the coming years, The City of Red Deer will continually look to collaborate with the community in order to realize the vision, goals and targets of this plan. Through the Act-Report-Assess-Adjust framework outlined in Part One, a continual process of improvement will inform the actions that most improve the environmental sustainability of Red Deer today and in the future.



Council Decision – July 8, 2019

DATE: July 10, 2019
TO: Nancy Hackett, Environmental Initiatives Supervisor
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: 2019 Environmental Master Plan
Our Environment, Our Future

Reference Report:

Environmental Services, dated July 8, 2019

Resolution:

At the Monday, July 8, 2019 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer having considered the report from Environmental Services dated July 8, 2019 re: 2019 Environmental Master Plan Our Environment, Our Future hereby approves the 2019 Environmental Master Plan Our Environment, Our Future, as a guiding document.

Report back to Council:

No.

Comments/Further Action:

No.

A handwritten signature in blue ink that reads 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Development Services
Environmental Services Manager



June 24, 2019

Lane Closure Request (Vincent Close / Voisin Close) - Request to Table

Legislative Services

Report Summary & Recommendation:

At the Monday, March 4, 2019 Council Meeting, Council passed the following resolution:

Resolved that Council of The City of Red Deer having considered the petition and supporting requests for lane closure from various neighbourhood residents and the report from Engineering Services dated February 15, 2019 re: Lane Closure Request (Vincent Close/Voisin Close) hereby directs administration to bring back a report within 4 months exploring options with neighbourhood input including:

1. Option #1 west lane closure on a temporary/pilot basis or permanently; or
2. Other operational measures or options that administration considers feasible.

Recommendation:

Due to staff working on high priority projects, Administration is asking that Council consider tabling Lane Closure Request (Vincent Close/Voisin Close) to Q3 to allow Administration time to facilitate neighbourhood input.

City Manager Comments:

I support the recommendation of Administration.

Allan Seabrooke
City Manager

Proposed Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated June 24, 2019 re: Lane Closure Request (Vincent Close/Voisin Close) – Request to Table hereby agrees to table consideration of this matter to Q3 to allow Administration time to facilitate neighbourhood input.



Council Decision – July 8, 2019

DATE: July 10, 2019

TO: Konrad Dunbar, Engineering Services Manager

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: Lane Closure Request (Vincent Close/Voisin Close) – Request to Table

Reference Report:

Legislative Services, dated June 24, 2019

Resolution:

At the Monday, July 8, 2019 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated June 24, 2019 re: Lane Closure Request (Vincent Close/Voisin Close) – Request to Table hereby agrees to table consideration of this matter to Q3 to allow Administration time to facilitate neighbourhood input.

Report back to Council:

Yes. This report will come back to Council in Q3.

Comments/Further Action:

No.

A handwritten signature in blue ink, appearing to read 'F. McDougall'.

Frieda McDougall
Manager

- c. Director of Development Services
Corporate Meeting Administrator



June 24, 2019

Regulating Fireworks in Red Deer

Discussion and Request for Direction from Council

Emergency Services

Report Summary & Recommendation:

In April 2019, the *National Fire Code - 2019 Alberta Edition* replaced the previous *Alberta Fire Code*. The intent of this new code is to harmonize provincial and federal fire regulations. Fireworks, which were previously regulated under the *Alberta Fire Code* and enforced by The City, are not regulated under the new *National Fire Code*.

Under the *Alberta Fire Code*, municipalities were able to regulate the sale and use of consumer fireworks without having a bylaw in place.

The adoption of the *National Fire Code - 2019 Alberta Edition*, means that Alberta municipalities must enact a bylaw if they wish to continue to regulate consumer fireworks.

At the April 1, 2019 Council Meeting, Administration had proposed a Fireworks Bylaw 3623/2019 to regulate the sale, storage, and use of fireworks in Red Deer; Council defeated the proposed Bylaw.

Based on comments from Council and the community, Administration believes there is a benefit to some form of regulation that could be enforced locally. Considering the comments that were raised when the Fireworks Bylaw 3623/2019 was defeated, and based on further research, Administration is presenting three options for Council to review and provide direction that will lead to the development of a corresponding bylaw. The following are options that involve various levels of regulation:

1. Maintain current status – rely on Federal Explosives Act as main body of regulation, (no fireworks bylaw nor local enforcement),
2. Enable Limited Sale and Use - allows consumer fireworks sale and use twice a year on Canada Day (July 1st) and New Year's Eve (December 31st). (Enact a fireworks bylaw and local enforcement),
3. Restrict Sale and Use - replicate the practices that were in place in Red Deer for the previous 35 years (Enact a fireworks bylaw and local enforcement).

Recommendation:

It is recommended that Council adopt option 3 and direct Administration to prepare a bylaw that supports the intent of that option.



City Manager Comments:

I support the recommendation of Administration.

Allan Seabrooke
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Emergency Services dated June 24, 2019 re: Regulating Fireworks in Red Deer Discussion and Request for Direction from Council hereby adopts Option 3 and directs Administration to prepare a bylaw that supports the intent of that option.

Report Details

Background:

In April 2019, the *National Fire Code - 2019 Alberta Edition* replaced the previous *Alberta Fire Code*. The intent of this new code is to harmonize provincial and federal fire regulations. Fireworks, which were previously regulated under the *Alberta Fire Code* and enforced by The City, are not regulated under the new *National Fire Code*.

Under the *Alberta Fire Code*, municipalities were able to regulate the sale and use of consumer fireworks regulations without having a bylaw in place.

The adoption of the *National Fire Code - 2019 Alberta Edition*, means that Alberta municipalities must enact a bylaw if they wish to continue to regulate consumer fireworks.

At the April 1, 2019 Council Meeting, Administration had proposed a Fireworks Bylaw 3623/2019 to regulate the sale, storage, and use of fireworks in Red Deer, Council defeated the proposed Bylaw.

Discussion:

Fireworks have traditionally been regulated across Canada at a Municipal level for safety and enforcement reasons. The explosive nature of fireworks poses an inherent risk of personal injury and damage to property.

The scope of this discussion includes reviewing: regulatory body, enforcement, public safety, sale of fireworks, use of fireworks, and other factors.



Option #1: Maintain current status (effective April 2019) – rely on Federal Explosive Act as main body of regulation.

Regulatory Body:

The sale, storage, and use of fireworks would be regulated by the Federal *Explosives Act*. The primary focus of this legislation pertains to high hazard displays as well as storage and handling of fireworks.

Enforcement:

The *Federal Explosives Act* will continue to apply to various aspects of fireworks, but from a federal level only. This means The City of Red Deer has no powers of enforcement in any way. The enforcement will be provided by Federal Explosive Inspectors (there are currently two assigned to British Columbia, Alberta and Northwest Territories).

Public Safety:

Of all the options presented, this option poses the greatest risk to our community. Emergency Services would be responsible to respond to events of fires, accidents and or complaints, with little to no ability to enforce, Emergency Services would be relying only on education to reduce the risks. Under this option, there would be no regulations to enforce.

Sale of Fireworks:

The *Federal Explosives Act* will continue to apply to the sale of fireworks however, there is very little oversight or enforcement. If The City of Red Deer or Emergency Services has concerns, those concerns will be brought to the attention of Explosives Regulatory Division (ERD), who would then be responsible to follow up. In our conversations with ERD, they DO NOT respond to complaints pertaining to Consumer Fireworks.

Use of Fireworks:

The City of Red Deer has no authority to regulate the use of fireworks in any way. All regulation is deferred to the *Federal Explosives Act*, as previously mentioned, the ERD does not deal with Consumer Fireworks, they rely on the local municipalities to enforce Consumer Fireworks, as they deal with high hazard fireworks as their primary function.

Other Factors:

The *Federal Explosives Act* requires a person who wishes to use Display/Pyrotechnic Fireworks to have written permission by submitting a fireworks display plan to The City, but this does not grant any powers of inspection and enforcement to The City.

In addition to the safety and enforcement concerns, the absence of a bylaw will impact a number of items including, but not limited to:

- Quality Management Plan (QMP)
 - The QMP currently states that Emergency Services may issue a fireworks permit. Without a bylaw The City would not have the ability to issue a permit and so the QMP may need to be amended and brought back to Council.
- Special Events Bylaw
 - The term firework is mentioned in three sections throughout the bylaw and may need to be amended and brought back to Council.



- Fire Underwriters Survey
 - The City's risk rating may increase in future audits, which would potentially cause an increase in insurance costs for The City.

Option #2: Enable Limited Sale and Use - allows consumer fireworks sale and use twice a year on Canada Day (July 1st) and New Year's Eve (December 31st). (fireworks bylaw and local enforcement)

Regulatory body:

A bylaw will allow The City to regulate the sale and use of fireworks.

Enforcement:

A bylaw will allow The City enforcement tools including fines for non-compliance.

Public Safety:

As a part of preparing this report, RDES purchased some consumer fireworks from a local seller. All products came with safety instructions which include recommendations for minimum distances between combustibles and the spectators of the fireworks display. The majority of fireworks require between 40 and 120 meters clearance to spectators and combustible materials. There are very few spaces in residential areas that would accommodate 40 – 120 meters of clearance; therefore the use of consumer fireworks in these areas would pose a risk to citizens and property. Clearances to buildings and hazardous locations, including our urban forest system are also of great concern.

Sale of Fireworks:

Consumer fireworks to be sold during the following time periods without a permit:

- Canada Day (July 1st) and the seven (7) calendar days immediately before Canada Day; and
- New Year's Eve (December 31st) and seven (7) calendar day immediately before New Year's Eve.

Consumer fireworks shall only be discharged on the following days without a permit:

- Canada Day (July 1) and the day before and after Canada Day;
- New Year's Eve (December 31) and the day before and after New Year's Eve

A retailer may acquire, store and sell consumer fireworks in accordance with the *Explosives Act*.

Use of Fireworks:

The City of Red Deer would need to determine where it will allow consumer fireworks to be used on the dates listed above. The City has two options that could be considered.

I. On private property only:

- a. This would restrict use to spaces such as backyards. However, consumer fireworks often require setback distances (fall out zones) of 40 to 120 meters from spectators, buildings, vehicles and dry grass. There are very few



residential lots in Red Deer would have that much space. This would mean that there are virtually no private areas that could use consumer fireworks in compliance with the manufacturer's recommendations.

2. On public property:

- a. This would restrict fireworks use to public property (City-owned land). The City may see increased insurance costs, increased risk to the public and to public property (damage to playground equipment, trees, landscaping etc.), and higher clean up costs.

In consultation with the Canadian National Fireworks Association (CNFA) they have provided a letter of support for option #2. (Attached).

Option #3: Restrict Sale and Use - replicate the practices that were in place in Red Deer for the previous 35 years (fireworks bylaw and local enforcement).

Regulatory body:

A bylaw will allow The City to regulate the sale and use of fireworks to Certified Fireworks Operators.

Enforcement:

A bylaw will allow The City to regulate the use of fireworks including safety plans for review and enforcement for non-compliance.

Public Safety:

A bylaw will help in keeping citizens safe by not allowing indiscriminate use of fireworks at any time. Fireworks will only occur in approved locations with proper fallout zones for public safety.

Sale of fireworks:

A bylaw will allow The City to regulate the sale of fireworks with a restriction on the sale of consumer fireworks but consideration for the wholesale of fireworks.

Use of Fireworks:

Consumer Fireworks would be regulated by the City of Red Deer, and prohibited in most applications, this bylaw would allow a certified fireworks operator to apply for events such as weddings, anniversaries, and cultural events.

Under the former *Alberta Fire Code*, fireworks were restricted in city limits at all times and could only be used with a permit. A bylaw was not necessary at that time as all fireworks were provincially regulated under the *Alberta Fire Code* which was enforced by the City using Safety Code Officers in the Fire Discipline.

Attachment: CNFA Letter of Support



Canadian National Fireworks Association
PO Box 1238
Aldergrove, BC
V4W 2V1

Tel: 604-853-2255
Toll Free: 1-855-652-CNFA (2632)
Fax: 604-852-3469
nationalfireworks.ca

The CNFA (Canadian National Fireworks Association) is pleased to have been given an opportunity to provide input regarding the proposed Fireworks Regulations being presented to the Red Deer City Council by Ken McMullen, Chief of Emergency Services.

While the CNFA generally supports year-round purchasing, as it allows us consistent and regular communication with our vendors to ensure full safety compliance, we appreciate the restrictive purchasing timelines being presented. Despite the one-week proposed sales period before both Canada Day and New Years Eve, the CNFA is confident we can work with approved vendors through certification and or safety workshops, as per the will of Council.

We are committed to working with the municipality, the Emergency Services Department, the general public and of course the vendors, to help ensure that all educational and safety information is provided.

The CNFA has the ability to communicate with the general public through online forums, with social media, and by utilizing local media to help promote awareness opportunities. Additionally we can provide point-of-sale safety information for vendors to distribute to consumers with every product purchase.

We look forward to working with Council, the Red Deer Emergency Services, vendors, and the general public to help ensure safe, responsible, and enjoyable consumer fireworks displays in the City of Red Deer.

Sincerely,

Melanie Sutherland
Acting Executive Director
Canadian National Fireworks Association

Regulating Fireworks in Red Deer Discussion and Request for Direction from Council

Public Comments Received

Amber Senuk

Subject:

FW:

From: Maggie Mertins

Sent: July 05, 2019 1:58 PM

To: City Council <CityCouncil@reddeer.ca>

Subject:

Do not vote fore option 3 with respect to fireworks in Red Deer.



Council Decision – July 8, 2019

DATE: July 10, 2019
TO: Ken McMullen, Emergency Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Regulating Fireworks in Red Deer
Discussion and Request for Direction from Council

Reference Report:

Emergency Services, dated June 24, 2019

Resolution:

At the Monday, July 8, 2019 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Emergency Services dated June 24, 2019 re: Regulating Fireworks in Red Deer Discussion and Request for Direction from Council hereby endorses Option 3 and directs Administration to prepare a bylaw that supports the intent of that option.

Report back to Council:

Yes. A Bylaw supporting the intent of Option 3 will come back to Council at a future date.

Comments/Further Action:

No.

A handwritten signature in blue ink, appearing to read 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Protective Services
Corporate Meeting Administrator



June 3, 2019

Loan Bylaw – Red Deer Pickleball Club

Financial Services

Report Summary & Recommendation:

The Red Deer Pickleball Club entered into an agreement to contribute \$100,000 towards the construction of pickleball courts. An initial payment of \$50,000 has been made but The Club has requested that the remaining \$50,000 be paid over 2020 & 2021 as allowed in the agreement. This requires that a loan bylaw be approved by Council.

It is recommended that Council approve 1st reading of the loan bylaw with the following terms:

1. Amount of \$50,000
2. Payments of \$25,000 due December 31, 2020 and December 31, 2021
3. Interest rate of 0%

City Manager Comments:

I support the recommendation of Administration. If first reading of Bylaw 3627/2019 is given, this bylaw will be advertised for two consecutive weeks with second and third reading to be held on Monday, August 19, 2019.

Allan Seabrooke
City Manager

Proposed Resolution

That Bylaw 3627/2019 be read a first time.



Report Details

Background:

Council approved funds to construct pickleball courts in the amount of \$1,015,000 as part of the 2018 Capital Budget. Council also approved an additional \$335,000 for this project at the May 14, 2018 Council meeting, bringing the total project amount to \$1,350,000. The funding for the project included a contribution from the Red Deer Pickleball Club (The Club) of \$100,000. An agreement was signed with The Club with the contribution to the project to be provided by December 31, 2019. The agreement did allow for the contribution to be paid over a three year period, 2019 – 2021, if required.

The Club has made a \$50,000 payment in 2019 but has now requested that the remainder of the contribution be paid in 2020 and 2021 as allowed in the agreement.

Discussion:

Due to the request that the remaining contribution be paid in 2020 and 2021, The City has effectively loaned funds to The Club. As required under the Municipal Government Act (MGA), a loan does require that Council approve a loan bylaw. The loan bylaw indicates that two payments of \$25,000 each will be made in 2020 and 2021.

While recognized as a loan bylaw under the MGA, because this was originally classified as an accounts receivable and interest was not contemplated in the agreement with The Club, the interest rate within the bylaw is set at 0%.

After first reading of the bylaw advertising will occur for two consecutive weeks and then the bylaw will be brought back to Council for second and third readings.

Analysis:

Approval of the loan bylaw is necessary to comply with the option to pay over time in the agreement with The Club and the requirements of the MGA. By approving an interest rate of 0% The City would forego \$1,725 in interest between 2020 and 2021 based on the current short term investment rate of 2.3%. There is the risk of The Club being unable to repay the loan. This is deemed to be a low risk given the payment already made and the small amount of the loan.

BYLAW NO. 3627/2019

WHEREAS, pursuant to Section 265 of the *Municipal Government Act*, RSA 2000, c.M-26 a municipality may lend money to a non-profit organization provided that the loan is authorized by a bylaw;

AND WHEREAS, the City has developed Pickleball courts and amenities (the “Courts”) on Plan 1621294 Block 2 Lot 3MR (the “Lands”) for the purpose of providing affordable access to recreation opportunities within the municipality;

AND WHEREAS, the City owns the Lands and the Red Deer Pickleball Club (the “Club”) would like to provide a financial contribution, over time, towards the cost of the design, construction and installation of the Courts on the Lands;

AND WHEREAS, Council has deemed this loan to be for a purpose that will benefit the municipality;

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

- 1. Council hereby authorizes a loan to the Club for the purpose of the Club assisting with the design, construction and installation of the Courts on the Lands.

The following terms apply:

- (a) Principal amount: \$50,000.00
- (b) Interest rate: 0% per annum
- (c) Term: 2 years
- (d) Terms of loan: \$25,000.00 due December 31, 2020
\$25,000.00 due December 31, 2021

- 2. The City Manager is authorized to enter into a loan agreement with the Club on the terms set out in this bylaw and in a form satisfactory to the City Solicitor.
- 3. The source of the funds loaned is from the Capital Projects Reserve.
- 4. This bylaw shall come into effect on the day it is passed.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2019
READ A SECOND TIME IN OPEN COUNCIL this	day of	2019
READ A THIRD TIME IN OPEN COUNCIL this	day of	2019
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2019

MAYOR

CITY CLERK



July 8, 2019

Commercial and Multi-family Garbage Contract Utility Bylaw Amendment 3606/C-2019

Environmental Services

Report Summary and Recommendations:

This report requests first reading of amendments to the Utility Bylaw that address two main changes to multi-family and commercial waste/garbage collection. These recommended changes would come into effect on January 1, 2021.

- 1) The City currently picks up garbage from 494 multi-family (3 or more residential units) customers. There are 50 multi-family customers who choose to use a private service. The bylaw amendments make it mandatory for these customers to use the City service however the bylaw also builds in a 1.5 year transition period with an opportunity for extension.
- 2) Commercial (businesses, industrial and institutional) customers are currently required to use the City for bins 6 cubic yards and smaller and can choose a private contractor to pick up their garbage in bins larger than 6 cubic yards. Under the proposed bylaw changes, Businesses will be able to select either the City or Private Contractor for any size bin.

This report does not include any changes to organics or recycling programs. This phase will begin exploration in 2020 with possible implementation in 2021.

Administration recommends first reading of Bylaw 3606/C-2019 with second and third reading to occur on August 19, 2019. This allows consultation time with those impacted customers.

City Manager Comments:

These amendments only deal with Commercial and Multi-family garbage collection. These amendments are another small step in achieving The City's overall goals in the Waste Management Master Plan. If first reading of Bylaw 3606/C-2019 is given this bylaw will come back for second and third reading at the Monday, August 19, 2019 Council Meeting. This allows time for consultation with those who may experience a change from the amendments.

Allan Seabrooke
City Manager

Proposed Resolution:

That Bylaw 3606/C-2019 be read a first time.



Report Details

Rationale for Recommendation

1. Alignment with The City Waste Management Master Plan
2. Creates consistency with Multi-family garbage collection and allows 1.5 year timeframe (until January 1, 2021) for the 50 customers to transition. As well for those extenuating circumstances, the City Manager has the ability to grant further extension.
3. Commercial customers will still have the flexibility to choose to have garbage collection by The City or private contractor however The City will now offer to pick up bins larger than 6 cubic yards.
4. Collection of all multi-family waste by The City creates the foundation for the expansion of an organics program for multi-family sites.

Background:

Commercial waste collection has been a part of The City's waste collection contracts since 1961. The City contract for commercial waste collection was adopted in order to reduce the total cost of garbage collection, for both residential and commercial customers, by providing the successful contractor with a greater economy of scale. It also guaranteed that a service provider for commercial garbage collection was available to city businesses and provided collection rates determined through a competitive procurement process.

Current Situation

The City provides a number of different waste/garbage collection services to different customer types. These include:

Single family households, including duplexes, receive Cart based collection of garbage, recycling and organics. These services are provided by The City only. The proposed bylaw amendments do not change this service.

Multi-family residential properties are properties with 3 or more dwelling units. 494 customers use front load bins picked up by The City and 50 use a private contractor.

Commercial businesses, including industrial businesses and institutions, receive garbage collection services based on the following:

- a) If a business uses front-load containers for garbage collection, and the container size is six cubic yards or less, the service must be City provided.



- b) If a business uses front-load bins or other containers for garbage collection that are larger than six cubic yards, the business would use a private sector garbage provider.
- c) If a business generates a small volume of waste, they can receive City provided collection of their waste using a Black Cart. This service was previously called “Commercial Hand Pick-up” and applies only to a few businesses.
- d) If a business generates a small volume of waste, they can arrange to have it dealt with on their own, potentially directly hauling to the Waste Management Facility.

See Appendix A Current and Proposed

Collection Exceptions

The City’s garbage collection program does have a few exceptions whereby the customer needs to dispose of these items on their own or hire a private contractor. These include:

- Large household items, such as furniture
- Garbage in on-site mechanical compactors, roll-off bins
- Garbage produced in the process of constructing, altering or repairing a building
- Waste not accepted at the Waste Management Facility
- Waste of any kind generated from the Michener Centre.

Recycling and Organics

The City does not provide organics collection services to multi-family and does not provide recycling or organics collection services to commercial customers however the intent is to begin reviewing this option in 2020 with possible implementation in 2021.

Discussion:

A summary of the changes in the bylaw are as follows:

Section 104(b): Add in a start date of January 1, 2021 this removes the Cities exclusive right to collect bins 6 cubic yards and smaller, allowing private contractors to collect smaller bins.

Section 106(1): Clarifies that section 106(1) shall be in effect until December 31, 2020 then section 106.1 shall apply.

Section 106.1: A new section that would come into effect on January 1, 2021. Subsection (2) is the same. Subsection (3) provides the ability for the City Manager to exempt a multi-family from City garbage and recycling collection if the infrastructure is incompatible and they can get a comparable private collection service. Subsection (4) allows the City Manager to extend the 1.5 year transition period under reasonable circumstances.

Section 107(2): Changed section reference to 104 from 103.

Section 108(2): Deleted the words “in the case of detached and semi-detached dwelling units” because the type of unit is not applicable in this section. The remainder is unchanged.



Section 114(1): Added in the date where this section will be in effect until-December 31, 2020. After that time The City will be picking up all multi-family garbage respective of the transition period.

Consultation

The changes to the multi-family garbage collection will impact 50 customers who are currently using a private contractor. If Council gives first reading, then administration will reach out to these 50 customers to explain the change, the 1.5 year transition period and work together on a plan for the transition. Feedback will be brought back to Council on August 19, 2019.

The 952 commercial customers who are currently using the service will not see a change to their existing service. If approved, they will be notified that they have the option of The City picking up bins larger than 6 cubic yards.

There are estimated to be over 500 commercial customers who use a private contractor. The City does not have exact numbers. Many of these commercial customers have no other option than using a private contractor because their bins are larger than 6 cubic yards. If approved, they will now be able to consider The City as a service provider. It will not be mandatory to use The City.

Financial Impact:

In 2018, commercial waste bin collection revenue contributed \$271,000 to tax-supported operations through the municipal consent access fee (MCAF). This compares to the MCAF of \$294,000 in 2017 and \$280,000 in 2016.

There has been a nominal (1-2.5%) decline of customers over the last few years. Many of these customers have chosen a private contractor because The City did not collect bins larger than 6 cubic yards. For the larger commercial customers there is efficiency in choosing the larger bins. It is anticipated that there could be an increase in revenues with a portion of these commercial customers returning to City service.

For multi-family, it is anticipated that there will be a small increase due to the 50 customers needing to use City services for garbage collection. This will be realized over a long period of time due to the 1.5 year transition period.

The rates for City collection services are publicly posted for private companies to compare.

Waste Management – Commercial and Multi-family Garbage Collection
Appendix A-Current and Proposed



	Multi-Family Residential (3 or more dwelling units)		Commercial Garbage Collection (Industrial, Commercial, Institutional)	
<u>Current</u>	<p>If the bin is < 6 cu.yds supply and pick up by the City.</p> <p>494 Customers</p>	<p>If the bin > 6 cu.yds, or if using other containers, supply and pick-up by private company.</p> <p>50 Customers</p>	<p>If the bin is < 6 cu.yds supply and pick up by the City.</p> <p>952 Customers</p>	<p>If the bin > 6 cu.yds, or if using other containers, supply and pick-up by private company.</p> <p>500+ Customers</p>
<u>Proposed January 2021</u>	<p>The City will supply and pick up all bins.</p> <p>1.5 years to transition to City service.</p> <p>Can use a private contractor if the City Manager grants exception under reasonable circumstances.</p>		<p>The City can supply and pick up bins of all sizes.</p>	<p>Private company can supply and pick up bins of all sizes.</p>

BYLAW NO. 3606/C-2019

BEING a Bylaw to amend Bylaw No. 3606/2018, the *Utility Bylaw* of The City of Red Deer as described herein.

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

Bylaw No. 3606/2018 is hereby amended as follows:

1. Section 104(2)(b) is deleted and replaced with the following:
 - (b) until December 31, 2020, Garbage in on-site mechanical compactors, roll-off bins, or Containers of a capacity greater than 6 cubic yards;
2. Section 104(2)(b.1) is inserted as follows:
 - (b.1) from January 1, 2021, Garbage in on-site mechanical compactors, roll-off bins, or Containers;
3. Section 106 is deleted and replaced with the following:

RESIDENTIAL WASTE - MULTI-FAMILY AND MULTI-ATTACHED BUILDINGS

- 106 (1) Section 106 shall be applicable until December 31, 2020, after which time Section 106.1 shall apply.
- (2) The City shall provide weekly collection of Recyclables for all Multi- Family and Multi-Attached Buildings.
 - (3) The City shall provide weekly collection of Garbage for all Multi-Family and Multi-Attached Buildings except where the building owner has made provisions for others to collect such Garbage; in which case, Garbage must be collected at least once per week.
4. Section 106.1 is inserted as follows:

106.1 (1) Section 106.1 shall be applicable as of January 1, 2021.

(2) The City shall provide weekly collection of Garbage and Recyclables for all Multi-Family and Multi-Attached Buildings.

(3) Notwithstanding subsection (2), the City Manager may allow a Multi-Family or Multi-Attached Building to opt out of City-provided collection services and use a private collection service provider if the Property Owner or agent can demonstrate that the following is met, to the satisfaction of the City Manager:

(a) the existing collection infrastructure at the Multi-Family or Multi-Attached Building is incompatible with City-provided collection services and no reasonable solution is available; and

(b) the collection services provided by the private collection service provider will be at least equivalent to City-provided collection services including, but not limited to, the frequency of collection and the collection of the same types of Recyclables.

(4) Notwithstanding subsections (2) and (3), the City Manager may, on a case by case basis, extend the period of time set out in subsection (1) if, in the opinion of the City Manager, there are reasonable circumstances to allow for such an extension and the condition set out in subsection (3)(b) is met.

5. Section 107(2) is deleted and replaced with the following:

(2) Subject to the provisions of Section 104, the Property Owner or Occupant of Non-residential Premises may choose to have Garbage from the premises collected by The City or by a private contractor.

6. Section 108(2) is deleted and replaced with the following:

(2) The monthly charge for Waste Collection Services will apply even where no Waste is set out for collection. The monthly charge shall be a debt due to The City whether the Property is occupied or not. The Property Owner shall be liable to pay the monthly charge where the Utility account with the Occupant has been terminated for any reason.

7. Section 114 is deleted and replaced with the following:

NON-RESIDENTIAL WASTE

114 (1) Section 114 shall be applicable until December 31, 2020.

(2) The owner or Occupant of non-residential lands or premises may remove their own Waste at their own cost and expense by employing the services

of their own workers or employees, but such owner or Occupant shall not contract such work out to any party other than the Waste Collection Service contractor. This prohibition does not apply to the removal of the types of Waste which are listed as exceptions in Section 104(2).

- (3) Any Person who breaches the provisions of subsection (1), in addition to their liability to be prosecuted for an offence under this Bylaw, shall be liable for and make payment to The City of the fees and charges for removal and disposal of Waste which such Person would have had to pay had such Person used the services of the Waste Collection Service contractor for such purpose.
- (4) This section does not apply to removal of Waste from the Michener Centre.

8. This bylaw shall come into force and effect when it has received third reading.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2019
READ A SECOND TIME IN OPEN COUNCIL this	day of	2019.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2019.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2019.

MAYOR

CITY CLERK

UTILITY BYLAW NO. 3606/2018**Table of Contents**

PART 1 – SHORT TITLE.....	1
SHORT TITLE AND ESTABLISHMENT OF UTILITIES	1
PART 2 – GENERAL PROVISIONS	1
DEFINITIONS	1
DELEGATION	1
SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT	2
ASSIGNMENT OF CONTRACT	2
CITY RESPONSIBILITY AND LIABILITY	2
APPLICATION FOR SERVICE	2
CONDITIONS OF SERVICE	3
DEPOSITS	4
INTEREST ON DEPOSITS	5
REFUND OF DEPOSIT	5
SERVICE CHARGE	5
AFTER HOURS CALLS	5
DISCONNECTION	5
RECONNECTION	6
WINTER INSTALLATION	6
UTILITY CHARGES AND PAYMENT OF UTILITY ACCOUNTS	6
BILLING ERRORS	7
LATE PAYMENT PENALTY	7
NOVELTY PAYMENT METHODS	7
INTERIM UTILITY BILL	7
ENFORCEMENT	8
APPEALS	8
REASONABLE NOTICE	8
TERMINATION OF ACCOUNT BY CUSTOMER	9
TERMINATION BY THE CITY UPON NOTICE	9
TERMINATION WITHOUT NOTICE	9
REQUIREMENT FOR ACCOUNT	10
AUTHORIZATION TO ENTER PREMISES	10
SERVICE REMOVAL AND BUILDING DEMOLITION	11
CONNECTION TO UTILITY SERVICE	11
UTILITY CONNECTION & RATE EXCEPTIONS	13
ABANDONED BUILDING SEWER CONNECTIONS	14
SAMPLING AND MONITORING	14
SPILLS	15
POWER AND AUTHORITY OF INSPECTORS	17
OFFENCES AND PENALTIES	18
PART 3 - WATER UTILITY	20
WATER SERVICE BILLING RATES	20
CONNECTION TO CITY WATER SUPPLY	20
CONTINUOUS WATER SUPPLY NOT GUARANTEED	20
INSPECTION OF PREMISES	21
WATER USE RESTRICTIONS	21

WASTAGE	21
REQUIREMENT TO USE LOW-FLOW PLUMBING FIXTURES	22
UNAUTHORIZED USE OF WATER	22
INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE	23
PRESSURE SURGES	24
CONTAMINATION	24
MEASUREMENT BY METER	24
METER INSTALLATION AND MAINTENANCE	24
INSTALLATION RESPONSIBILITY	24
METER CHAMBER	25
METER SIZE	25
BYPASSES	26
METER VALVING	26
PROTECTION OF METER	26
NON-REGISTERING METER	27
TESTING OR CALIBRATION OF DISPUTED METERS	27
METER READING	28
ADDITIONAL METER READS	29
PRIVATE SERVICES	29
USE OF GROUNDWATER WELLS	29
FIRE PROTECTION SERVICE	29
FIRE HYDRANTS	29
PERMIT TO USE WATER FROM A FIRE HYDRANT	30
TEMPORARY WATER SERVICE	31
THAWING SERVICES	31
SERVICE SIZE	31
BOILERS	32
REQUESTED WATER SHUT OFF	32
BACKFLOW PREVENTER	32
PART 4 - WASTEWATER UTILITY	33
WASTEWATER UTILITY SERVICE LEVY AND BILLING RATES	33
WASTEWATER CONNECTION EXCEPTIONS	33
PROHIBITED DISPOSAL OF WASTEWATER	34
CLEANOUTS	34
BACKFLOW VALVES	34
PLUGGED WASTEWATER SEWERS	34
TREES AND ROOTS	35
CONNECTION TO WASTEWATER SEWER	35
STORM WATER / GROUND WATER DISCHARGE TO WASTEWATER SEWER	35
PROHIBITED SUBSTANCES IN WASTEWATER	36
DISCHARGE OF PROHIBITED SUBSTANCES	38
OVERSTRENGTH SURCHARGE	38
COST OF SAMPLING	39
DENTAL AMALGAM SEPARATOR	39
GREASE, OIL, & SOLIDS INTERCEPTION	39
CUSTOMER SELF-MONITORING	40
MANHOLES	41
DISCONNECTION OF SEWER	41

PRIVATE WASTEWATER DISPOSAL	42
HAULED WASTEWATER	42
BEST MANAGEMENT PRACTICE	42
PART 5 - STORM WATER UTILITY	43
CONNECTION TO STORM WATER SEWER	43
CLEANOUTS	43
BACKFLOW VALVES	44
TREES AND ROOTS	44
OIL AND GRIT INTERCEPTION	44
PRIVATE STORM WATER SEWER SYSTEMS	45
PROHIBITED STORM WATER SEWER USE	45
DISCHARGE OF PROHIBITED SUBSTANCES IN STORM WATER	47
CITY STORM WATER SEWER USE	47
DISCONNECTION OF STORM WATER SEWER	47
PART 6 - WASTE MANAGEMENT UTILITY	48
SCOPE OF WASTE MANAGEMENT UTILITY	48
EXCLUSIVE CONTRACTS FOR WASTE MANAGEMENT SERVICES	48
RESIDENTIAL WASTE - DETACHED AND SEMI-DETACHED DWELLING UNITS	49
RESIDENTIAL WASTE - MULTI-FAMILY AND MULTI-ATTACHED BUILDINGS	50
COMMERCIAL WASTE	51
CHARGES AND FEES	51
ADMINISTRATION OF SOLID WASTE SERVICE	52
USE OF THE SOLID WASTE UTILITY SERVICE AND DISPOSAL GROUNDS	53
CONTAINMENT OF SOLID WASTE	54
DISPOSAL OF SOLID WASTE	55
RESIDENTIAL SOLID WASTE COLLECTION	55
NON-RESIDENTIAL SOLID WASTE	55
HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL SOLID WASTE	56
BURNING	57
SOLID WASTE FROM OUTSIDE THE CITY	57
PART 7 - GENERAL	57
REMAINDER ENFORCEABLE	57
EFFECTIVE DATE	57
REPEAL OF PREVIOUS BYLAW	57
SCHEDULE A – DEFINITIONS	58
SCHEDULE B – WATER RATES	58
SCHEDULE C – WASTEWATER RATES	58
SCHEDULE D – BILLING AND SERVICE FEES	58
SCHEDULE E – SOLID WASTE COLLECTION RATES	58
SCHEDULE F – SPECIAL WATER AND WASTEWATER RATES	58

BYLAW NO. 3606/2018

Being a Bylaw of The City of Red Deer to provide for the supply and use of the Water, Wastewater, Storm Water and Waste Management utilities of The City of Red Deer.

Background

A Council has authority under the Municipal Government Act, to pass bylaws respecting the safety, health and welfare of people. Council of the City of Red Deer has deemed it appropriate to provide for the establishment and operation of certain public Utility Services, including provision for the terms and conditions under which such utilities will be provided.

COUNCIL HEREBY ENACTS AS FOLLOWS:**PART 1 – SHORT TITLE****SHORT TITLE AND ESTABLISHMENT OF UTILITIES**

- 1 (1) This Bylaw may be called "The Utility Bylaw".
- (2) The City of Red Deer hereby establishes the following municipal utilities: Water, Wastewater, Storm Water and Waste Management).

PART 2 – GENERAL PROVISIONS**DEFINITIONS**

- 2 Words and phrases in this Bylaw shall have the meanings set out in Schedule A.

DELEGATION

- 3 City Council hereby delegates to the City Manager all those powers stipulated by this Bylaw to be exercised by the City and all necessary authority to carry out those powers, except those powers which are reserved exclusively for Council under the Municipal Government Act, or reserved for other Persons pursuant to the provisions of this Bylaw. The City Manager may delegate any powers, duties or functions granted under this Bylaw to another employee of the City.

SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

- ¹⁴ (1) All Carts, meters and metering equipment shall be supplied, owned and maintained by The City unless otherwise provided in this Bylaw.
- (2) Notwithstanding the payment by a Customer of any costs incurred by The City, The City shall retain full title to all lines, equipment and apparatus on its side of the point of delivery, and to all meters and metering equipment provided by it.

ASSIGNMENT OF CONTRACT

- 5 A contract for a Utility Service is not transferable and shall remain in full force and effect until terminated by the Customer or The City as provided herein.

CITY RESPONSIBILITY AND LIABILITY

- 6 (1) The City does not guarantee the continuous uninterrupted supply of any Utility Service but reserves the right to suspend the supply of a Utility Service at any time without notice where required in the maintenance or operation of the Utility Service.
- (2) The City and its officers, employees and agents shall not be liable for any damages of any kind due to or arising out of:
- (a) a failure to provide a Utility Service;
 - (b) the interruption of service due to maintenance or operational requirements, or due to reasons beyond The City's control; or
 - (c) the disconnection or removal of a Utility Service in accordance with this Bylaw.

APPLICATION FOR SERVICE

- 7 (1) A Person requesting a Utility Service shall apply to The City for a Utility Service account by completing an application form and providing such information as The City may require, including credit references, confirmation of the identity and legal authority of the Customer, and information respecting load and the manner in which the services will be utilized.
- (2) The Customer shall pay an application fee as set forth in Schedule D.

¹ Bylaw 3606/B-2019

- (3) The City may establish procedures for the creation of a contract for Utility Services by telephone, fax, internet or other electronic means, or may require the Customer to sign a contract for service.
- (4) The Utility Service account shall be set up:
 - (a) in the name of the Property Owner; or
 - (b) in the name of the Occupant(s) of a Property where the Utilities are requested by an Occupant of the Property. Where the Occupants are Tenants, all of the Persons named as Tenants in the landlord-Tenant agreement or any other rental agreement shall be jointly and severally liable for the Utility account, regardless of which Tenant's name the account is opened in. At the discretion of The City, a copy of the rental agreement may be required with the application for service; or
 - (c) in the name of the general contractor in the case of a new building under construction, where the Utilities are requested by the general contractor.
- (5) Notwithstanding subsection (2), The City may waive the application fee in the case of a mortgage lender which acquires title to a Property as part of the process of foreclosure.
- (6) The establishment of a Utility Service account creates an agreement between the Customer and The City, of which the provisions of the application form and the terms of this Bylaw shall form a part.

CONDITIONS OF SERVICE

- 8 (1) Upon receipt of all required information and fees, verification of the Customer's identity and the accuracy of the information, the City will advise the Customer whether and on what terms the City is prepared to supply Utility Services to the Customer, the type and character of the connections it is prepared to approve for the Customer, and any conditions (including without limitation, payments by the Customer) that must be satisfied as a condition of the supply of the Utility Services.
- (2) The City is not obliged to supply Utility Services until the Customer has provided The City with access to the premises to which the Utilities are to be provided, so to enable The City to inspect the physical connections for such Utility and to obtain an initial meter reading for each metered Utility Service.

- (3) No new Utility account will be opened for anyone who is already indebted to The City for Utility Services unless satisfactory arrangements for payment of the outstanding amount have been made.

DEPOSITS

- 9 (1) Deposits are required to establish a Utility account, for the following cases:
- (a) Customers who are unable to establish or maintain creditworthiness satisfactory to The City; or
 - (b) where payment of a Utility account in the name of the applicant is in arrears; or
 - (c) where a Utility Service to a Property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of a Utility account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's Utility account has been written off as a bad debt; or
 - (f) where collection proceedings, including legal action or referral to a collection agency, have been commenced in respect of the applicant's previous Utility account; or
 - (g) where the applicant has not maintained an existing or previous Utility account in good standing; or
 - (h) at the discretion of The City.
- (2) Before a new Utility account is opened, the Customer shall provide a guarantee of payment in a form acceptable to The City, in the amount set forth in Schedule D.
- (3) Customers opening a new account due to a change of residence within the City shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
- (4) The City may waive the requirement for a deposit if The City is satisfied as

to the creditworthiness of the applicant.

- (5) The City may apply a deposit to any amount owed to The City whatsoever by the Customer whether in relation to the Customer's Utility account or otherwise, as determined by The City in its sole discretion.

INTEREST ON DEPOSITS

- 10 Interest on each Customer's cash security deposit shall be calculated annually and credited, not in advance, at the rate specified to be paid on security deposits under the *Residential Tenancy Act*, RSA 2004 Ch. R-17.1.

REFUND OF DEPOSIT

- 11 When a Customer has established and maintained creditworthiness satisfactory to The City, or upon termination of the Utility Service agreement, the deposit shall be refunded, together with accrued interest, after deducting any amount owed to The City whatsoever by the Customer whether in relation to the Customer's Utility account, including the cost of shutting off or discontinuing any Utility Service for non-payment, or otherwise, as determined by The City in its sole discretion. The deposit will be applied against any active Utility account in the Customer's name or refunded within 3 months of the final bill due date to the address on the account, or such other address provided by the Customer.

SERVICE CHARGE

- 12 When a Customer requests that The City attend at the Property to which the Utility Service is being supplied with respect to any matter relating to the supply of Utility Services or the servicing of the same, and if for any reason whatsoever The City is unable to enter the said premises, or if the call is for failure of service not attributable to The City, the Customer shall pay a service charge fee as set forth in Schedule D.

AFTER HOURS CALLS

- 13 The Customer shall pay the applicable afterhours fee as set forth in Schedule D for service calls after 4:00 p.m. or before 7:30 a.m., Monday through Friday, or on a Saturday, Sunday, or statutory or civic holiday. The afterhours fee shall also apply if a meter is required to be installed or connected, or should a Utility Service be required to be disconnected or reconnected during such times.

DISCONNECTION

- 14 The Customer shall pay a disconnection service charge as set forth in Schedule D where a Utility Service is disconnected.

RECONNECTION

15 Before the City reconnects or restores Utilities Services, the Customer shall:

- (a) pay any amount owed by the Customer to the City for Utility Services or , at The City's discretion, make arrangements for payment satisfactory to the City;
- (b) pay the applicable deposit as set forth in Schedule D;
- (c) Pay the applicable reconnection service charge as set forth in Schedule D.

WINTER INSTALLATION

16 The cost payable by the Customer for installing a service between October 1st of any year and May 15th of the following year shall be increased by the amount set forth in Schedule D.

UTILITY CHARGES AND PAYMENT OF UTILITY ACCOUNTS

- 17 (1) The rates and charges for Utility Services shall be those set out in the Schedules to this Bylaw or as otherwise established by resolution of Council from time to time.
- (2) All rates and charges shall be paid to The City within the time prescribed by this Bylaw. The Utility bill is deemed received seven (7) days after the mailing date. A Customer is responsible to pay the amounts owing in a Utility bill whether or not the Customer has received it.
- (3) The whole amount owing in a Utility account is payable upon receipt and the account will be deemed to be in arrears if payment is not made on or before the due date stated on the bill.
- (4) Any charge on a Customer's account remaining unpaid after the due date will be in arrears and constitute a debt owing to the City recoverable by any or all of the following methods:
- (a) The City may discontinue the supply of all or any Utility Services;
 - (b) The City may draw on the deposit held by the City;

- (c) The City may terminate the Customer's account;
- (d) The City may add the outstanding account balance to the tax roll of an Owner of a Property, if the account is in the Owner's name;
- (e) By action in any Court of competent jurisdiction; or
- (f) By distress and the sale of the goods and chattels of the Customer wherever they may be found in the City.

BILLING ERRORS

- 18 Where a Customer has been charged less or more than they should have been charged for Utility Services provided, The City will review the account and make corrections for the billing errors for up to a maximum of 12 months prior to the date the error is discovered. Corrections will not be made for billing errors in respect of Utility Services provided more than one year prior to the date the billing error is discovered.

LATE PAYMENT PENALTY

- 19 If The City has not received payment in full by the due date on the front of the bill, whether the payment is made at a financial institution or directly to The City, a late payment fee in the amount as set forth in Schedule D will be added to the account.

NOVELTY PAYMENT METHODS

- 20 The City may refuse to accept a payment by way of a cheque drawn on a form other than a bank cheque form (a Novelty Cheque), but where The City does so, the Customer shall be liable for and pay to The City all charges and costs incurred to process the Novelty Cheque. The City will follow the Bank of Canada rules and regulations of currency acceptance limitations in respect of payment by cash.

INTERIM UTILITY BILL

- 21 (1) Where The City has not measured the amount of a metered Utility Service, it may issue an interim Utility bill based on estimated consumption and shall credit Utility accounts for all payments made by a Customer against such interim bill.
- (2) Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a

proportionate basis.

ENFORCEMENT

- 22 The City is authorized to collect all accounts owing to The City under this Bylaw, and may take any of the measures a municipality is authorized to take under the *Municipal Government Act, RSA 2000, Chap M-26*.

APPEALS

- 23 (1) A Customer who uses, receives, or pays for Utility Services may appeal a service charge, rate or toll charged under this Bylaw on the grounds that such service charge, rate or toll does not conform to the established public Utility rate structure, has been improperly imposed, or is discriminatory, to the Alberta Utilities Commission.

- (2) A Customer may appeal decisions made by the City Manager or their delegate pursuant to the following sections of this Bylaw:

- (a) Section 18 – Billing Errors
- (b) Section 28 – Requirement for an Account; and
- (c) Section 31 – Connection to Utility Service

to the Red Deer Appeal and Review Board by filing a Notice of Appeal with the Clerk of the Board and paying the applicable filing fee within 14 days of receiving the aforementioned decision, in accordance with the provisions set out in The Appeals Board Bylaw. When hearing an appeal, the Board may confirm, revoke or vary the decision.

REASONABLE NOTICE

- 24 The City shall provide written notice to a Customer of any breach of this Bylaw which may result in The City discontinuing Utility Services. Such notice shall be delivered at least 10 days prior to discontinuance of Utility Services and shall be sent to the Customer as follows:

- (a) in the case of a Customer who is known to be a Tenant at the premises, the notice shall be sent to the address of the premises; and
- (b) in the case of a Customer who owns the Property, the notice shall be sent to the address of the premises and the address provided in the application for service, if different.

TERMINATION OF ACCOUNT BY CUSTOMER

- 25 (1) A Customer is responsible for all charges accruing to the Customer's account until such time as the account is closed.
- (2) When a Customer gives notice to The City that the Customer's account is to be closed, The City shall obtain a final reading of any meter as soon as reasonably practical and the Customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

TERMINATION BY THE CITY UPON NOTICE

- 26 The City may discontinue the supply of any Utility Service for any of the following reasons, after notice has been given pursuant to Section 24:
- (a) non-payment of any Utility accounts;
 - (b) inability of The City to obtain access to premises to read, service or inspect any meter;
 - (c) failure or refusal of a Customer to comply with any provision of this Bylaw;
 - (d) failure or refusal of a Customer to comply with the provisions of any statute or regulation, including the Alberta Building Code; or
 - (e) in any other case provided for in this Bylaw.

TERMINATION WITHOUT NOTICE

- 27 (1) The City may discontinue the supply of a Utility Service without prior notice in the event of any threatened or actual danger to life or Property, or in any other similar circumstances that the City determines, in its sole discretion, acting reasonably, require such action
- (2) The City may discontinue the supply of the Water Utility Service without prior notice for any of the reasons listed above or for any of the following reasons:
- (a) if the Customer has caused, permitted or allowed any piping, fixture, fitting, container or other appliance to be or remain connected to the water supply system which allows or has the potential to allow water from a source other than the Water Utility or any other harmful or

Deleterious liquid or substance to enter the Water Utility;

- (b) failure by a Customer to notify The City within 24 hours after the seal on a bypass is broken;
- (c) failure by a Customer to repair or replace a Backflow Preventer within ninety-six (96) hours of being so directed by The City;
- (d) in the event of an emergency or water shortage as The City deems necessary; or
- (e) in any other case provided for in this Bylaw.

REQUIREMENT FOR ACCOUNT

28 When the premises to which Utility Services is provided becomes vacant and no new application for service has been made, The City may terminate the contract and:

- (a) disconnect the Utility Service; or
- (b) in lieu of disconnecting the service, open a new Utility Service account in the name of the Property Owner and charge the fee set forth in Schedule D to open the account as well as other ongoing charges under Schedules B & C.

Nothing herein shall prevent the Property Owner from requesting that The City discontinue such Utility Service provided the Property Owner pays the service charge prescribed herein.

AUTHORIZATION TO ENTER PREMISES

- 29 (1) In accordance with the Municipal Government Act, The City may, after giving reasonable notice to the Property Owner or occupier of the Property, enter any Property upon which a meter or shut-off valve is situated for the purpose of providing, maintaining or terminating the supply of a Utility Service to that Property.
- (2) The Customer and the Property Owner are responsible to provide The City reasonable access to the meter, shut-off valve and other City infrastructure for the purpose of providing, maintaining or terminating the supply of a Utility Service.
 - (3) The City may remove obstructions that are interfering with the performance of providing, maintaining or terminating the supply of a Utility

Service and may charge the Customer or the Property Owner the costs associated with such removal. The City will use reasonable care to avoid damaging the obstruction during removal.

- (4) If The City cannot access the meter or shut off valve for any reason, The City may charge a no access fee to the Customer or Property Owner as set forth in Schedule D.

SERVICE REMOVAL AND BUILDING DEMOLITION

- 30 (1) No Person shall cause, permit or allow a building to be demolished or removed until Utility Services to the Property are removed and any fee for such removal has been paid. Notwithstanding the foregoing, The City may, in circumstances which The City considers appropriate, permit the service to remain connected to the Utility Service line or main.
- (2) Utility charges will continue in accordance with the rates identified in this Bylaw until all occupiable buildings located on the Property have been demolished.

CONNECTION TO UTILITY SERVICE

- 31 (1) Within one year after a Utility Service becomes available, the owner of every building situated on land abutting on any street in which there is a Water Main or a Wastewater Sewer, shall at the owner's expense connect such building to the water system and install sanitation Facilities, where available, and connect the building to the Wastewater Sewer systems in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this Bylaw.
- (2) The Property Owner shall provide The City with a completed application in the form approved by The City for a permit to make such connection. The application shall include any plans, or specifications as may be required by the City's Engineering Design Guidelines, or other information required by The City.
- (3) No Person may connect to a Utility Service until such time as payment has been made to The City by the Property Owner or prior owner in respect of the cost of construction of the Utility Service (including carrying charges) to serve the land owned or occupied by that Person, or until such Person has made other arrangements satisfactory to The City to pay that Person's proportionate share of those costs.
- (4) The rates, fees and additional charges imposed by The City in respect of The City's Water Utility or Wastewater Utility are intended to provide for

12

Bylaw No. 3606/2018

just and reasonable costs for services for each Customer, so as to achieve a cost structure that is not contrary to the Municipal Government Act or other applicable legislation. Accordingly, The City's rates, and connection fees contemplated within subsection (3) above and (5) below, take into account such factors as, where applicable:

- (a) the size of the service requested and paid for;
 - (b) the size of any increased service requested;
 - (c) the nature and amount of the connection fee payable; and
 - (d) prior payment of capital costs of the Utility Service by a corresponding Property Owner or prior owner of the same lands including, without restriction, developer-paid costs and contributions to the capital costs of Utility Services.
- (5) Without restricting the foregoing, and subject always to subsection (6) below, The City's connection fees contemplated within subsection (3) and (4) above shall apply to:
- (a) each parcel of land contained within an area of The City previously unserved by The City's Water Utility or Wastewater Utility and for which a new Water or Wastewater Service Connection is required or otherwise requested, excluding all those parcels of land contained within the exception areas contemplated within Section 32;
 - (b) each additional parcel which is subsequently subdivided out of any existing lands serviced by The City's Water Utility or Wastewater Utility, where a new Water or Wastewater Service Connection is required for the subdivided parcel;
 - (c) each case of a requested increase in the size and/or capacity of the Service Connection for The City's Water Utility and/or Wastewater Utility, requested by a Property Owner that is already a Customer;
- in each case in the amounts and as more particularly set forth within Schedule D as a condition of connection to and commencement services of The City's Water Utility, Wastewater Utility and/or Storm Water Utility.
- (6) The connection fee specified in subsection (3), (4) and (5) above shall not apply to any parcel in respect of which The City has otherwise received or made arrangements to receive payment of an equivalent appropriate

amount, whether through conditions of development, subdivision or otherwise, as determined by The City.

- (7) Notwithstanding subsection (1), The City shall have the discretion to extend the period of time within which the connection to the Water Main or Wastewater Sewer must be made for such period of time as The City considers is reasonable and subject to review every 5 years or less, provided that such extension of time is consistent with City policies and Council direction, and also provided that the failure to connect:
 - (a) will not jeopardize the health or safety of the Occupants of the building or of other City residents;
 - (b) will not adversely affect the integrity or operation of those utilities; and
 - (c) will not present an undue risk of damage to Property or the environment.
- (8) A Person who has been directed to connect their building to a Utility Service may appeal the direction pursuant to Section 23, Appeals.
- (9) Prior to connecting to a Utility Service, the Property Owner must open a Utility account and make payment of all application rates, fees and deposits that may be required under this Bylaw.
- (10) No Person shall uncover, make any connections with or opening into, use, alter, or disturb any Water Mains, City Water Service Connections, City Sewer Service Connections, Wastewater Sewer, Storm Water Sewer or appurtenances thereof, unless authorized by The City.
- (11) All Water Mains, Wastewater Sewers, and Storm Water Sewers located within The City's Property, right-of-way, or easement shall be constructed by The City's forces or its contractors and shall be maintained by The City.
- (12) All Private Water Service Connections, Private Sewer Connection infrastructure and Facilities on private Property shall be constructed and maintained by the owner's forces at their expense in accordance with the requirements of this Bylaw and the Alberta Building Code.

UTILITY CONNECTION & RATE EXCEPTIONS

- 32 (1) Notwithstanding Section 31 of this Bylaw, the owners of the following Property shall not be subject to payment of applicable connection fees for

14

Bylaw No. 3606/2018

Water Utility, Wastewater Utility and/or Storm Water Utility Service Connection, as the case may be, prior to the hook-up of the corresponding Utility Service, and as a condition of commencement of such services:

- (a) Water Utility – all Property located on Cronquist Place, Cronquist Drive, and Cronquist Close; and
 - (b) Wastewater Utility - all Property located on Cronquist Place, Cronquist Drive, and Cronquist Close.
- (2) Any connection fee received by The City or arrangements made by the City to receive payment of an equivalent amount in respect of the property described in Section 32(1)(a) and Section 32(1)(b) above shall be refunded to the Property Owner and terminated as applicable.
- (3) Without restricting Subsection 3 and 4 of Section 31, and notwithstanding Schedule B and C, all owners of Property within the following areas shall be subject to a special customer class and corresponding rate for services of The City's Water Utility and/or Wastewater Utility services, as the case may be, as a condition of provision of such services:
- (a) Water Utility – all Property located on Cronquist Drive, Cronquist Place and Cronquist Close; and
 - (b) Wastewater Utility – all Property located on Cronquist Drive, Cronquist Place and Cronquist Close.

as more particularly set forth in Schedule F.

ABANDONED BUILDING SEWER CONNECTIONS

- 33 When any Wastewater or Storm Water Private Sewer Connection is abandoned, the Property Owner shall block the connection at the property line to prevent ground water or soil from washing into the City sewer connection. The remainder of the sewer system is to be abandoned in accordance with Provincial Regulations. Any existing septic tanks shall be abandoned by either complete removal, or by filling with sand or gravel.

SAMPLING AND MONITORING

- 34 (1) Where sampling is required for the purposes of determining the concentration of constituents in the Wastewater or Storm Water, the sample may:

15

Bylaw No. 3606/2018

- (a) be collected manually or by using an automatic sampling device; and
 - (b) contain additives for its preservation.
- (2) For the purpose of determining compliance with this Bylaw, discrete Wastewater or Storm Water streams within premises may be sampled, at the discretion of the Inspector.
- (3) The owner or operator of any industrial, commercial or Institutional premises or multi-story residential building shall at all times ensure that every Monitoring Access Point as required by this Bylaw is accessible to the Inspector for the purposes of observing, sampling and flow measurement.
- (4) Any single Grab Sample may be used to determine compliance with any provision of this Bylaw.
- (5) All tests, measurements, analyses and examinations of Wastewater or Storm Water, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with Standard Methods and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Inspector as agreed in writing prior to sample analysis.
- (6) The following businesses require Sampling Ports when it is not possible to install a Monitoring Access Point:
 - (a) dental offices;
 - (b) businesses using photographic processing equipment; or
 - (c) any other businesses deemed necessary by the Inspector.

SPILLS

- 35 (1) In the event of a Spill on the ground or to a Wastewater and/or Storm Water Sewers, the Person responsible for the Spill or the Person having the charge, management and control of the Spill shall immediately notify and provide any requested information with regard to the Spill to:
- (a) 911 emergency if there is any immediate danger to human health and/or safety; or
 - (b) if there is no immediate danger:

16

Bylaw No. 3606/2018

- (i) The City by contacting the Environmental Services Source Control 24 Hour # 403-342-8750;
 - (ii) the owner of the Property where the release occurred; and
 - (iii) any other Person whom the Person reporting knows or ought to know may be directly affected by the release.
- (2) Thereafter, that Person shall provide a detailed report on the Spill to The City, within five working days after the Spill, containing the following information to the best of their knowledge:
 - (a) name and telephone number of the Person who reported the Spill and the location and time where they can be contacted;
 - (b) location where Spill occurred; date and time of Spill; material spilled; characteristics and composition of material spilled; volume of material spilled; duration of Spill event;
 - (c) work completed and any work still in progress in the mitigation of the Spill;
 - (d) preventive actions being taken to ensure a similar Spill does not occur again; and copies of completed Spill prevention and Spill response plan.
- (3) The Person responsible for the Spill, the Person having the charge, management and control of the Spill and the owner of the Property where the Spill occurred shall do everything reasonably possible to contain the Spill, protect the health and safety of citizens, minimize damage to Property, protect the environment, clean up the Spill and contaminated residue, and restore the affected area to its condition prior to the Spill.
- (4) Nothing in this Bylaw relieves any Persons from complying with any notification or reporting provisions of:
 - (a) other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill; or
 - (b) any other Bylaw of The City.
- (5) The City may invoice the Person responsible for the Spill, the Person having the charge, management and control of the Spill and/or the owner of the Property where the Spill occurred to recover all costs arising as a result of the Spill and such Person(s) shall pay the costs invoiced.

- (6) The City may require the Person responsible for the Spill, the Person having the charge, management and control of the Spill and/or the owner of the Property where the Spill occurred to prepare and submit a Spill contingency plan to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

POWER AND AUTHORITY OF INSPECTORS

- 36 (1) An Inspector or other designated officer of The City may in accordance with this Bylaw and the Municipal Government Act:
- (a) enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Bylaw.
 - (b) take samples of Wastewater, Storm Water, clear-water waste and Subsurface Water being released from the premises or flowing within a private drainage system;
 - (c) perform on-site testing of the Wastewater, Storm Water, clear-water waste and Subsurface Water within or being released from private drainage systems, Pre-treatment Facilities and Storm Water management Facilities;
 - (d) make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
 - (e) require information from any Person, inspect and copy documents or remove documents from premises to make copies, concerning any potential violation of this bylaw;
 - (f) inspect chemical storage areas and Spill containment Facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on site;
 - (g) inspect the premises where a release of prohibited or restricted Wastes or of water containing prohibited or restricted Wastes has been made or is suspected of having been made, and to sample any or all matter that in their opinion could have been part of the release.
- (2) Where an inspection discloses any failure, omission, or neglect respecting any Utility Service upon the Customer's premises, or discloses any defect in the location, construction, design or maintenance of any facility or any

connection there from to the Utility Service, the Person making such inspection shall, in writing, notify the Customer, Property Owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by The City. Such notified Person shall within the time limited rectify such cause of complaint stated in the notice.

- (3) No Person shall hinder or prevent the Inspector or designated officer of The City from carrying out any of their powers or duties.
- (4) The City may serve any Person who is in violation of any provision of this Bylaw with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or within such additional time as required by this Bylaw or as determined by The City. Such Person shall, within the time stated in such notice, permanently cease all violations.

OFFENCES AND PENALTIES

37 (1) Any Person who:

(a) breaches any of the following sections of this Bylaw:

- (i) Section 31, Connection to Utility Service;
- (ii) Section 35, Spills;
- (iii) Section 42, Water Use Restrictions
- (iv) Section 43, Wastage
- (v) Section 45, Unauthorized Use of Water
- (vi) Section 47, Pressure Surges
- (vii) Section 48, Contamination
- (viii) Section 54, Bypasses
- (ix) Section 56, Protection of Meter
- (x) Section 62, Use of Groundwater Wells
- (xi) Section 63, Fire Protection Service
- (xii) Section 64, Fire Hydrants
- (xiii) Section 70, Requested Water Shut Off
- (xiv) Section 71, Backflow Preventer
- (xv) Section 74, Prohibited Disposal of Wastewater;
- (xvi) Section 80, Storm Water / Ground Water Discharge to Wastewater Sewer;
- (xvii) Section 81, Prohibited Substances in Wastewater;
- (xviii) Section 83 (3), Overstrength Surcharge;
- (xix) Section 85, Dental Amalgam Separator;
- (xx) Section 86, Grease, Oil, & Solids Interception;
- (xxi) Section 87 (2), Customer Self-Monitoring;
- (xxii) Section 91, Hauled Wastewater;

19

Bylaw No. 3606/2018

- (xxiii) Section 98, Prohibited Storm Water Sewer Use;
- (xxiv) Section 99 (1), Discharge of Prohibited Substances; or
- (xxv) Section 114, Hazardous Waste, Dangerous Goods, Special Waste;

- (b) fails to act in compliance and accordance with any notice given under this Bylaw;
- (c) obstructs an Inspector;
- (d) releases Wastewater improperly;
- (e) discharges water, without a permit, to the Wastewater or Storm Water Sewer systems that was not provided by The City; or
- (f) knowingly makes false statements, records, reports, plans or other documents filed or required to be maintained pursuant to this Bylaw, or falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this Bylaw

shall be guilty of an offence and upon summary conviction shall be liable to pay court costs plus a penalty of:

- (i) \$250 for the first occurrence of such offence;
- (ii) \$1,000 for the second occurrence of such offence;
- (iii) \$2,500 per occurrence for any subsequent occurrence; and
- (iv) in default of payment of the penalty, to imprisonment for up to 6 months.

- (2) Any Person who breaches any other provision of this Bylaw shall be guilty of an offence and upon summary conviction shall be liable to pay court costs plus a penalty of:

- (a) \$100 for the first occurrence of such offence;
- (b) \$500 per occurrence for any subsequent occurrence of the offence; and
- (c) in default of payment of the penalty, imprisonment for up to 30 days.

- (3) In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount of not less than that established by this Bylaw for each such day.
- (4) A Peace Officer or Bylaw Enforcement Officer who has reasonable grounds to believe that a Person has contravened any provision of this Bylaw, may serve upon such Person an offence ticket allowing the payment of the specified penalty to The City which payment will constitute a guilty plea and shall be accepted by The City in lieu of prosecution for the offence.

PART 3 - WATER UTILITY

WATER SERVICE BILLING RATES

- 38 (1) A Water Utility Customer shall pay the amounts specified in this Bylaw and in Schedules B and D for all water supplied and Water Utility Services provided.
- (2) The City shall determine which rate in Schedule B and D shall apply to any particular Customer.
 - (3) The rate payable by a Customer as set out in Schedule B of this Bylaw for all water supplied shall be determined by reference to the size and the reading of the water meter supplied to each Customer.
 - (4) Where a Remote Reading Device is installed in addition to the water meter, the water meter shall be used to determine the official reading.

CONNECTION TO CITY WATER SUPPLY

- 39 In the case of a new Private water Service Connection to a City water Service Connection that is 38 mm or larger in diameter, the Customer shall provide, at the Customer's expense, proof of satisfactory bacteriological test results (as per ANSI/AWWA C651-05) for the service, from a laboratory accredited to perform such tests by the Province of Alberta.

CONTINUOUS WATER SUPPLY NOT GUARANTEED

- 40 (1) The City does not guarantee the pressure nor the continuous supply of water and The City reserves the right at any and all times without notice to change operating water pressures and to shut off water. The City and its

officers, employees and agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.

- (2) Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such Facilities as they consider necessary to ensure a continuous and uninterrupted supply or pressure or quality of water required for their use.

INSPECTION OF PREMISES

- 41 (1) The City may inspect the premises of a Customer who applies to The City for the supply of water in order to determine if it is advisable to supply water to such Customer.
- (2) The City may, with the permission of the Customer, inspect the premises of the Customer in order to do any tests on water piping or fixtures belonging to such Customer so as to determine if this Bylaw is being complied with and in the event that such Customer fails or refuses to give such permission, the supply of water to that Customer may be shut off.

WATER USE RESTRICTIONS

- 42 (1) The City may, at such times and for such lengths of time as The City considers necessary or advisable, regulate, restrict or prohibit the use of water for use other than human consumption. The City may cause the water supply to any Customer who causes, permits or allows irrigation, wastage, exterior washing, or other non-human consumption in contravention of any such regulation, restriction or prohibition to be shut off until the Customer undertakes to abide by and comply with such regulation, restriction or prohibition.
- (2) No Customer shall operate, use, interfere with, obstruct or impede access to the Water Utility Service or any portion thereof in any manner not expressly permitted by this Bylaw, in default of which The City may cause the water being supplied to such Customer to be shut off until such Customer complies with all of the provisions of this Bylaw.

WASTAGE

- 43 (1) No Customer shall cause, permit or allow the discharge of water so that it runs useless, whether by reason of leakage from Private Service Connection, a faulty plumbing system or otherwise.

22

Bylaw No. 3606/2018

- (2) Notwithstanding the foregoing, The City may under such condition as The City may consider reasonable allow water discharge for the purposes of:
- (a) the installation and maintenance of infrastructure, including the flushing of Water Mains, hydrant leads and City Service Connections to prevent stagnation and/or to remove Deleterious materials;
 - (b) preventing the freezing of Water Mains, hydrants leads, irrigation systems and services connections;
 - (c) conducting water flow tests;
 - (d) firefighting and associated training programs; or
 - (e) other purposes as deemed necessary by The City.

REQUIREMENT TO USE LOW-FLOW PLUMBING FIXTURES

- 44 (1) Any Person installing plumbing fixtures for any new construction or renovation project that requires a plumbing permit for a residential, commercial, industrial, or Institutional structure shall install only Low-flow Plumbing Fixtures.
- (2) The requirements of subsection (1) shall not apply to plumbing Facilities installed for safety or emergency purposes including emergency safety showers and face / eye wash stations.

UNAUTHORIZED USE OF WATER

- 45 (1) No Customer shall:
- (a) sell water supplied hereunder;
 - (b) use or apply any water to the use or benefit of others or to any other than the Customer's own use and benefit;
 - (c) increase the usage of water beyond that agreed upon with The City; or
 - (d) extract or remove any water from any hydrant within the City;
- without first obtaining written permission from The City and subject to such reasonable conditions as The City may impose with respect to the quantity, price and times of withdrawal of the water so used.

23

Bylaw No. 3606/2018

- (2) During such periods as the City Manager may designate by notice published in a newspaper in the City,
 - (a) no Customer shall use, permit, or allow to be used, any water supplied to any premises, the numerical address of which (excluding street name) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number;
 - (b) no Customer shall use, permit, or allow to be used any water supplied to any premises, the numerical address of which (excluding street name) ends in an even number for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number;
- (3) During such period as The City by notice published in a newspaper may designate, no Customer shall use, permit, or allow to be used, any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.
- (4) If the City finds an unauthorized use of water including use resulting from any tampering with a meter or other Facilities, the City may make such changes in its meters or other Facilities, or take such other corrective action, as may be appropriate to ensure only authorized use. The Customer shall pay all costs of such action necessary to remedy any violation of the law caused by the Customer.
- (5) Upon finding an unauthorized use of water, the City may disconnect the service connection immediately, without notice, and shall charge the Customer all costs incurred in correcting the condition, in addition to any other rights and remedies which may be available to the City.

INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 46 (1) Any Customer that notifies The City of a failure or interruption of water supply, the investigation of which necessitates the excavating of a street shall, prior to excavating, deposit with The City the costs thereof as estimated by The City, or sign a work order, agreeing to pay such costs, at the discretion of The City.
- (2) If such failure or interruption was caused by the City Water Service Connection the Customer shall not be liable for such costs and any deposit paid shall be refunded.
- (3) If such failure or interruption was caused by the Private Water Service, the

actual cost of such work shall be paid by the Customer and the deposit shall be applied thereto; any excess shall be refunded to the Customer and any deficiency shall be collected in the same manner as water rates.

PRESSURE SURGES

- 47 No Customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the Customer's water supply or to be operated which causes pressure surges or other disturbances which may in the opinion of The City, result in damage to other Customers or to the Water Utility Service.

CONTAMINATION

- 48 No Customer shall cause, permit or allow to be or remain connected to the Customer's water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the Water Utility Service or any liquid or substance to enter the Water Utility Service. The City may cause the water supply to any Customer contravening the provisions of this section to be shut off provided that The City shall, if The City considers it practicable so to do, give notice to such Customer prior to such water supply being shut off. The water supply to such Customer shall not be restored until such Customer has paid to The City all costs associated with the shutting off of the water supply, the clean-up of contamination and the remedying of the Customer's default under this section.

MEASUREMENT BY METER

- 49 All water supplied by The City to a Customer shall be measured by a meter unless otherwise provided for in this Bylaw.

METER INSTALLATION AND MAINTENANCE

- 50 (1) Customers who require the installation of more than one meter shall pay a fee as set forth in Schedule D for each additional meter.
- (2) The City may change a Customer's meter(s) with notice given pursuant to Section 24.

INSTALLATION RESPONSIBILITY

- 51 (1) Water meters supplied by The City which are 50 millimetres in size or smaller shall be installed by The City with no direct charge to the Customer.

- (2) Water meters supplied by The City which are larger than 50 millimetres in size shall be installed at the expense of the Customer.
- (3) The Customer shall provide for the installation of a water meter to the satisfaction of The City and when required shall install a properly valved bypass.
- (4) For water meter installation within a building, the Customer shall provide a suitable site for such installation near a main shut off, to the satisfaction of The City and in accordance with the City of Red Deer Design Guidelines.
- (5) The Customer shall ensure that employees or agents of The City have clear access to meter areas and water meters for meter testing and reading purposes.
- (6) Unless The City otherwise approves, The City shall not be obligated to supply more than one water meter for any one building. If additional water meters are approved, a separate curb stop will be required for each additional water meter.(7) A separate water meter shall be installed for each of the two dwelling units contained within a duplex residential building and a separate curb stop will be required for each water meter.
- (7) A separate water meter shall be installed for each of the two dwelling units contained within a duplex residential building and a separate curb stop will be required for each meter.
- (8) Any Customer whose water is not metered, or whose meter is not positioned to the satisfaction of The City, shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the Customer.

METER CHAMBER

52 When in the opinion of The City, the premises to be supplied with water are too far from the City Service Connection to conveniently install a meter in the premises, or if a number of buildings are to be so supplied or for any other reason in the opinion of The City, then the Customer shall, at the Customer's sole cost, construct and maintain a container for a meter and such container shall in all respects including location, construction size, access and otherwise howsoever be satisfactory to The City.

METER SIZE

53 The size of the meters shall be determined as follows:

- (a) if the internal diameter of the Private Service is 25 millimetres or less, a 16 millimetre meter shall be used; or
- (b) if the internal diameter of the Private Service exceeds 25 millimetres, the size of the meter shall be one size smaller than the size of the Private Service; or
- (c) if the Private Water Service is a Combined Service, the internal diameter of the Private Water Service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

BYPASSES

- 54 Any Customer having a water meter 50 millimetres in size or larger shall at the Customer's own expense construct and maintain a properly valved bypass satisfactory to The City which bypass shall be sealed by The City and shall be opened by the Customer only in case of emergency. The Customer shall notify The City within 24 hours after the seal on the bypass is broken, failing which The City may cause the water supply to such Customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

METER VALVING

- 55 Any Customer having a meter smaller than 50 millimetres in size shall, at the Customer's sole cost and expense, supply and maintain valves on both sides of and within 300 millimetres of the meter.

PROTECTION OF METER

- 56 (1) The Customer shall provide adequate protection for the meter supplied by The City and any associated valves or pipes against freezing, heat or any other internal or external damage of any kind which may affect the operation of the water meter or meters, failing which the Customer shall pay to The City all costs associated with the repair of such meter or associated valves & pipes which amount shall be recoverable in the same manner as all other costs and charges provided for under this Bylaw.
- (2) No Person other than an authorized City employee shall install, test, repair, remove, disconnect, reconnect a meter unless specifically authorized to do so in writing by The City.

- (3) No Person shall break, tamper or interfere with any meter or facility.
- (4) The Customer shall notify The City immediately whenever a water meter is not operating or if any part of a meter becomes damaged or broken.
- (5) The Customer is responsible for the safe keeping of any water meter and any Remote Reading Device that is installed on the Customer's premises.
- (6) The Customer shall pay the cost of repairing or replacing any water meter or metering accessories supplied and installed by The City that may be damaged from any causes or any other cause within the control of the Customer.
- (7) The Customer shall notify The City within 24 hours if the seal on the bypass valve or a water meter is broken for emergency purposes or any other purpose.

NON-REGISTERING METER

- 57 (1) If, upon the reading of a meter, it is determined that the meter has failed to accurately record the consumption of the Utility Service supplied then the consumption will be estimated upon such basis that The City considers to be fair and equitable and the account rendered pursuant to Section 18.
- (2) Where it has been determined by The City that the meter is not accurately recording the consumption of a Utility Service, The City may enter the premises to replace the meter, on notice to the Customer pursuant to Section 24.

TESTING OR CALIBRATION OF DISPUTED METERS

- 58 (1) A Customer who disputes a meter reading shall give written notice to The City.
- (2) Following receipt of written notice; the water meter situated on the Customer's premises shall be tested or calibrated by a qualified Person designated by The City. If the meter is found to be accurate within 98.5% to 101.5% of the water passing through it, the expense of such test or calibration shall be borne by the Customer in the amount designated in Schedule D.
- (3) If the meter is found not accurate within the above limits it shall forthwith be repaired or be replaced by one that is accurate and the expense

thereof shall be borne by The City.

- (4) If a meter is found not to be accurate within the aforesaid limits then any meter handling and testing fees paid by the Customer shall be refunded, and the billings adjusted.
- (5) Where an examination of past meter readings or other information does not disclose the time at which the meter error commenced, then the meter error shall be deemed to have commenced twelve months prior to the date the meter was tested or from the date upon which the meter was installed, whichever is less.

METER READING

- 59
- (1) A Customer shall permit The City to perform meter reading using automated monitoring equipment. Additional fees may apply for on-site meter reading and manual account adjustment, as set out in Schedule D if a Customer does not allow automated metering infrastructure to be installed within their premises.
 - (2) The City shall endeavour to read the meters once every month, or at such other intervals as are reasonable and practicable under the circumstances. If The City cannot gain access safely to read the meter as aforesaid, the consumption of the Utility Service shall be estimated upon such basis as The City considers to be fair and equitable and the account rendered in accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, The City may discontinue any or all Utility Services supplied to the premises, until such time as The City is able to obtain an actual meter reading.
 - (3) The City may shut off the water supply to a Customer who refuses to provide a water meter reading or access to perform a water meter reading after notice has been given pursuant to Section 24.
 - (4) The Customer shall ensure that access to the meter is safe, well lit, and free of hazards to the Person reading the meter.
 - (5) The City may require a water meter to be either tested on site or removed for testing by a Person authorized by The City at any time. The City may discontinue any or all Utility Services supplied to the premises until such time as a Person authorized by The City is able to obtain access to test the meter or remove it for testing.

ADDITIONAL METER READS

- 60 When a Customer requests a meter reading at a time other than the regular scheduled time for meter reading, the Customer may be assessed a fee as set forth in Schedule D for such reading. Provided, however, if upon such reading, it is determined that the previous billed meter reading is incorrect, no fee shall be required.

PRIVATE SERVICES

- 61 All Persons doing any work or service upon a Private Water Service or the plumbing system attached to it shall comply with the provisions of the Alberta Building Code and any applicable bylaws. A Private Water Service shall be buried to a depth of at least 2.7 metres to prevent freezing.

USE OF GROUNDWATER WELLS

- 62 Once a parcel of land is connected to City Water Service, any groundwater wells within such Property must be abandoned unless otherwise approved in writing by The City. Such approval would be subject to cross-connection control, flow measurement and periodic inspection, as stipulated by The City.

FIRE PROTECTION SERVICE

- 63 (1) A Fire Line shall be used only for fire protection purposes and a water line which provides combined domestic service and Fire Line service shall not be installed without the prior approval of the Fire Chief.
- (2) The City shall determine whether or not a meter shall be affixed to a Fire Line. If required, the meter shall be supplied and installed in a manner satisfactory to The City at the Customer's expense.

FIRE HYDRANTS

- 64 (1) Unless authorized by The City, no Person shall:
- (a) open or close any fire hydrant or valve;
 - (b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
 - (c) use water from a fire hydrant, regardless of whether that hydrant is located on private or public Property, for any purpose other than fire protection.

30

Bylaw No. 3606/2018

- (2) All fire hydrants are to be numbered and painted to The City's standard. The City may provide this service upon request, as per the rates in Schedule D. This information can be provided upon request to the Environmental Services Department.
- (3) No Property Owner or Occupant of a parcel or premises shall allow the access to a fire hydrant located on or adjacent to that parcel or premises to be obstructed in any manner, whether by the building or erection of any structure or the accumulation of any building material, rubbish or other obstruction.
- (4) No Property Owner or Occupant of a parcel or premises shall allow anything on the parcel or premises to interfere with the operation of a fire hydrant located on or adjacent to that parcel or premises.
- (5) All Persons who own Property on which a fire hydrant is located or own Property which is adjacent to City owned Property on which a fire hydrant is located shall:
 - (a) maintain a one (1) metre clearance on each side of a fire hydrant;
 - (b) not permit anything to be constructed, erected, or placed within the clearance area;
 - (c) not permit anything except grass to be planted within the clearance area; and
 - (d) maintain visibility of hydrants from the nearest access road.

PERMIT TO USE WATER FROM A FIRE HYDRANT

- 65
- (1) The City may authorize the use of a fire hydrant and the use of water from a fire hydrant on a temporary basis where no other supply of water can reasonably be obtained.
 - (2) The City will, as a condition for the use of a fire hydrant and the use of water from a fire hydrant, require that the water pass through a water meter and backflow prevention device prior to use.
 - (3) Any Person authorized to use a fire hydrant shall obtain a hydrant connection permit from The City and ensure that a copy of such permit is kept with the Persons utilizing the hydrant and they must produce the hydrant connection permit to an employee or agent of The City immediately upon demand. A minimum of 30m³ of usage will be charged per day if weekly meter reads are not submitted.

TEMPORARY WATER SERVICE

66 Any Persons requiring a temporary water supply during the course of construction shall apply to The City and shall pay the sums required in Schedule B and D, which may include installation and removal of service water meter and Backflow Preventer and water consumption charges. A minimum of 30m³ of usage will be charged per day if weekly meter reads are not submitted.

THAWING SERVICES

- 67 (1) The cost of thawing a frozen service shall be borne as follows:
- (a) by the Customer if the Private Water Service or the plumbing system connected thereto is frozen, as determined by The City;
 - (b) by the Customer if the City Water Service Connection is frozen as a result of the negligence of the Customer, as determined by The City;
 - (c) by The City if the City Water Service Connection is frozen for any other reason, as determined by The City.
- (2) If The City is of the opinion that a Private Water Service or plumbing system has frozen without any negligence on the part of the Customer or any other Person for whose negligence the Customer is responsible, The City may waive the cost of one thawing during any one winter season which shall be deemed to run from October 15th to May 15th.
- (3) The City shall not thaw a Private Water Service or plumbing system unless the Customer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to Property including Private Water Service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against The City for any such damage whatsoever except damage caused by the negligence of The City.

SERVICE SIZE

68 The size of the service required for residential purposes shall be determined in accordance with the Alberta Building Code, provided that The City shall not install a service having a size smaller than 25 mm.

BOILERS

69

In any case where a steam boiler or equipment of a nature similar to that of a steam boiler is supplied directly from a service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

REQUESTED WATER SHUT OFF

70

- (1) No Person shall turn a water Service Valve on or off except as authorized by the Director of Development Services.
- (2) No Property Owner of a parcel or premises shall allow a water Service Valve to be turned on or off except as authorized by The City.
- (3) If a Customer requires the supply of water to be shut off for their own purposes, the Customer shall submit a request to The City and pay The City the amount specified in Schedule D.

BACKFLOW PREVENTER

71

- (1) Where in the opinion of The City, the configuration of any water connection creates a high risk for contamination to the water system, the Customer, upon being given notice by The City, shall install on their water service an approved Backflow Preventer at the Customer's sole cost at all identified sources of potential contamination.
- (2) No Customer or other Person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or Polluted Water, Wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- (3) If a condition is found to exist which is contrary to subsection (2), The City may issue such order or orders to the Customer as may be required to obtain compliance with subsection (2).
- (4) All Backflow Preventers shall be inspected and tested at the expense of the Customer, upon installation, and thereafter annually, or more often if required by The City; by Personnel approved by The City to carry out such tests, to demonstrate that the device is in good working condition. The Customer shall submit a report in a form approved by The City for all tests performed on a Backflow Preventer within thirty (30) days of a test and a record card issued by The City shall be displayed on or adjacent to the Backflow Preventer. The tester shall record thereon the name and

address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self-employed) or the name of the testers employer and the tester's license number.

- (5) When the results of a test referred to in subsection (4) show that a Backflow Preventer is not in good working condition, the Customer shall, repair or replace the device within ninety-six (96) hours. If the Customer fails to comply with the direction given, The City may shut off the water service or water services.
- (6) If a Customer fails to have a Backflow Preventer tested, The City may notify the Customer that the Backflow Preventer must be tested within ninety-six (96) hours of the Customer receiving the notice.
 - (a) if a Customer fails to have a Backflow Preventer tested within the time provided in subsection(4), The City may cause the water service or water services to be terminated until the Backflow Preventer has been tested and approved as required by Section 71 of this Bylaw.
- (7) No Person shall turn on a water Service Valve to provide water to the Occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for Cross Connections and approved by The City
- (8) No Persons other than those who have achieved journeyman plumber or "Certificate of Competency" in an accredited program of Alberta may conduct the tests on Backflow Preventers.

PART 4 - WASTEWATER UTILITY

WASTEWATER UTILITY SERVICE LEVY AND BILLING RATES

- 72 The City hereby levies on all Persons owning or occupying Property connected with The City's Wastewater Sewer system a fixed Wastewater charge plus a variable charge based on the volume of Wastewater contributed by the Customer, to be paid monthly as determined by The City calculated using the rates set forth in Schedule C.

WASTEWATER CONNECTION EXCEPTIONS

- 73 Notwithstanding Section 72, The City shall have the right to make special agreements on terms fixed by The City with certain industries or others to

whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of Wastewater to The City's Wastewater Sewer system.

PROHIBITED DISPOSAL OF WASTEWATER

- 74 (1) No Person shall place, deposit, dump or permit Wastewater, Dangerous Goods, or any other Waste, to be deposited in any manner upon public or private Property within the City or in any area under the jurisdiction of The City.
- (2) No Person shall discharge to any watercourse within the City or to any area under the jurisdiction of The City, any Wastewater, Industrial Waste, Dangerous Goods, or Polluted Waters, except where suitable pre-treatment is provided.
- (3) Except as permitted by this Bylaw or the Alberta Building Code, no Person shall construct or maintain in the City any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of Wastewater.

CLEANOUTS

- 75 A Building Sewer that is connected to a Wastewater Sewer shall be equipped with a main Cleanout with a minimum diameter of 100 mm located not more than 25 m from Property line. The main Cleanout shall be located as close as practical to the point where the Wastewater Sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (2 metres) for effective rodding and cleaning. The building Wastewater Sewer from Cleanout to Property line is to be as straight as possible. A maximum of one 45° bend is permitted for the Cleanout and a maximum of one additional 45° bend may be used between the Cleanout and Property line. Total angle of all bends shall not exceed 90°.

BACKFLOW VALVES

- 76 All Wastewater plumbing fixtures and floor drains set below the highest level of the ground surface adjacent to the premises shall be protected from backflow by an approved Wastewater Backflow Valve.

PLUGGED WASTEWATER SEWERS

- 77 (1) When a Sewer backup occurs, a Customer shall be responsible for contacting a plumbing firm to arrange for the blockage to be cleared.

35

Bylaw No. 3606/2018

- (2) When the cause of the blockage is determined to originate from the portion of the Sewer that the City is responsible for under this Bylaw, The City shall reimburse the Customer the actual costs incurred by the Customer to clear the blockage. Such reimbursement may be limited to a maximum amount of up to three (3) hours at the rates identified in Schedule D.
- (3) When the cause of the blockage is determined to originate from the portion of the Sewer that the Customer is responsible for under this Bylaw, the Customer shall be responsible for removing the blockage and any and all costs associated with doing so.
- (4) Where the dispute exists as to the responsibility of sewer failures or blockage, a video inspection or an electronic line location may be performed in an attempt to determine the location of the problem. All costs associated with such a determination shall be borne by the party responsible for maintaining the portion of the sewer where the cause of the problem is found to originate
- (5) The Customer or plumbing firm on behalf of the Customer, shall notify The City if the plumber is unable to clear a blockage within the Sewer Connection.

TREES AND ROOTS

- 78 (1) Deep rooting trees shall not be planted within 6 metres of Wastewater Sewer mains or services.
- (2) Tree roots infesting and/or blocking a sewer shall be the responsibility of the party responsible for maintaining the portion of the sewer where the cause of the infesting and/or blocking originated.

CONNECTION TO WASTEWATER SEWER

- 79 No weeping tile, Sump pump or eavestrough downspout system shall be connected to any Wastewater Sewer unless approved in writing by The City.

STORM WATER / GROUND WATER DISCHARGE TO WASTEWATER SEWER

- 80 No Person shall discharge, or cause to be discharged, Storm Water, surface water, ground water, roof run-off, subsurface drainage, or Cooling Water to any Wastewater Sewer, unless:
- (a) upon the application of the Customer The City determines that exceptional conditions prevent compliance with the foregoing

provisions and authorizes such discharge; and

- (b) the discharge is in accordance with a validated Wastewater Discharge Dewatering Permit.

PROHIBITED SUBSTANCES IN WASTEWATER

81 No Person shall discharge or permit to be discharged into any Wastewater Sewer:

- (a) any solid or viscous substance capable of causing obstruction, or other interference with the operation of the Wastewater system, including Dangerous Goods, Hazardous Waste, Biological Waste, Combustible Waste, Biomedical Waste, Reactive Waste, elemental mercury, prescription or illegal drugs, soil, PCBs, Pesticides, Radioactive Materials, hair, grease, oil, cigarettes, ashes, cinders, sand, potters clay, resin, mud, straw, metal, glass, rags, feathers, tar, plastics, wood, grass clippings, insoluble shavings, asphalt, creosote, bone, hide, eggshells, meat and fat trimmings or Waste, baking dough, chemical residues, spent grain and hops, whole food, garbage, paint residues, cat box litter, animal tissues, manure, blood, or Sharps;
- (b) Wastewater having a pH lower than 6.0 or higher than 10.5, or having any other corrosive Property capable of causing damage or hazard to structures, equipment, and Wastewater treatment processes;
- (c) Wastewater containing substances in concentrations exceeding the following:

(i)	Antimony	1.0 mg/L
(ii)	Arsenic	1.0 mg/L
(iii)	Barium	3.0 mg/L
(iv)	BTEX	1.0 mg/L
(v)	Boron	1.5 mg/L
(vi)	Cadmium	0.05 mg/L
(vii)	Chromium	1.0 mg/L
(viii)	Chlorinated Hydrocarbons	0.02 mg/L
(ix)	Copper	0.5 mg/L
(x)	Cyanide	1.0 mg/L
(xi)	Hydrocarbons	50 mg/L
(xii)	Lead	1.0 mg/L
(xiii)	Manganese	1.0 mg/L
(xiv)	Mercury	0.1 mg/L

37

Bylaw No. 3606/2018

(xv)	Nickel	0.5 mg/L
(xvi)	Phenolic Compounds	0.1 mg/L
(xvii)	Selenium	1.0 mg/L
(xviii)	Silver	1.0 mg/L
(xix)	Sulphide	1.0 mg/L
(xx)	Zinc	1.0 mg/L
(xxi)	Total Suspended Solids (TSS)	4,800 mg/L
(xxii)	Biochemical Oxygen Demand (BOD)	4,800 mg/L
(xxiii)	Chemical Oxygen Demand (COD)	9,600 mg/L
(xxiv)	Total Phosphorus	150 mg/L
(xxv)	Total Kjeldahl Nitrogen	400 mg/L
(xxvi)	Oil and Grease - animal, vegetable	500 mg/L
(xxvii)	Oil and Grease - synthetic hydrocarbon	50 mg/L
(xxviii)	Phosphates	100 mg/L

- (d) Wastewater containing hydrogen sulphide, carbon disulphide, reduced sulphur compounds, amines or ammonia;
- (e) Wastewater containing dyes or colouring materials which may or could pass through a Wastewater treatment plant and discolour the Wastewater effluent;
- (f) Wastewater above 75 degrees Celsius;
- (g) any substance which:
 - (i) is or may become harmful to any recipient water course or collection system or part thereof or will cause a violation or noncompliance event in the Operating Approval for the Wastewater Treatment Plant;
 - (ii) may interfere with the proper operation or maintenance of the Wastewater system, disposal of biosolids, or any Wastewater treatment process or cause damage to the Wastewater Works or Wastewater treatment plant;
 - (iii) grit removed from commercial or industrial premises including but not limited to grit removed from car washing establishments, automobile garages and restaurant Sumps or from Interceptors;
 - (iv) will be discharged in layers or will form layers upon interaction with other Wastewater;

DISCHARGE OF PROHIBITED SUBSTANCES

- 82 (1) Any Person responsible for or aware of the discharge of prohibited substances in the Wastewater system shall immediately report to The City in order that the necessary precautions can be taken to minimize the Deleterious effects of the discharge. Such Person must also make other required reports to Alberta Environment and any other governing body.
- (2) If testing of Wastewater shows that it is noncompliant with this Bylaw, The City may direct the Customer to comply with the Bylaw and may, in addition, direct the Customer at its expense to install such monitoring and recording equipment as The City deems necessary and to provide to The City the results of said monitoring as required.
- (3) Any Person who contravenes any of the provisions of Section 81, 82, 83 or 85 shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay to The City all costs of monitoring, sampling, testing, and removing any contamination resulting from the discharging of any such substances into a Wastewater Sewer, and for any other amount for which The City may be held liable because of such contamination.

OVERSTRENGTH SURCHARGE

- 83 (1) A Person who has discharged, caused, or permitted Wastewater to be discharged into any Wastewater Sewer containing constituents exceeding the concentrations outlined in Schedule C, shall pay the volume and treatment charges set forth in Schedule C.
- (2) Should testing of the Wastewater being discharged into the Wastewater collection system be required for the purpose of determining the Wastewater surcharge rate, such sampling and testing shall be conducted by the Inspector, or by the Customer to the satisfaction of the Inspector, using automated sampling devices or in accordance with the following manual sampling protocol:
- (a) samples from the effluent produced at a location will be collected for a minimum of any two days within a seven day period;
 - (b) a minimum of four Grab Samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
 - (c) the analysis shall be conducted on a Composite Sample made of each day's Grab Samples; and

- (3) The results of the foregoing tests shall be averaged to determine the characteristics and concentration of the effluent being discharged into the City Wastewater collection system.
- (4) No Person shall, for the purpose of meeting any concentration limits set out in this Bylaw, dilute any Wastewater intended to be deposited in the Wastewater collection system.

COST OF SAMPLING

- 84 When the Customer's discharged Wastewater contains constituents exceeding the discharge limits in Section 81, 82, or 83, the cost of all sampling and analysis shall be at the Customer's expense.

DENTAL AMALGAM SEPARATOR

- 85 Every owner or operator of premises from which Dental Amalgam may be released into a Sewer, shall:
- (a) install in any piping system at its premises that connects directly or indirectly to a Sewer, Dental Amalgam Separators with at least 95% removal efficiency in amalgam weight and which are certified as compliant with *ISO 11143 – "Dental Equipment: Amalgam Separators"*;
 - (b) operate and maintain all Dental Amalgam Separators in good working order and according to the manufacturer's recommendations;
 - (c) provide an approved monitoring point which is readily and easily accessible at all times for inspection; and
 - (d) provide to the Inspector on request a maintenance schedule and record of maintenance for each installed Dental Amalgam Separator.

GREASE, OIL, & SOLIDS INTERCEPTION

- 86 (1) Every owner or operator of premises containing a restaurant, vehicle repair or auto body shop, petroleum service station, or vehicle and equipment washing establishment, or other premises as deemed necessary by The City of Red Deer shall:
- (a) install an Interceptor or filter for the removal from Wastewater of grease, oil, solids or other harmful substance;

- (b) make available to the Inspector upon request a maintenance schedule and record of maintenance for the Interceptor or filter; and
 - (c) shall keep and make available to the Inspector upon request a two-year record of documentary proof of Interceptor clean-out and the disposal of oil, grease, solids and sediments.
- (2) All Interceptors shall be of a type and capacity approved by The City and shall be located so as to be readily and easily accessible for cleaning and inspection and shall be maintained by the Customer at the Customer's expense in continuously efficient operation at all times. The Interceptors shall be installed in compliance with the most current requirements of the Alberta Building Code.
- (3) No Person shall:
 - (a) discharge emulsifiers into the Sewer system ahead of an Interceptor; or
 - (b) use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of Oil and Grease through a Grease Interceptor.
- (4) Should any blockage of the Wastewater Sewer system be caused by reason of failure, omission, or neglect of a Customer, to comply strictly with the provisions of this Bylaw, the Customer shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay The City for all costs of clearing such blockage and for any other amount for which The City may be held liable because of such blockage.

CUSTOMER SELF-MONITORING

- 87
- (1) The Customer shall, at its own expense, complete any monitoring, sampling, and testing of any discharge to a Wastewater system as required by The City, and shall provide the results to The City in a form specified by The City.
 - (2) Any Customer who exceeds the discharge limits in this Bylaw shall submit an environmental plan to the satisfaction of The City, at the Customer's expense, which will detail the steps necessary to change their discharge characteristics to the standards required under the provisions of this Bylaw.

MANHOLES

- 88 (1) Manhole(s) are required to be constructed in accordance with City Standards in locations that are accessible to The City, on all Wastewater Service Connections to premises such as:
- (a) Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, painting shops;
 - (b) Commercial - Shopping centres, strip malls, warehouses, grocery stores, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries; and
 - (c) Other - residential dwellings over 6 units, apartment over 6 units, nursing homes, senior complexes, Institutions, hospitals, dental labs, funeral homes, churches, schools.
- (2) Such manholes may be constructed by the Customer, or by The City at the Customer's cost, and shall be maintained by the Customer so as to be safe and accessible at all times.

DISCONNECTION OF SEWER

- 89 (1) Where Wastewater which:
- (a) is hazardous or creates an immediate danger to any Person;
 - (b) endangers or interferes with the operation of the Wastewater collection system; or
 - (c) causes or is capable of causing an adverse effect;
- is discharged to the Wastewater collection system, the Inspector may, in addition to any other remedy available, remove, disconnect, plug or shut off the Sewer line discharging the unacceptable Wastewater into the Wastewater collection system or take such other action as is necessary to prevent such Wastewater from entering the Wastewater collection system.
- (2) The Wastewater may be prevented from being discharged into the Wastewater collection system until evidence satisfactory to the Inspector has been produced to ensure that no further discharge of Hazardous Wastewater will be made to the Wastewater collection system.

- (3) Where The City takes action pursuant to subsection (1), the Inspector may by notice in writing advise the owner or occupier of the premises from which the Wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse The City for all such costs which were incurred.

PRIVATE WASTEWATER DISPOSAL

- 90 (1) Where a Wastewater Sewer is not available for connection as required under the provisions of Section 31(1), the building Wastewater Sewer shall be connected to a private Wastewater disposal system complying with the provisions of this Bylaw, the Alberta Building Code, Alberta Environment & Public Health Regulations, and such additional requirements as may be imposed by The City. The owner shall operate and maintain the private Wastewater disposal Facilities in an acceptable manner at all times at no expense to The City.
- (2) After the Property Owner has connected to the Wastewater Sewer system as required by Section 31(1), the Property Owner shall, within 60 days of the date of connection to the Wastewater Sewer system, dispose of all Waste appropriately and remove any septic tanks, cesspools and similar private Wastewater disposal Facilities and reclaim the site with clean native soil.

HAULED WASTEWATER

- 91 (1) No Person shall discharge or permit the discharge of Hauled Wastewater at any location other than a Hauled Wastewater discharge location approved by The City. Manifests to discharge Hauled Wastewater are available at The City's Wastewater Treatment Plant.
- (2) Any Person or company that proposes to discharge Hauled Wastewater at The City Wastewater Treatment Plant must:
- (a) apply for and receive a Hauled Wastewater Manifest issued by The City; and
 - (b) enter into and comply with the requirements of the Hauled Wastewater agreement established by The City.

BEST MANAGEMENT PRACTICE

- 92 (1) As a condition of discharging Wastewater into the Wastewater Sewer, Customers in industrial, commercial, and Institutional sectors shall submit to

The City a completed Notice of Wastewater Discharge form and a Best Management Practice:

- (a) in the case of new premises, within 30 days of commencing the discharge of Wastewater in the Wastewater Sewer; and
 - (b) In the case of existing premises, within 90 days of the date that this Bylaw is adopted.
- (2) A Best Management Practice is not required for the discharge of Wastewater produced from residential premises, or for sanitary Wastewater and Wastewater from showers and restroom washbasins produced from a non-residential Property.
- (3) A Customer must report any change in the discharging operation registered under the Notice of Wastewater Discharge form (such as a change in the discharge characteristics, ownership, name, location, contact Person, telephone number, or fax number) to the Inspector within 30 days of the change by submitting a completed Notice of Wastewater Discharge form showing the changes.
- (4) Nothing in a Best Management Practice or a Notice of Wastewater Discharge form relieves a Person discharging any substance from complying with this Bylaw or any other applicable enactment.

PART 5 - STORM WATER UTILITY

CONNECTION TO STORM WATER SEWER

- 93 Where the seasonally adjusted groundwater table is within 2m of the top of the footing of any residence constructed after the passage of this Bylaw, such residence must have a weeping tile system connected to a Storm Water Sewer where a Storm Water Sewer is available, or with the permission of The City, connected to the Wastewater Sewer.

CLEANOUTS

- 94 A building Storm Water Sewer that is connected to The City's Storm Water Sewer shall be equipped with a main Cleanout with a minimum diameter of 75mm, located not more than 25m from Property line. The main Cleanout shall be located as close as practical to the point where the Storm Water Sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (2m) for effective rodding and cleaning. The building Storm Water Sewer from Cleanout to Property line is to be as straight as possible. A maximum of

44

Bylaw No. 3606/2018

one 45° bend is permitted for the Cleanout and a maximum of one additional 45° bend may be used between the Cleanout and Property line. The total of the angles of all bends shall not exceed 90°.

BACKFLOW VALVES

- 95 All weeping tile and Storm Water fixtures set below the level of the highest ground surface adjacent to the premises shall be protected from backflow by an approved Storm Water Backflow Valve.

TREES AND ROOTS

- 96 (1) Deep rooting trees shall not be planted within 6 metres of Storm Water Sewer mains or services.
- (2) Tree roots infesting and/or blocking a Storm Water Sewer shall be the responsibility of the party responsible for maintaining the portion of the sewer where the cause of the infesting and/or blocking originated.

OIL AND GRIT INTERCEPTION

- 97 (1) Oil and Grit Separators are required for the following types of Properties:
- (a) Properties over 2 ha where there are no other water quality improvement capabilities in the downstream storm system prior to outfall to a water body;
 - (b) Properties with petroleum products on-site; and
 - (c) Heavy industrial and manufacturing Properties.
- (2) Every Property when deemed necessary by the City, shall install an oil and grit separator to remove oil, sediment, solids, refuse, and other harmful substances from Storm Water. All oil and grit separators shall be of a type and capacity approved by The City and shall be located so as to be readily and easily accessible for cleaning and inspection, and shall be maintained by the owner, at the owner's expense, and in continuously efficient operation at all times. The oil and grit separators shall be installed as per manufacturer's recommendations and in compliance with the most current requirements of The City of Red Deer Design Guidelines and Contract Specifications.
- (3) All oil and grit separators shall be inspected as per manufacturer's recommendations or at least once per year, whichever is more frequent. Oil and grit separators shall be cleaned immediately when indicated by inspection.

- (4) The Property Owner shall:
- (a) Make available to the Inspector upon request, the manufacturers recommendations, a maintenance schedule and record of maintenance for the oil and grit separator;
 - (b) Keep and make available to the Inspector upon request a minimum five year record of documentary proof of oil and grit separator clean out, along with documentation of appropriate disposal of all captured materials; records shall include the recorded sediment depth resulting from all inspections, including those which occur prior to any sediment removal operations. These sediment depth records are to be kept so as to assist the owner/operators and Inspectors in identifying appropriate inspection and maintenance schedules.
- (5) No Person shall:
- (a) Discharge emulsifiers into the storm sewer system ahead of an oil and grit separator; or
 - (b) Use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and/or grease through an oil and grit separator.
- (6) Should any blockage of the storm sewer system be caused by reason of failure, omission, or neglect of an owner, to comply strictly with the provisions of this Bylaw, the owner shall be liable to and shall on demand pay The City for all costs of clearing such blockage, and for any other amount for which The City may be held liable because of such blockage.

PRIVATE STORM WATER SEWER SYSTEMS

98 Storm Water Sewers installed on industrial, commercial or Institutional Property for the purposes of collecting Storm Water and carrying it into the Storm Water Sewers shall be equipped with an Interceptor. The installation of catch basins and Interceptors on private Property shall comply with The City's Design Guidelines, as they may be amended from time to time.

PROHIBITED STORM WATER SEWER USE

99 (1) No Person shall discharge, or cause to be discharged, groundwater, roof run-off, subsurface drainage, or Cooling Water from any industrial process, to any Storm Water Sewer, unless;

- (a) upon the application of the Customer, The City determines that exceptional conditions prevent compliance with the foregoing provisions and authorizes such discharge; and
 - (b) the discharge is in accordance with a validated Storm Water Discharge Dewatering Permit;
- (2) No Person shall discharge, deposit or permit any of the following into any pipe, main conduit, manhole, street inlet, gutter or aperture draining into the Storm Water system:
 - (a) any Deleterious substance; Industrial Waste; domestic Waste; non-domestic Waste; Wastewater; trucked liquid Waste; pool or hot tub water; mud, sand, silt, or grit; any flammable liquid or explosive material; solvent or petroleum derivative including but not limited to gasoline, naphtha or fuel oil; any pesticides, insecticide or fungicides; Radioactive Material; septage, soil, dead animals or parts, cooking oils and greases, transmission fluids, battery acids and antifreeze, paint, cement or concrete wastes, sawdust, wood, fibre board or construction material, yard waste, herbicides or fertilizers, soaps or detergents, hazardous substances or animal wastes.
 - (b) any corrosive, noxious or malodorous gas, liquid or substance which either singly or by interaction with other Wastes, is capable of:
 - (i) creating a public nuisance or hazard to life;
 - (ii) preventing human entry into a Storm Water Sewer or pump station; or
 - (iii) causing damage to the Storm Water system.
 - (c) any other substance which may cause impairment of or damage to the environment, human health, safety, Property, or City infrastructure.
- (3) No Person shall obstruct or restrict a Storm Water Sewer or the flow therein.
- (4) No Person shall discharge water to any Storm Water Sewer or to a watercourse, containing any substance which, in the opinion of The City:
 - (a) is or may become harmful to any recipient watercourse or Storm Water system or part thereof;

- (b) may interfere with the proper operation or maintenance of the Storm Water system;
- (c) may become a health or safety hazard to Persons, Property, animals, vegetation and the environment.

DISCHARGE OF PROHIBITED SUBSTANCES IN STORM WATER

- 100 (1) Any Person responsible for or aware of the discharge of prohibited substances in the Storm Water system shall immediately report that event to The City in order that the necessary precautions can be taken to minimize the Deleterious effects of the discharge. Such Person must also make other required reports to Alberta Environment and any other governing body.
- (2) Should any testing of Storm Water show that it is noncompliant with this Bylaw, The City may direct the Customer to comply with the Bylaw and may, in addition, direct the Customer at its expense to install such monitoring and recording equipment as The City deems necessary and supply the results of said monitoring as required. The cost of all sampling and analysis shall be at the Customer's expense.
- (3) Any Person who contravenes any of the provisions of Section 98 shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay to The City all costs of monitoring, sampling, testing, and removing any contamination resulting from the discharging of any such materials into a Storm Water Sewer, and for any other amount for which The City may be held liable because of such contamination.

CITY STORM WATER SEWER USE

- 101 City forces may discharge water into a Storm Water Sewer or watercourse resulting from non-domestic activities such as:
- (a) hydrant & Water Main flushing (dechlorination required); and
 - (b) firefighting activities.

DISCONNECTION OF STORM WATER SEWER

- 102 (1) Where Storm Water which:
- (a) is hazardous or creates an immediate danger to any Person or the environment;

- (b) endangers or interferes with the operation of the Storm Water system; or
- (c) causes or is capable of causing an adverse effect;

is discharged to the Storm Water system, The City may, in addition to any other remedy available, remove, disconnect, plug or seal off the Storm Water Sewer line discharging the unacceptable water into the Storm Water system or take such other action as is necessary to prevent such water from entering the Storm Water system.

- (2) The water may be prevented from being discharged into the Storm Water system until evidence satisfactory to The City has been produced to assure that no further discharge of hazardous water will be made to the Storm Water system.
- (3) Where The City takes action pursuant to subsection (1), The City may by notice in writing advise the Property Owner or occupier of the premises from which the water was being discharged, of the cost of taking such action and the Property Owner or occupier, as the case may be, shall forthwith reimburse The City for all such costs.

PART 6 - WASTE MANAGEMENT UTILITY

SCOPE OF WASTE MANAGEMENT UTILITY

- 103 (1) The City Waste Management Utility shall provide for the collection, transport, treatment and/or disposal of Garbage, Recyclables, Organics, Yard Waste and Special Waste within the City as specified in this Bylaw.
- (2) As Waste Management Utility Services are not a metered service, the provisions of Part 2 of this Bylaw dealing with the creation and administration of Utility accounts apply to the Waste Management Utility, subject to all necessary modifications to reflect the provisions of this Part.

EXCLUSIVE CONTRACTS FOR WASTE MANAGEMENT SERVICES

- 104 (1) City Administration is authorized to enter into exclusive contracts for the collection, removal and disposal of Garbage, Recyclables, Organics and Yard Waste within the City.
- (2) The Waste Collection Service shall not have exclusive rights to collect the following types of Waste:
- (a) large household goods such as furniture;

- (b) until December 31, 2020, Garbage in on-site mechanical compactors, roll-off bins, or Containers of a capacity greater than 6 cubic yards;
 - (b.1) from January 1, 2021, Garbage in on-site mechanical compactors, roll-off bins, or Containers;
 - (c) Waste produced in the process of constructing, altering or repairing a building;
 - (d) materials not accepted at the Disposal Grounds;
 - (e) those items suitable for recycling or reuse; or
 - (f) Waste of any kind generated from the Michener Centre.
- (3) Where The City has entered into such exclusive contracts, no Person other than the Waste Collection Services Contractor may provide the same or similar type of service within the City.
- (4) Notwithstanding that, the Property Owner or Occupant of premises may remove or dispose of Garbage, Recyclables, Organics or Yard Waste from those premises.
- (5) Any Person who breaches the provisions of subsection (3 or 4) hereof, in addition to being liable to prosecution for an offence under this Bylaw, shall be liable for and make payment to The City of the amount of revenue which would have been generated had The City been able to collect the Garbage, Recyclables, Organics or Yard Waste.

RESIDENTIAL WASTE - DETACHED AND SEMI-DETACHED DWELLING UNITS

- ¹105 (1) The City shall provide the following Waste Collection Services to all detached and semi-detached Dwelling Units and secondary suites, unless otherwise directed by the City Manager:
- (a) Garbage and Recyclables shall be collected on a bi-weekly basis; and
 - (b) Organics shall be collected on a weekly basis.

¹ Bylaw 3606/A-2018

- (2) The City will provide Dwelling Units that are eligible for Automated Collection of Waste with Carts for the containment and collection of Garbage, Recyclables and Organics.
- (3) Carts assigned to a Dwelling Unit shall remain at that premise. The Property Owner or Occupant of that premise is responsible for the assigned Cart and shall ensure it is:
 - (a) maintained in a clean and good condition;
 - (b) secured against theft or loss;
 - (c) available to The City and/or its contractors within a reasonable timeframe for the purposes of inspection, maintenance, repair or removal for replacement;
 - (d) ¹used only for the type of Waste designated to that Cart (i.e. Green Carts are for Organics and Yard Waste only, Blue Carts are for Recyclables only and Black Carts are for Garbage only).

RESIDENTIAL WASTE - MULTI-FAMILY AND MULTI-ATTACHED BUILDINGS

106 (1) Section 106 shall be applicable until December 31, 2020, after which time Section 106.1 shall apply.

(24) The City shall provide weekly collection of Recyclables for all Multi-Family and Multi-Attached Buildings.

(32) The City shall provide weekly collection of Garbage for all Multi-Family and Multi-Attached Buildings except where the building owner has made provisions for others to collect such Garbage; in which case, Garbage must be collected at least once per week.

¹ Bylaw 3606/B-2019

106.1 (1) Section 106.1 shall be applicable as of January 1, 2021.

(2) The City shall provide weekly collection of Garbage and Recyclables for all Multi-Family and Multi-Attached Buildings.

(3) Notwithstanding subsection (2), the City Manager may allow a Multi-Family or Multi-Attached Building to opt out of City-provided collection services and use a private collection service provider if the Property Owner or agent can demonstrate that the following is met, to the satisfaction of the City Manager:

(a) the existing collection infrastructure at the Multi-Family or Multi-Attached Building is incompatible with City-provided collection services and no reasonable solution is available; and

(b) the collection services provided by the private collection service provider will be at least equivalent to City-provided collection services including, but not limited to, the frequency of collection and the collection of the same types of Recyclables.

(4) Notwithstanding subsections (2) and (3), the City Manager may, on a case by case basis, extend the period of time set out in subsection (1) if, in the opinion of the City Manager, there are reasonable circumstances to allow for such an extension and the condition set out in subsection (3)(b) is met.

COMMERCIAL WASTE

107 (1) In this section, Non-residential Premises includes premises of a commercial or industrial nature, as well as Institutions and Places of Worship.

(2) Subject to the provisions of Section ~~403~~104, the Property Owner or Occupant of Non-residential Premises may choose to have Garbage from the premises collected by The City or by a private contractor.

(3) The City does not provide Recyclables, Organics or Yard Waste collection services to Non-residential Premises.

CHARGES AND FEES

108 (1) The Property Owner or Occupant of a premises receiving Waste Collection Services from The City, shall pay to The City a monthly charge at the rates established in Schedule E.

(2) The monthly charge for Waste Collection Services will apply even where no Waste is set out for collection. ~~In the case of detached and semi-~~

~~detached Dwelling Units, t~~The monthly charge shall be a debt due to The City whether the Property is occupied or not. The Property Owner shall be liable to pay the monthly charge where the Utility account with the Occupant has been terminated for any reason.

- (3) Where Waste Collection Service is provided for part of a billing period, the rates shown under Schedule E for such service shall be prorated and charged for the portion of the period the service is provided.
- (4) No charges shall be levied in respect of unimproved residential lands.

ADMINISTRATION OF WASTE MANAGEMENT UTILITY

109 The City shall have the following authorities with respect to the administration of the Waste Management Utility:

- (a) ensure the safe and efficient collection, removal and disposal or recycling of Garbage, Recyclables, Organics and Yard Waste under this Bylaw and under any contract entered into by The City;
- (b) designate the placement and location of the Cart, Receptacle or Container for each applicable premises;
- (c) establish which properties are eligible for Automated Collection;
- (d) set, or vary, start dates for Automated Collection and pilot programs;
- (e) establish pilot programs that may include variances from the service levels set within this bylaw;
- (f) require the Property Owner to install a lid on a garbage Container when, in The City's opinion, there is a problem with the containment of Waste which could be resolved by the installation of a lid;
- (g) decide what does or does not constitute Garbage, Recyclables, Organics, Yard Waste or Special Waste under this Bylaw;
- (h) determine which of the rates set out in Schedule E applies to a particular Customer for any load of Waste delivered to the Disposal Grounds, based on the quantity, volume or type of Waste produced by that Customer or contained in that load of Waste;

- (i) ¹establish such other reasonable policies or regulations as may be necessary for the safe, orderly and efficient collection and disposal of Waste within the City.

USE OF THE WASTE MANAGEMENT UTILITY SERVICE AND DISPOSAL GROUNDS

- 110 (1) The City is not responsible to collect Waste that is not stored in a Container, Receptacle or Cart and placed out for collection.
- (2) Customers shall place Receptacles as near as practicable to the lane abutting the lands from which the Waste is produced so as to be easily accessible to the Waste Collection Service contractor.
 - (3) If a building is constructed such that it abuts directly on the lane, the Property Owner shall provide to the reasonable satisfaction of The City a space within the building of sufficient area to contain all Waste between periods of collection.
 - (4) In the case of premises for which Waste Services are not provided by a lane, Customers shall place Receptacles in such manner as The City directs.
 - (5) A Receptacle for containing Waste shall be sufficiently strong to hold the weight of Waste contained therein without breaking and shall not exceed 1.2m in length or 100 litres in volume.
 - (6) A Receptacle when loaded with Waste shall not weigh more than 25 kg and The City is not required to handle or collect the contents of a Receptacle which exceeds that weight.
 - (7) ²A Cart, when loaded with Waste, shall not weigh more than the manufacturer's specification; 59 kg for a 120 litre Cart, 109 kg for a 240 litre Cart and 152kg for a 360 litre cart.
 - (8) A Cart, when loaded with Waste, shall be filled in such a way as to allow the lid to close completely and any Waste contained therein to be easily emptied via Automated Collection.
 - ³(9) Where Waste is collected by Automated Collection, any material not contained within a Cart shall not be collected, with the exception of extra Yard Waste.

¹ Bylaw 3606/A-2018

² Bylaw 3606/A-2018

³ Bylaw 3606/B-2019

- (10) The Customer shall ensure that Carts are properly set out for collection by 7:00 am on the scheduled collection day but not before 5:00 pm on the previous day. All Carts shall be returned to the premises within 24 hours of collection.
- (11) Where Waste is collected by Automated Collection, Waste shall be placed in the appropriate Cart assigned by The City for collection. The Customer shall ensure that Carts set out for Waste Collection Services are:
 - (a) Placed in an upright position on flat ground with their lids fully closed;
 - (b) Placed with at least one (1) metre clearance on all sides of the Cart and at least three (3) metre clearance above the Cart;
 - (c) Placed so that the wheels of the Cart are against the curb for front street collection and facing the residence for back alley collection;
 - (d) Placed so that the Cart is not impeding traffic.
- (12) The City reserves the right to refuse collection if Waste set out as Recyclables or Organics is contaminated with Garbage.
- (13) All Garbage shall be removed to and disposed of in the Disposal Grounds subject to the regulations established by The City and no Person shall deposit or dispose of Garbage at any location in the City except the Disposal Grounds.
- (14) A Person shall not use or permit to be used any vehicle or trailer for the conveyance or storage of Waste unless it is fitted with a cover capable of preventing the scattering or dispersal of Waste while it is being stored or transported by the vehicle. Any Person conveying an unsecured load to the Disposal Grounds, in addition to being liable for prosecution for an offence under this Bylaw, will be charged a surcharge at the Disposal Grounds as outlined in Schedule E.

CONTAINMENT OF WASTE

- 111 (1) No Property Owner or Occupant of land shall permit Waste to accumulate loosely on such land.
- (2) The Property Owner or Occupant of land shall ensure that any Waste produced from such land is held in Receptacles, Carts or Containers in good condition and which are adequate to contain the accumulation of Waste originating from such lands between collection times.

DISPOSAL OF WASTE

- 112 (1) All owners or Occupants of land shall remove and dispose of all Waste originating on their lands or premises which are not collected, removed and disposed of pursuant to this Bylaw, and in default of their so doing, The City may remove and dispose of such Waste at the expense of such owners or Occupants, who shall pay such expenses to The City on demand.
- (2) No Person shall dispose of any Waste in a Receptacle, Cart or Container owned or leased by another Person without the express written consent of the owner or lessee of the Receptacle, Cart or Container.
- (3) Public Receptacles shall only be used for the disposal of incidental Waste and shall not be used for the disposal of Waste generated by residences, businesses or other commercial activities.
- (4) Once the Customer has set out Waste, or Waste has been accepted at the Disposal Grounds, the Waste is deemed to be the property of the City and shall not be removed, collected or transported except by The City.

RESIDENTIAL GARBAGE COLLECTION

- ¹113 (1) The owner or Occupant of residential lands or premises may remove or cause to be removed Waste from their Property at their own expense, but must still pay to The City the rate levied under this Bylaw for Waste Collection Services. This section does not apply to removal of Waste from the Michener Centre.
- (2) The owner or Occupant of multi-family residential lands or premises must ensure that Waste is collected from the Property at least once per week. Unless Containers are used, the Property Owner must ensure that all Waste is neatly contained in Receptacles between collection times. The joint use or sharing of Containers or Receptacles between multi-family residential lands or premises, for the collection and disposal of Waste, shall not be permitted except with the prior written permission of The City. This section does not apply to removal of Waste from the Michener Centre.

NON-RESIDENTIAL WASTE

- 114 (1) Section 114 shall be applicable until December 31, 2020.

¹ Bylaw 3606/A-2018

- (24) The owner or Occupant of non-residential lands or premises may remove their own Waste at their own cost and expense by employing the services of their own workers or employees, but such owner or Occupant shall not contract such work out to any party other than the Waste Collection Service contractor. This prohibition does not apply to the removal of the types of Waste which are listed as exceptions in Section 104(2).
- (32) Any Person who breaches the provisions of subsection (1), in addition to their liability to be prosecuted for an offence under this Bylaw, shall be liable for and make payment to The City of the fees and charges for removal and disposal of Waste which such Person would have had to pay had such Person used the services of the Waste Collection Service contractor for such purpose.
- (34) This section does not apply to removal of Waste from the Michener Centre.

HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL WASTE

- 115 (1) The owner or Occupant of land which produces or possesses any Dangerous Goods, Hazardous Waste or Special Waste shall remove and dispose of such goods in accordance with this Bylaw and any regulations of the Governments of Alberta and Canada.
- (2) The owner or Occupant of any lands from which any Dangerous Goods, Hazardous Waste or Special Waste is removed shall properly identify such Waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- (3) No Person shall deposit or mix with any Waste for collection in the Waste Collection Service or delivery to the Disposal Grounds any Dangerous Goods or Hazardous Waste.
- (4) No Person shall place, or cause to be placed, any Special Waste into the Waste Collection Service or Disposal Grounds without obtaining permission from The City and making payment of the disposal charge specified in Schedule E.
- (5) Any Person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Grounds or any other site in the City and shall make payment of the same to The City on demand.

BURNING

116 Except as provided in The City's Fire Permit Bylaw no Person shall burn or attempt to burn any Waste in the City.

WASTE FROM OUTSIDE THE CITY

117 No Person shall deposit any Waste at the Disposal Grounds which does not originate from within the boundaries of the City except with the prior written permission of The City or under the authority of a contract with The City.

PART 7 - GENERAL**REMAINDER ENFORCEABLE**

118 Should any portion of this Bylaw be found by any court to be void or unenforceable, then it is the intention of Council that the remainder of this Bylaw shall remain in full force and effect, notwithstanding such ruling.

EFFECTIVE DATE

119 This Bylaw shall come into effect on March 1, 2018.

REPEAL PREVIOUS BYLAW

120 Bylaw No. 3570/2016 is hereby repealed effective March 1, 2018.

READ A FIRST TIME IN OPEN COUNCIL this 5 day of February 2018.

READ A SECOND TIME IN OPEN COUNCIL this 5 day of February 2018.

READ A THIRD TIME IN OPEN COUNCIL this 5 day of February 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this 5 day of February 2018.

"Mayor Tara Veer"
MAYOR

"Frieda McDougall"
CITY CLERK

SCHEDULE A – DEFINITIONS

SCHEDULE B – WATER RATES

SCHEDULE C – WASTEWATER RATES

SCHEDULE D – BILLING AND SERVICE FEES

SCHEDULE E – WASTE MANAGEMENT RATES

SCHEDULE F – SPECIAL WATER AND WASTEWATER RATES



Council Decision – July 8, 2019

DATE: July 10, 2019
TO: Janet Whitesell, Waste Management Superintendent
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Commercial and Multi-family Garbage Contract
Utility Bylaw Amendment – Bylaw 3606/C-2019

Reference Report:

Environmental Services, dated July 8, 2019

Bylaw Reading:

At the Monday, July 8, 2019 Regular Council Meeting, Council gave first reading to the following Bylaw:

Bylaw 3606/C-2019 - an amendment to the Utility Bylaw to address changes to multi-family and commercial waste/garbage collection.

Report back to Council:

Yes.

Comments/Further Action:

This bylaw will come for consideration of second and third reading at the Monday, August 19, 2019 Council Meeting.

A handwritten signature in blue ink, appearing to read 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Development Services
Environmental Services Manager
Corporate Meeting Administrator



June 19, 2019

Supplementary Report

Land Use Bylaw Amendment - Omnibus Bylaw 3357/S-2019

Planning Department

Background:

At the Monday, June 10, 2019 Council Meeting, Council granted first reading to Land Use Bylaw Amendment 3357/S-2019, an Omnibus Amendment to provide City staff and the public with clearer interpretation and implementation of the LUB.

Proposed Resolution:

Resolved that Council of The City of Red Deer having considered the report from the Planning Department dated June 19, 2019 re: Supplementary Report Land Use Bylaw Amendment – Omnibus Bylaw 3357/S-2019 hereby agrees to amend the bylaw as follows:

- Section 5(a)(ii) delete the word “principle” and replacing with the word “principal”
- Section 1.3 definition for Low Impact Commercial Use is deleted in its entirety and replaced with the following:

Low Impact Commercial Use means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district. Low Impact Commercial Use does not include Cannabis Retail Sales.

That Bylaw 3357/S-2019 be read a second time, as amended.

That Bylaw 3357/S-2019 be read a third time.

Discussion:

A revised Land Use Bylaw amendment has been prepared to address the following items discussed at First Reading:

1. Change the spelling of “Principle” to “Principal” in item #54 Section 5(a)(ii).
2. Revise the definition of Low Impact Commercial in item #53 to clarify uses included and excluded.

Appendices:

Revised Appendix A - Bylaw 3357/S-2019 and Amendment Map
Revised Appendix C – User friendly description bylaw

Revised Appendix A

Land Use Bylaw Amendment 3357/S-2019

BYLAW NO. 3357/S-2019

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

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

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

1. Section 1.3 Definitions is amended by deleting the definition for “Garden Suite”.
2. Section 4.1 R1 Residential (Low Density) District, (1) R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(viii) Garden Suite subject to section 4.7 (13).*
3. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.1(3)(b) and 4.7(9).*
4. Section 4.1.1 R1C Residential (Carriage Home) District, (3) R1C Residential (Carriage Home) Regulations, (b) Table 4.1.1 Use Provisions - Carriage Home Unit, is amended by deleting the following requirement: *A Carriage Home and a Garden Suite shall not both be allowed on the same lot.*
5. Section 4.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.2(2)(b) and 4.7(13).*
6. Section 4.4 R2 Residential (Medium Density) District, (1) R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ix) Garden suite subject to section 4.7(13).*
7. Section 4.6 R4 Residential (Manufactured Home) District, (1) R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses is

amended by deleting the following section: *(iii) Garden suite subject to section 4.7(13).*

8. Section 4.6.1 R1E Residential Estate District (1) R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ii) Garden Suite.*
9. Section 4.7 Residential District Regulations, (11) Bed and Breakfasts is amended to delete subsection (xi) and replace it with the following:

(xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
10. Section 4.7 Residential District Regulations is amended by deleting (13) Garden Suite Building Regulations in its entirety.
11. Section 8.15 (1) DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Garden suite subject to section 4.7(13).*
12. Section 1.3 Definitions is amended by deleting the definition for “Home Music Instructor/Instruction”.
13. Section 4.1 Residential (Low Density) District, 1.R1 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
14. Section 4.1 Residential (Low Density) District , 1.R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
15. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*

16. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
17. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
18. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
19. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
20. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(vii) Home music instructor/instruction (six students), subject to section 4.7(10).*
21. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
22. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
23. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (two students), subject to section 4.7(10).*

24. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
25. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home music instructor/instruction (2 students), subject to section 4.7(10).*
26. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
27. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music Instructor/Instruction (two students), subject to section 4.7(10).*
28. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home music instructor/instruction (six students), subject to section 4.7(10).*
29. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music Instructor/Instruction (two students), subject to section 4.7(10).*
30. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
31. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(ii) Home music instructor/instruction (two students), subject to section 4.7(10).*

32. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(viii) Home music instructor/instruction (six students), subject to section 4.7(10).*
33. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(i) Home music instructor/instruction (two students), subject to section 4.7(10).*
34. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
35. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
36. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
37. Section 4.7 Residential District Regulations, (10) Home Music Instructor/Instruction is deleted in its entirety.
38. Section 5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(vi) Home music instructor/instruction, subject to section 4.7(10).*
39. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home music instructor/instruction (two students), subject to section 4.7(10).*
40. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to*

- section 4.7(10) and replace it with (v) Home Occupations which will generate additional traffic subject to section 4.7(8).*
41. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
42. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
43. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10) of the Land Use Bylaw.*
44. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10) of the Land Use Bylaw.*
45. Section 8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27), 1. Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(vii) Home Music Instructor/Instruction, subject to section 4.7 (10).*
46. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 6. DC 32 Discretionary Uses, (a) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);*
47. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 7. Development Regulations is amended to delete (c) and replace it with the following:

(c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);

48. Section 8.22 Exceptions Respecting Land Use, 2. Areas Specifically Exempted from a Particular Use (e), is amended to delete: *(ii) Home music instructor/instruction*
49. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.1 Permitted Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (two students).*
50. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.2 Discretionary Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (six students).*
51. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.1 Permitted Uses is amended to delete: *(b)(viii) Home music instructor/instruction (two students).*
52. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.2 Discretionary Uses (b) is amended to delete: *(b)(viii) Home music instructor/instruction (six students).*
53. Section 1.3 Definitions is amended by deleting the definition for “Low Impact Commercial Use” and replacing it with the following:

Low Impact Commercial Use means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district. **Low Impact Commercial Use** does not include **Cannabis Retail Sales**.
54. Part Seven: Overlay and Other Districts and Regulations is amended to add the following Section:

7.17 Low Impact Commercial Overlay District

1. General Purpose

Low Impact Commercial Uses are intended to allow the use of detached dwelling forms for small offices, commercial and personal services, and sales, whether or not in conjunction with single family residential use, in designated transition areas between low density residential neighbourhoods and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the individual properties, the adjacent residential neighbourhoods and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

2. Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Those uses listed as permitted in the existing underlying land use district
(b) Discretionary Uses
(i) Those uses listed as discretionary in the underlying land use district, and; (ii) Low Impact Commercial Uses (iii) Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing structure only

3. Application

- a) The regulations in this District apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay District as shown on Land Use Map M15.
- b) The regulations in this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the underlying District contradict or will not serve to achieve the general purpose of this District, the regulations of this District shall prevail. Where the underlying District is a Direct Control District, the regulations of that underlying Direct Control District shall prevail.

4. Low Impact Commercial Regulations

- a) Low Impact Commercial Uses shall not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday. This includes shipping goods and receiving clients or customers.

- b) Low Impact Commercial Uses shall not, in the opinion of the Development Officer, cause nuisances including, but not limited to, emissions, odours, or noise.
- c) Low Impact Commercial Uses should not, in the opinion of the Development Officer, adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- d) The lot frontage of a Low Impact Commercial Use shall not exceed 30.5m
- e) Exterior lighting of the premises shall not, in the opinion of the Development Authority, adversely impact the privacy or enjoyment of adjacent properties or the area in general.
- f) Waste containers shall be in the rear yard only and be screened to the satisfaction of the Development Authority.
- g) Outside Storage or display shall not be permitted.
- h) Upon receipt of an application for a Low Impact Commercial Use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

5. Parking

(a) Parking spaces for Low Impact Commercial Uses shall be provided on-site at the rates indicated below:

LOW IMPACT USE	PARKING REQUIREMENT
Office	2.0 per staff persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service or Personal Service	2.5 per 93 m ² Floor Area or part thereof
Merchandise Sales	5.0 per 93.0 m ² Floor Area or part thereof

Residential	2.0 per Dwelling Unit
-------------	-----------------------

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to establish as a low impact commercial use,
- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principal building,
- (iii) parking spaces shall be screened from the street view,
- (iv) access to parking spaces should be off the rear lane only, if a rear lane is available.
- (v) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term "floor area" is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

55. Section 5.7 General Commercial District Regulations is amended by deleting (6) Low Impact Commercial Use in its entirety.

56. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(k).

57. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(f)(viii).

58. Land Use Bylaw map M15 is amended by deleting exception (k) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".

59. Land Use Bylaw map M15 is amended by deleting exception (f)(viii) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".

60. Section 11.10 Building Sign Development Standards is amended by adding the following:

(1)(j) Low Impact Commercial Use

61. Section 11.13 Freestanding Sign Development Standards is amended by adding the following:

(1)(i) Low Impact Commercial Use

62. Section 1.3 Definitions is amended by deleting the definition for “Microbrewery” and replacing it with the following:

Microbrewery includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

63. Section 1.3 Definitions is amended by deleting the definition for “Minimum Gravel Parking Standard” and replacing it with the following:

Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.

64. Section 3.2 Parking Standards is amended by adding the following:

3.2 (11) Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, or crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

65. Section 1.3 Definitions is amended by deleting the definition for “Temporary Home Stay Accommodations” and replacing it with the following:

Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

66. Section 1.3 Definitions is amended by deleting the definition for “Yard” and replacing it with the following:

Yard means the open space on the same Site as a Building and unoccupied by Buildings or Structures.

67. Section 3.0 General Regulations Applicable to all Districts is amended by adding the following:

3.0(2) In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

68. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Municipal Address and replacing it with *5205 48 Avenue*.

69. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Legal Description and replacing it with *Lot 7MR, Block 36, Plan 1820009*.

70. Section 7.6 HS Historical Significance Overlay District, Inventory of Historical Significant Resources table, HS-54 is amended by deleting the Street Address and replacing it with *5838 45 Avenue*.

71. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended by deleting *(iv) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:

(iv) Merchandise sales and/or rental (excluding Cannabis Retail Sales), with a minimum Floor Area for a Building or a comprehensively designed group of buildings – 929.0 m² (there is no minimum floor area for the units within the building(s)).

72. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (b) discretionary uses, is amended by deleting

(xii) Merchandise Sales (excluding Cannabis Retail Sales) and replacing it with the following:

(xii) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).

73. Section 6.2 I2 Industrial (Heavy Industrial) District, (1) I2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting (iii) Medical Marihauna Facility (MMF) and replacing it with the following:

(iii) Cannabis Production Facility (CPF)

74. Section 8.22 Exceptions Regarding Land Use, (1) Areas Specifically Designated for a Particular Use, (g) is amended by deleting (iv) and replacing it with the following:

(iv) A Cannabis Production Facility (CPF) on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

75. Section 11.9 Billboard Signs (5)(a) is deleted and replaced with the following:

(a) The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2019.

READ A SECOND TIME IN OPEN COUNCIL this day of 2019.

READ A THIRD TIME IN OPEN COUNCIL this day of 2019.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2019.

MAYOR

CITY CLERK

Revised Appendix C

The follow appendix is a user friendly version of the bylaw intended as a visual aid to demonstrate where key changes occur.

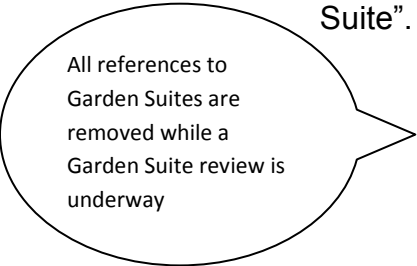
BYLAW NO. 3357/S-2019

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

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

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

1. Section 1.3 Definitions is amended by deleting the definition for “Garden Suite”.



All references to Garden Suites are removed while a Garden Suite review is underway

2. Section 4.1 R1 Residential (Low Density) District, (1) R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(viii) Garden Suite subject to section 4.7 (13).*
3. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.1(3)(b) and 4.7(9).*
4. Section 4.1.1 R1C Residential (Carriage Home) District, (3) R1C Residential (Carriage Home) Regulations, (b) Table 4.1.1 Use Provisions - Carriage Home Unit, is amended by deleting the following requirement: *A Carriage Home and a Garden Suite shall not both be allowed on the same lot.*
5. Section 4.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.2(2)(b) and 4.7(13).*

6. Section 4.4 R2 Residential (Medium Density) District, (1) R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ix) Garden suite subject to section 4.7(13).*
7. Section 4.6 R4 Residential (Manufactured Home) District, (1) R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden suite subject to section 4.7(13).*
8. Section 4.6.1 R1E Residential Estate District (1) R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ii) Garden Suite.*
9. Section 4.7 Residential District Regulations, (11) Bed and Breakfasts is amended to delete subsection (xi) and replace it with the following:

Removed
reference to
"Garden Suite"

(xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.

10. Section 4.7 Residential District Regulations is amended by deleting (13) Garden Suite Building Regulations in its entirety.
11. Section 8.15 (1) DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Garden suite subject to section 4.7(13).*
12. Section 1.3 Definitions is amended by deleting the definition for "Home Music Instructor/Instruction".

Definition for Home Music
Instructor/Instruction is
deleted as this use falls
under the definition of
"Home Occupation"

13. Section 4.1 Residential (Low Density) District, 1.R1 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*

14. Section 4.1 Residential (Low Density) District , 1.R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
15. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
16. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
17. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
18. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
19. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
20. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(vii) Home music instructor/instruction (six students), subject to section 4.7(10).*
21. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*

22. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (v) *Home music instructor/instruction (six students), subject to section 4.7(10).*
23. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home Music Instructor/Instruction (two students), subject to section 4.7(10).*
24. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iii) *Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
25. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iv) *Home music instructor/instruction (2 students), subject to section 4.7(10).*
26. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iv) *Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
27. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music Instructor/Instruction (two students), subject to section 4.7(10).*
28. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (x) *Home music instructor/instruction (six students), subject to section 4.7(10).*
29. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music Instructor/Instruction (two students), subject to section 4.7(10).*

30. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
31. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(ii) Home music instructor/instruction (two students), subject to section 4.7(10).*
32. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(viii) Home music instructor/instruction (six students), subject to section 4.7(10).*
33. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(i) Home music instructor/instruction (two students), subject to section 4.7(10).*
34. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
35. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
36. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
37. Section 4.7 Residential District Regulations, (10) Home Music Instructor/Instruction is deleted in its entirety.

38. Section 5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (vi) *Home music instructor/instruction, subject to section 4.7(10).*
39. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iv) *Home music instructor/instruction (two students), subject to section 4.7(10).*
40. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (v) *Home music instructor/instruction (six students), subject to section 4.7(10)* and replace it with (v) *Home Occupations which will generate additional traffic subject to section 4.7(8).*
41. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music instructor/instruction (two students), subject to section 4.7(10).*
42. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iv) *Home music instructor/instruction (six students), subject to section 4.7(10).*
43. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: (iii) *Home music instructor/instruction (two students), subject to section 4.7(10) of the Land Use Bylaw.*
44. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: (iv) *Home music instructor/instruction (six students), subject to section 4.7(10) of the Land Use Bylaw.*
45. Section 8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27), 1. Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (vii) *Home Music Instructor/Instruction, subject to section 4.7 (10).*

46. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 6. DC 32 Discretionary Uses, (a) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);*
47. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 7. Development Regulations is amended to delete (c) and replace it with the following:
- (c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);*
48. Section 8.22 Exceptions Respecting Land Use, 2. Areas Specifically Exempted from a Particular Use (e), is amended to delete: *(ii) Home music instructor/instruction*
49. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.1 Permitted Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (two students).*
50. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.2 Discretionary Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (six students).*
51. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.1 Permitted Uses is amended to delete: *(b)(viii) Home music instructor/instruction (two students).*
52. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.2 Discretionary Uses (b) is amended to delete: *(b)(viii) Home music instructor/instruction (six students).*
53. Section 1.3 Definitions is amended by deleting the definition for “Low Impact Commercial Use” and replacing it with the following:

Low Impact Commercial Use means the conducting of merchandise sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached

dwelling form in a residential district. **Low Impact Commercial Use** does not include **Cannabis Retail Sales**.

Removed “in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses”. Removed reference to detached dwelling and replaced with detached “dwelling form”.

54. Part Seven: Overlay and Other Districts and Regulations is amended to add the following Section:

7.17 Low Impact Commercial Overlay District

1. General Purpose

Low Impact Commercial Uses are intended to allow the use of detached dwelling forms for small offices, commercial and personal services, and sales, whether or not in conjunction with single family residential use, in designated transition areas between low density residential neighbourhoods and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the individual properties, the adjacent residential neighbourhoods and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

2. Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Those uses listed as permitted in the existing underlying land use district
(b) Discretionary Uses
(i) Those uses listed as discretionary in the underlying land use district, and;
(ii) Low Impact Commercial Uses
(iii) Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing structure only

3. Application

- a) The regulations in this District apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay District as shown on Land Use Map M15.
- b) The regulations in this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the underlying District contradict or will not serve to achieve the general purpose of this District, the regulations of this District shall prevail. Where the underlying District is a Direct Control District, the regulations of that underlying Direct Control District shall prevail.

4. Low Impact Commercial Regulations

- a) Low Impact Commercial Uses shall not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday. This includes shipping goods and receiving clients or customers.
- b) Low Impact Commercial Uses shall not, in the opinion of the Development Officer, cause nuisances including, but not limited to, emissions, odours, or noise.
- c) Low Impact Commercial Uses should not, in the opinion of the Development Officer, adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- d) The lot frontage of a Low Impact Commercial Use shall not exceed 30.5m
- e) Exterior lighting of the premises shall not, in the opinion of the Development Authority, adversely impact the privacy or enjoyment of adjacent properties or the area in general.
- f) Waste containers shall be in the rear yard only and be screened to the satisfaction of the Development Authority.
- g) Outside Storage or display shall not be permitted.

- h) Upon receipt of an application for a Low Impact Commercial Use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

5. Parking

- (a) Parking spaces for Low Impact Commercial Uses shall be provided on-site at the rates indicated below:

LOW IMPACT USE	PARKING REQUIREMENT
Office	2.0 per staff persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service or Personal Service	2.5 per 93 m ² Floor Area or part thereof
Merchandise Sales	5.0 per 93.0 m ² Floor Area or part thereof
Residential	2.0 per Dwelling Unit

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to establish as a low impact commercial use,
- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principal building,
- (iii) parking spaces shall be screened from the street view,
- (iv) access to parking spaces should be off the rear lane only, if a rear lane is available.
- (v) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term "floor area" is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

55. Section 5.7 General Commercial District Regulations is amended by deleting (6) Low Impact Commercial Use in its entirety.
56. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(k).
57. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(f)(viii).
58. Land Use Bylaw map M15 is amended by deleting exception (k) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".
59. Land Use Bylaw map M15 is amended by deleting exception (f)(viii) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".
60. Section 11.10 Building Sign Development Standards is amended by adding the following:
- (1)(j) Low Impact Commercial Use
61. Section 11.13 Freestanding Sign Development Standards is amended by adding the following:
- (1)(i) Low Impact Commercial Use
62. Section 1.3 Definitions is amended by deleting the definition for "Microbrewery" and replacing it with the following:
- Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

Reworded definition to reflect that limits on production and packaging areas are intended as part of what defines a Microbrewery and not a regulation.

63. Section 1.3 Definitions is amended by deleting the definition for “Minimum Gravel Parking Standard” and replacing it with the following:

Removed reference to requiring a higher standard where adverse soil conditions present.

Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.

64. Section 3.2 Parking Standards is amended by adding the following:

Moved reference to requiring a higher standard where adverse soil conditions present into Section 3.2 Parking Standards.

3.2 (11) Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, or crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

65. Section 1.3 Definitions is amended by deleting the definition for “Temporary Home Stay Accommodations” and replacing it with the following:

Definition amended to remove regulation

Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

66. Section 1.3 Definitions is amended by deleting the definition for “Yard” and replacing it with the following:

Removed regulation from the definition.

Yard means the open space on the same Site as a Building and unoccupied by Buildings or Structures.

67. Section 3.0 General Regulations Applicable to all Districts is amended by adding the following:

Regulation moved into Section 3.0(2)

3.0(2) In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

68. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Municipal Address and replacing it with *5205 48 Avenue*.
69. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Legal Description and replacing it with *Lot 7MR, Block 36, Plan 1820009*.
70. Section 7.6 HS Historical Significance Overlay District, Inventory of Historical Significant Resources table, HS-54 is amended by deleting the Street Address and replacing it with *5838 45 Avenue*.
71. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended by deleting *(iv) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:
- (iv) Merchandise sales and/or rental (excluding Cannabis Retail Sales), with a minimum Floor Area for a Building or a comprehensively designed group of buildings – 929.0 m2 (there is no minimum floor area for the units within the building(s)).*
72. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (b) discretionary uses, is amended by deleting *(xii) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:
- (xii) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).*
73. Section 6.2 I2 Industrial (Heavy Industrial) District, (1) I2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting *(iii) Medical Marihauna Facility (MMF)* and replacing it with the following:
- (iii) Cannabis Production Facility (CPF)*

74. Section 8.22 Exceptions Regarding Land Use, (1) Areas Specifically Designated for a Particular Use, (g) is amended by deleting (iv) and replacing it with the following:

(iv) A Cannabis Production Facility (CPF) on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

75. Section 11.9 Billboard Signs (5)(a) is deleted and replaced with the following:

(a) The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2019.

READ A SECOND TIME IN OPEN COUNCIL this day of 2019.

READ A THIRD TIME IN OPEN COUNCIL this day of 2019.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2019.

MAYOR

CITY CLERK



May 1, 2019

Originally Submitted to the
June 10, 2019 Council Meeting

Land Use Bylaw Amendment - Omnibus Bylaw 3357/S-2019

Planning Department

Report Summary & Recommendation

City Administration has initiated this Land Use Bylaw (LUB) amendment to provide City staff and the public with clearer interpretation and implementation of the LUB.

Administration recommends Council support First Reading of Land Use Bylaw Amendment 3357/S-2019.

City Manager Comments

I support the recommendation of Administration. If first reading of Bylaw 3357/S-2019 is given, this bylaw will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, July 8, 2019 at 6:00 p.m. during Council's regular meeting.

Allan Seabrooke
City Manager

Proposed Resolution

That Bylaw 3357/S-2019 be read a first time.

Analysis

Administration supports the amendments based on the following rationale:

1. Compliance with City policy framework

The proposed amendments align with the LUB and the Municipal Development Plan.

2. Clarification of practice for the public and Administration

The changes will provide City staff and the public with clearer interpretation and implementation of the LUB.

Discussion

The amendments proposed under Bylaw 3357/S-2019 are the accumulation of a number of minor bylaw changes that have been requested by Administration in order to improve the clarity and application of the LUB.

The amendment proposes to:

1. Remove “Garden Suite” from the Land Use Bylaw entirely (see items 1-11 in Appendix B).
2. Remove Home Music Instructor/Instruction from the Land Use Bylaw entirely (see items 12-52 in Appendix B).
3. Amend the definition of Low Impact Commercial Use (see item 53 in Appendix B).
4. Remove Low Impact Commercial site exceptions and Low Impact Commercial Regulations and replace them with a Low Impact Commercial Overlay District (see items 54-59 in Appendix B).
5. Add Low Impact Commercial Uses to the Building Sign and Freestanding Sign Development Standards (see items 60-61 in Appendix B).
6. Amend the definition for “Microbrewery” to provide clarity (see item 62 in Appendix B).
7. Amend the definition for “Minimum Gravel Parking Standard” to remove the regulation from the definition and place it into the appropriate section of the Land Use Bylaw (see items 63-64 in Appendix B).
8. Amend the definition for “Temporary Home Stay Accomodations” to remove regulation (see item 65 in Appendix B).
9. Amend the definition of “Yard” to remove the regulation from the definition and place it in the appropriate section of the Land Use Bylaw see items 66-67 in Appendix B).
10. Amend the HP and HS districts to correct errors in Legal Descriptions and Street Addresses (see items 68-70 in Appendix B).
11. Amend the C4 Commercial (Major Arterial) District to correct errors in the listing of “Merchandise Sales” (see items 71-72 in Appendix B).
12. Amend the LUB by deleting references to Medical Marihauna Facility (MMF) and replacing them with Cannabis Production Facility (CPF) (see items 73-74 in Appendix B).
13. Amend Section 11.9 Billboard Signs to update section references to correspond with section updates in the LUB (see item 75 in Appendix B).

14. Capitalize all defined terms within the proposed amendments.

Please refer to Appendix B for the details and rationale for each of these amendments.

Appendices

Appendix A - Bylaw 3357/S-2019 and Amendment Map

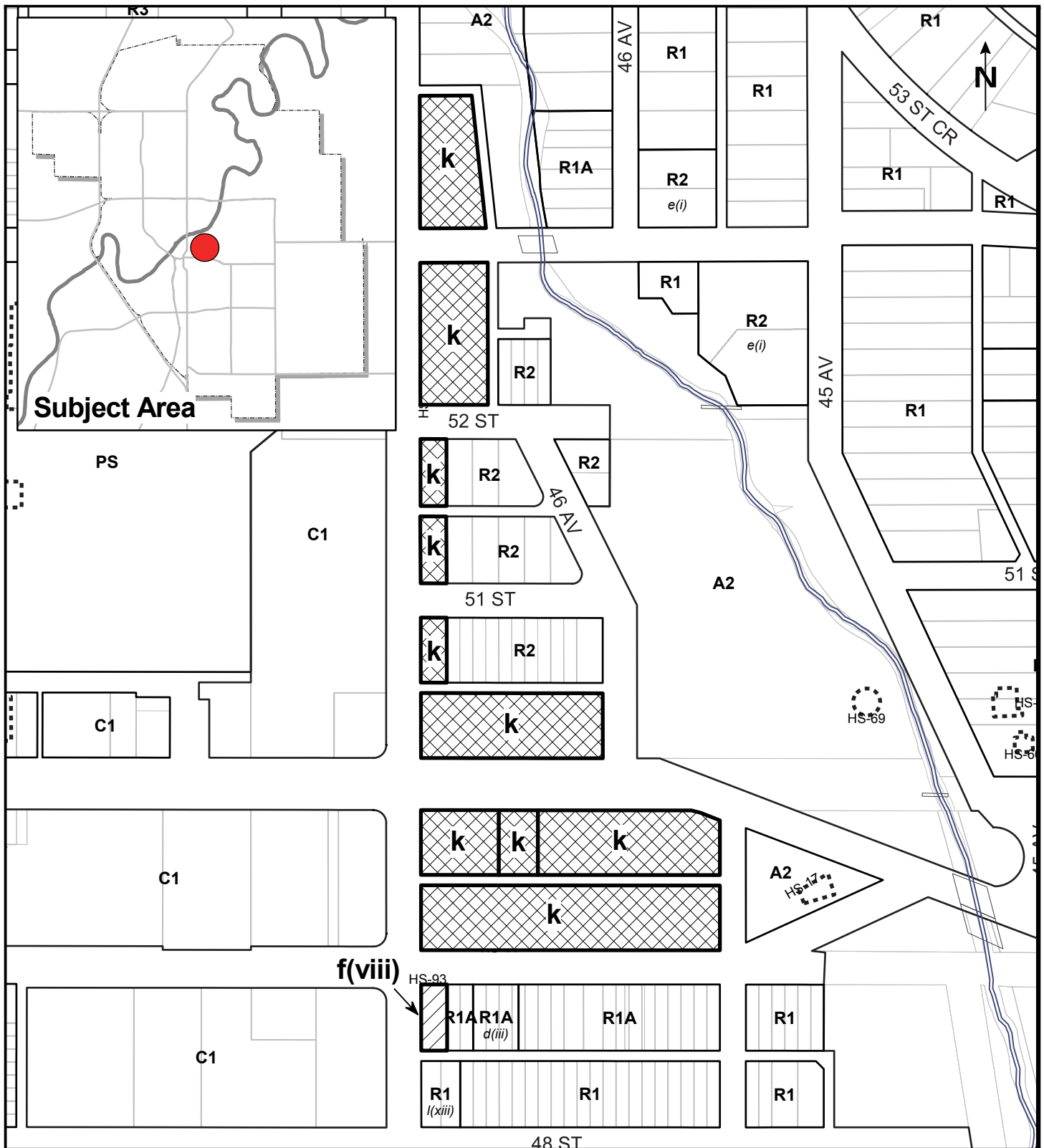
Appendix B - Omnibus Amendment Details and Rationale

Appendix C – User Friendly description bylaw



Red Deer

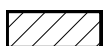
Proposed Amendment to Land Use Bylaw 3357/2006



Substitute Site Exception for Overlay Constraint:



Site Exception k to Low Impact Commercial Overlay



Site Exception f(viii) to Low Impact Commercial Overlay

Proposed Amendment

Map: 15 / 2019

Bylaw: 3357 / S-2019

Date: Feb. 26, 2019

Appendix A

Land Use Bylaw Amendment 3357/S-2019

BYLAW NO. 3357/S-2019

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

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

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

1. Section 1.3 Definitions is amended by deleting the definition for “Garden Suite”.
2. Section 4.1 R1 Residential (Low Density) District, (1) R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(viii) Garden Suite subject to section 4.7 (13).*
3. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.1(3)(b) and 4.7(9).*
4. Section 4.1.1 R1C Residential (Carriage Home) District, (3) R1C Residential (Carriage Home) Regulations, (b) Table 4.1.1 Use Provisions - Carriage Home Unit, is amended by deleting the following requirement: *A Carriage Home and a Garden Suite shall not both be allowed on the same lot.*
5. Section 4.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.2(2)(b) and 4.7(13).*
6. Section 4.4 R2 Residential (Medium Density) District, (1) R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ix) Garden suite subject to section 4.7(13).*
7. Section 4.6 R4 Residential (Manufactured Home) District, (1) R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden suite subject to section 4.7(13).*

8. Section 4.6.1 R1E Residential Estate District (1) R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ii) Garden Suite*.
9. Section 4.7 Residential District Regulations, (11) Bed and Breakfasts is amended to delete subsection (xi) and replace it with the following:
 - (xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.
10. Section 4.7 Residential District Regulations is amended by deleting (13) Garden Suite Building Regulations in its entirety.
11. Section 8.15 (1) DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Garden suite subject to section 4.7(13)*.
12. Section 1.3 Definitions is amended by deleting the definition for "Home Music Instructor/Instruction".
13. Section 4.1 Residential (Low Density) District, 1.R1 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10)*.
14. Section 4.1 Residential (Low Density) District , 1.R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home Music Instructor/Instruction (six students), subject to section 4.7(10)*.
15. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (2 students), subject to section 4.7(10)*.
16. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10)*.

17. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
18. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
19. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
20. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(vii) Home music instructor/instruction (six students), subject to section 4.7(10).*
21. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
22. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
23. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (two students), subject to section 4.7(10).*
24. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*

25. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home music instructor/instruction (2 students), subject to section 4.7(10).*
26. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
27. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music Instructor/Instruction (two students), subject to section 4.7(10).*
28. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home music instructor/instruction (six students), subject to section 4.7(10).*
29. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music Instructor/Instruction (two students), subject to section 4.7(10).*
30. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
31. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(ii) Home music instructor/instruction (two students), subject to section 4.7(10).*
32. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(viii) Home music instructor/instruction (six students), subject to section 4.7(10).*

33. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(i) Home music instructor/instruction (two students), subject to section 4.7(10).*
34. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
35. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
36. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
37. Section 4.7 Residential District Regulations, (10) Home Music Instructor/Instruction is deleted in its entirety.
38. Section 5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(vi) Home music instructor/instruction, subject to section 4.7(10).*
39. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home music instructor/instruction (two students), subject to section 4.7(10).*
40. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10)* and replace it with *(v) Home Occupations which will generate additional traffic subject to section 4.7(8).*
41. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete:

(iii) Home music instructor/instruction (two students), subject to section 4.7(10).

42. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
43. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10) of the Land Use Bylaw.*
44. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10) of the Land Use Bylaw.*
45. Section 8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27), 1. Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(vii) Home Music Instructor/Instruction, subject to section 4.7 (10).*
46. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 6. DC 32 Discretionary Uses, (a) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);*
47. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 7. Development Regulations is amended to delete (c) and replace it with the following:
- (c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);*
48. Section 8.22 Exceptions Respecting Land Use, 2. Areas Specifically Exempted from a Particular Use (e), is amended to delete: *(ii) Home music instructor/instruction*

49. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.1 Permitted Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (two students)*.
50. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.2 Discretionary Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (six students)*.
51. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.1 Permitted Uses is amended to delete: *(b)(viii) Home music instructor/instruction (two students)*.
52. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.2 Discretionary Uses (b) is amended to delete: *(b)(viii) Home music instructor/instruction (six students)*.
53. Section 1.3 Definitions is amended by deleting the definition for “Low Impact Commercial Use” and replacing it with the following:

Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district.

54. Part Seven: Overlay and Other Districts and Regulations is amended to add the following Section:

7.17 Low Impact Commercial Overlay District

1. General Purpose

Low Impact Commercial Uses are intended to allow the use of detached dwelling forms for small offices, commercial and personal services, and sales, whether or not in conjunction with single family residential use, in designated transition areas between low density residential neighbourhoods and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character

of the individual properties, the adjacent residential neighbourhoods and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

2. Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Those uses listed as permitted in the existing underlying land use district
(b) Discretionary Uses	
(i)	Those uses listed as discretionary in the underlying land use district, and;
(ii)	Low Impact Commercial Uses
(iii)	Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing structure only

3. Application

- a) The regulations in this District apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay District as shown on Land Use Map M15.
- b) The regulations in this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the underlying District contradict or will not serve to achieve the general purpose of this District, the regulations of this District shall prevail. Where the underlying District is a Direct Control District, the regulations of that underlying Direct Control District shall prevail.

4. Low Impact Commercial Regulations

- a) Low Impact Commercial Uses shall not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday. This includes shipping goods and receiving clients or customers.
- b) Low Impact Commercial Uses shall not, in the opinion of the Development Officer, cause nuisances including, but not limited to, emissions, odours, or noise.

- c) Low Impact Commercial Uses should not, in the opinion of the Development Officer, adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- d) The lot frontage of a Low Impact Commercial Use shall not exceed 30.5m
- e) Exterior lighting of the premises shall not, in the opinion of the Development Authority, adversely impact the privacy or enjoyment of adjacent properties or the area in general.
- f) Waste containers shall be in the rear yard only and be screened to the satisfaction of the Development Authority.
- g) Outside Storage or display shall not be permitted.
- h) Upon receipt of an application for a Low Impact Commercial Use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

5. Parking

(a) Parking spaces for Low Impact Commercial Uses shall be provided on-site at the rates indicated below:

LOW IMPACT USE	PARKING REQUIREMENT
Office	2.0 per staff persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service or Personal Service	2.5 per 93 m ² Floor Area or part thereof
Merchandise Sales	5.0 per 93.0 m ² Floor Area or part thereof
Residential	2.0 per Dwelling Unit

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to

establish as a low impact commercial use,

- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principle building,
- (iii) parking spaces shall be screened from the street view,
- (iv) access to parking spaces should be off the rear lane only, if a rear lane is available.
- (v) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term “floor area” is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

55. Section 5.7 General Commercial District Regulations is amended by deleting (6) Low Impact Commercial Use in its entirety.

56. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(k).

57. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(f)(viii).

58. Land Use Bylaw map M15 is amended by deleting exception (k) and replacing it with Low Impact Commercial Overlay as shown in Schedule “A”.

59. Land Use Bylaw map M15 is amended by deleting exception (f)(viii) and replacing it with Low Impact Commercial Overlay as shown in Schedule “A”.

60. Section 11.10 Building Sign Development Standards is amended by adding the following:

(1)(j) Low Impact Commercial Use

61. Section 11.13 Freestanding Sign Development Standards is amended by adding the following:

(1)(i) Low Impact Commercial Use

62. Section 1.3 Definitions is amended by deleting the definition for “Microbrewery” and replacing it with the following:

Microbrewery includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

63. Section 1.3 Definitions is amended by deleting the definition for “Minimum Gravel Parking Standard” and replacing it with the following:

Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.

64. Section 3.2 Parking Standards is amended by adding the following:

3.2 (11) Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, or crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

65. Section 1.3 Definitions is amended by deleting the definition for “Temporary Home Stay Accommodations” and replacing it with the following:

Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

66. Section 1.3 Definitions is amended by deleting the definition for “Yard” and replacing it with the following:

Yard means the open space on the same Site as a Building and unoccupied by Buildings or Structures.

67. Section 3.0 General Regulations Applicable to all Districts is amended by adding the following:

3.0(2) In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

68. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Municipal Address and replacing it with *5205 48 Avenue*.

69. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Legal Description and replacing it with *Lot 7MR, Block 36, Plan 1820009*.

70. Section 7.6 HS Historical Significance Overlay District, Inventory of Historical Significant Resources table, HS-54 is amended by deleting the Street Address and replacing it with *5838 45 Avenue*.

71. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended by deleting *(iv) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:

(iv) Merchandise sales and/or rental (excluding Cannabis Retail Sales), with a minimum Floor Area for a Building or a comprehensively designed group of buildings – 929.0 m² (there is no minimum floor area for the units within the building(s)).

72. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (b) discretionary uses, is amended by deleting *(xii) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:

(xii) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).

73. Section 6.2 I2 Industrial (Heavy Industrial) District, (1) I2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting (iii) Medical Marihauna Facility (MMF) and replacing it with the following:

(iii) Cannabis Production Facility (CPF)

74. Section 8.22 Exceptions Regarding Land Use, (1) Areas Specifically Designated for a Particular Use, (g) is amended by deleting (iv) and replacing it with the following:

(iv) A Cannabis Production Facility (CPF) on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

75. Section 11.9 Billboard Signs (5)(a) is deleted and replaced with the following:

(a) The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2019.

READ A SECOND TIME IN OPEN COUNCIL this day of 2019.

READ A THIRD TIME IN OPEN COUNCIL this day of 2019.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2019.

MAYOR

CITY CLERK

Appendix B

Land Use Bylaw Amendment 3357/S-2019 - Omnibus details and rationale

Bylaw Ref #	Proposed Amendment	Rationale
1.	Amend Section 1.3 to remove definition for Garden Suite .	Currently the definition of Garden Suite would be subject to legal Charter challenges due to the limitation to “elderly parents”. Garden suites fall under the same broad category of secondary infill dwelling units as Carriage Homes. A study will be coming forward in December 2019 reviewing and providing recommendations on Garden Suites and Carriage Homes.
2.	Amend section 4.1 R1 Residential (Low Density) District to remove Garden Suite from Discretionary Uses.	See above
3.	Amend section 4.1.1 R1C Residential (Carriage Home) District to remove Garden Suite from Discretionary Uses.	See above
4.	Amend section 4.1.1 R1C Residential (Carriage Home) District to remove reference to Garden Suite from (3)(b) Regulations.	See above
5.	Amend section 4.1.2 R1WS Residential (Wide/Shallow lot) District to remove Garden Suite from Discretionary Uses.	See above
6.	Amend section 4.4 R2 Residential (Medium Density) District to remove Garden Suite from Discretionary Uses.	See above
7.	Amend section 4.6 R4 Residential (Manufactured Home) District to remove Garden Suite from Discretionary Uses.	See above
8.	Amend section 4.6.1 R1E Residential Estate District to remove Garden Suite from Discretionary Uses.	See above
9.	Amend section 4.7 Residential District Regulations, (11) Bed and Breakfasts to delete subsection (xi) and replace it with reference that does not include Garden Suite : Old: (xi) There shall be no secondary suite or	See above

Bylaw Ref #	Proposed Amendment	Rationale
	<p>Garden Suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.</p> <p><i>New: (xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.</i></p>	
10.	Section 4.7 (13) Garden Suite Building Regulations is deleted in its entirety.	See above
11.	Amend section 8.15 Direct Control District No. 15 DC (15) to remove Garden Suite from Discretionary Uses.	See above
12.	Amend Section 1.3 to delete the definition for Home Music Instructor/Instruction .	<p>The definition for Home Music Instructor/Instruction has been reviewed and it has been determined that the Home Music Instructor/Instruction use fits within the existing definition for Home Occupation.</p> <p>Therefore, all references to Home Music Instructor/Instruction are deleted from the Land Use Bylaw.</p>
13.	Amend Section 4.1 Residential (Low Density) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
14.	Amend Section 4.1 Residential (Low Density) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
15.	Amend Section 4.1.1 R1C Residential (Carriage Home) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
16.	Amend Section 4.1.1 R1C Residential (Carriage Home) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
17.	Amend Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above

Bylaw Ref #	Proposed Amendment	Rationale
18.	Amend Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
19.	Amend Section 4.2 R1A Residential (Semi-Detached Dwelling) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
20.	Amend Section 4.2 R1A Residential (Semi-Detached Dwelling) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
21.	Amend Section 4.3 R1N Residential (Narrow Lot) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
22.	Amend Section 4.3 R1N Residential (Narrow Lot) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
23.	Amend Section 4.3.1 R1G Residential (Small Lot) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
24.	Amend Section 4.3.1 R1G Residential (Small Lot) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
25.	Amend Section 4.3.2 RLW Residential (Live-Work) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
26.	Amend Section 4.3.2 RLW Residential (Live-Work) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
27.	Amend Section 4.4 R2 Residential (Medium Density) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
28.	Amend Section 4.4 R2 Residential (Medium Density) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above

Bylaw Ref #	Proposed Amendment	Rationale
29.	Amend Section 4.4.1 R2T Residential (Town House) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
30.	Amend Section 4.4.1 R2T Residential (Town House) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
31.	Amend Section 4.5 R3 Residential (Multiple Family) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
32.	Amend Section 4.5 R3 Residential (Multiple Family) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
33.	Amend Section 4.6 R4 Residential (Manufactured Home) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
34.	Amend Section 4.6 R4 Residential (Manufactured Home) District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
35.	Amend Section 4.6.1 R1E Residential Estate District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
36.	Amend Section 4.6.1 R1E Residential Estate District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
37.	Amend Section 4.7 Residential District Regulations to delete Home Music Instructor/Instruction regulations in its entirety.	See above
38.	Amend Section 5.6.1 C5 Commercial (Mixed Use) District to remove Home Music Instructor/Instruction from Permitted Uses.	See above
39.	Amend Section 8.15 Direct Control District No. 15 DC(15) to remove Home Music Instructor/Instruction from Permitted Uses.	See above

Bylaw Ref #	Proposed Amendment	Rationale
40.	Amend Section 8.15 Direct Control District No. 15 DC(15) to delete Home Music Instructor/Instruction from Discretionary Uses and replace it with Home Occupations which will generate additional traffic.	See above
41.	Amend Section 8.16 Direct Control District No. 16 DC (16) to remove Home Music Instructor/Instruction from Permitted Uses.	See above
42.	Amend Section 8.16 Direct Control District No. 16 DC (16) to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
43.	Amend Section 8.20.5 Direct Control District No. 25 DC (25) to remove Home Music Instructor/Instruction (two students) from Discretionary Uses.	See above
44.	Amend Section 8.20.5 Direct Control District No. 25 DC (25) to remove Home Music Instructor/Instruction (six students) from Discretionary Uses.	See above
45.	Amend Section 8.20.7 Direct Control District No. 27 to remove Home Music Instructor/Instruction from Permitted Uses.	See above
46.	Amend Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
47.	Amend Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District to delete regulation with reference to Home Music Instructor/Instruction and replace it with regulation not including reference to Home Music Instructor/Instruction .	See above
48.	Amend Section 8.22 Exceptions Respecting Land Use to remove Home Music Instructor/Instruction from 2. Areas Specifically Exempted from a Particular Use.	See above

Bylaw Ref #	Proposed Amendment	Rationale
49.	Amend Section 10.2 Riverlands Taylor Drive District (RL-TD) to remove Home Music Instructor/Instruction from Permitted Uses.	See above
50.	Amend Section 10.2 Riverlands Taylor Drive District (RL-TD) to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
51.	Amend Section 10.4 Riverlands Primarily Residential District (RL-PR) to remove Home Music Instructor/Instruction from Permitted Uses.	See above
52.	Amend Section 10.4 Riverlands Primarily Residential District (RL-PR) to remove Home Music Instructor/Instruction from Discretionary Uses.	See above
53.	<p>Amend definition for Low Impact Commercial Use to remove regulations and to clarify that a Low Impact Commercial Use may operate from a building resembling a detached dwelling unit.</p> <p>Old: Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.</p> <p>New: Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling form in a residential district.</p>	<p>Regulations should not form part of definitions. The reference in the definition "...in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses" is removed as this is a regulation and should not form part of the definition.</p> <p>Reference to "detached dwelling" has been removed and replaced with "detached dwelling form" as Low Impact Commercial uses are not required to be operated from a dwelling, but rather are required to operate from a building resembling a detached dwelling.</p>
54.	Amend Part Seven: Overlay and Other Districts and Regulations to add Section 7.17 Low Impact Commercial Overlay District	Currently, Low Impact Commercial uses are established through land use bylaw exceptions. Creating a Low Impact Commercial Overlay District will provide clarity in the purpose and application of Low Impact Commercial uses.

Bylaw Ref #	Proposed Amendment	Rationale
		<p>New Low Impact Commercial uses will require a Land Use Bylaw amendment to add the Low Impact Commercial Overlay to additional sites.</p> <p>The Low Impact Commercial Overlay includes the addition of a Permitted and Discretionary Uses Table to clarify potential uses.</p> <p>The Low Impact Commercial Overlay does not include references to specific allowable uses and specific prohibited uses that were part of the existing Low Impact Commercial regulations in Section 5.7(6). The revised definition of Low Impact Commercial, the Low Impact Commercial Overlay District General Purpose, and the regulations within the district effectively describe the types of uses intended for Low Impact Commercial.</p> <p>Some of the existing regulations have been reformatted in the Low Impact Commercial Overlay to provide clarity</p> <p>Some regulations have been updated or removed where they were repetitive or contradictory to other sections of the LUB.</p>
55.	Section 5.7 General Commercial District Regulations is amended by deleting (6) Low Impact Commercial Use in its entirety	<p>Low Impact Commercial regulations are removed from the General Commercial District Regulations. Low Impact Commercial regulations have been placed into the Low Impact Commercial Overlay District.</p>
56.	Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(k).	<p>Land Use Bylaw exceptions for Low Impact Commercial uses have been removed because they are now part of the Low Impact Commercial Overlay District.</p>
57.	Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(f)(viii).	<p>Land Use Bylaw exceptions for Low Impact Commercial uses have been removed because they are now part of the Low Impact Commercial Overlay District.</p>
58.	Land Use Bylaw map M15 is amended to remove exception (k).	<p>Exception (k) has been removed from the Land Use Bylaw Map and replaced with the Low Impact Commercial Overlay.</p>
59.	Land Use Bylaw map M15 is amended to remove	<p>Exception (k) has been removed from the Land Use</p>

Bylaw Ref #	Proposed Amendment	Rationale
	exception (f)(viii).	Bylaw Map and replaced with the Low Impact Commercial Overlay.
60.	Section 11.10 Building Sign Development Standards is amended to add Low Impact Commercial Use to the listing of Principal uses where Building Signs may be considered.	Sign regulations have recently been moved into Section 11 of the LUB. Low Impact Commercial sign regulations should also be located within this section.
61.	Section 11.13 Freestanding Sign Development Standards is amended to add Low Impact Commercial Use to the listing of Principal uses where Building Signs may be considered.	Sign regulations have recently been moved into Section 11 of the LUB. Low Impact Commercial sign regulations should also be located within this section.
62.	<p>Section 1.3 Definitions is amended by deleting the definition for “Microbrewery” and replacing it with a revised definition to reflect that limits on production and packaging areas are intended as part of what defines a Microbrewery and not a regulation.</p> <p>The definition is also amended to remove the reference to “...tasting room where guests may sample alcoholic beverages without charge...” and replace it with “tasting room”.</p> <p>Old: Microbrewery includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room where guests may sample alcoholic beverages without charge, Drinking Establishment or Restaurant; The floor area devoted to the production and packaging shall be no more than 70% of the gross floor area. Does not include Cannabis Retail Sales.</p> <p>New: Microbrewery includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the gross floor area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant, but does not include Cannabis</p>	<p>The revised definition of Microbrewery clarifies that limits on the size of production and packaging areas are a part of what defines a Microbrewery and are not intended to read as a regulation.</p> <p>The reference in the current definition to “...tasting room where guests may sample alcoholic beverages without charge...” can be simplified to refer only to “tasting room”. Whether or not there is a charge for the samples immaterial in the definition.</p>

Bylaw Ref #	Proposed Amendment	Rationale
	Retail Sales.	
63.	<p>Section 1.3 Definitions is amended by deleting the definition for “Minimum Gravel Parking Standard” and replacing it with a revised definition that does not include regulations.</p> <p>Old: Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth, or greater if determined by the Development Authority based on adverse soil conditions.</p> <p>New: Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.</p>	<p>The definition is amended to remove the regulation outlining “...if determined by the Development Authority based on adverse soil conditions” because regulations should not form part of definitions.</p>
64.	<p>Section 3.2 Parking Standards is amended by adding the following section:</p> <p>3.2 (11) Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, or crushed concrete or rock which is greater than 4 inches in depth to meet the Minimum Gravel Parking Standard</p>	<p>The regulation that was removed from the Minimum Gravel Parking Standard definition is placed into Section 3.2 Parking Standards to allow the Development Authority to require a higher standard where adverse soil conditions are present.</p>
65.	<p>Section 1.3 Definitions is amended by deleting the definition for Temporary Home Stay Accommodations to remove regulation.</p> <p>Old: Temporary Home Stay Accommodations means the sale of overnight accommodation in a dwelling in a residential district, with or without a breakfast meal, as provided for in section 4.7(12).</p> <p>New: Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a residential district, with or without a breakfast meal.</p>	<p>The definition is amended to remove reference to regulations in section 4.7(12). The regulations remain in place in Section 4.7(12).</p>
66.	<p>Section 1.3 Definitions is amended by deleting the definition for Yard to remove the regulations</p>	<p>The regulation: “In determining yard measurements the minimum horizontal distance from the respective</p>

Bylaw Ref #	Proposed Amendment	Rationale
	<p>from the definition.</p> <p>Old: Yard means the open space on the same site as a building and unoccupied by buildings or structures. In determining yard measurements the minimum horizontal distance from the respective boundary shall be used.</p> <p>New: Yard means the open space on the same Site as a Building and unoccupied by Buildings or Structures.</p>	<p>boundary shall be used” is removed as regulations should not form part of definitions.</p>
67.	<p>Section 3.0 General Regulations Applicable to All Districts is amended to add the following regulation: 3.0(2) In determining yard measurements the minimum horizontal distance from the respective boundary shall be used.</p>	<p>This regulation was removed from the Yard definition and placed into the appropriate regulations section of the LUB.</p>
68.	<p>Section 7.5 HP Historical Preservation Overlay District is amended to change the Municipal Address of HP-19 in the Historical Preservation Buildings and Sites table.</p>	<p>The Municipal Address listed for HP-19 is incorrect. The proposed amendment will remove this address and replace it with the correct one.</p>
69.	<p>Section 7.5 HP Historical Preservation Overlay District is amended change the Legal Description of HP-19 in the Historical Preservation Buildings and Sites table.</p>	<p>The Legal Description listed for HP-19 is incorrect. The proposed amendment will remove this address and replace it with the correct one.</p>
70.	<p>Section 7.6 HS Historical Significance Overlay District is amended to change the Street Address of HS-54 in the Inventory of Historical Significant Resources table.</p>	<p>The Street Address listed for HS-54 is incorrect. The proposed amendment will remove this address and replace it with the correct one.</p>
71.	<p>Section 5.6 C4 Commercial (Major Arterial) District is amended by deleting the use “<i>Merchandise Sales (excluding Cannabis Retail Sales)</i>” from the permitted uses table and replacing it with “(v) <i>Merchandise sales and/or rental (excluding Cannabis Retail Sales), with a minimum Floor Area for a building or a comprehensively designed group of buildings – 929.0 m2 (there is no minimum floor area for the units within the building(s)).</i>”</p>	<p>When the LUB was updated to include Cannabis regulations the use “<i>Merchandise Sales (excluding Cannabis Retail Sales)</i>” was listed as both a permitted and discretionary use in error. This amendment corrects the error and returns the Merchandise Sales use back to its earlier description which includes minimum floor area specifications.</p>
72.	<p>Section 5.6 C4 Commercial (Major Arterial)</p>	<p>See above</p>

Bylaw Ref #	Proposed Amendment	Rationale
	District is amended by deleting the use <i>"Merchandise Sales (excluding Cannabis Retail Sales)"</i> from the discretionary uses table and replacing it with <i>(xii) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).</i>	
73.	Section 6.2 I2 Industrial (Heavy Industrial) District is amended by deleting (iii) Medical Marihauna Facility (MMF) from Discretionary Uses and replacing it with (iii) Cannabis Production Facility (CPF).	Medical Marihauna Facility (MMF) is no longer a defined use in the LUB. It was replaced with the term Cannabis Production Facility (CPF). This reference to MMF was missed when the amendment was made changing the terms.
74.	Section 8.22 Exceptions Regarding Land Use, 1) Areas Specifically Designated for a Particular Use, (g) is amended by deleting the reference Medical Marihauna Facility (MMF) from Discretionary Uses and replacing it with (iii) Cannabis Production Facility (CPF).	The LUB has removed references to Medical Marihauna Facility (MMF) and replaced with Cannabis Production Facility (CPF). This is one section that was missed in the original amendment.
75.	Section 11.9 Billboard Signs (5)(a) amended to read: <i>(a) The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.</i>	The section references within the section are corrected to correspond with section updates in the LUB.

Appendix C

The follow appendix is a user friendly version of the bylaw intended as a visual aid to demonstrate where key changes occur.

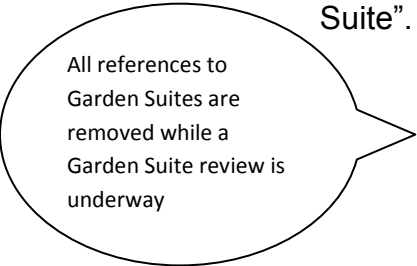
BYLAW NO. 3357/S-2019

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

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

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

1. Section 1.3 Definitions is amended by deleting the definition for “Garden Suite”.



All references to Garden Suites are removed while a Garden Suite review is underway

2. Section 4.1 R1 Residential (Low Density) District, (1) R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(viii) Garden Suite subject to section 4.7 (13).*
3. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.1(3)(b) and 4.7(9).*
4. Section 4.1.1 R1C Residential (Carriage Home) District, (3) R1C Residential (Carriage Home) Regulations, (b) Table 4.1.1 Use Provisions - Carriage Home Unit, is amended by deleting the following requirement: *A Carriage Home and a Garden Suite shall not both be allowed on the same lot.*
5. Section 4.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden Suite, subject to sections 4.1.2(2)(b) and 4.7(13).*

6. Section 4.4 R2 Residential (Medium Density) District, (1) R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ix) Garden suite subject to section 4.7(13).*
7. Section 4.6 R4 Residential (Manufactured Home) District, (1) R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(iii) Garden suite subject to section 4.7(13).*
8. Section 4.6.1 R1E Residential Estate District (1) R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting the following section: *(ii) Garden Suite.*
9. Section 4.7 Residential District Regulations, (11) Bed and Breakfasts is amended to delete subsection (xi) and replace it with the following:

Removed
reference to
"Garden Suite"

(xi) There shall be no secondary suite on the premises of a detached dwelling where a bed & breakfast is being lawfully operated.

10. Section 4.7 Residential District Regulations is amended by deleting (13) Garden Suite Building Regulations in its entirety.
11. Section 8.15 (1) DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Garden suite subject to section 4.7(13).*
12. Section 1.3 Definitions is amended by deleting the definition for "Home Music Instructor/Instruction".

Definition for Home Music
Instructor/Instruction is
deleted as this use falls
under the definition of
"Home Occupation"

13. Section 4.1 Residential (Low Density) District, 1.R1 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*

14. Section 4.1 Residential (Low Density) District , 1.R1 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(x) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
15. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iv) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
16. Section 4.1.1 R1C Residential (Carriage Home) District, (2) R1C Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
17. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home Music Instructor/Instruction (2 students), subject to section 4.7(10).*
18. Section 14.1.2 R1WS Residential (Wide/Shallow Lot) District, (1) R1WS Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
19. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
20. Section 4.2 R1A Residential (Semi-Detached Dwelling) District, 1. R1A Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(vii) Home music instructor/instruction (six students), subject to section 4.7(10).*
21. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*

22. Section 4.3 R1N Residential (Narrow Lot) District, 1. R1N Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (v) *Home music instructor/instruction (six students), subject to section 4.7(10).*
23. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home Music Instructor/Instruction (two students), subject to section 4.7(10).*
24. Section 4.3.1 R1G Residential (Small Lot) District, 1. R1G Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iii) *Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
25. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iv) *Home music instructor/instruction (2 students), subject to section 4.7(10).*
26. Section 4.3.2 RLW Residential (Live-Work) District, 1. RLW Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iv) *Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
27. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music Instructor/Instruction (two students), subject to section 4.7(10).*
28. Section 4.4 R2 Residential (Medium Density) District, 1. R2 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (x) *Home music instructor/instruction (six students), subject to section 4.7(10).*
29. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music Instructor/Instruction (two students), subject to section 4.7(10).*

30. Section 4.4.1 R2T Residential (Town House) District, 1. R2T Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students), subject to section 4.7(10).*
31. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(ii) Home music instructor/instruction (two students), subject to section 4.7(10).*
32. Section 4.5 R3 Residential (Multiple Family) District, 1. R3 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(viii) Home music instructor/instruction (six students), subject to section 4.7(10).*
33. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(i) Home music instructor/instruction (two students), subject to section 4.7(10).*
34. Section 4.6 R4 Residential (Manufactured Home) District, 1. R4 Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(iv) Home music instructor/instruction (six students), subject to section 4.7(10).*
35. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: *(iii) Home music instructor/instruction (two students), subject to section 4.7(10).*
36. Section 4.6.1 R1E Residential Estate District, 1. R1E Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: *(v) Home music instructor/instruction (six students), subject to section 4.7(10).*
37. Section 4.7 Residential District Regulations, (10) Home Music Instructor/Instruction is deleted in its entirety.

38. Section 5.6.1 C5 Commercial (Mixed Use) District, 1. C5 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (vi) *Home music instructor/instruction, subject to section 4.7(10).*
39. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iv) *Home music instructor/instruction (two students), subject to section 4.7(10).*
40. Section 8.15 Direct Control District No. 15 DC(15), 1. DC (15) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (v) *Home music instructor/instruction (six students), subject to section 4.7(10)* and replace it with (v) *Home Occupations which will generate additional traffic subject to section 4.7(8).*
41. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (iii) *Home music instructor/instruction (two students), subject to section 4.7(10).*
42. Section 8.16 Direct Control District No. 16 DC (16), 1. DC (16) Permitted and Discretionary Uses Table, (b) Discretionary Uses, is amended to delete: (iv) *Home music instructor/instruction (six students), subject to section 4.7(10).*
43. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: (iii) *Home music instructor/instruction (two students), subject to section 4.7(10) of the Land Use Bylaw.*
44. Section 8.20.5 Direct Control District No. 25 DC (25), 1. DC (25) Permitted and Discretionary Uses Table Lots G, H, J, K, L, M, (b) Discretionary Uses, is amended to delete: (iv) *Home music instructor/instruction (six students), subject to section 4.7(10) of the Land Use Bylaw.*
45. Section 8.20.7 Direct Control District No. 27 Neighbourhood Centre DC (27), 1. Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended to delete: (vii) *Home Music Instructor/Instruction, subject to section 4.7 (10).*

46. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 6. DC 32 Discretionary Uses, (a) Discretionary Uses, is amended to delete: *(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);*
47. Section 8.20.12 Direct Control District No. 32 DC (32) Westlake Restricted Development District, B. Direct Control District 32 (DC32) – Westlake Restricted Development District, 7. Development Regulations is amended to delete (c) and replace it with the following:
- (c) Part 4 of the Land Use Bylaw does not apply to this District, except for provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);*
48. Section 8.22 Exceptions Respecting Land Use, 2. Areas Specifically Exempted from a Particular Use (e), is amended to delete: *(ii) Home music instructor/instruction*
49. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.1 Permitted Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (two students).*
50. Section 10.2 Riverlands Taylor Drive District (RL-TD), 10.2.2 Discretionary Uses, is amended to delete: *(b)(xii) Home music instructor/instruction (six students).*
51. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.1 Permitted Uses is amended to delete: *(b)(viii) Home music instructor/instruction (two students).*
52. Section 10.4 Riverlands Primarily Residential District (RL-PR), 10.4.2 Discretionary Uses (b) is amended to delete: *(b)(viii) Home music instructor/instruction (six students).*
53. Section 1.3 Definitions is amended by deleting the definition for “Low Impact Commercial Use” and replacing it with the following:

Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services

and/or commercial services from a detached dwelling form in a residential district.

Removed “in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses” and “not including Cannabis Retail Sales”. Removed reference to detached dwelling and replaced with detached “dwelling form”.

54. Part Seven: Overlay and Other Districts and Regulations is amended to add the following Section:

7.17 Low Impact Commercial Overlay District

1. General Purpose

Low Impact Commercial Uses are intended to allow the use of detached dwelling forms for small offices, commercial and personal services, and sales, whether or not in conjunction with single family residential use, in designated transition areas between low density residential neighbourhoods and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the individual properties, the adjacent residential neighbourhoods and the streetscapes in terms of privacy, enjoyment, amenities, and general appearance.

2. Permitted and Discretionary Uses Table

(a) Permitted Uses
(i) Those uses listed as permitted in the existing underlying land use district
(b) Discretionary Uses
(i) Those uses listed as discretionary in the underlying land use district, and;
(ii) Low Impact Commercial Uses
(iii) Law office on Lots 45-46 Block B, Plan K8 (4641 49 Street) in the existing structure only

3. Application

- a) The regulations in this District apply to all Low Impact Commercial applications located in the Low Impact Commercial Overlay District as shown on Land Use Map M15.
- b) The regulations in this District are in addition to any other applicable regulations under this Bylaw. Where the regulations in the underlying District contradict or will not serve to achieve the general purpose of this District, the regulations of this District shall prevail. Where the underlying District is a Direct Control District, the regulations of that underlying Direct Control District shall prevail.

4. Low Impact Commercial Regulations

- a) Low Impact Commercial Uses shall not have operating hours anytime on Sunday, or earlier than 8:00 a.m. or later than 6:00 p.m. from Monday to Saturday. This includes shipping goods and receiving clients or customers.
- b) Low Impact Commercial Uses shall not, in the opinion of the Development Officer, cause nuisances including, but not limited to, emissions, odours, or noise.
- c) Low Impact Commercial Uses should not, in the opinion of the Development Officer, adversely affect the amenities of the residential neighbourhood or the privacy or the enjoyment of adjacent properties.
- d) The lot frontage of a Low Impact Commercial Use shall not exceed 30.5m
- e) Exterior lighting of the premises shall not, in the opinion of the Development Authority, adversely impact the privacy or enjoyment of adjacent properties or the area in general.
- f) Waste containers shall be in the rear yard only and be screened to the satisfaction of the Development Authority.
- g) Outside Storage or display shall not be permitted.

- h) Upon receipt of an application for a Low Impact Commercial Use, the Development Authority shall refer the application for comments to adjacent landowners and the relevant Community Association.

5. Parking

- (a) Parking spaces for Low Impact Commercial Uses shall be provided on-site at the rates indicated below:

LOW IMPACT USE	PARKING REQUIREMENT
Office	2.0 per staff persons on duty
Health and Medical Services	2.0 per personal consultation cubicle
Commercial Service or Personal Service	2.5 per 93 m ² Floor Area or part thereof
Merchandise Sales	5.0 per 93.0 m ² Floor Area or part thereof
Residential	2.0 per Dwelling Unit

Provided that:

- (i) a use requiring more than ten on-site parking spaces, including any parking spaces required for residential use, shall not be allowed to establish as a low impact commercial use,
- (ii) parking spaces shall not be allowed in the front yard or the side yards of a principle building,
- (iii) parking spaces shall be screened from the street view,
- (iv) access to parking spaces should be off the rear lane only, if a rear lane is available.
- (v) for the purpose of the calculation of the number of parking spaces required for commercial services, personal services and merchandise sales, the term "floor area" is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.

55. Section 5.7 General Commercial District Regulations is amended by deleting (6) Low Impact Commercial Use in its entirety.
56. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(k).
57. Section 8.22 Exceptions Regarding Land Use is amended by deleting (1)(f)(viii).
58. Land Use Bylaw map M15 is amended by deleting exception (k) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".
59. Land Use Bylaw map M15 is amended by deleting exception (f)(viii) and replacing it with Low Impact Commercial Overlay as shown in Schedule "A".
60. Section 11.10 Building Sign Development Standards is amended by adding the following:
- (1)(j) Low Impact Commercial Use
61. Section 11.13 Freestanding Sign Development Standards is amended by adding the following:
- (1)(i) Low Impact Commercial Use
62. Section 1.3 Definitions is amended by deleting the definition for "Microbrewery" and replacing it with the following:
- Microbrewery** includes a micro-distillery and means a use where the small-scale production and packaging of alcoholic and non-alcoholic beverages takes place utilizing no more than 70% of the Gross Floor Area, and includes distribution, retail or wholesale, on or off the premises, and includes at least one of the following: tasting room, Drinking Establishment, or Restaurant but does not include Cannabis Retail Sales.

Reworded definition to reflect that limits on production and packaging areas are intended as part of what defines a Microbrewery and not a regulation.

63. Section 1.3 Definitions is amended by deleting the definition for “Minimum Gravel Parking Standard” and replacing it with the following:

Removed reference to requiring a higher standard where adverse soil conditions present.

Minimum Gravel Parking Standard means a layer of packed gravel, rock, or crushed concrete or rock which is a minimum of 4 inches in depth.

64. Section 3.2 Parking Standards is amended by adding the following:

Moved reference to requiring a higher standard where adverse soil conditions present into Section 3.2 Parking Standards.

3.2 (11) Where adverse soil conditions are present, the Development Authority may require a layer of packed gravel, rock, or crushed concrete or rock which is greater than 4 inches in depth to meet the **Minimum Gravel Parking Standard**.

65. Section 1.3 Definitions is amended by deleting the definition for “Temporary Home Stay Accommodations” and replacing it with the following:

Definition amended to remove regulation

Temporary Home Stay Accommodations means the sale of overnight accommodation in a Dwelling Unit in a Residential District, with or without a breakfast meal.

66. Section 1.3 Definitions is amended by deleting the definition for “Yard” and replacing it with the following:

Removed regulation from the definition.

Yard means the open space on the same Site as a Building and unoccupied by Buildings or Structures.

67. Section 3.0 General Regulations Applicable to all Districts is amended by adding the following:

Regulation moved into Section 3.0(2)

3.0(2) In determining Yard measurements the minimum horizontal distance from the respective boundary shall be used.

68. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Municipal Address and replacing it with *5205 48 Avenue*.
69. Section 7.5 HP Historical Preservation Overlay District, (3) Historical Preservation Buildings and Sites table, HP-19 is amended by deleting the Legal Description and replacing it with *Lot 7MR, Block 36, Plan 1820009*.
70. Section 7.6 HS Historical Significance Overlay District, Inventory of Historical Significant Resources table, HS-54 is amended by deleting the Street Address and replacing it with *5838 45 Avenue*.
71. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (a) Permitted Uses, is amended by deleting *(iv) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:
- (iv) Merchandise sales and/or rental (excluding Cannabis Retail Sales), with a minimum Floor Area for a Building or a comprehensively designed group of buildings – 929.0 m2 (there is no minimum floor area for the units within the building(s)).*
72. Section 5.6 C4 Commercial (Major Arterial) District, (1) C4 Permitted and Discretionary Uses Table, (b) discretionary uses, is amended by deleting *(xii) Merchandise Sales (excluding Cannabis Retail Sales)* and replacing it with the following:
- (xii) Merchandise sales and/or rental (no minimum floor area for a building or a unit within the building).*
73. Section 6.2 I2 Industrial (Heavy Industrial) District, (1) I2 Permitted and Discretionary Uses Table, (b) Discretionary Uses is amended by deleting *(iii) Medical Marihuana Facility (MMF)* and replacing it with the following:
- (iii) Cannabis Production Facility (CPF)*

74. Section 8.22 Exceptions Regarding Land Use, (1) Areas Specifically Designated for a Particular Use, (g) is amended by deleting (iv) and replacing it with the following:

(iv) A Cannabis Production Facility (CPF) on Lot 14, Block 1, Plan 052-4232 (94 Burnt Park Drive) with Council as the designated Development Authority, and subject to the following development standards:

75. Section 11.9 Billboard Signs (5)(a) is deleted and replaced with the following:

(a) The Location Criteria listed in 11.9(2) and the Siting Criteria listed in 11.9(3) shall not be varied by the Development Authority.

READ A FIRST TIME IN OPEN COUNCIL this day of , 2019.

READ A SECOND TIME IN OPEN COUNCIL this day of 2019.

READ A THIRD TIME IN OPEN COUNCIL this day of 2019.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2019.

MAYOR

CITY CLERK



Council Decision – July 8, 2019

DATE: July 10, 2019
TO: Emily Damberger, Planning Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment – Omnibus
Bylaw 3357/S-2019

Reference Report:

Planning Department, dated June 19, 2019

Bylaw Reading:

At the Monday, July 8, 2019 Regular Council Meeting, Council gave second and third reading to the following Bylaw:

Bylaw 3357/S-2019 an amendment to the Land Use Bylaw to improve the clarity and application of the Land Use Bylaw.

Report back to Council:

No.

Comments/Further Action:

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

A handwritten signature in blue ink, appearing to read 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Planning Services
Corporate Meeting Administrator