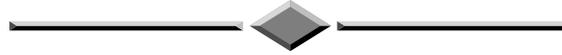


A G E N D A



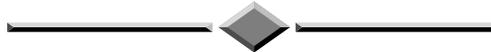
FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN

THE COUNCIL CHAMBERS, CITY HALL

MONDAY, February 22, 2010

COMMENCING AT 3:00 P.M.



(1) Confirmation of the Minutes of the Regular Council Meeting of Monday, February 8, 2010

(2) **UNFINISHED BUSINESS**

1. Parkland Community Planning Services – Re:

a) Bylaw 3398/A-2009 - Amendment to the West QE2 Major Area Structure Plan
(Consideration of Second and Third Readings of the Bylaw)

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

..1

(3) **PUBLIC HEARINGS**

1. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/F-2009 – Dynamic Signage*
(Consideration of Second and Third Readings of the Bylaw) ..48
2. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/JJ-2009 – Open House/ Show Home Signs*
(Consideration of Second and Third Readings of the Bylaw) ..62
3. Parkland Community Planning Services – *Re: Land Use bylaw Amendment 3357/B-2010 – Rezoning from R1 Residential (Semi-Detached) to R2 Residential (Medium Density) District Lot 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue) / Wolfe Investments Inc. / Tim McRae / Century 21*
(Consideration of Second and Third Readings of the Bylaw) ..86

(4) **REPORTS**

1. Corporate Controller – *Re: Borrowing Bylaw 3447/2010 – Waskasoo Park Special Gathering Places Projects (\$9,000,000)*
(Consideration of First Reading of the Bylaw) ..91
2. Land & Economic Development Officer – *Re: Red Deer Regional Airport Funding for 2010* ..94
3. Electric Light & Power Manager, *Re: Revision to Distribution Tariff, Appendix B, Effective March 1, 2010 – Electric Utility Bylaw Amendment 3273/A-2010*
(Consideration of Three Readings of the Bylaw) ..96
4. Electric Light & Power Manager – *Re: Alberta Market Surveillance Administrator Annual Compliance Report – 2009* ..102

5. Electric Light & Power Manager – *Re: Alberta Market Surveillance Administrator Compliance Report - Q4/2009* ..106
 6. Parkland Community Planning Services – *Re: Land Use Bylaw Amendment 3357/E-2010 - Rezoning of 11.0 Acres of Land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-Detached Dwelling Residential and P1 Parks and Recreation District/ Johnstone Park Neighbourhood - Phase 14/ Carolina Homes Ltd.* ..109
(Consideration of First Reading of the Bylaw)
- (5) **CORRESPONDENCE**
1. Legislative & Administrative Services Manager – *Re: Appointment to the Greater Downtown Action Plan Steering Committee* ..113
- (6) **PETITIONS AND DELEGATIONS**
- (7) **NOTICES OF MOTION**
- (8) **ADMINISTRATIVE INQUIRIES**
- (9) **BYLAWS**
1. **3357/F-2009** – Land Use Bylaw Amendment – *Dynamic Signage* ..114
(2nd & 3rd Readings) ..48
 2. **3357/JJ-2009** – Land Use Bylaw Amendment – *Open House Show Home Signs* ..118
(2nd & 3rd Readings) ..62

3.	3357/B-2010 – Land Use Bylaw Amendment – <i>Rezoning from R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District: Lot 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue) / Wolfe Investments Inc. / Tim McRae / Century 21</i>	..119
	(2 nd & 3 rd Readings)	..86
4.	3398/A-2009 – Amendment to the <i>West QE2 Major Area Structure Plan</i> (See Attachment “A” for amended text & maps)	..121
	(2 nd & 3 rd Readings)	..1
5.	3399/A-2009 – Amendment to the <i>Queens Business Park Industrial Area Structure Plan</i> (See Attachment “B” for amended text & maps)	..122
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6.	3447/2010 – Borrowing Bylaw – <i>\$9,000,000 for Waskasoo Park Special Gathering Places Projects</i>	..123
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7.	3273/A-2010 – Electric Utility Bylaw Amendment – <i>Changes to Appendix “B” – Distribution Tariff – Effective March 1, 2010</i>	..126
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8.	3357/E-2010 – Land Use Bylaw Amendment – <i>Rezoning of 11.0 Acres of Land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-Detached Dwelling Residential and P1 Parks and Recreation District / Johnstone Park Neighbourhood – Phase 14 / Carolina Homes Ltd.</i>	..130
	(1 st Reading)	..109

(10) COMMITTEE OF THE WHOLE

1. Legislative & Administrative Services Manager – *Re: Committee Appointment*

Unfinished Business Item No. 1

Legislative & Administrative Services

DATE: February 16, 2010

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

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

History:

At the Monday, December 14, 2009 Council Meeting, Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan received first readings. Public Hearings were held at the Monday, January 25, 2010 Council Meeting for the bylaws. Council tabled consideration of second and third reading of the bylaws for up to four weeks to allow for clarification of the eco-industrial and commercial zonings in the West QE2 Business Park.

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

Attached is a report from Parkland Community Planning Services, dated February 11, 2010, regarding the eco-industrial and commercial zonings in the West QE2 Business Park. Also attached is a letter from a landowner, dated February 11, 2010, regarding the amendment to the West QE2 Major Area Structure Plan, Bylaw Amendment 3398/A-2009.

Recommendation:

That Council consider:

- a) Passing a resolution lifting from the table consideration of Bylaw 3398/A-2009 - Amendments to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 - Amendments to the Queens Business Park Industrial Area Structure Plan
- b) Second and third readings of Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan, and
- c) Second and third readings of Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan.

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

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

DATE: February 11, 2010

TO: Elaine Vincent, Legislative and Administrative Services

FROM: Nancy Hackett, Parkland Community Planning Services

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

and

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

Plan Amendment Request

On January 25, 2010 proposed bylaw amendments to the West QE2 Major Area Structure Plan (MASP) and the related Queens Business Park Industrial Area Structure Plan (IASP) were tabled to provide time for two issues to be discussed further between a landowner and planning staff.

The two outstanding issues are: one, the eco-industrial concept being proposed in the West QE2 area and two, the potential location of a future commercial site.

On January 29, 2010 Parkland Community Planning Services met with the landowner who had expressed concerns on these matters. During that meeting both items were discussed.

1. Background – Eco-Industrial

With regard to the eco-industrial lands, the landowner has indicated that he would like to ensure the wording of the MASP states that additional studies/research are to be undertaken on this concept. Should this research indicate that the amount of land identified for eco-industrial needs to be reduced or changed, there will be opportunity to do so at the time of preparation of an IASP for his lands. While the plan amendment currently notes that additional study will be undertaken, a paragraph is recommended to be added to the plan that further details the type of research and the opportunity to alter or change the specific location of eco-industrial. A proposed addition to this effect, which the landowner has indicated agreement with, would read:

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

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

2. Background – Commercial Site

With regard to a commercial site, the current site located in the SW ¼ of 36-38-28-4 is proposed to be eliminated as the surrounding roads are proposed to be upgraded to arterial status. Engineering standards do not allow traffic access near the intersection of arterial roads. This will remove approximately 1.8 hectares of commercial land from the existing MASP. At present, the commercial site is situated on land owned by two separate landowners (1.3 hectares owned by an acreage owner and the remaining 0.5 hectares owned by the adjacent landowner).

During the public input process, concerns were expressed by these landowners as well as a landowner to the east, about the loss of the commercial site (comments were included in the information provided to Council at first reading).

Planning staff reviewed all comments following public consultation. After review of the requests for retaining or adding a commercial site, planning staff did not recommend or identify a new/additional commercial site for several reasons. These reasons included:

1. the fact that other commercial lands are available to serve the area employees (there did not appear to be a shortage),
2. the addition of the direct control district for vehicle dealerships (if approved) would remove some lands previously identified for industrial development and the objective of ensuring a suitable inventory of industrial land for the city, needs to be considered, and
3. there was the lack of specific site details provided by the developer pertaining to matters such as commercial access, servicing, and mitigation of any impact on adjacent properties.

Following first reading of the proposed West QE2 amendment, one of the landowners submitted a letter to Council presenting three possible locations for a future commercial site on his property. Planning staff met with the landowner's consultants to review the request prior to the public hearing.

At the meeting the landowner's consultants explained that the landowner would like certainty that a commercial site will be allowed. Staff were concerned that randomly selecting one of the three locations was not prudent as it did not allow for consideration of

key matters such as the impact on adjacent landowners, access, impact on traffic network or the type of commercial use (information a developer would generally provide).

Following the January 25 public hearing the MASP amendment was tabled. Planning staff met with the landowner in late January to further discuss this matter; the landowner wishes to identify a specific commercial location(s) at this time. It is our understanding that he will be submitting comments to this effect directly to council in writing for consideration on February 22.

Because of the need for additional research and work by the landowner and for review by administration, as well as the need for consultation with other property owners and impacted stakeholders planning staff cannot recommend or support the addition of a specific commercial site at this time. However, given the fact that the existing MASP does show a central commercial site, planning staff are prepared to support the possibility of a site being added into the plan area in the future, pending additional details and information supplied by the landowner(s) to the satisfaction of the City of Red Deer.

The developer will be required to prepare an IASP before proceeding with development regardless of the commercial site issue. Since an IASP has to be prepared it certainly will be workable to resolve access, impact, and site design issues at that stage. Therefore, planning staff are prepared to support adding enabling wording to the MASP which would note that, pending the resolution of these types of issues at the time of consideration of an IASP, one additional commercial site (of approximately the same size as the eliminated site) could be considered during an IASP process within the central portion of the West QE2 area.

If the wording was added to the West QE2 MASP, it would allow for a specific proposal of up to one 1.8 ha to 2.0 ha commercial site to be brought forward by the landowner/developer in question (or other interested landowners) at the time of an IASP for consideration by Council. The onus would be on the developer to follow the IASP process and to provide the required information.

A resolution has been prepared which would add as the last paragraph of **Section 4.1.4. Commercial** of the proposed amended *West QE2 Major Area Structure Plan* :

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

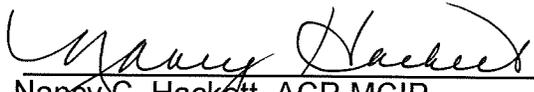
Summary

Following the public hearing on the proposed plan amendments, there are two outstanding issues; one being the eco-industrial concept being proposed in the West QE2 area and the second being the potential location of a future commercial site.

With regard to the eco-industrial lands, the landowner has indicated that he would like to ensure the wording of the MASP identifies that additional studies/research are to be undertaken on this concept. A proposed addition to the plan's text addressing this issue, which the landowner has indicated agreement with, has been prepared for Council's consideration.

In dealing with the commercial site, Planning staff would recommend that an enabling paragraph as noted in this report be added to the West QE2 MASP to allow for the possible addition of one small commercial site (up to 2 hectares) to serve the local area. Should a landowner wish to pursue commercial development, he or she would prepare a plan detailing access, location, and servicing in the form of an IASP.

Respectfully Submitted,



Nancy C. Hackett, ACP MCIP
City Planning Manager

- c. Paul Meyette, Director, Planning Services
Lyle and Marcie Jeffries

Comments:

Council is reminded that Public Hearings were held on January 25, 2010 for Bylaw Amendment 3398/A-2010 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan. Second and third readings of the bylaws were tabled pending information on eco-industrial and commercial zonings and that information is now attached.

Our present consideration of the Major Area Structure Plan does not directly deal with details such as a commercial site. Attempting to identify commercial sites in the southern quarter section is premature at this time.

The Industrial Area Structure Plan for the southern quarter sections will identify detailed planning, including commercial sites and this will be addressed at the time the Industrial Area Structure Plan is being considered.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager

City Council
c/o Legislative & Administrative Services
City Hall
Box 5008
Red Deer, Ab.
T4N 3T4

February 11, 2010

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

To the members of City Council:

Background History:

We are the owners of SW 36-38-28-4 and NW 25-38-28-4, two of the eight quarters of land affected by the Major Area Structure Plan amendments. We apologize for delaying the MASP process but we are disappointed with the manner in which Parkland Community Planning Services has proceeded heedless of our concerns. We met with PCPS in the spring of 2009. They urged us to provide a written submission of our concerns. We then sent a letter dated June 7th, 2009 which detailed all pertinent issues. We received no response. We were not contacted until the MASP was going to first reading. We feel that our concerns were disregarded. It is our intention to work together with PCPS to come up with viable solutions for all parties.

Major Concerns:

Elimination of current Commercial Site:

The original MASP included a site that was zoned for Commercial use in the central area of the plan. The amendment will eliminate all Commercial zoning in the central and southern regions. We understand the reasoning is that the current site is inappropriate due to changes in the arterial road system. We ask that the Council consider allowing an alternate site to be included in the MASP. We have a suggestion as to a possible new location. This area would not exceed 1.8 hectares. Please see the attached diagram.

We realize that the traffic studies of the area raise concerns regarding Commercial sites. However, we feel that a Commercial site in our proposed location will simply service the employees already utilizing the Park.

PCPS raised the concern that adjacent landowners may not be in agreement with our desire to include a Commercial site. We have personally contacted all landowners and they are aware of the situation and agree that if the current proposed site is not possible, they would be open to having an alternate site included in the MASP.

Concerns with the Eco-Industrial Area:

The Eco-Industrial concept is a potentially valuable strategy for future development. We share the desire to work towards a greener future. However, we do not believe PCPS has completed sufficient research to warrant limiting the land development to Eco-Industrial at this time.

In our most recent meeting with PCPS on January 29, 2010, we reached an agreement regarding the Eco-Industrial Zoning. They have altered the wording so that if further research indicates the Eco-Park concept proves unmarketable, council will be able to make changes to the zoning. We trust that you will understand our concern and agree to this change.

Thank you for your consideration. We appreciate the opportunity to voice our thoughts. We look forward to working with a MASP that will prove beneficial to all.

Sincerely,

Lyle and Marcie Jeffries
mjefries@xplornet.com
(403)341-5284
(403)318-2044

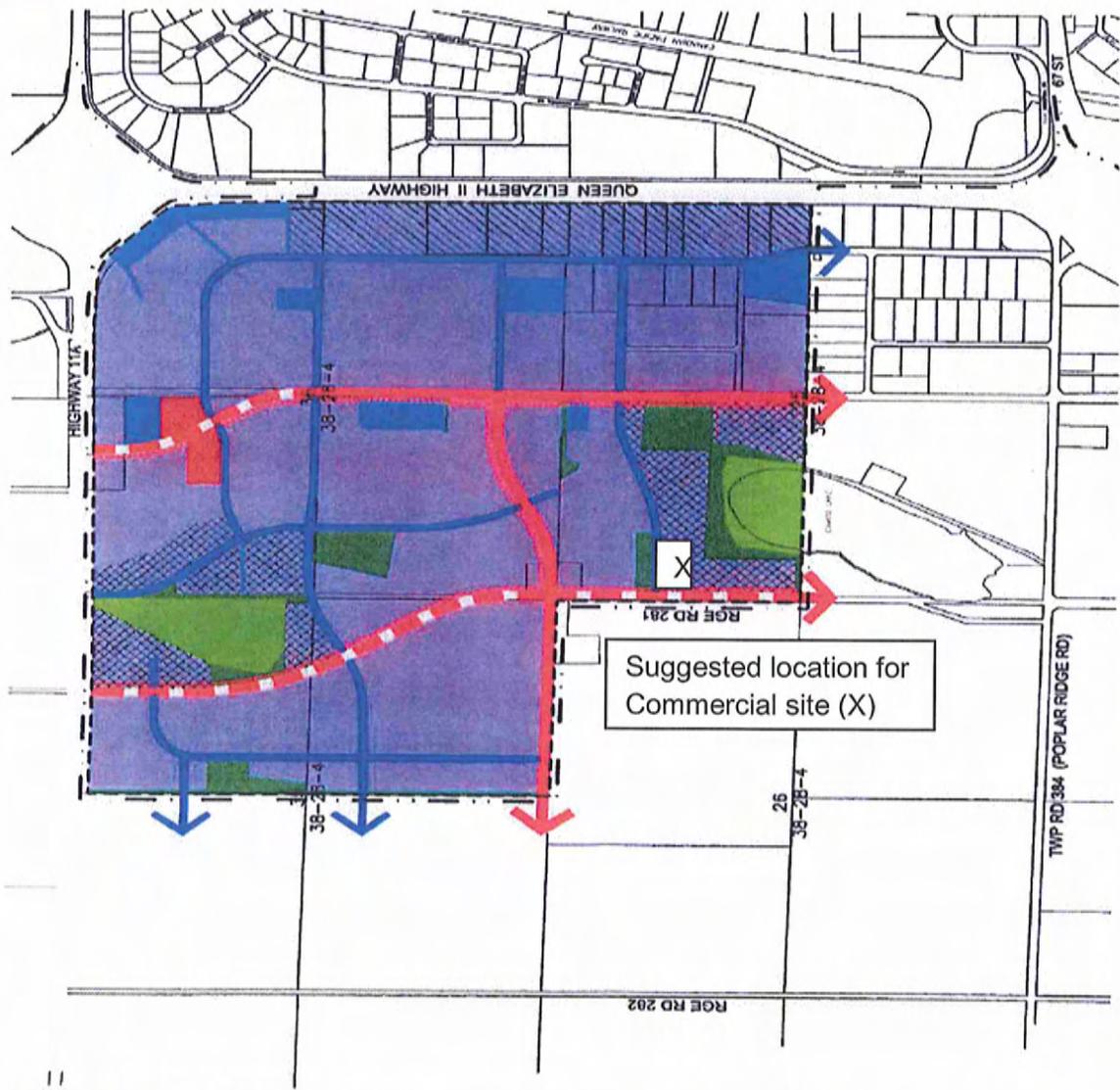
**The City of Red Deer
West QE2
Major Area Structure Plan**

FIGURE 3 - LAND USE CONCEPT

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



GENTVAR
 PACIFIC RIM
 COMMUNITY PLANNING
 SERVICES
 NOVEMBER 9, 2009



Suggested location for
Commercial site (X)

Letter from the Public - Originally presented to Council on Monday, December 14, 2009

Lyle and Marcie Jeffries
Red Deer, AB

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

January 19, 2010

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

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

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

History:

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

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

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

June 4, 2009: Public Meeting hosted by PCPS

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

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

Subsequent email communications between PCPS and Genivar.

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

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

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

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

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

Recommendation:

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

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

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

2. Concerns with the Eco-Industrial Area:

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

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

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

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

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

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

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

Recommendation:

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

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

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

Thank you for your consideration.

Sincerely,

On behalf of Lyle and Marcie Jeffries

Simonetta Acteson
Interplan Strategies Inc.

Sent by email.

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

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

June 7th, 2009

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

To Whom it May Concern:

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

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

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

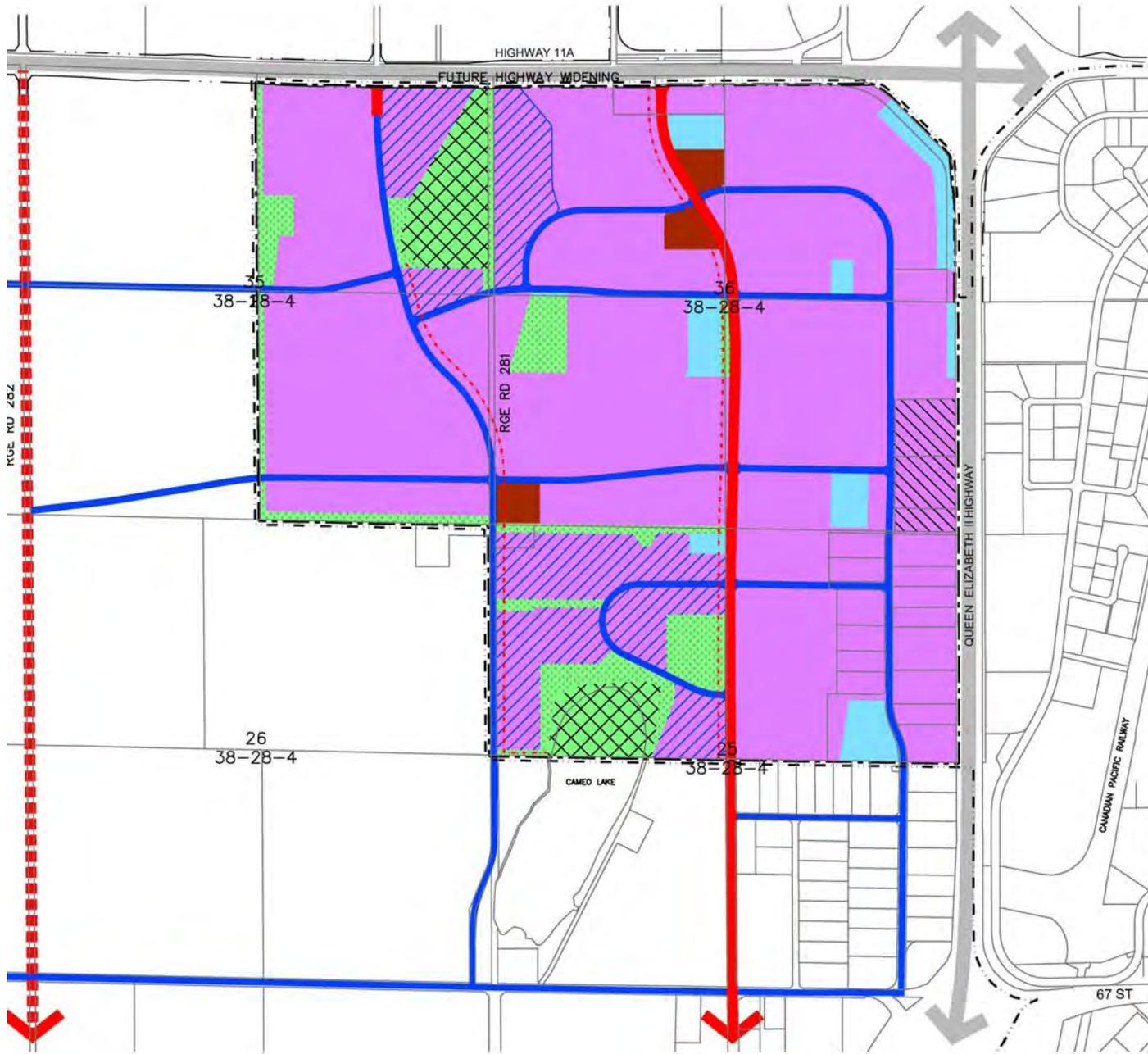
We feel that the location of the retention ponds should be reconsidered. Perhaps it would be possible to consider increasing the attractiveness of our green areas by locating the holding ponds within them where possible.

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

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

Sincerely,

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



The City of Red Dee

**West QE2
Major Area Structu**

Figure 4 - Land Use Con

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



EXH Engineering Services Ltd.

PARKLAND COMMUNITY PI

DECEMBER 2007



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

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

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DATE: December 4, 2009

TO: Elaine Vincent, Legislative and Administrative Services

FROM: Nancy Hackett, Parkland Community Planning Services

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

and

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

Plan Amendment Request

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

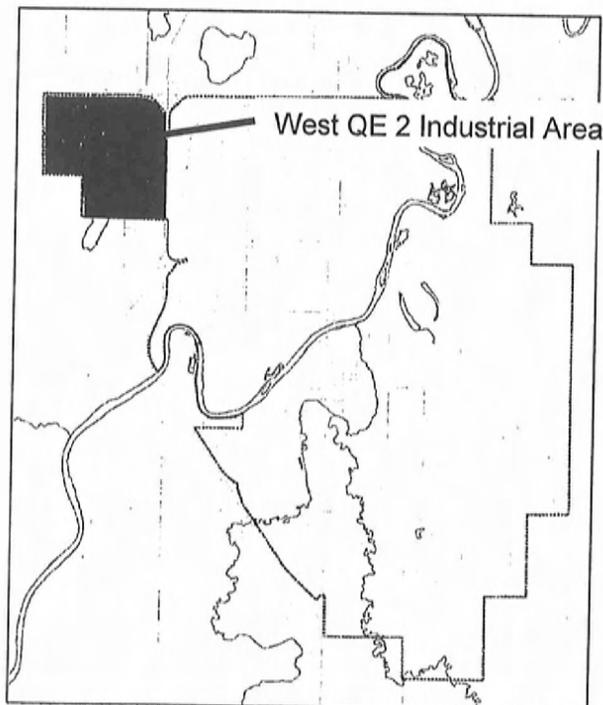


Figure One: West QE2 and Queen Business Park area

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

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

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

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

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

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

Background

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

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

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

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

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

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

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

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

Current Status

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

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

Proposed Amendments to the West QE2 Major Area Structure Plan

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

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

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

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

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

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

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

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

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

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

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

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

Consultation Process

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

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

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

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

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

Landowner Meetings

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

Public Meeting

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

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

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

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

Table 1: Public Comments and Responses

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

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

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

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

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

Policy Framework

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

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

Planning Analysis

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

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

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

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

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

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

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

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

Municipal Planning Commission

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

Recommendation

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

Respectfully Submitted,



Nancy C. Hackett, ACP MCIP
City Planning Manager

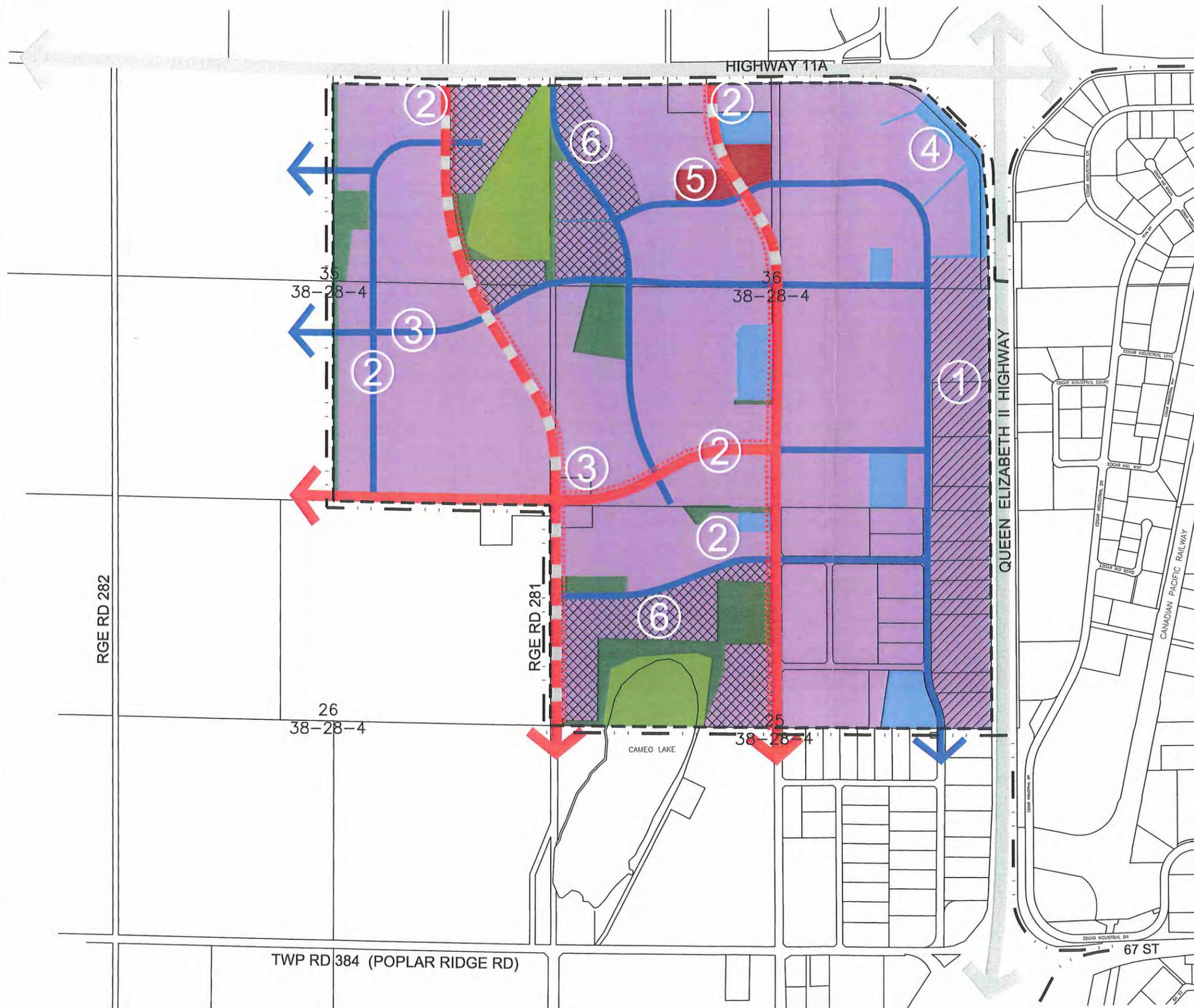
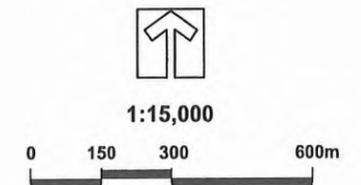
c. Colleen Jensen, Community Services

The City of Red Deer West QE2 Major Area Structure Plan

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

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

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



Appendix I

Background: Automobile/Vehicle Dealerships

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

Definition of Automobile/Vehicle Dealership

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

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

Planning Issues

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

Signage

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

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



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

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

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

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

Parking

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

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



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

Inventory Parking

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



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

Accessibility

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

Fencing

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



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

RVs and Heavy Machinery

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



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



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



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

Trends

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

Financial Outlook

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

Auto Mall

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

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



Figure 1-8: Cerritos Auto Square, CA.

Mixed Use Development

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



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

Environmentally-friendly Design

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

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



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

Summary

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

Appendix 2

Background:

West QE2 MASP Update Traffic Impact Assessment Final Report

Executive Summary



WEST QE2 MASP UPDATE TRAFFIC IMPACT ASSESSMENT FINAL REPORT

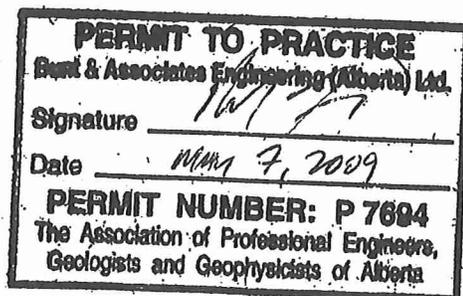
Prepared for: City of Red Deer
c/o Genivar

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

Permit to Practice No. P7694

File No.: 1280-02

Date: May 7, 2009





1.0 EXECUTIVE SUMMARY

1.1 BACKGROUND

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

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

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

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

1.0 Executive Summary



1.2 CONCLUSIONS AND RECOMMENDATIONS

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

The key findings and recommendations are as follows:

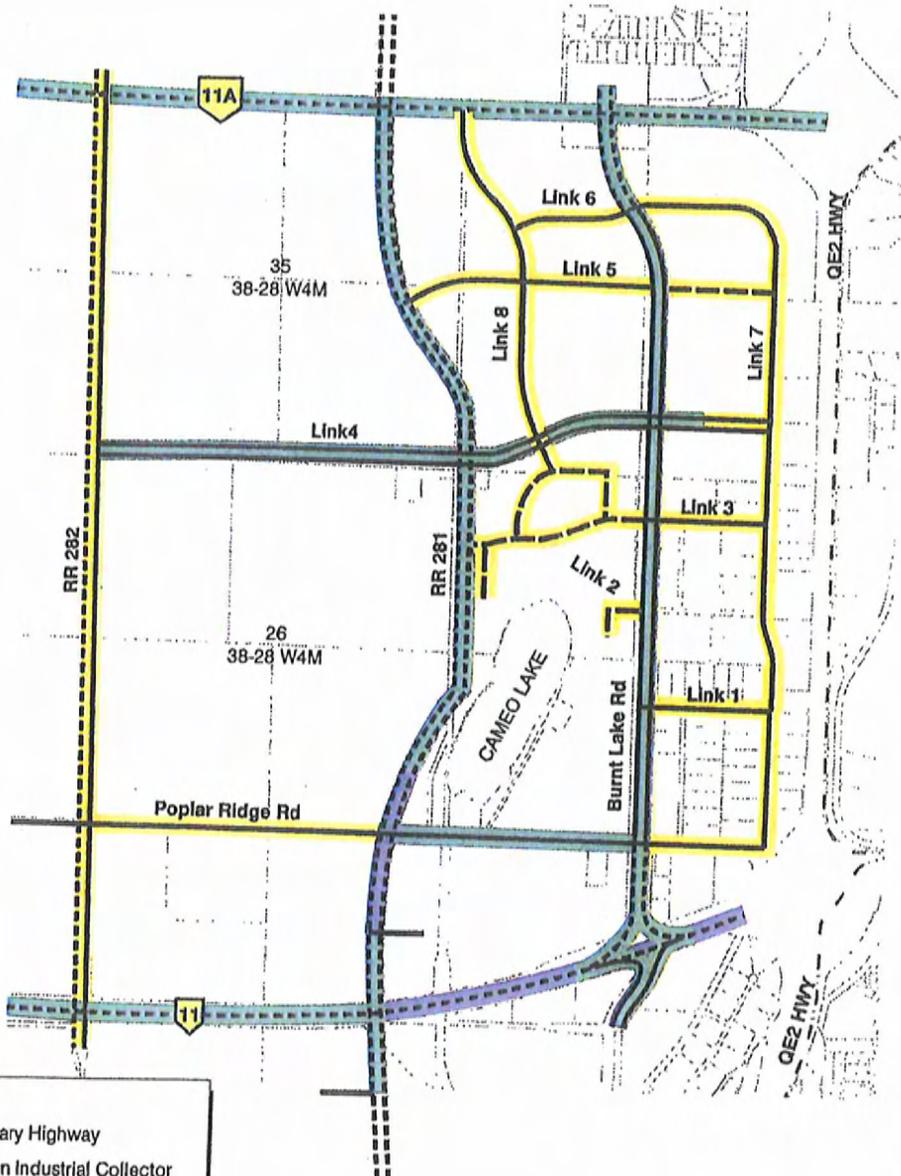
- **Highway 11:** In order to function within reasonable capacity parameters, additional improvements will be required in excess of those identified in the 2004 Transportation Master Plan for the 115,000 population horizon. These specifically include the following:
 - Provide a six-lane cross-section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

1.0 Executive Summary



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

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



LEGEND

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

1280-02

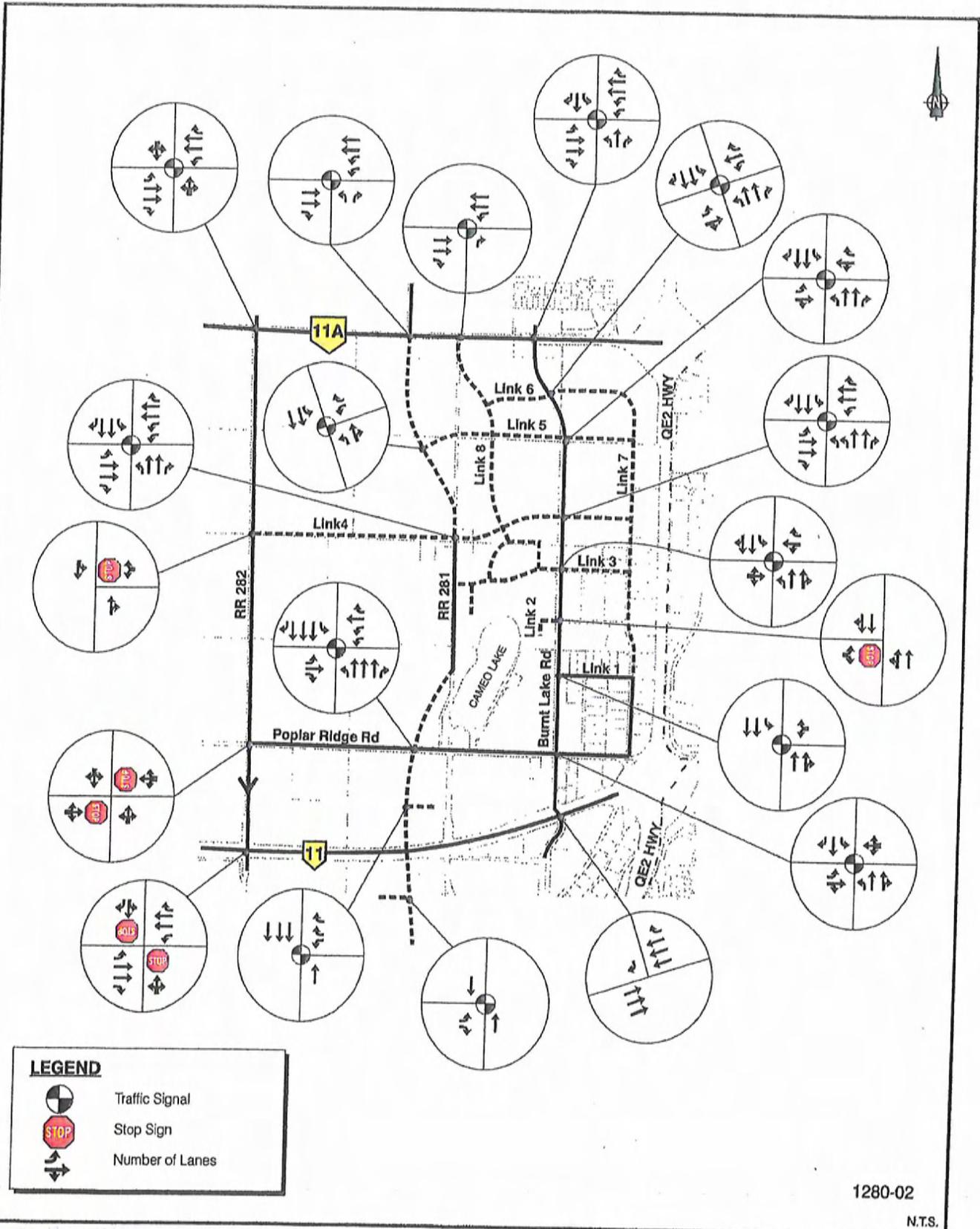
N.T.S.

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

Exhibit
E.2



1280-02

N.T.S.



Queens Business Park
 Recommended Traffic Control & Lane Arrangement (Limited Turns Intersection)

Exhibit
E.4

May 1, 2008
 HMF
 \\1280-02_RID-EX04-a&E.x_2008-MAYCdr



MAYOR'S OFFICE

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

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

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

MOTION CARRIED

The above is submitted for Council's consideration.

Yours truly,

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

Mayor Morris Flewwelling
Chair, Municipal Planning Commission

/sm

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



MAYOR'S OFFICE

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

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

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

MOTION CARRIED

The above is submitted for Council's consideration.

Yours truly,

Mayor Morris Flewwelling
Chair, Municipal Planning Commission

/sm

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



BACK UP INFORMATION
 NOT SUBMITTED TO COUNCIL
**Request: Report for Inclusion
 on a Council Agenda**

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

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

CONTACT INFORMATION			
Name of Report Writer:	Nancy Hackett		
Department & Telephone Number:	PCPS 403.343.3394		
REPORT INFORMATION			
Preferred Date of Agenda:	February 22, 2010		
Subject of the Report (provide a brief description)	3398/A-2009: Proposed Amendment to West QE2 Major Area Structure Plan and 3399/A-2009: Proposed Amendment to queens Business Park Industrial Area Structure Plan		
Is this Time Sensitive? Why?	Yes. Item was previously tabled to return on Feb 22.		
What is the Decision/Action required from Council?	Second and third reading		
Please describe Internal/ External Consultation, if any.	Public meeting and consultation with landowners occurred prior to first reading. Since tabling has been meetings with the landowner.		
Is this a Committee of the Whole item?	No		
How does the Report link to the Strategic Plan? <i>Be Strategic</i>			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. <i>No. None.</i>			
Has Financial Services been consulted? Are there any budget implications? Please describe. <i>N/A</i>			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: <i>Nancy Hackett 403.343.3394</i>
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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

ORIGINAL



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

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

DATE: February 11, 2010

TO: Elaine Vincent, Legislative and Administrative Services

FROM: Nancy Hackett, Parkland Community Planning Services

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

and

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

Plan Amendment Request

On January 25, 2010 proposed bylaw amendments to the West QE2 Major Area Structure Plan (MASP) and the related Queens Business Park Industrial Area Structure Plan (IASP) were tabled to provide time for two issues to be discussed further between a landowner and planning staff.

The two outstanding issues are: one, the eco-industrial concept being proposed in the West QE2 area and two, the potential location of a future commercial site.

On January 29, 2010 Parkland Community Planning Services met with the landowner who had expressed concerns on these matters. During that meeting both items were discussed.

1. Background – Eco-Industrial

With regard to the eco-industrial lands, the landowner has indicated that he would like to ensure the wording of the MASP states that additional studies/research are to be undertaken on this concept. Should this research indicate that the amount of land identified for eco-industrial needs to be reduced or changed, there will be opportunity to do so at the time of preparation of an IASP for his lands. While the plan amendment currently notes that additional study will be undertaken, a paragraph is recommended to be added to the plan that further details the type of research and the opportunity to alter or change the specific location of eco-industrial. A proposed addition to this effect, which the landowner has indicated agreement with, would read:

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

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

2. Background – Commercial Site

With regard to a commercial site, the current site located in the SW ¼ of 36-38-28-4 is proposed to be eliminated as the surrounding roads are proposed to be upgraded to arterial status. Engineering standards do not allow traffic access near the intersection of arterial roads. This will remove approximately 1.8 hectares of commercial land from the existing MASP. At present, the commercial site is situated on land owned by two separate landowners (1.3 hectares owned by an acreage owner and the remaining 0.5 hectares owned by the adjacent landowner).

During the public input process, concerns were expressed by these landowners as well as a landowner to the east, about the loss of the commercial site (comments were included in the information provided to Council at first reading).

Planning staff reviewed all comments following public consultation. After review of the requests for retaining or adding a commercial site, planning staff did not recommend or identify a new/additional commercial site for several reasons. These reasons included:

1. the fact that other commercial lands are available to serve the area employees (there did not appear to be a shortage),
2. the addition of the direct control district for vehicle dealerships (if approved) would remove some lands previously identified for industrial development and the objective of ensuring a suitable inventory of industrial land for the city, needs to be considered, and
3. there was the lack of specific site details provided by the developer pertaining to matters such as commercial access, servicing, and mitigation of any impact on adjacent properties.

Following first reading of the proposed West QE2 amendment, one of the landowners submitted a letter to Council presenting three possible locations for a future commercial site on his property. Planning staff met with the landowner’s consultants to review the request prior to the public hearing.

At the meeting the landowner’s consultants explained that the landowner would like certainty that a commercial site will be allowed. Staff were concerned that randomly selecting one of the three locations was not prudent as it did not allow for consideration of

key matters such as the impact on adjacent landowners, access, impact on traffic network or the type of commercial use (information a developer would generally provide).

Following the January 25 public hearing the MASP amendment was tabled. Planning staff met with the landowner in late January to further discuss this matter; the landowner wishes to identify a specific commercial location(s) at this time. It is our understanding that he will be submitting comments to this effect directly to council in writing for consideration on February 22.

Because of the need for additional research and work by the landowner and for review by administration, as well as the need for consultation with other property owners and impacted stakeholders planning staff cannot recommend or support the addition of a specific commercial site at this time. However, given the fact that the existing MASP does show a central commercial site, planning staff are prepared to support the possibility of a site being added into the plan area in the future, pending additional details and information supplied by the landowner(s) to the satisfaction of the City of Red Deer.

The developer will be required to prepare an IASP before proceeding with development regardless of the commercial site issue. Since an IASP has to be prepared it certainly will be workable to resolve access, impact, and site design issues at that stage. Therefore, planning staff are prepared to support adding enabling wording to the MASP which would note that, pending the resolution of these types of issues at the time of consideration of an IASP, one additional commercial site (of approximately the same size as the eliminated site) could be considered during an IASP process within the central portion of the West QE2 area.

If the wording was added to the West QE2 MASP, it would allow for a specific proposal of up to one 1.8 ha to 2.0 ha commercial site to be brought forward by the landowner/developer in question (or other interested landowners) at the time of an IASP for consideration by Council. The onus would be on the developer to follow the IASP process and to provide the required information.

A resolution has been prepared which would add as the last paragraph of **Section 4.1.4. Commercial** of the proposed amended *West QE2 Major Area Structure Plan* :

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

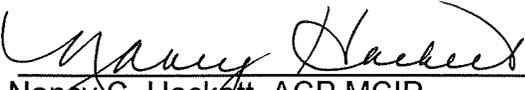
Summary

Following the public hearing on the proposed plan amendments, there are two outstanding issues; one being the eco-industrial concept being proposed in the West QE2 area and the second being the potential location of a future commercial site.

With regard to the eco-industrial lands, the landowner has indicated that he would like to ensure the wording of the MASP identifies that additional studies/research are to be undertaken on this concept. A proposed addition to the plan's text addressing this issue, which the landowner has indicated agreement with, has been prepared for Council's consideration.

In dealing with the commercial site, Planning staff would recommend that an enabling paragraph as noted in this report be added to the West QE2 MASP to allow for the possible addition of one small commercial site (up to 2 hectares) to serve the local area. Should a landowner wish to pursue commercial development, he or she would prepare a plan detailing access, location, and servicing in the form of an IASP.

Respectfully Submitted,



Nancy C. Hackett, ACP MCIP
City Planning Manager

- c. Paul Meyette, Director, Planning Services
Lyle and Marcie Jeffries

ORIGINAL

City Council
c/o Legislative & Administrative Services
City Hall
Box 5008
Red Deer, Ab.
T4N 3T4

February 11, 2010

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

To the members of City Council:

Background History:

We are the owners of SW 36-38-28-4 and NW 25-38-28-4, two of the eight quarters of land affected by the Major Area Structure Plan amendments. We apologize for delaying the MASP process but we are disappointed with the manner in which Parkland Community Planning Services has proceeded heedless of our concerns. We met with PCPS in the spring of 2009. They urged us to provide a written submission of our concerns. We then sent a letter dated June 7th, 2009 which detailed all pertinent issues. We received no response. We were not contacted until the MASP was going to first reading. We feel that our concerns were disregarded. It is our intention to work together with PCPS to come up with viable solutions for all parties.

Major Concerns:

Elimination of current Commercial Site:

The original MASP included a site that was zoned for Commercial use in the central area of the plan. The amendment will eliminate all Commercial zoning in the central and southern regions. We understand the reasoning is that the current site is inappropriate due to changes in the arterial road system. We ask that the Council consider allowing an alternate site to be included in the MASP. We have a suggestion as to a possible new location. This area would not exceed 1.8 hectares. Please see the attached diagram.

We realize that the traffic studies of the area raise concerns regarding Commercial sites. However, we feel that a Commercial site in our proposed location will simply service the employees already utilizing the Park.

PCPS raised the concern that adjacent landowners may not be in agreement with our desire to include a Commercial site. We have personally contacted all landowners and they are aware of the situation and agree that if the current proposed site is not possible, they would be open to having an alternate site included in the MASP.

Concerns with the Eco-Industrial Area:

The Eco-Industrial concept is a potentially valuable strategy for future development. We share the desire to work towards a greener future. However, we do not believe PCPS has completed sufficient research to warrant limiting the land development to Eco-Industrial at this time.

In our most recent meeting with PCPS on January 29, 2010, we reached an agreement regarding the Eco-Industrial Zoning. They have altered the wording so that if further research indicates the Eco-Park concept proves unmarketable, council will be able to make changes to the zoning. We trust that you will understand our concern and agree to this change.

Thank you for your consideration. We appreciate the opportunity to voice our thoughts. We look forward to working with a MASP that will prove beneficial to all.

Sincerely,

Lyle and Marcie Jeffries
mjefries@xplornet.com
(403)341-5284
(403)318-2044

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

FIGURE 3 - LAND USE CONCEPT

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



Suggested location for Commercial site (X)

FEB 12, 2010

Christine Kenzie

To: mjeffries@xplornet.com

Subject: RE: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

This is to confirm receipt of your letter to be submitted to Council regarding the QE2 MASP - Bylaw Amendment 3398/A-2009.

This letter will be included on the February 22, 2010 Council Agenda and I will advise you of a time that this item will be discussed by Council by Thursday, February 18th, 2010.

Christine Kenzie

Council Services Coordinator

Legislative & Administrative Services

City of Red Deer

Phone: 403.356.8978 Fax: 403.346.6195

christine.kenzie@reddeer.ca

From: Marcie Jeffries [mailto:mjeffries@xplornet.com]

Sent: February 12, 2010 3:39 PM

To: Legislative Services

Subject: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

Re: Bylaw No. 3398/A-2009

Please find attached a letter to be submitted to Council. Thank you.

Marcie Jeffries

Hm. 403-341-5284

Fax. 403-342-7644

mjeffries@xplornet.com

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

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

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

From: Frieda McDougall
Sent: February 12, 2010 4:06 PM
To: Christine Kenzie
Subject: FW: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)
Attachments: QE2 Business Park Feb 2010.docx

For your council agenda – can you acknowledge receipt? Thanks.

Frieda McDougall, Deputy City Clerk
Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8136
frieda.mcdougall@reddeer.ca

From: Marcie Jeffries [mailto:mjeffries@xplornet.com]
Sent: February 12, 2010 3:39 PM
To: Legislative Services
Subject: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

Re: Bylaw No. 3398/A-2009

Please find attached a letter to be submitted to Council. Thank you.

Marcie Jeffries
Hm. 403-341-5284
Fax. 403-342-7644
mjeffries@xplornet.com

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

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

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

Draft - Subject to change

Presented for Information

Background:

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

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

Preliminary Process and Timeline:

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

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

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

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

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

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

B/F



Council Decision – January 25, 2010

DATE: January 26, 2010

TO: Nancy Hackett, City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

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

Reference Report:

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

Bylaw Readings:

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

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

Comments/Further Action:

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

Elaine Vincent
 Legislative & Administrative Services Manager

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

Feb 18/10

Christine Kenzie

To: mjeffries@xplornet.com

Subject: FW: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

The Amendment to the QE2 MASP - Bylaw 3398/A-2009 -- will be discussed by Council on Monday, February 22, 2010. The Council meeting starts at 3:00 P.M. and there are a couple of items scheduled before the QE2 item. If you are planning on attending, you should be in Council Chambers by 3:00 p.m. Council Chambers are located on the 2nd floor of City Hall.

Let me know if you have any questions.

Christine Kenzie

Council Services Coordinator

Legislative & Administrative Services

City of Red Deer

Phone: 403.356.8978 Fax: 403.346.6195

christine.kenzie@reddeer.ca

From: Christine Kenzie

Sent: February 15, 2010 11:10 AM

To: 'mjeffries@xplornet.com'

Subject: RE: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

This is to confirm receipt of your letter to be submitted to Council regarding the QE2 MASP - Bylaw Amendment 3398/A-2009.

This letter will be included on the February 22, 2010 Council Agenda and I will advise you of a time that this item will be discussed by Council by Thursday, February 18th, 2010.

Christine Kenzie

Council Services Coordinator

Legislative & Administrative Services

City of Red Deer

Phone: 403.356.8978 Fax: 403.346.6195

christine.kenzie@reddeer.ca

From: Marcie Jeffries [mailto:mjeffries@xplornet.com]

Sent: February 12, 2010 3:39 PM

To: Legislative Services

Subject: Letter to council regarding proposed amendment to QE2 MASP (Bylaw No. 3398/A-2009)

Re: Bylaw No. 3398/A-2009

2010/02/18

Please find attached a letter to be submitted to Council. Thank you.

Marcie Jeffries
Hm. 403-341-5284
Fax. 403-342-7644
mjeffries@xplornet.com

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

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

Amber Senuk

From: Amber Senuk
Sent: February 24, 2010 10:24 AM
To: 'mjeffries@xplornet.com'
Subject: West QE2 Major Atrea Strucutre Plan - Bylaw 3398/A-2009 / Queens Business Park Industrial Area Structure Plan - Bylaw 3399/A-2009

Attachments: L&M Jeffries.pdf

Good Morning.

Attached is a letter regarding the outcome of the Monday, February 22, 2010 Regular Council Meeting regarding Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan.

Should you have any further questions please do not hesitate to contact our office.



L&M Jeffries.pdf
(687 KB)

Amber Senuk | Client Services Support

The City of Red Deer

Legislative & Administrative Services

D 403.342.8728 | F 403.346.6195 | amber.senuk@reddeer.ca



LEGISLATIVE & ADMINISTRATIVE SERVICES

February 23, 2010

Lyle and Marcie Jeffries
c/o mjeffries@xplornet.com

Dear Mr. & Mrs. Jeffries:

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

At the City of Red Deer's Council Meeting held on Monday, February 22, 2010 the following motions were introduced and passed regarding Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan.

“Resolved that Council of the City of Red Deer having considering the report from Parkland Community Planning Services, dated February 11, 2010, Re: Amendment to the West QE2 Major Area Structure Plan Bylaw No. 3398/A-2009 and Amendment to the Queens Business Park Industrial Area Structure Plan Bylaw No. 3399/A-2009, hereby agrees to amend Bylaw No. 3398/A-2009 –West QE2 Major Area Structure Plan as follows:

By adding as the final paragraph of Section 4.1.3 Green Infrastructure and Eco-Industrial Park the following:

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

MOTION CARRIED

“Resolved that Council of the City of Red Deer having considering the report from Parkland Community Planning Services, dated February 11, 2010, Re: Amendment to the West QE2 Major Area Structure Plan Bylaw No. 3398/A-2009 and Amendment to the Queens Business Park Industrial Area Structure Plan Bylaw No. 3399/A-2009, hereby agrees to amend Bylaw No. 3398/A-2009 – West QE2 Major Area Structure Plan as follows:

By adding as the last paragraph of Section 4.1.4 Commercial, the following:

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

MOTION CARRIED

A Public Hearing was held with respect to *Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan* and both bylaws were given second and third readings. Copies of the Bylaws are available at our office should you require one.

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

Please do not hesitate to contact our office at 403.342.8132 should you have any questions or require further clarification.



Elaine Vincent
Legislative and Administrative Services Manager

DATE: February 23, 2010
TO: Nancy Hackett, City Planning Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan
Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan

Reference Report:

Legislative & Administrative Services Manager, dated February 16, 2010
Parkland Community Planning Services, dated February 11, 2010

Resolutions:

“Resolved that Council of the City of Red Deer having considering the report from Parkland Community Planning Services, dated February 11, 2010, Re: Amendment to the West QE2 Major Area Structure Plan Bylaw No. 3398/A-2009 and Amendment to the Queens Business Park Industrial Area Structure Plan Bylaw No. 3399/A-2009, hereby agrees to amend Bylaw No. 3398/A-2009 –West QE2 Major Area Structure Plan as follows:

By adding as the final paragraph of Section 4.1.3 Green Infrastructure and Eco-Industrial Park the following:

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

MOTION CARRIED

“Resolved that Council of the City of Red Deer having considering the report from Parkland Community Planning Services, dated February 11, 2010, Re: Amendment to the West QE2 Major Area Structure Plan Bylaw No. 3398/A-2009 and Amendment to the Queens Business Park Industrial Area Structure Plan Bylaw No. 3399/A-2009, hereby

agrees to amend Bylaw No. 3398/A-2009 – West QE2 Major Area Structure Plan as follows:

By adding as the last paragraph of Section 4.1.4 Commercial, the following:

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

MOTION CARRIED

Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Bylaw 3398/A-2009 – Amendment to the West QE2 Major Area Structure Plan and Bylaw 3399/A-2009 – Amendment to the Queens Business Park Industrial Area Structure Plan received second and third readings. Copies of the Bylaws are attached.

Report Back to Council: No

Comments/Further Action:

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



Elaine Vincent
Legislative & Administrative Services Manager
/Attach.

c: Development Services Director
Corporate Services Director
Community Services Director
Planning Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File

17
Bylaw 3398/2009
Bylaw 3399/2009

West QE2 and Queens Business Park

DESCRIPTION: Amendments to the West QE2 Major Area Structure Plan and amendments to the Queen's Business Park Industrial Area Structure Plan.

FIRST READING: December 14, 2009

FIRST PUBLICATION: January 8, 2010

SECOND PUBLICATION: January 15, 2010

PUBLIC HEARING & SECOND READING: ~~January 25, 2010~~
Feb 22, 2010

THIRD READING: ~~Dec 17, 2009~~

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT: YES \$ _____ NO

COST OF ADVERTISING RESPONSIBILITY OF: CITY

ACTUAL COST OF ADVERTISING:

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

MAP PREPARATION: \$ _____

TOTAL COST: \$ _____

LESS DEPOSIT RECEIVED: \$ _____

AMOUNT OWING/ (REFUND): \$ _____

INVOICE NO.: _____

BATCH NO.: _____

(Advertising Revenue to 180.5901)

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

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

Insert Map -- (DM 915463)

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

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

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

DM# 915463

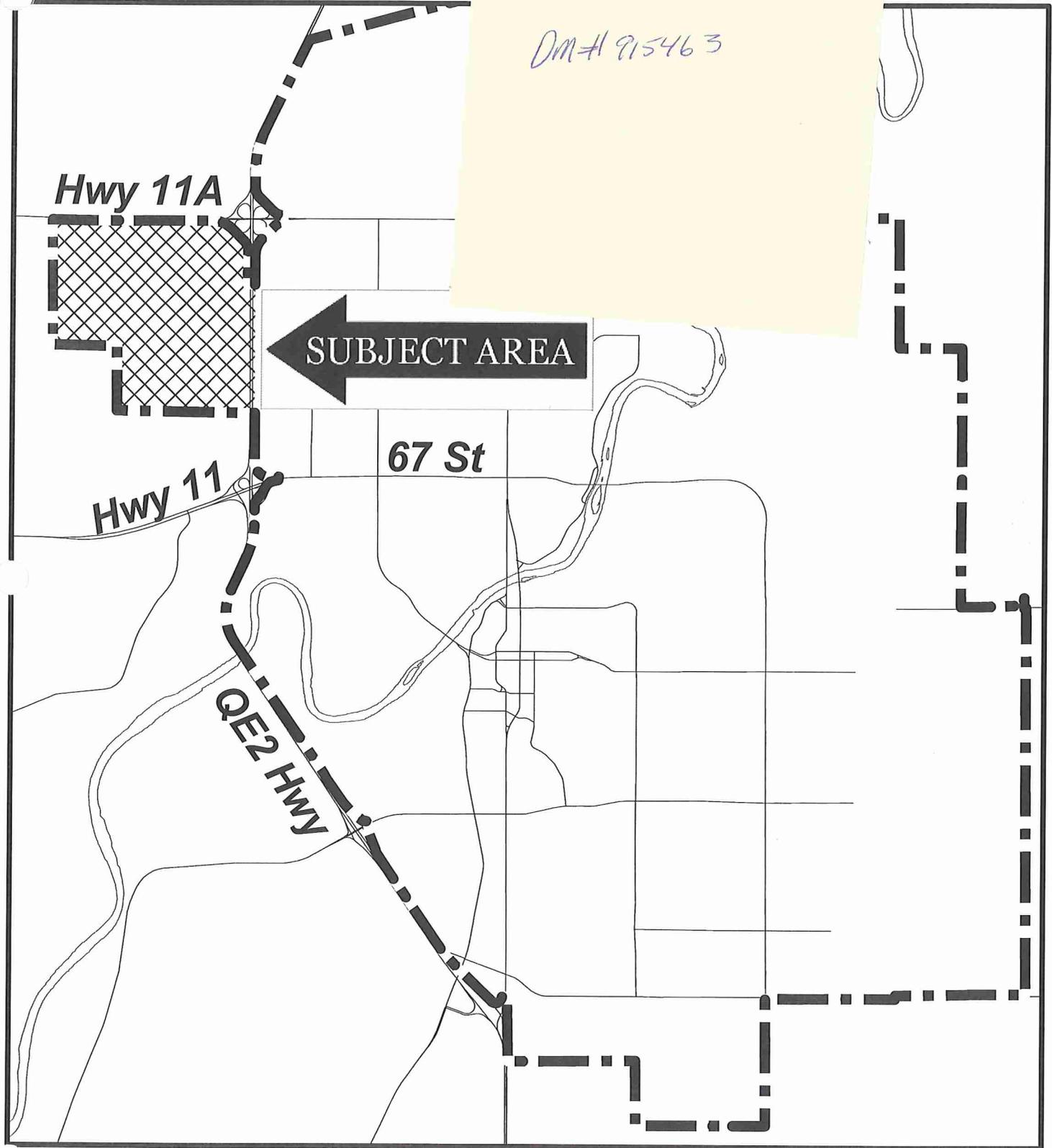
Hwy 11A

SUBJECT AREA

67 St

Hwy 11

QE2 Hwy



Christine Kenzie

From: Nancy Hackett
Sent: December 16, 2009 1:36 PM
To: Christine Kenzie
Subject: RE: December 18 2009 - Ad for Bylaw 3398/A-2009 - West QE2 MASP & Bylaw 3399/A-2009 - Queens Business Park IASP
Attachments: Bylaw 3398&3399 ad for newspaper Dec 09.doc

Hi Christine – just a minor change as attached. Maps will follow in next email. Nancy

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

From: Christine Kenzie
Sent: December 15, 2009 3:10 PM
To: Nancy Hackett
Subject: December 18 2009 - Ad for Bylaw 3398/A-2009 - West QE2 MASP & Bylaw 3399/A-2009 - Queens Business Park IASP

Here is my attempt at an ad for the West QE2 MASP & Queens Business Park IASP Amendments. I will need a map to include with the ad --- as well as the letter to residents.

Let me know if you have any changes prior to December 18th if possible.

Thanks for your help.

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

Christine Kenzie

From: LeighAnn Butler
Sent: December 16, 2009 2:47 PM
To: Christine Kenzie
Subject: RE: Maps for 3398 A and 3399 A - Advertising

We can do that and have it ready by Jan 5.

Leigh-Ann

From: Christine Kenzie
Sent: December 16, 2009 2:46 PM
To: LeighAnn Butler
Subject: FW: Maps for 3398 A and 3399 A - Advertising

Nancy has forwarded the attached maps (below) to use for advertising for the West QE2 MASP & Queens Business Park IASP. However -- the maps are too "busy" to put in the Advocate.

Would you be able to do a map showing the West QE2 Industrial Area as the subject area --- << File: West QE2 Report Page.pdf >>

Similar to what Nancy has on the bottom of her report --- see attached West QE2 Report Page pdf.

Would need by January 5th - if possible.

Thanks.

Christine Kenzie
Council Services Coordinator

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

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

Pdfs attached.

Nancy Hackett, ACP, MCIP
City Planning Manager
Edmonton/Calgary/Strathcona
Edmonton Community Planning Services

January 5, 2010

«Prime_Owner_Name»
«Owner_Address_1»
«Owner_Address_2»

Dear Sir/Madam:

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

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

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

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

Yours truly,



Elaine Vincent
Legislative & Administrative Services Manager
/Attachment

January 5, 2010

«PrimaryCustomer»
«AddressA»
«City», «Province» «Postal_Code»

Dear Sir/Madam:

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

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

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

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

Yours truly,

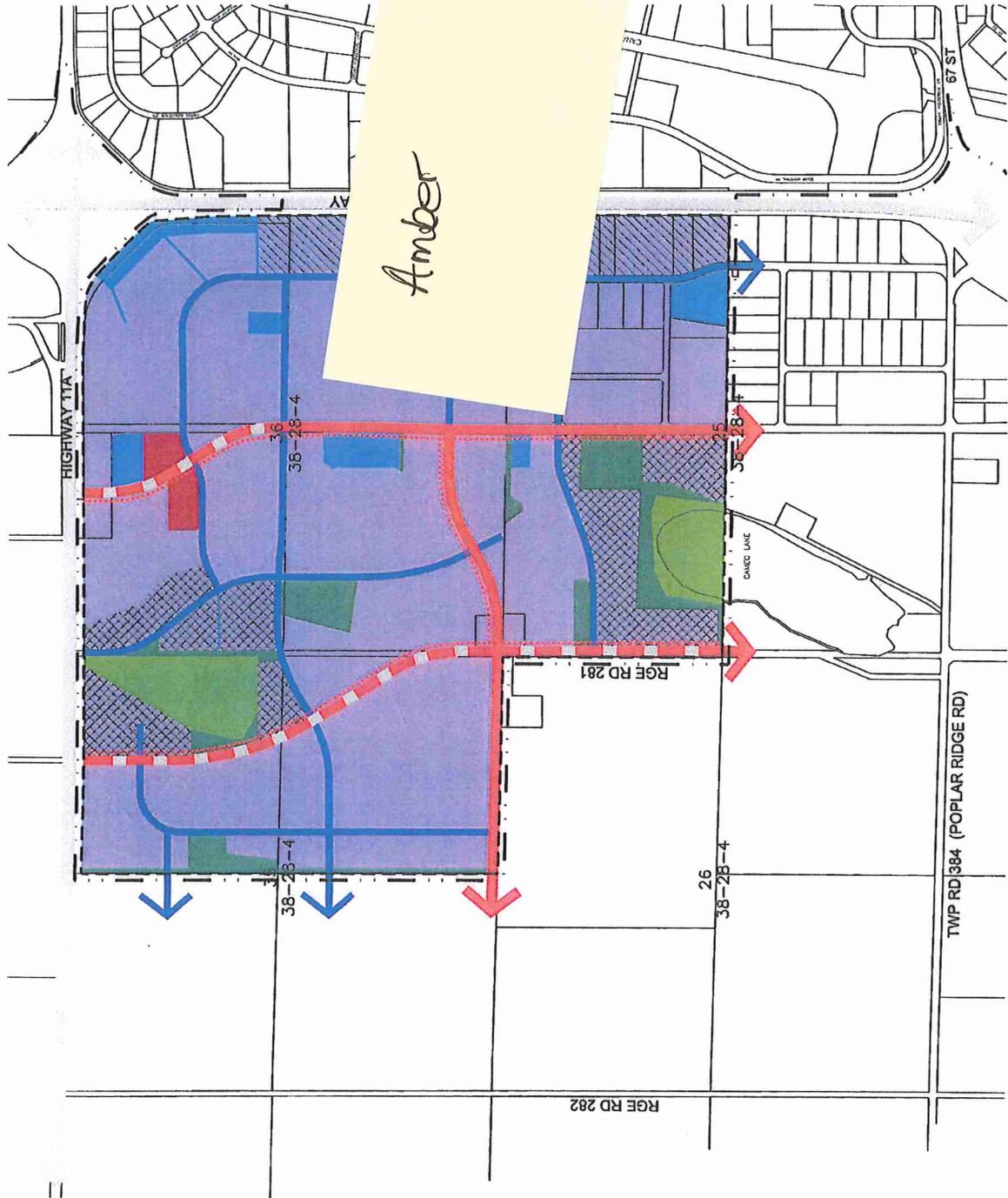
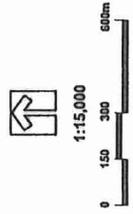


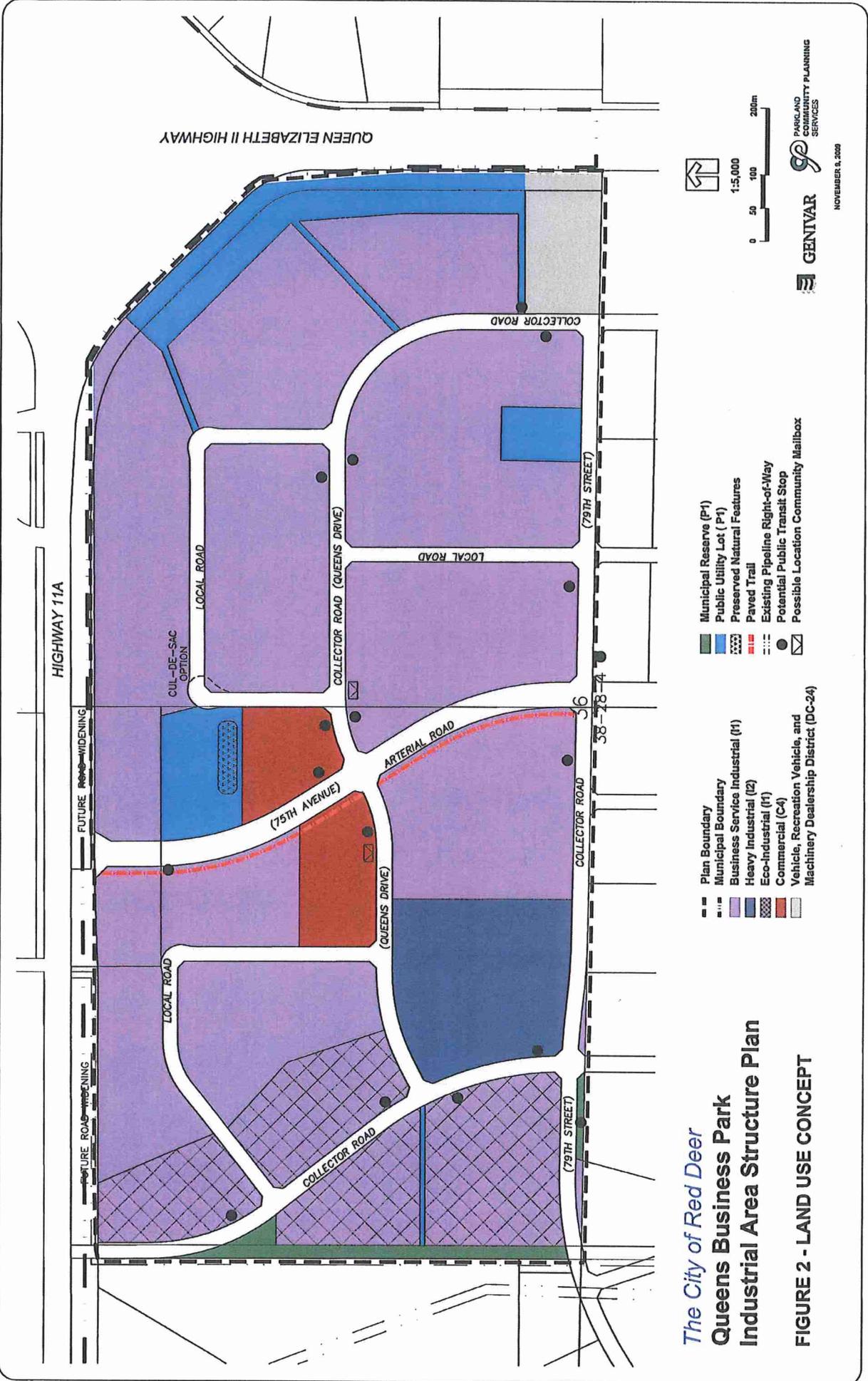
Elaine Vincent
Legislative & Administrative Services Manager
/Attachment

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

FIGURE 3 - LAND USE CONCEPT

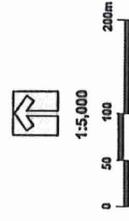
- Plan Boundary
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- Eco-Industrial Park
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- Commercial
- Municipal Reserve
- Environmental Reserve
- Public Utility





The City of Red Deer
**Queens Business Park
 Industrial Area Structure Plan**

FIGURE 2 - LAND USE CONCEPT



QUEEN ELIZABETH II HIGHWAY

HIGHWAY 11A

FUTURE ROAD WIDENING

FUTURE ROAD WIDENING

CUL-DE-SAC OPTION

LOCAL ROAD

(75TH AVENUE)

COLLECTOR ROAD (QUEENS DRIVE)

COLLECTOR ROAD

LOCAL ROAD

COLLECTOR ROAD (QUEENS DRIVE)

COLLECTOR ROAD

ARTERIAL ROAD

36

38-48-4

(79TH STREET)

(79TH STREET)

Public Hearings Item No. 1



DATE: February 16, 2010

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

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

History:

Due to the length of the December 14, 2009 Council Meeting, consideration of Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage) and Land Use Bylaw Amendment 3357/JJ-2009 (Open House/Show Home Signs) were tabled to the Monday, January 25, 2010 Council Meeting.

The following resolutions were passed at the Monday, January 25, 2010 Council Meeting:

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

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

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

Land Use Bylaw Amendment 3357/F-2009
Land Use Bylaw Amendment 3357/JJ-2009
February 16, 2010
Page 2

The above noted changes were made to Land Use Bylaw Amendment 3357/F-2009. Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009 received first reading at the Monday, January 25, 2010 Regular Council Meeting. Land Use Bylaw Amendment 3357/F-2009 is proposed to allow/regulate dynamic signs. Land Use Bylaw Amendment 3357/JJ-2009 is a minor amendment for signs that do not require a permit.

Public Consultation Process:

Public Hearings have been advertised for the above noted bylaws to be held on Monday, February 22, 2010 at 6:00 P.m. during Council's Regular Meeting. Advertisements were placed in the Red Deer Advocate on February 5, 2010 and February 12, 2010.

A letter received from the public is attached for your information.

Recommendation:

That Council consider:

- 1) Second and Third readings to Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009.

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

Elaine Vincent
Manager

Letter from the Public

4901- Dorchester Avenue
Red Deer, Alberta
T4R 2Z8

City of Red Deer
4814-48 Avenue
Red Deer, Alberta

February 1, 2010

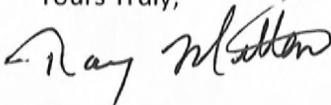
Mayor and City Council

Upon review of the proposed "Dynamic Sign" bylaw, I would like to bring to your attention a few items to consider:

- During the 70's and 80's there were 11 electronic signs in Red Deer- 35 years later we have 17 electronic signs an increase of only 6 signs. Based on that fact, you should not worry about a great influx of Dynamic Signs. Another thing to consider is that very few companies can afford to purchase this type of signage.
- C4 Designations: whereas very few of the Businesses' in the C4 areas would ever consider or even be able to afford "Dynamic signs" those that can and would, will probably appeal to have them allowed based on your preferred treatment of C2A designations
- Public safety: In the 35 years the electronic signs have been up, there has never been an accident related to the signs. In fact there has never been one in Edmonton, Calgary or throughout North America. If it was a hazard, the Highways department would not allow them to be installed across major Highways
- 3 or 5 second Display Time: If you are to suggest 5 seconds is better than 3, you will have to hire staff to sit and monitor the display time. Would all the existing Dynamic Signs be grandfathered along with the College and the Westerner if you choose the 5 second display time?

I respectfully ask that you consider these few facts when considering the bylaw. Decisions should be based on logic.

Yours Truly,



Ray Mitten



Originally Presented to Council on
Monday, December 14, 2009

DATE: December 7, 2009

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

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

History:

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

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

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

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

MOTION CARRIED

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

MOTION CARRIED

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

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

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

Page 2

Dynamic Signage & Show Home Open House

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

MOTION CARRIED

Discussion

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

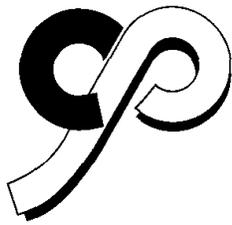
Recommendation:

That Council consider:

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

A handwritten signature in black ink, appearing to read "Elaine Vincent". The signature is written in a cursive style with a large, looped initial "E".

Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to Council on
Monday, December 14, 2009

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

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

Background

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

This report will:

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

Dynamic Signage

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

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

Outstanding Topics

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

Legal Constraints

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

Location

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

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

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

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

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

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

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

Method of Measurement

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

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

Length of Message Display Time

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

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

Public Service Announcements

5. Allow public service announcements on dynamic signs.

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

Options

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

Table 1 Dynamic Sign Regulations:

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

Issue	Decision	Action
		strike wording “may display public service announcements but”

Red Deer College Request

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

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

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

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

Current Status

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

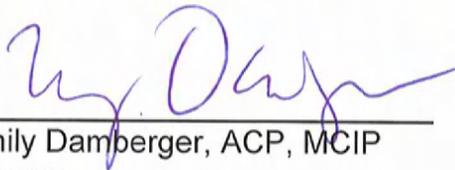
The second alternate bylaw amendment 3357/KK-2009 has been prepared if Council decides not to allow any further dynamic signs in the city. This bylaw addresses the

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

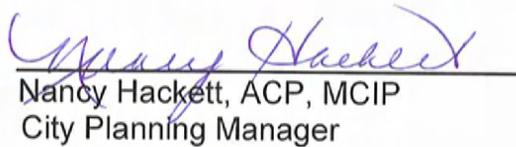
Recommendation

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

Sincerely,



Emily Damberger, ACP, MCIP
Planner

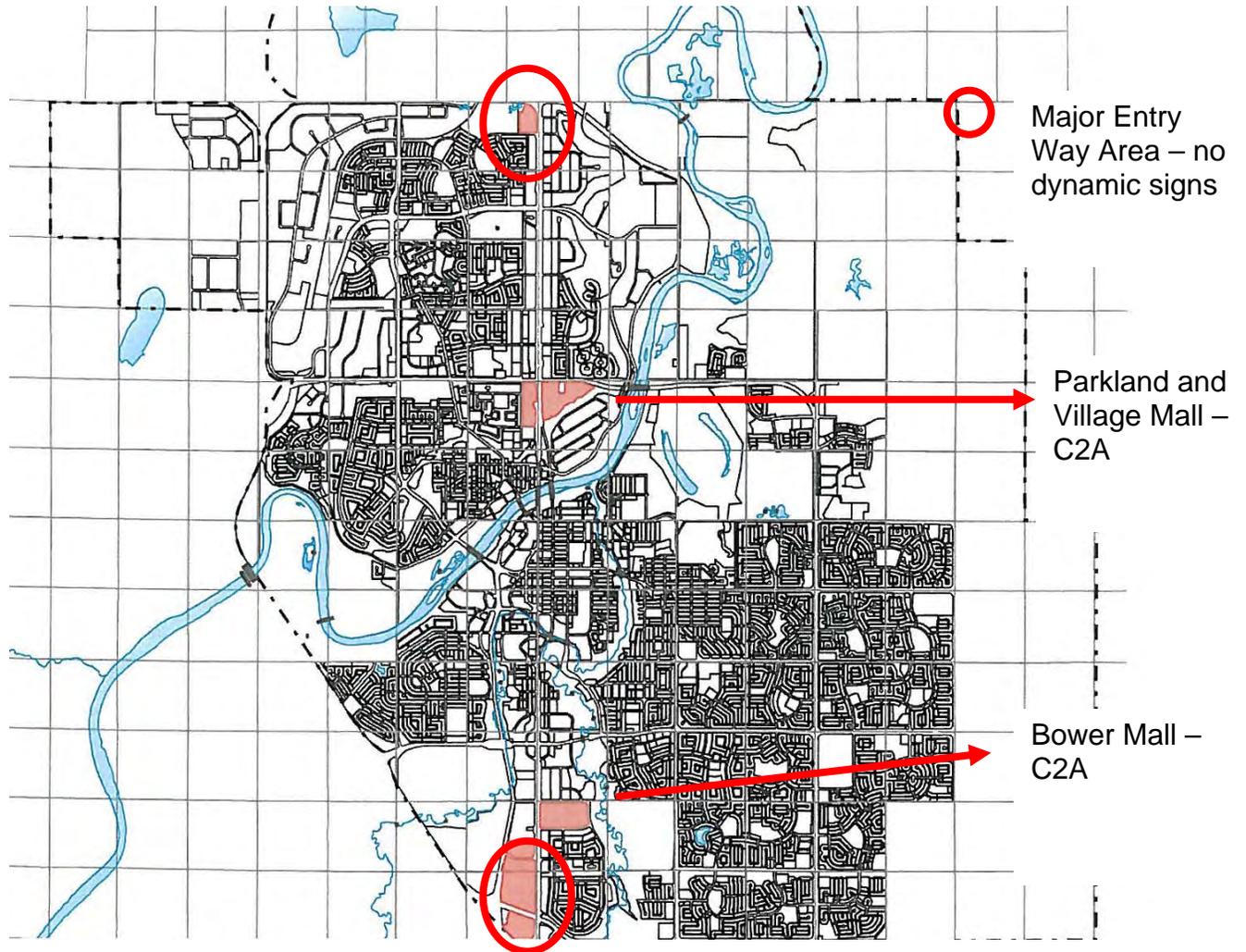


Nancy Hackett, ACP, MCIP
City Planning Manager

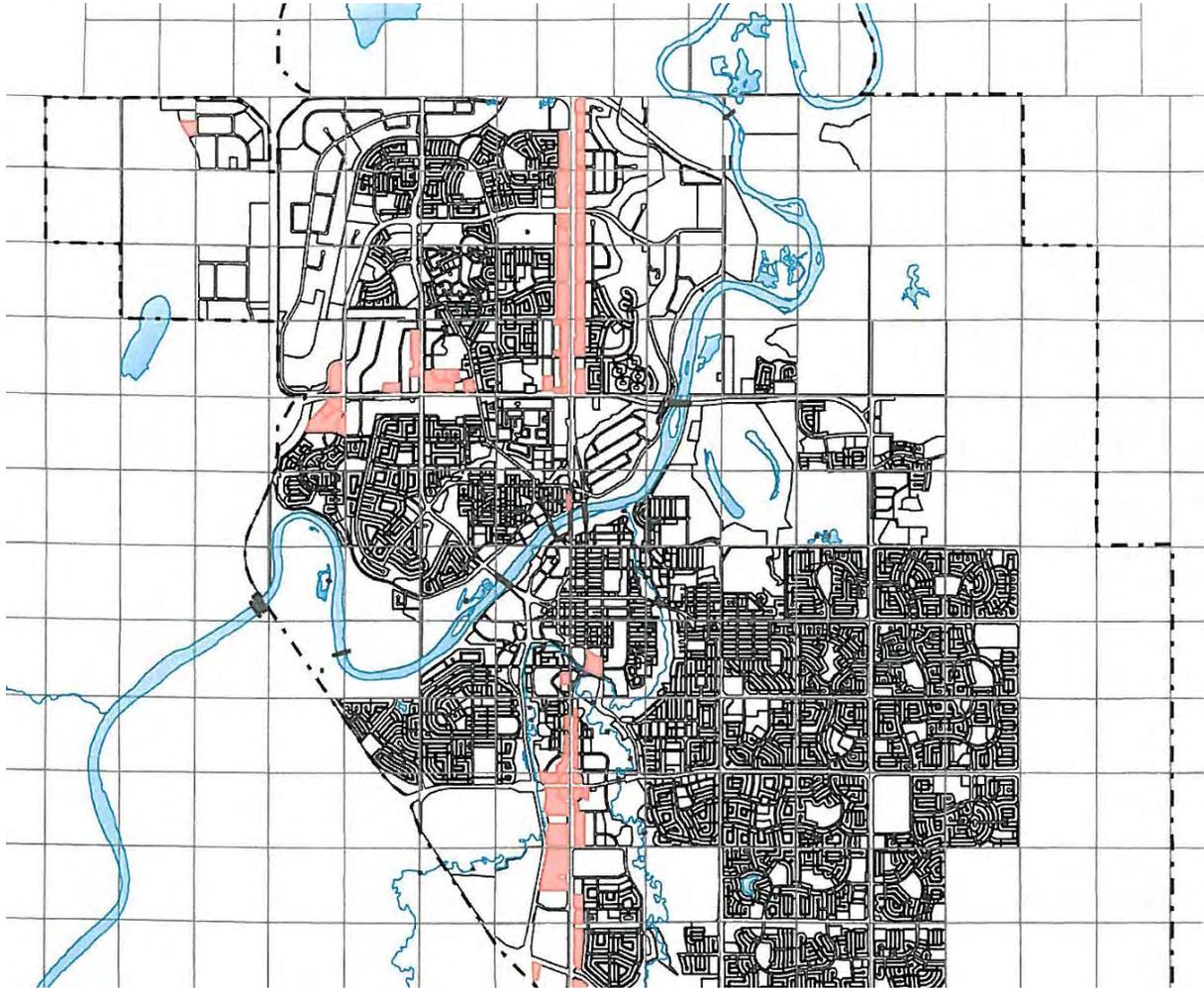
cc: Paul Meyette, Inspections and Licensing Department
Frank Colosimo, Engineering Services
Colleen Jensen, Community Services
Don Simpson, Chapman Riebeek

Appendix A

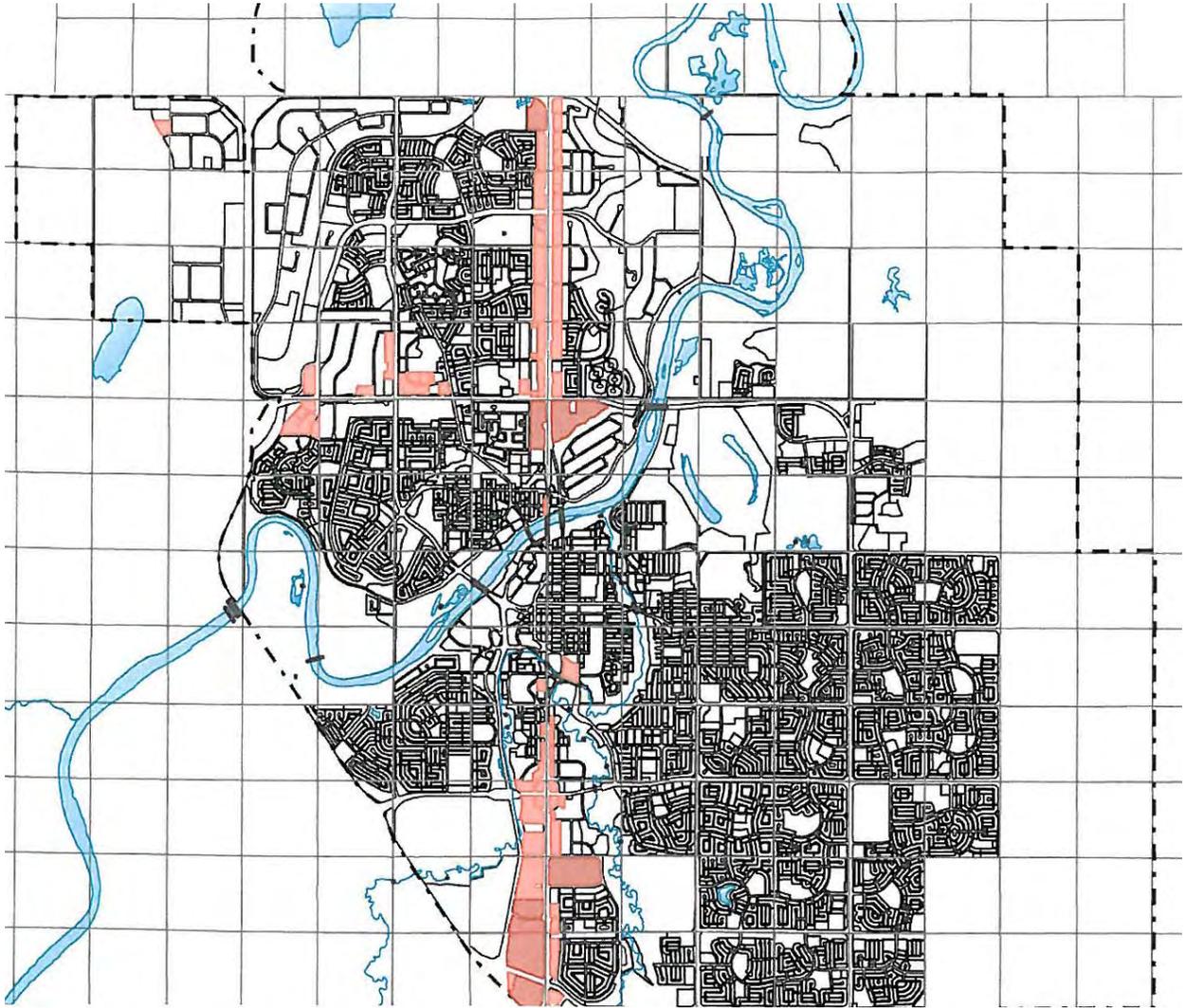
C2A Land Use Districts – salmon coloured areas

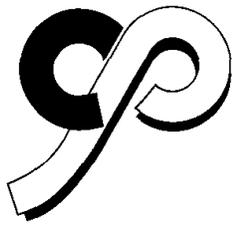


C4 Land Use Districts – Pink areas



C2 and C4 Land Use Districts





**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Public Hearings Item No. 2

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

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

Background

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

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

Show Home Open House Signage

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

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

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

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

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

Planning Analysis

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

Municipal Planning Commission

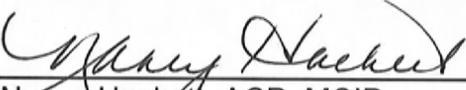
The proposed bylaw amendment was considered as part of land use bylaw amendment No.3357/F-2009, by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

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

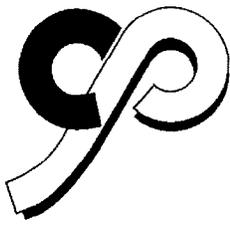


Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

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



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to
Council on November 2,
2009

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

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

Background

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

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

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

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

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

Show Home Open Houses

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

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

Dynamic Signage

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

City Council's Comments

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

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

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

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

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

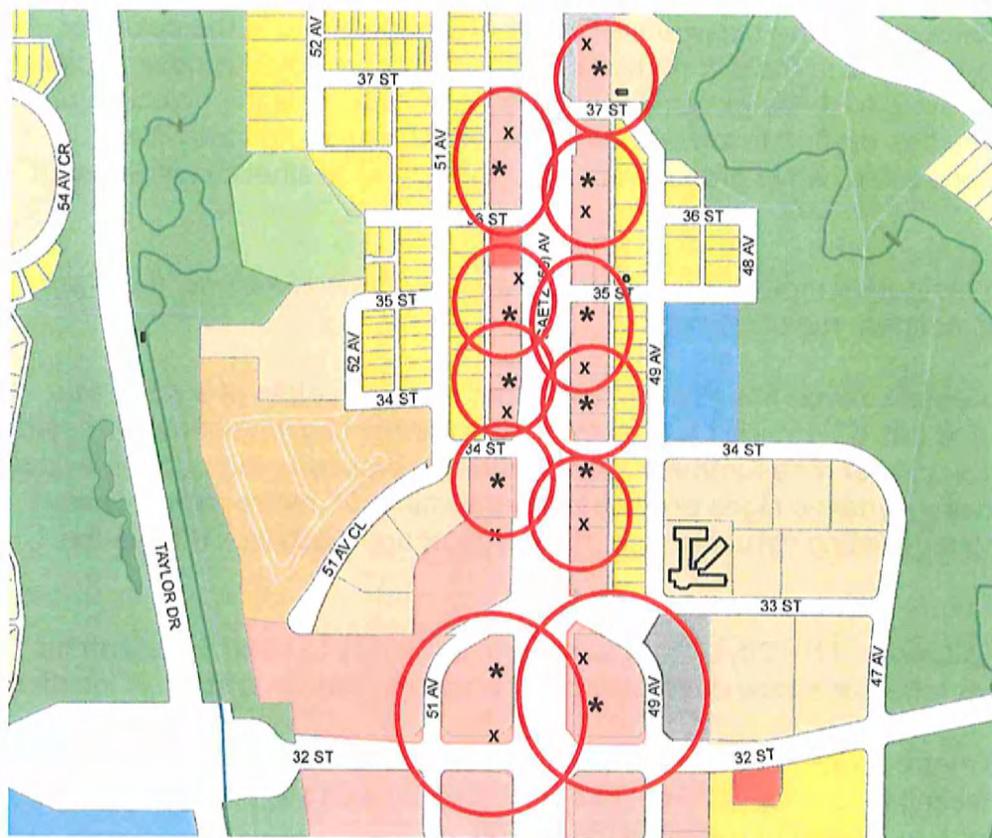
At present, the amendment balances the advertising interests of business owners with public safety and aesthetics. This balance does put some limits on the number and placement of signs. The proposed separation distance will limit adjacent neighbouring properties in their ability to place a dynamic sign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

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

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

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

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



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

X = 10 signs,
150 m linear
separation
distance

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

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

Linear Option

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

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

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

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

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

Planning Analysis

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

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

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

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

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

Municipal Planning Commission

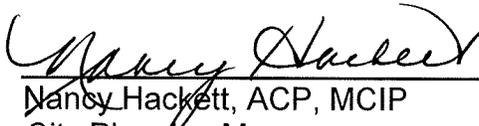
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

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

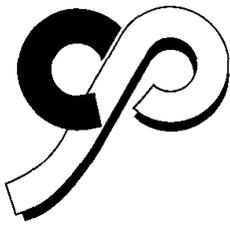


Emily Danberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

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



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented
to Council on
October 5, 2009

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

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

Background

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

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

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

City Council's Comments

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

1. Clarification of the Dynamic sign proposed definition:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

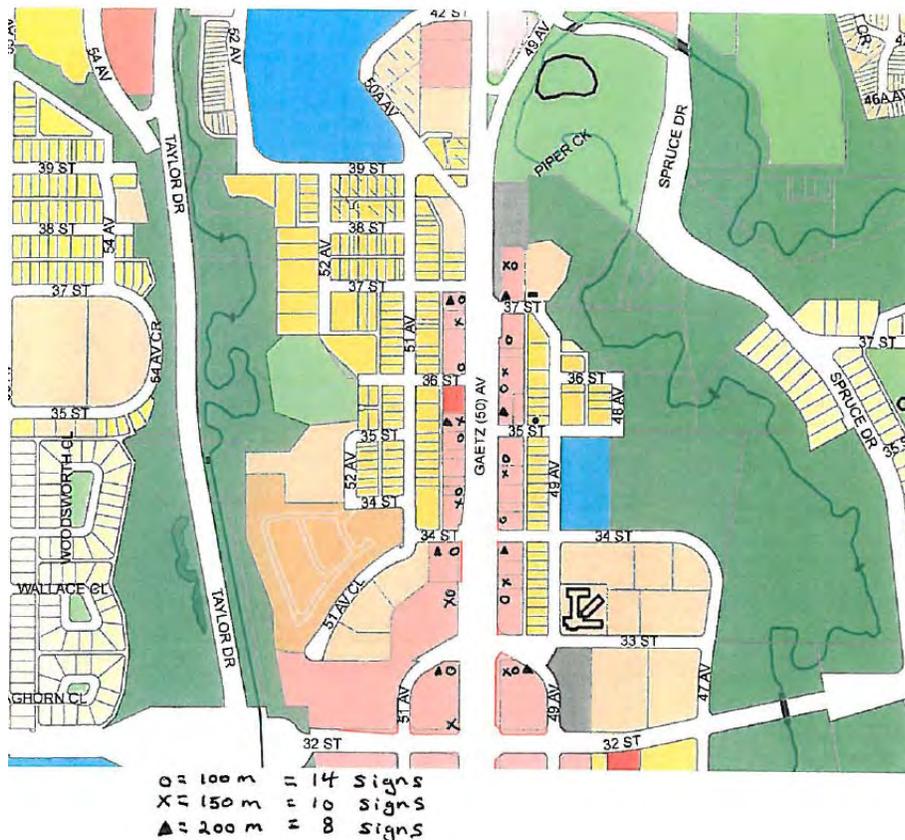


Figure 1: 5 block Gaetz Ave example of sign separation

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

Planning Analysis

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

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

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

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

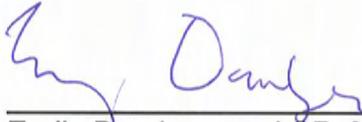
The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs.

Municipal Planning Commission

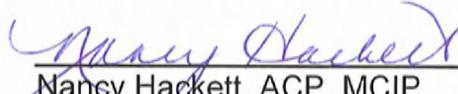
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009. The Municipal Planning Commission recommended support of the proposed bylaw amendment to City Council.

Recommendation

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



Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
City Planning Manager

cc: Paul Meyette
Frank Colosimo
Colleen Jensen
Don Simpson

City of Red Deer Land Use Bylaw 3357/2006

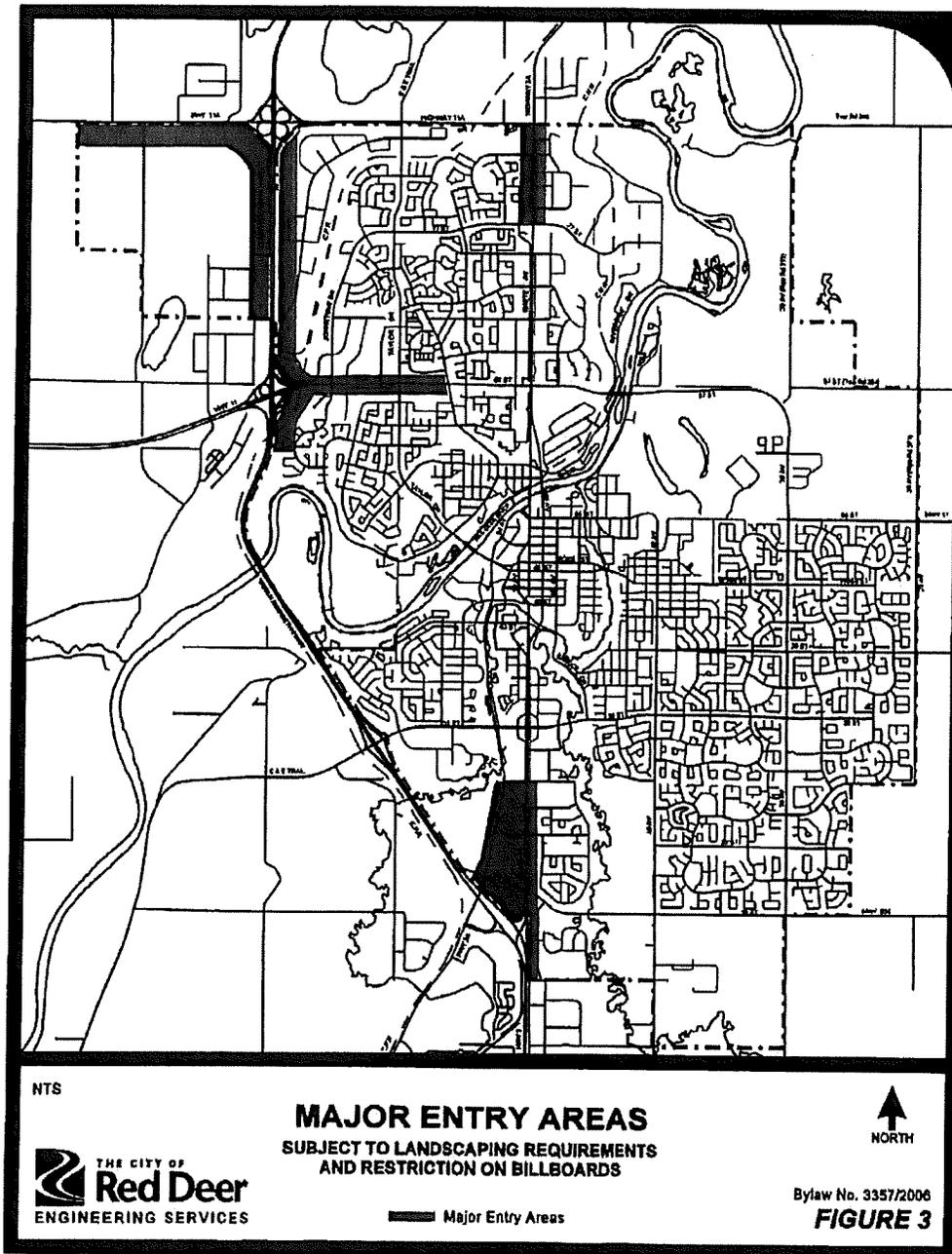
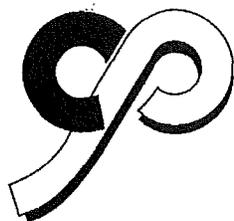


Figure 3-Major Entry Areas



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally Presented to
Council on Monday,
August 24, 2009

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

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

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

1. Show Home Open House Signage

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

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

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

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

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

2. Dynamic signage - Background

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

Municipal Planning Commission Research Request

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

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

Red Deer College Request

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

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

The Land Use Bylaw defines the following terms as:

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

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

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

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

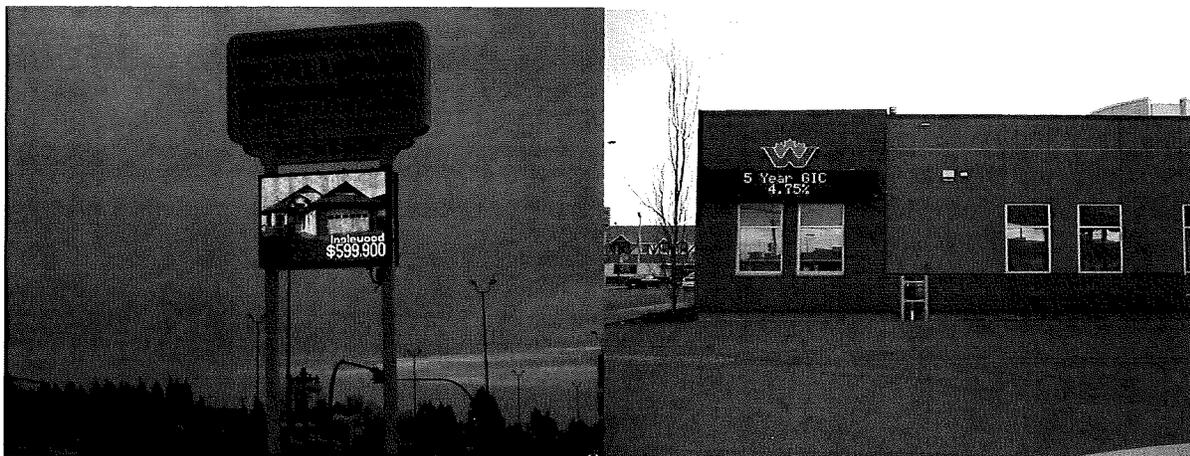
Currently within the land use bylaw Public Service PS sites over 17 hectares, reader board (dynamic) signs may form a portion (up to 25%) of a freestanding sign. Though development in the PS District (over 17 hectares) is the only district that specifically allows reader board (dynamic) signs, Administration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

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

Existing Reader Board (Dynamic) Signs

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

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



Royal LePage, C1 District 50 Ave

Canadian Western Bank, C1 District 51 Ave

Administrative Review

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

Safety Provisions

No person shall:

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

Illumination Provisions

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

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

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

Other Alberta Municipalities

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

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

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

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

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

Internal (City Administration) referral responses

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

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

Public Safety:

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

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

Aesthetics:

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

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

Public Safety:

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

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

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

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

Aesthetics:

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

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

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

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

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

Proposed Bylaw Amendments

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Planning Analysis

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

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

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

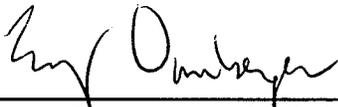
The intent of the proposed bylaw amendment is to reflect a balance of public safety concerns, aesthetic controls and commercial advertising rights through clarification of definitions, regulation of size, type, location and display of reader board (dynamic) signs.

Municipal Planning Commission

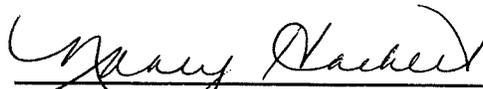
The proposed bylaw amendment was considered by the Municipal Planning Commission on August 10, 2009 and they recommended support of the proposed bylaw amendment to City Council.

Recommendation

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



Emily Damberger, ACP, MCIP
Planner



Nancy Hackett, ACP, MCIP
Planning Manager

cc: Paul Meyette
Frank Colosimo
Colleen Jensen
Don Simpson

Feb 2, 2010

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie

To: Emily Damberger
Subject: Letter Received Re Dynamic Signs
Attachments: February 1 2010 Letter from Ray Mitten Re Dynamic Signs.pdf



February 1 2010
Letter from Ra...

Attached, for your information, is a copy of a letter submitted to City Council regarding Dynamic Signs. This letter will be included with the Council Agenda of February 22nd when Dynamic Signs comes back for a Public Hearing.

Christine Kenzie
Council Services Coordinator

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

BACKUP

Christine Kenzie

From: Emily Damberger
Sent: February 02, 2010 1:15 PM
To: Nancy Hackett
Cc: Christine Kenzie
Subject: FW: Letter Received Re Dynamic Signs

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Attachments: February 1 2010 Letter from Ray Mitten Re Dynamic Signs.pdf

Hi Nancy,

No big issues, I think they were for the most part resolved at the last Council meeting.

Emily

From: Christine Kenzie
Sent: February 02, 2010 11:03 AM
To: Emily Damberger
Subject: Letter Received Re Dynamic Signs



February 1 2010
Letter from Ra...

Attached, for your information, is a copy of a letter submitted to City Council regarding Dynamic Signs. This letter will be included with the Council Agenda of February 22nd when Dynamic Signs comes back for a Public Hearing.

Christine Kenzie
Council Services Coordinator

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

FILE COPY

4901- Dorchester Avenue
Red Deer, Alberta
T4R 2Z8

City of Red Deer
4814-48 Avenue
Red Deer, Alberta

February 1, 2010

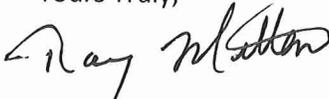
Mayor and City Council

Upon review of the proposed "Dynamic Sign" bylaw, I would like to bring to your attention a few items to consider:

- During the 70's and 80's there were 11 electronic signs in Red Deer- 35 years later we have 17 electronic signs an increase of only 6 signs. Based on that fact, you should not worry about a great influx of Dynamic Signs. Another thing to consider is that very few companies can afford to purchase this type of signage.
- C4 Designations: whereas very few of the Businesses' in the C4 areas would ever consider or even be able to afford "Dynamic signs" those that can and would, will probably appeal to have them allowed based on your preferred treatment of C2A designations
- Public safety: In the 35 years the electronic signs have been up, there has never been an accident related to the signs. In fact there has never been one in Edmonton, Calgary or throughout North America. If it was a hazard, the Highways department would not allow them to be installed across major Highways
- 3 or 5 second Display Time: If you are to suggest 5 seconds is better than 3, you will have to hire staff to sit and monitor the display time. Would all the existing Dynamic Signs be grandfathered along with the College and the Westerner if you choose the 5 second display time?

I respectfully ask that you consider these few facts when considering the bylaw. Decisions should be based on logic.

Yours Truly,



Ray Mitten

B/F



Council Decision – January 25, 2010

DATE: January 26, 2010

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

FROM: Elaine Vincent, Legislative and Administrative Services Manager

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

Reference Report:

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

Resolutions:

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

MOTION CARRIED

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

MOTION CARRIED

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

MOTION CARRIED

Bylaw Readings:

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

Report Back to Council: Yes

Comments/Further Action:

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

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



Elaine Vincent
Legislative & Administrative Services Manager
/Attach.

c: Development Services Director
Corporate Services Director
Community Services Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File

B/F

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



LEGISLATIVE & ADMINISTRATIVE SERVICES
January 26, 2010

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

Dear Ms Gilmore:

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

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

Council also passed the following resolutions:

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

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

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

...2/

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

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

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

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager
/attach.
c. Parkland Community Planning Services

B/F



BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

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

Dear Mr. Harms:

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

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

Council also passed the following resolutions:

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

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

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

...2/

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

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

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

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

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager

/attach.

c. Parkland Community Planning Services

FEB 18/2010

Christine Kenzie

To: janet.gilmore@rdc.ab.ca; jharms@westerner.ab.ca
Cc: Nancy Hackett
Subject: Public Hearing for Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signs

The Public Hearing for Land Use Bylaw Amendment 3357/F-2009 - Dynamic Signs will be held during the Red Deer City Council Meeting on Monday, February 22, 2010 commencing at 6:00 P.M. in Council Chambers.

You are welcome to attend at that time.

Please call if you have any questions.

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Christine Kenzie
Council Services Coordinator

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

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

DESCRIPTION: Amendments regarding regulations for dynamic signs and open house/show home signs.

FIRST READING:

JAN 25, 2009
~~December 14, 2009~~

FIRST PUBLICATION:

FEB 5, 2010
~~December 24, 2009~~

SECOND PUBLICATION:

FEB 12, 2010
~~December 31, 2009~~

PUBLIC HEARING & SECOND READING:

FEB 27, 2010
~~January 11, 2010~~

THIRD READING:

LETTERS REQUIRED TO PROPERTY OWNERS: YES NO

DEPOSIT: YES \$ _____ NO

COST OF ADVERTISING RESPONSIBILITY OF: _____

ACTUAL COST OF ADVERTISING:

\$ _____ X 2

TOTAL: \$ _____

MAP PREPARATION:

\$ _____

TOTAL COST:

\$ _____

LESS DEPOSIT RECEIVED:

\$ _____

AMOUNT OWING / (REFUND):

\$ _____

INVOICE NO.:

BATCH NO.:

(Advertising Revenue to 180.5901)

Land Use Bylaw Amendment 3357/F-2009
Dynamic Signs

City Council proposes to pass Land Use Bylaw Amendment 3357/F-2009, which provides for an amendment to the Land Use Bylaw for the regulation of dynamic signs. A dynamic sign is a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. Dynamic signs will be allowed in C2A Commercial (Regional Shopping Centre) Districts, PS (Public Service Districts over 17.0 hectares), I1 Industrial (Business Service) Districts and I2 Industrial (Heavy Industrial) Districts, and will not be permitted on lands situated in the major entry areas to the city. Messages on dynamic signs will have a three second display time and public service announcements will be allowed to be displayed.

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

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, February 22, 2010** at 6:00 p.m. in Council Chambers, 2nd Floor at City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, February 16, 2010**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 403-342-8132.

(Publication Dates: February 5, 2010 and February 12, 2010)

Christine Kenzie

From: Emily Damberger
Sent: January 26, 2010 2:41 PM
To: Christine Kenzie
Subject: RE: January 26 2010 - Ad for LUB Amendment 3357/JJ-2009 - Show Home & Open House Signs

Look good,

Thank you,

Emily

From: Christine Kenzie
Sent: January 26, 2010 2:30 PM
To: Emily Damberger
Subject: January 26 2010 - Ad for LUB Amendment 3357/JJ-2009 - Show Home & Open House Signs

Attached is the draft Ad for the Open House & Show Home Signs.

Let me know if you have any changes.

Thanks.

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

Land Use Bylaw Amendment 3357/JJ -2009
Open House & Show Home Signs

City Council proposes to pass Land Use Bylaw Amendment 3357/JJ-2009, which provides for an amendment to the Land Use Bylaw dealing with signs that do not require permits. Currently the Land Use Bylaw states: "Open House signs may be placed on boulevards adjacent to residential districts where the sale is taking place for a 24 hour period prior to the open house and 24 hours following the open house." The proposed amendment to the Land Use Bylaw is as follows: "Open House or Show Home signs may be placed on boulevards in or adjacent to residential districts where the sale is taking place, for a period of up to two hours before and after the period of time when the Open House or Show Home is open." The intent of the amendment is to clarify the intent for signage of both open houses and show homes to be removed daily when the "open house" or show home hours of operation have ceased to prevent clutter of signage in neighbourhoods.

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

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on **Monday, February 22, 2010** at 6:00 p.m. in Council Chambers, 2nd Floor at City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, February 16, 2010**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 403-342-8132.

(Publication Dates: February 5, 2010 and February 12, 2010)

Christine Kenzie

From: Emily Damberger
Sent: January 26, 2010 2:15 PM
To: Christine Kenzie
Subject: RE: January 26 2010 - Ad for LUB Amendment 3357/F-2009 - Dynamic Signage

Yes those are good key points, looks good, there is not a map, and yes no mail out to residents would be needed.

Thank you,

Emily

From: Christine Kenzie
Sent: January 26, 2010 2:10 PM
To: Emily Damberger
Subject: January 26 2010 - Ad for LUB Amendment 3357/F-2009 - Dynamic Signage

Attached is a draft of the Ad for the LUB for Dynamic Signs. Please review and let me know if you have any changes. Is there a map that you would like to include with the Ad?

We won't be doing a mail-out to residents with this LUB.

I will be doing a separate ad for the Show Home & Open House Signs LUB.

Thanks,

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

FILE COPY



Council Decision – February 22, 2010

DATE: February 23, 2010

TO: Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

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

Reference Report:

Legislative & Administrative Services Manager, dated February 16, 2010

Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Land Use Bylaw Amendment 3357/F-2009 and Land Use Bylaw Amendment 3357/JJ-2009 received second and third readings. Copies of the bylaws are attached.

Report Back to Council: No

Comments/Further Action:

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

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

Elaine Vincent
Legislative & Administrative Services Manager

/Attach.

c: Development Services Director
Corporate Services Director
Community Services Director
Planning Director
Engineering Services Manager
Financial Services Manager
Assessment and Taxation Manager

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
IT Services – GIS Section
LAS File



FILE COPY

LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Mr. John Harms
Chief Executive Officer and General Manager
Westerner Park
4847A – 19 Street
Red Deer, AB T4R 2N7

Dear Mr. Harms:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

For your information I am providing a brief Q & A with regard to dynamic signage that I trust answers some of these questions.

Please remember however that this "moratorium" on the C4 districts is only until such a time as design standards for Gaetz Avenue are established and you will have opportunity to contribute to that process. If you have any further questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

1. What is the current status of dynamic signage in C4 districts?

Red Deer City Council has tabled consideration of dynamic signs in C4 districts for up to three months while design standards are being established for the Gaetz Avenue corridor (C4 district). This means that the City will not issue any permits for dynamic signs until the design standards are in place.

2. What if I have an existing dynamic sign?

Existing signs are “grandfathered” under the current provisions of the Land Use Bylaw. This means that if the bylaw changes for example and dynamic signs are no longer permitted, your sign would still be permitted. The sign would be considered legal but non-conforming because it is already in existence under prior provisions.

3. What if I want to change my sign?

A change in the sign would trigger a review based on the current standards set out in the Land Use Bylaw. Your sign would need to comply with all specifications including whether dynamic portions are permitted, size, height, area, etc.

4. So how about if I replace it with an exact replica of my original sign? Will that be allowed?

Again, even a replacement would fall under the new regulations and would need to comply. For example, if you had a dynamic sign and dynamic signs are no longer permitted, it wouldn't be allowed. If your sign is 12m high and the regulations limit the size to a 9m height you would need to comply.

5. How long will this process take?

The wording of Council's resolution, “table for up to three months,” suggests that design standards should be approved in the near future. However, Council can further extend the tabling if more time is required.

6. Will there be opportunity for me to provide input?

Absolutely. Your input is essential to Council's decision making processes. Whenever Council considers amending the Land Use Bylaw, the bylaw is advertising soliciting your input and a public hearing is held. These are your opportunities to share your views.

FILE COPY



LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Mr. G. Vallee, Manager
Capri Centre
3310 – 50 Avenue
Red Deer, AB T4N 3X9

Dear Mr. Vallee:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

For your information I am providing a brief Q & A with regard to dynamic signage that I trust answers some of these questions.

Please remember however that this "moratorium" on the C4 districts is only until such a time as design standards for Gaetz Avenue are established and you will have opportunity to contribute to that process. If you have any further questions please feel free to contact me.

Sincerely,

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

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

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Red Deer City Council has tabled consideration of dynamic signs in C4 districts for up to three months while design standards are being established for the Gaetz Avenue corridor (C4 district). This means that the City will not issue any permits for dynamic signs until the design standards are in place.

2. What if I have an existing dynamic sign?

Existing signs are “grandfathered” under the current provisions of the Land Use Bylaw. This means that if the bylaw changes for example and dynamic signs are no longer permitted, your sign would still be permitted. The sign would be considered legal but non-conforming because it is already in existence under prior provisions.

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A change in the sign would trigger a review based on the current standards set out in the Land Use Bylaw. Your sign would need to comply with all specifications including whether dynamic portions are permitted, size, height, area, etc.

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Again, even a replacement would fall under the new regulations and would need to comply. For example, if you had a dynamic sign and dynamic signs are no longer permitted, it wouldn't be allowed. If your sign is 12m high and the regulations limit the size to a 9m height you would need to comply.

5. How long will this process take?

The wording of Council's resolution, “table for up to three months,” suggests that design standards should be approved in the near future. However, Council can further extend the tabling if more time is required.

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Absolutely. Your input is essential to Council's decision making processes. Whenever Council considers amending the Land Use Bylaw, the bylaw is advertising soliciting your input and a public hearing is held. These are your opportunities to share your views.

FILE COPY



LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Mr. Michael Donlevy
Associate Vice President, Community Relations
Red Deer College
P.O. Box 5005
Red Deer, AB T4N 5H5

Dear Mr. Donlevy:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

For your information I am providing a brief Q & A with regard to dynamic signage that I trust answers some of these questions.

Please remember however that this "moratorium" on the C4 districts is only until such a time as design standards for Gaetz Avenue are established and you will have opportunity to contribute to that process. If you have any further questions please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

1. What is the current status of dynamic signage in C4 districts?

Red Deer City Council has tabled consideration of dynamic signs in C4 districts for up to three months while design standards are being established for the Gaetz Avenue corridor (C4 district). This means that the City will not issue any permits for dynamic signs until the design standards are in place.

2. What if I have an existing dynamic sign?

Existing signs are “grandfathered” under the current provisions of the Land Use Bylaw. This means that if the bylaw changes for example and dynamic signs are no longer permitted, your sign would still be permitted. The sign would be considered legal but non-conforming because it is already in existence under prior provisions.

3. What if I want to change my sign?

A change in the sign would trigger a review based on the current standards set out in the Land Use Bylaw. Your sign would need to comply with all specifications including whether dynamic portions are permitted, size, height, area, etc.

4. So how about if I replace it with an exact replica of my original sign? Will that be allowed?

Again, even a replacement would fall under the new regulations and would need to comply. For example, if you had a dynamic sign and dynamic signs are no longer permitted, it wouldn't be allowed. If your sign is 12m high and the regulations limit the size to a 9m height you would need to comply.

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Absolutely. Your input is essential to Council's decision making processes. Whenever Council considers amending the Land Use Bylaw, the bylaw is advertising soliciting your input and a public hearing is held. These are your opportunities to share your views.

LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Ms Roxanne Kirton, Manager
Bower Mall
Suite 1000, 4900 Molly Bannister Drive
Red Deer, AB T4R 1N9

Dear Ms. Kirton:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

For your information I am providing a brief Q & A with regard to dynamic signage that I trust answers some of these questions.

Please remember however that this "moratorium" on the C4 districts is only until such a time as design standards for Gaetz Avenue are established and you will have opportunity to contribute to that process. If you have any further questions please feel free to contact me.

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

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A change in the sign would trigger a review based on the current standards set out in the Land Use Bylaw. Your sign would need to comply with all specifications including whether dynamic portions are permitted, size, height, area, etc.

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5. How long will this process take?

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FILE COPY

LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Mr. Dan Hachey, Manager
Parkland Mall
4747 - 67 Street
Red Deer, AB T4N 6H3

Dear Mr. Hachey:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

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Sincerely,

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

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Absolutely. Your input is essential to Council's decision making processes. Whenever Council considers amending the Land Use Bylaw, the bylaw is advertising soliciting your input and a public hearing is held. These are your opportunities to share your views.

FILE COPY



LEGISLATIVE & ADMINISTRATIVE SERVICES

March 1, 2010

Mr. R. Mitten
4901 Dorchester Avenue
Red Deer, AB T4R 2Z8

Dear Mr. Mitten:

Re: Land Use Bylaw Amendment 3357/F-2009 (Dynamic Signage)

On Monday, February 22, 2010, Red Deer City Council passed Land Use Bylaw Amendment 3357/F-2009 regarding Dynamic Signage on public service sites. As you are aware, prior to the adoption of this bylaw, Council agreed to table for up to three months consideration of dynamic signs in the C4 district along Gaetz Avenue to ensure that signage met the design standards for that area. In the interim, questions have arisen with respect to existing signage and what this means to property owners who currently have dynamic signs.

For your information I am providing a brief Q & A with regard to dynamic signage that I trust answers some of these questions.

Please remember however that this "moratorium" on the C4 districts is only until such a time as design standards for Gaetz Avenue are established and you will have opportunity to contribute to that process. If you have any further questions please feel free to contact me.

Sincerely,

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

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c City Manager
Inspections & Licensing
Parkland Community Planning Service

Dynamic Signs in C4 Districts Questions & Answers

1. What is the current status of dynamic signage in C4 districts?

Red Deer City Council has tabled consideration of dynamic signs in C4 districts for up to three months while design standards are being established for the Gaetz Avenue corridor (C4 district). This means that the City will not issue any permits for dynamic signs until the design standards are in place.

2. What if I have an existing dynamic sign?

Existing signs are “grandfathered” under the current provisions of the Land Use Bylaw. This means that if the bylaw changes for example and dynamic signs are no longer permitted, your sign would still be permitted. The sign would be considered legal but non-conforming because it is already in existence under prior provisions.

3. What if I want to change my sign?

A change in the sign would trigger a review based on the current standards set out in the Land Use Bylaw. Your sign would need to comply with all specifications including whether dynamic portions are permitted, size, height, area, etc.

4. So how about if I replace it with an exact replica of my original sign? Will that be allowed?

Again, even a replacement would fall under the new regulations and would need to comply. For example, if you had a dynamic sign and dynamic signs are no longer permitted, it wouldn't be allowed. If your sign is 12m high and the regulations limit the size to a 9m height you would need to comply.

5. How long will this process take?

The wording of Council's resolution, “table for up to three months,” suggests that design standards should be approved in the near future. However, Council can further extend the tabling if more time is required.

6. Will there be opportunity for me to provide input?

Absolutely. Your input is essential to Council's decision making processes. Whenever Council considers amending the Land Use Bylaw, the bylaw is advertising soliciting your input and a public hearing is held. These are your opportunities to share your views.

Public Hearings Item No. 3



DATE: February 16, 2010

TO: City Council

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/B-2010
R1A Residential (semi-detached) to R2 Residential (medium density) District
Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant)
Lot 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59 Avenue)
Normandeau Neighbourhood

History:

At the Monday, January 25, 2010 Council Meeting, Land Use Bylaw Amendment 3357/B-2010 received first reading.

Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lot 3 & 4, Block 2, Plan 24 HW (6817 & 6821 - 59 Avenue) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. This sites contain older multiple family (apartment) buildings.

Public Consultation Process:

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, February 22, 2010. Advertisements were placed in the Red Deer Advocate on February 5, 2010 and February 12, 2010.

Recommendation:

That Council consider:

- 1) Second and Third readings of Land Use Bylaw Amendment 3357/B-2010.



Elaine Vincent
Manager

Originally Presented to
Council on Monday,
January 25, 2010

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

DATE: January 14, 2010

TO: Elaine Vincent, Manager, Legislative and Administrative Services

FROM: Tony Lindhout, Assistant City Planning Manager

RE: Land Use Bylaw Amendment No. 3357/B-2010
R1A Residential (semi-detached) to R2 Residential (medium density) District
Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant)
Lot 4, Block 2, Plan 24 H.W. (6821- 59 Ave)
Normandeau Neighbourhood

An application has been made to The City of Red Deer requesting a Land Use Bylaw amendment to change the zoning of Lot 4, Block 2, Plan 24 H.W. (6821-59 Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. The site, located within the Normandeau neighbourhood, contains an older 12 suite multiple family (apartment) building.



Background

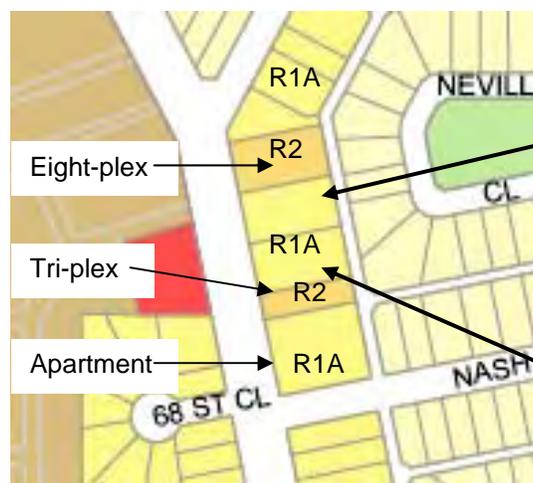
The existing multiple family building at 6821 – 59 Ave. was legally constructed (1970's) at a time when this entire block was zoned R2B and apartment buildings were listed as a discretionary use. This area was later changed to R1A zoning in which existing multiple family buildings initially were listed as a discretionary use but in later and subsequent changes to the R1A Land Use District, multiple family buildings were no longer listed or allowed as either a permitted or discretionary use. Consequently, the current multiple family building is considered a legal but “non-conforming” use meaning no structural alterations are allowed to the building and, if destroyed by fire, it could not be rebuilt. While the property owner has no plans to physically alter the building, he does wish to protect his current investment and its value by having the current building (multiple family use) conform to an appropriate zoning under the Land Use Bylaw.

Under the requested R2 Residential land use district, multiple family buildings are listed as a discretionary use. The proposed rezoning, if approved, would change the status of the existing building from a legal “non-conforming” use to a “conforming” use under the City’s Land Use Bylaw. The proposed R2 Residential District would restrict the existing building to its current 3 storey height and as the site is fully developed (building footprint, parking, etc.), there is little opportunity for any expansion to the current multiple family building.

Upon site inspection of the area it was identified that 2 other properties located within this block fronting 59 Avenue also contained legal “non-conforming” multiple family buildings under the R1A Residential (semi-detached) zoning.

Legislative and Administrative Services Manager
Land Use Bylaw Amendment 3357/B-2010
Page 2

As part of the rezoning request for Lot 4 (6821-59 Ave) from R1A District to R2 District, planning staff notified all area landowners within 100m including the owners of the two other nearby multiple family sites within the same block. In response the owner of one of those multiple family properties, adjacent Lot 3 (6817-59 Ave), requested that planning staff also include that property in the proposed R2 Residential rezoning application. No response was received from the other nearby multiple family property owner.



Lot 4, 6821-59 Ave.



Lot 3, 6817-59 Ave.

Community Plans

The Normandeau neighbourhood, developed primarily in the 1970's, does not have an area structure plan or area redevelopment plan for any portion of the neighbourhood. The origin of 59th Avenue is historical as this roadway (registered in early 1900's), served the region as a former highway (old C&E Trail). This portion of roadway initially contained acreage residential developments which were later removed, redeveloped and/or replaced with multiple family buildings in the 1970's. By that time, 59th Avenue had transitioned into a main urban roadway serving as major access into several of the city's northern developing communities.

The City's Municipal Development Plan (MDP) shows the Normandeau community as a residential area. The MDP, being a high level land use document, does not provide any distinction between multiple family and conventional single family residential development areas. 59th Avenue is now considered a collector roadway, the type of road classification that attracts multiple family development sites.

Circulation Comments

All area landowners within 100m were notified by letter of this rezoning application and no objections were received. Also, no objections were received from any City departments. Furthermore, this rezoning application was also forwarded to the Normandeau Community Association for comment. The Community Association supported the rezoning application.

Legislative and Administrative Services Manager
Land Use Bylaw Amendment 3357/B-2010
Page 3

Analysis

The intent of the proposed Land Use Bylaw amendment is to obtain a land use designation (zoning) that fits with what is physically developed on the site. Existing multiple family buildings on this block fronting 59 Avenue were legally built in the 1970's but due to zoning changes made to the Land Use Bylaw in subsequent years, the retention of multiple family buildings in this area as legal allowable uses was likely inadvertently lost. There is no evidence in old files to suggest these properties were purposely down-zoned. The existing multiple family buildings within this block function well within the context of the larger Normandeau community serving as a buffer between 59th Avenue (a collector roadway) and the lower density single family developments located to the east. Rezoning will not alter any traffic or land use patterns in the area. All parking and access to the multiple family developments along this stretch of 59th Avenue is from the rear via a lane.

Planning staff support inclusion of Lot 3 (6817-59 Ave) and its simultaneous concurrent rezoning from R1A to R2 with the rezoning application proposal for Lot 4 (6821-59 Ave). The properties on either side of these two lots, also containing multiple family buildings, are already zoned R2 Residential District.

Very little, if any, additional intensification could occur on these sites under the proposed R2 zoning. Regarding building heights, yard requirements, parking, etc., the existing buildings are already built-out to the maximums allowed under the Land Use Bylaw. Under the proposed R2 Residential zoning, the existing multiple family buildings would become "discretionary" uses.

From a land use and planning perspective, the requested rezoning of Lots 3 & 4 (6817 & 6821-59th Ave) is supported. The proposed rezoning of these two lots puts several existing and adjoining multiple family developments into one common land use district. The R2 Residential zoning accommodates the existing apartment uses on these sites and brings each into line with the City's Land Use Bylaw as a legal conforming use. Unlike the area to the south, between Nash Street and 67 Street containing mixed residential land uses (detached dwellings, 4-plexes, and apartment buildings) being an area that requires a planning study to define future land use directions, the subject block containing the rezoning requests is uniformly developed with contiguous multiple family residential buildings.

Recommendation

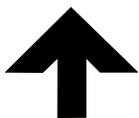
That City Council proceeds with first reading of Land Use Bylaw Amendment 3357/B-2010 allowing for the rezoning of Lots 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59th Ave) from R1A Residential (semi-detached) District to R2 Residential (medium density) District.

Tony Lindhout

Tony Lindhout, ACP, MCIP
Assistant City Planning Manager

attachment (Bylaw 3357/B-2010)

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

- R1A - Residential (Semi Detached Dwelling) District
- R2 - Residential (Medium Density) District

Change District from:



R1A to R2

Date: Jan 8, 2010

Proposed Amendment

Map: 2/2010

Bylaw: 3357/B-2010

B/F

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



Council Decision – January 25, 2010

DATE: January 26, 2010

TO: Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative and Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/B-2010 – R1A Residential (semi-detached) to R2 Residential (medium density) District / Wolfe Investments Inc. (owner); Tim McRae/Century 21 (applicant) / Lot 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821-59 Ave) / Normandeau Neighbourhood

Reference Report:
Parkland Community Planning Services, dated January 14, 2010

Bylaw:
At the Monday, January 25, 2010 Council Meeting Land Use Bylaw Amendment 3357/B-2010 received first reading. A copy of the bylaw is attached.

Report Back to Council: Yes

Comment/Further Action:
A Public Hearing will be held on Monday, February 22, 2010 at 6:00 p.m. in Council Chambers during Council's regular meeting for Land Use Bylaw Amendment 3357/B-2010. Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 24 HW (6817 & 6821-59 Avenue) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. These sites contain multiple family (apartment) buildings. This office will now proceed with the advertising for the Public Hearing.

Elaine Vincent
Legislative & Administrative Services Manager
/Attach.

- c: Development Services Director
- Corporate Services Director
- Community Services Director
- Engineering Services Manager
- Financial Services Manager
- Assessment and Taxation Manager

- Inspections & Licensing Manager
- Inspections & Licensing Supervisor
- Land & Economic Development Manager
- IT Services – GIS Section
- LAS File

BYLAW NO. 3357/B-2010

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

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

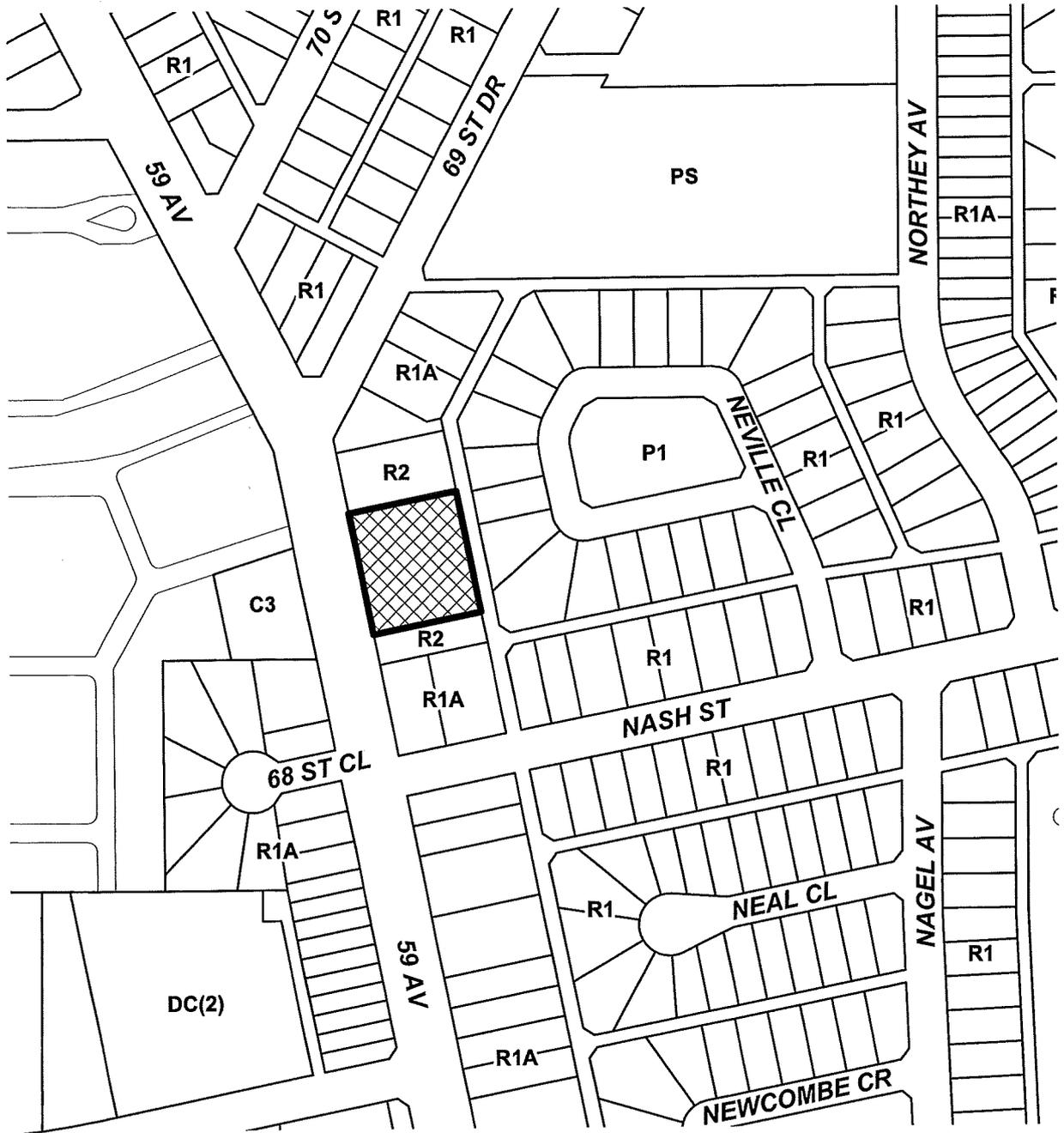
- 1 That "Use District Map K18" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 2/2010 attached hereto and forming part of this bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 25th day of January 2010.
READ A SECOND TIME IN OPEN COUNCIL this day of 2010.
READ A THIRD TIME IN OPEN COUNCIL this day of 2010.
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

R1A - Residential (Semi Detached Dwelling) District
R2 - Residential (Medium Density) District

Change District from:



R1A to R2

Date: Jan 8, 2010

Proposed Amendment

Map: 2/2010

Bylaw: 3357/B-2010

BIF



BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

LEGISLATIVE & ADMINISTRATIVE SERVICES

January 26, 2010

Mr. Tim McRae
Century 21
Box 2368
Blackfalds, AB T0M 0J0

Dear Mr. McRae:

**Re: Land Use Bylaw Amendment 3357/B-2010
R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District
Lo 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue), Normandeau
Wolfe Investments Inc / Tim McRae Century 21**

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3357/B-2010* at the City of Red Deer's Council Meeting held Monday, January 25, 2010. A copy of the bylaw is attached.

Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 25 HW (6817 & 6821 – 59 Avenue) from R1A Residential (Semi-Detached) District to R2 Residential (Medium Density) District. This site contains an older 12 suite multiple family (apartment) building.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public Hearing to be held on Monday, February 22, 2010 at 6:00 p.m in Council Chambers, during Council's regular meeting.

You are responsible for the advertising costs and will be invoiced for this cost which we estimate to be approximately \$800. If you are not in agreement with paying this cost, please notify me by 11:00 A.M. on Tuesday, February 2, 2010. If you have any questions or require additional information, please contact me at 403.356.8978.

Sincerely,

Christine Kenzie
Council Services Coordinator

/attach.

c. Parkland Community Planning Services

FILE COPY



LEGISLATIVE & ADMINISTRATIVE SERVICES

February 23, 2010

Mr. Tim McRae
Century 21
Box 2368
Blackfalds, Alberta T0M 0J0

Dear Mr. McRae:

**Re: Land Use Bylaw Amendment 3357/B-2010
R1A Residential (Semi-Detached) to R2 Residential (Medium Density) District
Lots 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue) Normandeau
Wolfe Investments Inc / Tim McRae / Century 21**

At the City of Red Deer's Council Meeting held on Monday, February 22, 2010, a Public Hearing was held with respect to *Land Use Bylaw Amendment 3357/B-2010*. Following the Public Hearing, Land Use Bylaw Amendment 3357/B-2010 was given second and third readings. A copy of the bylaw is attached.

Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue) from R1A Residential (Semi-Detached) District to R2 Residential (Medium Density) District. This site contains an older 12 suite multiple family (apartment) building.

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

Sincerely,

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

Elaine Vincent
Legislative and Administrative Services Manager
/attach.

c. Parkland Community Planning Services

DATE: February 23, 2010
TO: Tony Lindhout, Assistant City Planning Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/B-2010 – R1A Residential (semi-detached) to R2 Residential (medium density) District / Wolfe Investments Inc. (owner); Tim McRae / Century 21 (applicant) / Lot 3 & 4, Block 2, Plan 24 H.W. (6817 & 6821 – 59 Avenue) / Normandeau Neighbourhood.

Reference Report:

Legislative and Administrative Services Manager, dated February 16, 2010.

Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Land Use Bylaw Amendment 3357/B-2010 received second and third readings. A copy of the bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Land Use Bylaw Amendment 3357/B-2010 proposes rezoning of Lots 3 & 4, Block 2, Plan 24 HW (6817 & 6821 – 59 Avenue) from R1A Residential (semi-detached) District to R2 Residential (medium density) District. These sites contain older multiple family (apartment) buildings.



Elaine Vincent
Legislative & Administrative Services Manager

/attach.

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



DATE: February 16, 2010

TO: Elaine Vincent, Legislative & Administrative Services Manager

FROM: Lorianne Marshall, Corporate Controller

SUBJECT: Waskasoo Park Special Gathering Places Bylaw 3447/2010

Legislative History

Section 251 of the Municipal Government Act (MGA) requires that the borrowing be authorized by a borrowing bylaw. The borrowing bylaw must set out the amount of money to be borrowed, the purpose for which the money is borrowed, the maximum rate of interest, the term, the terms of repayment and the sources of funds to be used to repay the borrowing. The bylaw must be advertised.

Before a bylaw can be advertised 1st reading of the bylaw must occur. The bylaw is then advertised at least once a week for two consecutive weeks. This provides the public a chance to raise a petition against the bylaw. After the two weeks then 2nd and 3rd reading of the bylaw can occur. After an additional thirty day waiting period where the bylaw can be challenged in court the bylaw is considered official and can be borrowed against.

Section 254 of the MGA states that no municipality may acquire, remove or start the construction or improvement of a capital property that is to be financed in whole or in part through a borrowing unless the borrowing bylaw that authorized the borrowing is passed.

Background

The 2010 capital plan shows this project being completed over the period 2010-16 at a total cost of \$8.9m with a funding source of 100% debenture debt. Due to the project not being considered a multi-year project each year's expenditure is approved individually. The amount approved in the 2010 capital budget was \$495,000. Financial Services is recommending that the bylaw be approved in the amount of \$9m to simplify administration of the debenture. If Council decided not to approve the expenditures in any or all of the years 2011-16 the borrowing bylaw would not be used.



Recommendations

That Council proceeds with 1st reading of Bylaw 3447/2010 for the Waskasoo Park Special Gathering Places.

A handwritten signature in blue ink, appearing to read 'Lorianne Marshall'.

Lorianne Marshall CMA
Corporate Controller

Comments:

We support the recommendation of Administration that Council proceed with first reading of Borrowing Bylaw 3447/2010 in the amount of \$9,000,000 for the Waskasoo Special Gathering Places Project. Following advertising and a requirement to allow for petitions, this bylaw would come back to Council on March 22, 2010 for second and third readings.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager

DATE: February 16, 2010
TO: Elaine Vincent, Legislative & Administrative Services Manager
FROM: Lorianne Marshall, Corporate Controller
SUBJECT: Waskasoo Park Special Gathering Places Bylaw 3447/2010

Legislative History

Section 251 of the Municipal Government Act (MGA) requires that the borrowing be authorized by a borrowing bylaw. The borrowing bylaw must set out the amount of money to be borrowed, the purpose for which the money is borrowed, the maximum rate of interest, the term, the terms of repayment and the sources of funds to be used to repay the borrowing. The bylaw must be advertised.

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Section 254 of the MGA states that no municipality may acquire, remove or start the construction or improvement of a capital property that is to be financed in whole or in part through a borrowing unless the borrowing bylaw that authorized the borrowing is passed.

Background

The 2010 capital plan shows this project being completed over the period 2010-16 at a total cost of \$8.9m with a funding source of 100% debenture debt. Due to the project not being considered a multi-year project each year's expenditure is approved individually. The amount approved in the 2010 capital budget was \$495,000. Financial Services is recommending that the bylaw be approved in the amount of \$9m to simplify administration of the debenture. If Council decided not to approve the expenditures in any or all of the years 2011-16 the borrowing bylaw would not be used.

Recommendations

That Council proceeds with 1st reading of Bylaw 3447/2010 for the Waskasoo Park Special Gathering Places.



Lorianne Marshall CMA
Corporate Controller

Christine Kenzie

From: Lindsay Trca
Sent: February 09, 2010 11:34 AM
To: Christine Kenzie; Alison Relkov; Amber Senuk
Cc: Frieda McDougall; Jill Sorsdahl
Subject: FW: Advertising for 3447/2010

REVISED
AD

Importance: High

Attachments: Bylaw 3447-2010 advertisement.doc; Bylaw 3447-2010 advertisement.doc

Hi Ladies,

Same thing...there was an error in the advertisement. Please see the new one attached.



Bylaw 3447-2010
advertisement....

Lindsay Trca
Financial Accountant
The City of Red Deer
Phone: 403-309-8577
Fax: 403-342-8116

 Please consider the environment before printing this email.

From: Lindsay Trca
Sent: February 04, 2010 3:22 PM
To: Christine Kenzie; Alison Relkov; Amber Senuk
Cc: Jill Sorsdahl; Lorianne Marshall; Frieda McDougall
Subject: Advertising for 3447/2010
Importance: High

Good Afternoon,

Attached is the advertisement for Borrowing Bylaw 3447/2010 that will be going to Council on February 22, 2010. Please advertise this in the Advocate on February 26, 2010 and March 5, 2010 (use acct 143.7381). The 15 day petition period will start on March 6, 2010 so it can go to Council for its 2nd and 3rd reading on March 22, 2010. Please let me know if you have any questions.



Bylaw 3447-2010
advertisement....

Thanks

Lindsay Trca
Financial Accountant
The City of Red Deer
Phone: 403-309-8577
Fax: 403-342-8116

 Please consider the environment before printing this email.

CITY OF RED DEER CAPITAL PROJECTS

Borrowing Bylaw

Red Deer City Council proposes to pass **Borrowing Bylaw 3447/2010**, being a bylaw that authorizes the City of Red Deer to borrow up to \$9,000,000 for the Waskasoo Park Special Gathering Places Projects. The public may inspect the proposed bylaw at Legislative & Administrative Services, 2nd Floor of City Hall during regular office hours.

The electors may submit a separate petition with respect to each advertisement bylaw calling for a vote of the electors to determine whether the proposed bylaw should be passed. The petition must meet the formal requirements of Sections 221-226 of the Municipal Government Act and be filed with the Manager, Legislative & Administrative Services within 15 days after the last date the proposed bylaws are advertised. The last date of advertisement for these bylaws is **March 5, 2010**. Any petition will be public information. If you have any questions regarding the petition process or the use of the petition please contact the Manager, Legislative & Administrative Services at 403-342-8132.

Christine Kenzie

To: Lindsay Trca
Cc: Frieda McDougall; Amber Senuk; Jill Sorsdahl; Lorianne Marshall
Subject: RE: Bylaw for Feb 22 Council

Attachments: DMPROD-#922358-v1-Draft_3447_2010_-_Borrowing_Bylaw_for_\$9_000_000_for_Waskasoo_Special_Gathering_Places_Projects.DOC

The bylaw number will be 3447/2010. See the bylaw attached.



DMPROD-#922358-
v1-Draft_3447_2...

I will need the report by 4:30 p.m. on Friday, February 12th because of the holiday on Monday, February 15th. Agenda review for the February 22, 2010 Council Agenda starts with the Mayor and City Manager at 9 AM on February 16th.

Christine Kenzie
Council Services Coordinator

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

From: Lindsay Trca
Sent: February 03, 2010 2:51 PM
To: Christine Kenzie; Amber Senuk; Alison Relkov
Cc: Frieda McDougall; Jill Sorsdahl; Lorianne Marshall
Subject: Bylaw for Feb 22 Council

Good Afternoon,

Please add this bylaw to your Council Agenda for February 22, 2010. Lorianne Marshall is writing the report. Can you please let me know what the bylaw number will be?

<< File: REVIEWED Borrowing Bylaw for Waskasoo Park.doc >>

Thanks

Lindsay Trca
Financial Accountant
The City of Red Deer
Phone: 403-309-8577
Fax: 403-342-8116

Please consider the environment before printing this email.

Christine Kenzie

From: Lindsay Trca
Sent: February 09, 2010 11:32 AM
To: Christine Kenzie; Frieda McDougall; Amber Senuk
Cc: Jill Sorsdahl
Subject: FW: Bylaw for Feb 22 Council

Attachments: REVIEWED Borrowing Bylaw for Waskasoo Park.doc; DMPROD-#922358-v1-Draft_3447_2010_-_Borrowing_Bylaw_for_\$9_000_000_for_Waskasoo_Special_Gathering_Places_Projects.DOC

Hi Ladies,

Sorry, there was an error in the bylaw that I sent you last week (3447/2010). Please see that revised version.

Thanks



REVIEWED
Borrowing Bylaw for W

Lindsay Trca
Financial Accountant
The City of Red Deer
Phone: 403-309-8577
Fax: 403-342-8116

Please consider the environment before printing this email.

From: Christine Kenzie
Sent: February 03, 2010 3:11 PM
To: Lindsay Trca
Cc: Frieda McDougall; Amber Senuk; Jill Sorsdahl; Lorianne Marshall
Subject: RE: Bylaw for Feb 22 Council

The bylaw number will be 3447/2010. See the bylaw attached.



DMPROD-#922358-
v1-Draft_3447_2...

I will need the report by 4:30 p.m. on Friday, February 12th because of the holiday on Monday, February 15th. Agenda review for the February 22, 2010 Council Agenda starts with the Mayor and City Manager at 9 AM on February 16th.

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

From: Lindsay Trca
Sent: February 03, 2010 2:51 PM
To: Christine Kenzie; Amber Senuk; Alison Relkov
Cc: Frieda McDougall; Jill Sorsdahl; Lorianne Marshall
Subject: Bylaw for Feb 22 Council

Good Afternoon,

Please add this bylaw to your Council Agenda for February 22, 2010. Lorianne Marshall is writing the report. Can you please let me know what the bylaw number will be?

<< File: REVIEWED Borrowing Bylaw for Waskasoo Park.doc >>

Thanks

Lindsay Trca
Financial Accountant
The City of Red Deer
Phone: 403-309-8577
Fax: 403-342-8116

 Please consider the environment before printing this email.

FILE COPY



Council Decision – February 22, 2010

DATE: February 23, 2010
TO: Lorianne Marshall, Corporate Controller
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Waskasoo Park Special Gathering Places Borrowing Bylaw 3447/2010

Reference Report:

Corporate Controller, dated February 16, 2010

Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Borrowing Bylaw 3447/2010 received first reading. A copy of the bylaw is attached.

Report Back to Council: Yes – March 22, 2010

Comments/Further Action:

Borrowing Bylaw 3447/2010 requests that \$9,000,000 be approved by City Council for the development of the Waskasoo Park Special Gathering Places Projects. Advertisements will be placed in the Red Deer Advocate on February 26, 2010 and March 5, 2010.

A handwritten signature in purple ink, appearing to read 'E Vincent'.

Elaine Vincent
Legislative & Administrative Services Manager

/attach.

- c: Director of Corporate Services
Director of Planning
Director of Development Services
Director of Community Services
Financial Services Manager

Reports Item No. 2**LAND AND ECONOMIC DEVELOPMENT
Council Report**

Date: February 17, 2010
To: Elaine Vincent, Manager Legislative and Administrative Services
From: Cyril Cooper, Land & Economic Development Officer
Re: **Red Deer Regional Airport Funding for 2010**

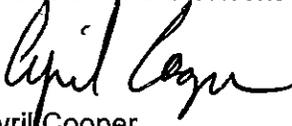
Background:

The City of Red Deer's funding agreement with the Red Deer Regional Airport Authority (RDRA) expired in 2009 for both operational and capital. Historically, the City of Red Deer provided \$145,000 for operational and \$40,000 for capital expenses. The duration of the agreement was for a 10 year period.

On January 13, 2010 City Council approved funding in the operating budget for the Red Deer Regional Airport for \$185,000; this was one time funding which includes both capital and operational funds for 2010. Future funding with the Red Deer Regional Airport Authority will continue to be discussed by both the City and the County in 2010 with a new funding model and agreement being reviewed and updated. Once negotiations with the Airport Authority have concluded, a new agreement will be brought back to Council for approval.

Recommendation:

City Council has already approved the funding for the 2010 operating year in the amount of \$185,000. Council approval is required to enable Administration to execute a one year extension to the current agreement which expired in 2009.


Cyril Cooper
Land and Economic Development Officer


Howard Thompson
Land and Economic Development Manager

- a) Copy to Paul Meyette, Director of Planning Services
- b) Copy to Dean Krejci, Financial Services Manager

Comments:

Council will recall during the 2010 Operating Budget approving \$185,000 for the Red Deer Regional Airport funding, with the intent that the funding remain the same as the last 5 years. This will extend the requirements of the agreement for an additional year.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager



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

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

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

CONTACT INFORMATION			
Name of Report Writer:	Cyril Cooper		
Department & Telephone Number:	403-342-8105		
REPORT INFORMATION			
Preferred Date of Agenda:	Feb 22, 2010		
Subject of the Report (provide a brief description)	Red Deer Regional Airport funding		
Is this Time Sensitive? Why?	Yes, the airport is in dire need of the funds.		
What is the Decision/Action required from Council?	To approve the airport funding for 2010.		
Please describe Internal/ External Consultation, if any.	Meeting with Howard and the Red Deer Regional Airport Authority		
Is this a Committee of the Whole item?	No		
How does the Report link to the Strategic Plan? DC 6.1 Promote principles of accessibility in facility and program development			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes, they have drafted the airport agreement.			
Has Financial Services been consulted? Are there any financial implications? Please describe. Yes, they have the funding budgeted.			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Cyril Cooper 403-342-8105
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
FOR LEGISLATIVE & ADMINISTRATIVE SERVICES USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need Communications Support?			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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

FILE COPY



**LAND AND ECONOMIC DEVELOPMENT
Council Report**

Date: February 17, 2010
To: Elaine Vincent, Manager Legislative and Administrative Services
From: Cyril Cooper, Land & Economic Development Officer
Re: Red Deer Regional Airport Funding for 2010

Background:

The City of Red Deer's funding agreement with the Red Deer Regional Airport Authority (RDRA) expired in 2009 for both operational and capital. Historically, the City of Red Deer provided \$145,000 for operational and \$40,000 for capital expenses. The duration of the agreement was for a 10 year period.

On January 13, 2010 City Council approved funding in the operating budget for the Red Deer Regional Airport for \$185,000; this was one time funding which includes both capital and operational funds for 2010. Future funding with the Red Deer Regional Airport Authority will continue to be discussed by both the City and the County in 2010 with a new funding model and agreement being reviewed and updated. Once negotiations with the Airport Authority have concluded, a new agreement will be brought back to Council for approval.

Recommendation:

City Council has already approved the funding for the 2010 operating year in the amount of \$185,000. Council approval is required to enable Administration to execute a one year extension to the current agreement which expired in 2009.

Cyril Cooper
Land and Economic Development Officer

Howard Thompson
Land and Economic Development Manager

- a) Copy to Paul Meyette, Director of Planning Services
- b) Copy to Dean Krejci, Financial Services Manager

Christine Kenzie

From: Howard Thompson
Sent: February 16, 2010 6:16 PM
To: Elaine Vincent; Cyril Cooper
Cc: Christine Kenzie
Subject: RE: Council report Feb 22, 2010 for Airport Funding

Elaine,
If you got a previous email, please ignore as it was not complete and I tried to recall it.
Anyway here is the revised memo:

Date: February 16, 2010
To: Elaine Vincent, Manager Legislative and Administrative Services
From: Cyril Cooper, Land & Economic Development Officer
Re: Red Deer Regional Airport Funding for 2010

Background:

The City of Red Deer's funding agreement with the Red Deer Regional Airport Authority (RDRA) expired in 2009 for both operational and capital. Historically, the City of Red Deer provided \$145,000 for operational and \$40,000 for capital expenses. The duration of the agreement was for a 10 year period.

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Recommendation:

City Council has already approved the funding for the 2010 operating year in the amount of \$185,000. Council approval is required to enable Administration to execute a one year extension to the current agreement which expired in 2009.

Cyril Cooper
Land and Economic Development Officer

Howard Thompson
Land and Economic Development Manager

- a) Copy to Paul Meyette, Director of Planning Services
- b) Copy to Dean Krejci, Financial Services Manager

Howard Thompson
Land & Economic Development Manager

City of Red Deer
Box 5008, Red Deer, AB T4N 3T4
Ph. 403.342.8364
Fax 403.342.8260
www.reddeer.ca
www.reddeercorridor.com

*** NOTE OUR NEW OFFICE ADDRESS AS OF AUG 31ST IS: 4815 - 48TH STREET

From: Elaine Vincent
Sent: February 16, 2010 12:12 PM
To: Cyril Cooper; Howard Thompson
Cc: Christine Kenzie
Subject: RE: Council report Feb 22, 2010 for Airport Funding

After agenda prep meeting this morning, we made a couple of slight changes to the report ... These were to reflect that Council approval was required only to extend the agreement for the year and not the funding which was previously approved.

Can you please review the amended report to Council and advise if you agree with the changes.

Thanks very much....

Elaine

Call if you have any questions or concerns,

Elaine

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

From: Cyril Cooper

2010/02/17

Sent: Friday, February 12, 2010 11:38 AM

To: Elaine Vincent

Subject: Council report Feb 22, 2010 for Airport Funding

Hi Elaine,

Attached is my Council report for Airport funding.

Thanks,

Cyril

Christine Kenzie

From: Howard Thompson
Sent: February 16, 2010 10:43 AM
To: Cyril Cooper; Elaine Vincent
Cc: Frieda McDougall; Christine Kenzie
Subject: RE: Council report Feb 22, 2010 for Airport Funding
Importance: High

As discussed with Frieda on Friday and subject to agenda review this morning, I would suggest the reference to meetings with City Council be amended to just "The City". Also recommendation or resolution could include delegating authority to City Manager to approve terms and conditions in the agreement.

Howard Thompson
Land & Economic Development Manager

City of Red Deer
Box 5008, Red Deer, AB T4N 3T4
Ph. 403.342.8364
Fax 403.342.8260
www.reddeer.ca
www.reddeercorridor.com

*** NOTE OUR NEW OFFICE ADDRESS AS OF AUG 31ST IS: 4815 - 48TH STREET

From: Cyril Cooper
Sent: February 16, 2010 8:56 AM
To: Howard Thompson
Subject: FW: Council report Feb 22, 2010 for Airport Funding

Howard,

Here is a copy of the council report. I thought we had to go to council with a report, even though the funding is approved through budget.

Thanks,

Cyril Cooper
Land and Economic Development Officer
The City of Red Deer
403.342.8105
Fax: 403.342.8260

From: Christine Kenzie
Sent: February 16, 2010 8:53 AM
To: Cyril Cooper
Subject: FW: Council report Feb 22, 2010 for Airport Funding

Cyril, attached is your report that you forwarded to LAS on Friday. I am heading into agenda review now with the Mayor and Lorraine Poth (Acting City Manager). Will let you know if there are any changes needed to your report.

There is some confusion as to why the report is required if Council already approved the funding in the Capital Budget.

Christine Kenzie

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

From: Legislative Services
Sent: February 12, 2010 12:31 PM
To: Christine Kenzie
Subject: FW: Council report Feb 22, 2010 for Airport Funding

Alison Relkov | Legislative Services Assistant
Legislative & Administrative Services | The City of Red Deer
D 403.342.8262 | F 403.346.6195
alison.relkov@reddeer.ca

From: Cyril Cooper
Sent: February 12, 2010 11:43 AM
To: Legislative Services
Subject: FW: Council report Feb 22, 2010 for Airport Funding

From: Cyril Cooper
Sent: February 12, 2010 11:37 AM
To: Elaine Vincent
Subject: Council report Feb 22, 2010 for Airport Funding

Hi Elaine,

Attached is my Council report for Airport funding.

Thanks,

Cyril

FILE COPY



Council Decision – February 22, 2010

DATE: February 23, 2010
TO: Cyril Cooper, Land & Economic Development Officer
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Red Deer Regional Airport Funding for 2010

Reference Report:

Land & Economic Development Officer, dated February 17, 2010

Resolutions:

“Resolved that Council of the City of Red Deer having considered the report from the Land & Economic Development Officer, dated February 17, 2010, Re: Red Deer Regional Airport Funding for 2010, hereby approves a one year extension to the current funding agreement with the Red Deer Regional Airport Authority which expired in 2009.”

MOTION CARRIED

Report Back to Council: No

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

Elaine Vincent
Legislative & Administrative Services Manager

- c. Land & Economic Development Manager
- Director of Planning
- Director of Corporate Services
- Director of Development Services
- Financial Services Manager

Reports Item No. 3**ELECTRIC, LIGHT & POWER DEPARTMENT**

DATE: February 16, 2010
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Revision to Distribution Tariff, Appendix B Effective March 1, 2010

The EL&P Department is requesting Council's approval of changes to the Distribution Tariff, Appendix B, Electric Utility Bylaw No. 3273/2000, effective March 1, 2010.

BACKGROUND

Appendix B of EL&P's Distribution Tariff sets out charges on service orders, including service connection & disconnection, meter services and load settlement. These services are typically requested from developers, retailers or customers and EL&P charges the requesting party on a cost recovery basis. Two changes to Appendix B are requested below.

Change #1 – Services provided by ENMAX Power Corporation (EPC)

The following service orders are handled directly by EPC on behalf of EL&P.

- Settlement consumption history
- Custom load profile
- Verification of Distribution Tariff data and transaction bill data
- Request for Distribution Tariff history

Our contractual agreement with EPC is that the fees for the above services are set to be the same as EPC's own fee schedule, approved by the Alberta Utilities Commission (AUC), for its own service territory (Calgary). EPC has recently obtained approval from AUC of an increase to the fees and as such, EL&P is requesting herein to revise its Appendix B to increase the fees for the above service orders, effective March 1, 2010. The attached red-lined Appendix B presents detailed information of the proposed pricing for the services provided by EPC.

In 2008 and 2009, EPC has **not** received any requests for those services in Red Deer.

Change #2 – Increase to delivery of cut-off warning notice

The fees for delivering cut-off warning notices are increased from \$35 per service order to \$40.85 per service order to reflect the true cost.

IMPACT ON CUSTOMERS

Customers requesting the services on or after March 1, 2010 will see an increase of charges. Other customers will not be impacted.

MUNICIPAL IMPACT

There is no impact on revenue transfers to the City.

RECOMMENDATION

It is recommended and respectfully requested that City Council provide the necessary three readings, at the Council meeting of February 22, 2010, for final approval of the proposed “Appendix B – Distribution Access Services Schedule of Fees” of the Electric utility Bylaw No. 3273/2000 as detailed in the attachment with the effective date being March 1, 2010.



Ligong Gan, P.Eng.
EL&P Manager

- cc. Paul Goranson, Director, Development Services
- Dean Krejci, Manager, Financial Services
- Karen Yetter, Divisional Controller, Development Services
- Andreas Zabel, Utility Specialist, EL&P
- Farah Samani, Regulatory Analyst, EL&P

Attachment

Distribution Access Services¹ **Schedule of Fees**

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Terms and Conditions for Distribution Access and in the Terms and Conditions for Retail Access Services.

1. Connection/Disconnection/Reconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. Disconnection and reconnection may involve installation or removal of a load limiter.

2. Revoke Disconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee:

Applicable Overtime Rates

This fee is applied when service is required on an emergency basis. The fee is applicable to a new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: \$40.850 per request
Overtime Hours: \$275.96 per request

Applicable where the extra Service trip is required because of failure of the Customer to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

¹ 3273/A-2004, 3273/B-2009, 3273/C-2009, 3273/A-2010

- 5. Ad Hoc Meter Test: \$100.00 for Self-Contained Meter
\$140.00 for Instrument-type Meter**

This fee applies when the City tests a City owned meter at the request of a Retailer or Customer. The fee is charged only if the accuracy proves to be within the limits allowed by the Government of Canada.

- 6. Dishonoured Cheques: \$25.00 per Cheque**

This fee is applicable for all dishonoured cheques returned to the City for any reason.

- 7. Non-Access Fee: \$25.00 per Meter per Month**

This fee is applicable where an actual meter reading by the City cannot be obtained for twelve consecutive months. The fee is applied in the thirteenth month in which an actual meter reading cannot be obtained and every month thereafter until an actual meter reading is obtained.

- 8. Security Deposit Situation Specific**

A security deposit may be requested from a Customer. Alternatively, the City may rely on the Customer's credit history.

- 9. Meter Verification/Certification \$89.87 per hour plus Materials**

This fee applies when a Retailer or Customer requests verification or certification of a Customer owned meter.

- 10. Meter Upgrade Fee: \$100.00 per hour for one man/one truck (single phase).
\$150.00 per hour for two men/one truck (multi phase).**

This fee is applicable for the time associated with City owned meter upgrades performed during regular business hours only. The Customer is also responsible for the cost of the materials, including the meter.

- 11. Off-Cycle Meter Reading: \$21.45 per Reading**

This fee is applied when a Retailer or a Customer requests that an off-cycle meter reading be performed.

Comments:

We support the recommendation of Administration that three readings be given to Electric Utility Bylaw Amendment 3273/A-2010.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager



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

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

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

CONTACT INFORMATION			
Name of Report Writer:	Ligong Gan		
Department & Telephone Number:	Electric Light & Power, 403-342-8341		
REPORT INFORMATION			
Preferred Date of Agenda:	February 22, 2010		
Subject of the Report (provide a brief description)	Revision to Distribution Tariff, Appendix B effective March 1, 2010		
Is this Time Sensitive? Why?	Yes. We ask for three readings from Council.		
What is the Decision/Action required from Council?	We ask for three readings from Council.		
Please describe Internal/ External Consultation, if any.	None.		
Is this a Committee of the Whole item?	No.		
How does the Report link to the Strategic Plan? To maintain basic services. To maintain financial sustainability.			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. EL&P is not aware of any outstanding issues.			
Has Financial Services been consulted? Are there any budget implications? Please describe. No. The changes have no financial impact on City.			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Ligong Gan
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need a Media Release?			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO



ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: February 15, 2010
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Revision to Distribution Tariff, Appendix B Effective March 1, 2010

The EL&P Department is requesting Council's approval of changes to the Distribution Tariff, Appendix B, Electric Utility Bylaw No. 3273/2000, effective March 1, 2010.

BACKGROUND

Appendix B of EL&P's Distribution Tariff sets out charges on service orders, including service connection & disconnection, meter services and load settlement. These services are typically requested from developers, retailers or customers and EL&P charges the requesting party on a cost recovery basis. Two changes to Appendix B are requested below.

Change #1 – Services provided by ENMAX Power Corporation (EPC)

The following service orders are handled directly by EPC on behalf of EL&P.

- Settlement consumption history
- Custom load profile
- Verification of Distribution Tariff data and transaction bill data
- Request for Distribution Tariff history

Our contractual agreement with EPC is that the fees for the above services are set to be the same as EPC's own fee schedule, approved by the Alberta Utilities Commission (AUC), for its own service territory (Calgary). EPC has recently obtained approval from AUC of an increase to the fees and as such, EL&P is requesting herein to revise its Appendix B to increase the fees for the above service orders, effective March 1, 2010. The attached red-lined Appendix B presents detailed information of the proposed pricing for the services provided by EPC.

In 2008 and 2009, EPC has **not** received any requests for those services in Red Deer.

Change #2 – Increase to delivery of cut-off warning notice

The fees for delivering cut-off warning notices are increased from \$35 per service order to \$40.85 per service order to reflect the true cost.

IMPACT ON CUSTOMERS

Customers requesting the services on or after March 1, 2010 will see an increase of charges. Other customers will not be impacted.

MUNICIPAL IMPACT

There is no impact on revenue transfers to the City.

RECOMMENDATION

It is recommended and respectfully requested that City Council provide the necessary three readings, at the Council meeting of February 22, 2010, for final approval of the proposed "Appendix B – Distribution Access Services Schedule of Fees" of the Electric utility Bylaw No. 3273/2000 as detailed in the attachment with the effective date being March 1, 2010.



Ligong Gan, P.Eng.
EL&P Manager

- cc. Paul Goranson, Director, Development Services
Dean Krejci, Manager, Financial Services
Karen Yetter, Divisional Controller, Development Services
Andreas Zabel, Utility Specialist, EL&P
Farah Samani, Regulatory Analyst, EL&P

Attachment

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Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

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2. Revoke Disconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee:

Applicable Overtime Rates

This fee is applied when service is required on an emergency basis. The fee is applicable to a new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: \$40.850 per request
Overtime Hours: \$275.96 per request

Applicable where the extra Service trip is required because of failure of the Customer to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

¹ 3273/A-2004, 3273/B-2009, 3273/C-2009, 3273/A-2010

12. Settlement History – Consumption **\$100.00 \$112.39 per Hour**

This fee is applied when a Retailer or Customer requests the consumption history beyond twelve (12) months for a Site.

13. Verification of Settlement Data **\$100.00 per Hour**

This fee is applied when a Retailer requests that an investigation be performed of suspect Load Settlement data. In the event that the City data is, in the opinion of the City, substantively incorrect, the fee is waived.

14. Custom Load Profile **\$100.00 \$112.39 per Hour Plus Materials**

This fee is applied when a Retailer requests a custom load profile.

15. Verification of Distribution Access Tariff Data **\$100.00 \$112.39 per Hour**

This fee is applied when a Retailer requests an investigation of suspect Distribution Access Tariff billing data. In the event that the City data is incorrect, the fee is waived.

16. Verification of Transaction Bill Data **\$100.00 \$112.39 per Hour**

This fee is applied when a Retailer requests an investigation of suspect billing data for a specific service order. In the event that the City's data is incorrect, the fee is waived.

17. Delivery of Cut-Off Warning Notice **\$35.00 \$40.85 per Notice**

This fee applies to a request from a Retailer to deliver a cut-off warning notice at a Site where either the Site will be cut off for financial reasons or the customer needs to be warned of impending cut-off due to vacancy or other non-financial reasons. The fee is charged to the requesting Retailer.

18. Request Distribution Tariff History **\$100.00 \$112.39 per Hour**

This fee applies when a Retailer requests a history of Distribution Tariff billing.

19. Penalty for Late Payment **3.25% of Total Current Charges Outstanding**

This fee applies to a Retailer, customer or Distributed Generator. A one-time penalty charge of 3.25% will be applied no less than twenty-five days following the Current Bill Date indicated on the bill to total current charges outstanding.

Christine Kenzie

From: Dean Krejci
Sent: February 16, 2010 8:56 AM
To: Christine Kenzie
Subject: FW: Agenda item for Council meeting Feb 22, 2010 - Revision to Distribution Tariff, Appendix B Effective March 1, 2010

Attachments: DMPROD-#885524_Council_Agenda_EL&P_Feb_22, 2010.DOC; 909071 - 32732000 - Report to Council re Changes to Fee Schedule Appendix B effective March 1, 2010.doc; Revised 909071 - 32732000 - Schedule B - Distribution Access Services Schedule of Fees - January 1, 2010 - 1.DOC

Hi Christine,

I'm not sure if I need to do this or not for this one but Financial Services has reviewed the report and has no comments.

Dean
8204

From: Ligong Gan
Sent: February 12, 2010 10:01 AM
To: Christine Kenzie; Elaine Vincent; Frieda McDougall
Cc: Andreas Zabel; Farah Samani; Paul Goranson; Dean Krejci; Karen Yetter
Subject: Agenda item for Council meeting Feb 22, 2010 - Revision to Distribution Tariff, Appendix B Effective March 1, 2010

Hi folks –

Here is another (third) Council report I would like to include in the Council agenda for the Feb 22 Council meeting. This item should not take more than 5 minutes of Council time.



DMPROD-#885524909071 - 32732000 Revised 909071 -
_Council_Agenda_... - Report to ... 32732000 - Sc...

Thanks.

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department
City of Red Deer
Phone: (403) 342-8341
Fax: (403) 314-5842

Christine Kenzie

From: Ligong Gan
Sent: February 12, 2010 10:01 AM
To: Christine Kenzie; Elaine Vincent; Frieda McDougall
Cc: Andreas Zabel; Farah Samani; Paul Goranson; Dean Krejci; Karen Yetter
Subject: Agenda item for Council meeting Feb 22, 2010 - Revision to Distribution Tariff, Appendix B Effective March 1, 2010

Attachments: DMPROD-#885524_Council_Agenda_EL&P_Feb_22, 2010.DOC; 909071 - 32732000 - Report to Council re Changes to Fee Schedule Appendix B effective March 1, 2010.doc; Revised 909071 - 32732000 - Schedule B - Distribution Access Services Schedule of Fees - January 1, 2010 - 1.DOC

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DMPROD-#885524909071 - 32732000 Revised 909071 -
_Council_Agenda_... - Report to ... 32732000 - Sc...

Thanks.

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department
City of Red Deer
Phone: (403) 342-8341
Fax: (403) 314-5842

FILE COPY



Council Decision – February 22, 2010

DATE: February 23, 2010
TO: Lingong Gan, Electric Light & Power Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Electric Utility Bylaw Amendment 3273/A-2010 - Revision to Distribution Tariff, Appendix B Effective March 1, 2010

Reference Report:

Electric Light & Power Manager, dated February 15, 2010

Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Electric Utility Bylaw Amendment 3273/A-2010 received all three reading. A copy of the bylaw is attached.

Report Back to Council: No

Comments/Further Action:

Our office will amend the consolidated version of Electric Utility Bylaw 3273/2000 and distribute the revised copies by March 1, 2010.

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

Elaine Vincent
Legislative & Administrative Services Manager

/attach.

cc: Director of Development Services
Director of Corporate Services
Financial Services Manager
Divisional Controller, Development Services
Andreas Zabel, Utility Specialist, EL&P
Farah Samani, Regulatory Analyst, EL&P

Reports Item No. 4



ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: February 12, 2010
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Alberta Market Surveillance Administrator Annual Compliance Report – 2009

The EL&P Department requests Council's approval of the Annual Compliance Report to the Alberta Market Surveillance Administrator for the 2009 calendar year.

EL&P is required to submit to, and obtain approval from, City Council an annual compliance report to meet the reporting requirements pursuant to the provincial regulation respecting the manner in which EL&P conducts its business in the deregulated electricity marketplace. Similar reports have been submitted to Council since 2003.

BACKGROUND

Established under the *Electric Utilities Act* SA 2003 cE-5.1 ("**Act**"), the Alberta *Market Surveillance Administrator* ("**MSA**") is enacted to protect the public interest and to ensure fairness, transparency and balance in the deregulated electricity marketplace in Alberta. The *Code of Conduct Regulation* AR 160/2003 ("**Code**"), pursuant to the Act, provides the MSA with powers to govern aspects of the electricity market such as conduct of distribution system owners and their affiliated retailers, equality of treatment for customers and retailers, confidentiality of customer information, business practices, preventing unfair competitive advantage, records and accounts, and compliance reporting and audits. The EL&P department, as a wires service provider as well as a regulated rate provider, is required to comply with the Code.

The EL&P department currently relies on certain outside parties to perform some specific functions required in the deregulated environment under a contractual agreement. The MSA agreed that there is no useful purpose in duplicating the compliance reports provided by the outside parties and by EL&P. As a result, the scope and volume of reporting from EL&P is limited to only the functions and services which EL&P provides directly. The following is a summary of the reporting requirements of the

EL&P department.

1. The MSA allows EL&P to rely on the compliance plan and audit reporting provided by Enmax Power and Enmax Energy related to the functions they perform for EL&P and as such, no compliance plan or audit reporting will be directly required of the EL&P department;
2. The City is required to advise the MSA of any material changes relating to the services contracted to the Enmax entities;
3. EL&P is required to submit quarterly compliance reports to the MSA describing at least
 - a. any non-compliance with the Code or the compliance plan;
 - b. actions taken to remedy the non-compliance; and
 - c. any complaints of non-compliance with the Code and the compliance plan and how the complaints have been dealt with; and
4. By March 31 of the following calendar year, EL&P must send the MSA an annual compliance report, approved by Council, describing any non-compliance activities during the calendar year.

The 2009 Annual Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in 2009.

RECOMMENDATION

It is respectfully recommended that Council approve "The City of Red Deer EL&P Department 2009 Annual Compliance Report to Council of the City of Red Deer".



Ligong Gan, P.Eng.
EL&P Manager

Attachment

Electric Light & Power Department, City of Red Deer

2009 Annual Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of the City of Red Deer pursuant to Sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003 for the period of January 1, 2009 to December 31, 2009.

The Electric Light & Power Department advises that

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation* AR160/2003;
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance;
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with; and
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: 

Ligong Gan, P.Eng.
Manager, EL&P Department

Per: _____
City Clerk

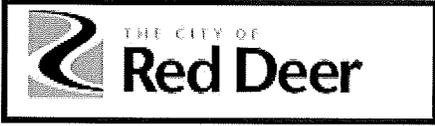
Date: February 22, 2010

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager



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

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

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

CONTACT INFORMATION			
Name of Report Writer:		Ligong Gan	
Department & Telephone Number:		Electric Light & Power, 403-342-8341	
REPORT INFORMATION			
Preferred Date of Agenda:		February, 2010	
Subject of the Report (provide a brief description)		Alberta Market Surveillance Administrator Annual Compliance Report – 2009	
Is this Time Sensitive? Why?		No.	
What is the Decision/Action required from Council?		We ask for approval from Council.	
Please describe Internal/ External Consultation, if any.		None.	
Is this a Committee of the Whole item?		No.	
How does the Report link to the Strategic Plan? Alberta regulatory requirement.			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. This is regular report to Council. EL&P is not aware of any outstanding issues.			
Has Financial Services been consulted? Are there any budget implications? Please describe. No financial impact to City.			
Presentation: (10 Min Max.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Ligong Gan
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Christine Kenzie

DATE: 2010/02/11 14:27
NOTICE: 2010/02/11 14:27

From: Ligong Gan
Sent: February 11, 2010 4:27 PM
To: Christine Kenzie; Elaine Vincent; Frieda McDougall
Cc: Andreas Zabel; Farah Samani
Subject: Agenda item for Council meeting Feb 22, 2010 - MSA annual compliance report for 2009

Attachments: DMPROD-#885524_Council_Agenda_EL&P_Feb_22, 2010_B.pdf; 2009 Annual Council Report re MSA.pdf; 2009 Annual MSA Compliance Statement.pdf

Hi folks –

Here is another Council report I would like to include in the Council agenda for the Feb 22 Council meeting. This item is a regular undertaking and should not take more than 5 minutes of Council time.



DMPROD-#885524_Council_Agenda_... 2009 Annual_Council Report re ... 2009 Annual MSA Compliance Sta...

Thanks.

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department
City of Red Deer
Phone: (403) 342-8341
Fax: (403) 314-5842

ORIGINAL



ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: February 12, 2010
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Alberta Market Surveillance Administrator Annual Compliance Report – 2009

The EL&P Department requests Council's approval of the Annual Compliance Report to the Alberta Market Surveillance Administrator for the 2009 calendar year.

EL&P is required to submit to, and obtain approval from, City Council an annual compliance report to meet the reporting requirements pursuant to the provincial regulation respecting the manner in which EL&P conducts its business in the deregulated electricity marketplace. Similar reports have been submitted to Council since 2003.

BACKGROUND

Established under the *Electric Utilities Act* SA 2003 cE-5.1 ("**Act**"), the *Alberta Market Surveillance Administrator* ("**MSA**") is enacted to protect the public interest and to ensure fairness, transparency and balance in the deregulated electricity marketplace in Alberta. The *Code of Conduct Regulation* AR 160/2003 ("**Code**"), pursuant to the Act, provides the MSA with powers to govern aspects of the electricity market such as conduct of distribution system owners and their affiliated retailers, equality of treatment for customers and retailers, confidentiality of customer information, business practices, preventing unfair competitive advantage, records and accounts, and compliance reporting and audits. The EL&P department, as a wires service provider as well as a regulated rate provider, is required to comply with the Code.

The EL&P department currently relies on certain outside parties to perform some specific functions required in the deregulated environment under a contractual agreement. The MSA agreed that there is no useful purpose in duplicating the compliance reports provided by the outside parties and by EL&P. As a result, the scope and volume of reporting from EL&P is limited to only the functions and services which EL&P provides directly. The following is a summary of the reporting requirements of the

EL&P department.

1. The MSA allows EL&P to rely on the compliance plan and audit reporting provided by Enmax Power and Enmax Energy related to the functions they perform for EL&P and as such, no compliance plan or audit reporting will be directly required of the EL&P department;
2. The City is required to advise the MSA of any material changes relating to the services contracted to the Enmax entities;
3. EL&P is required to submit quarterly compliance reports to the MSA describing at least
 - a. any non-compliance with the Code or the compliance plan;
 - b. actions taken to remedy the non-compliance; and
 - c. any complaints of non-compliance with the Code and the compliance plan and how the complaints have been dealt with; and
4. By March 31 of the following calendar year, EL&P must send the MSA an annual compliance report, approved by Council, describing any non-compliance activities during the calendar year.

The 2009 Annual Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in 2009.

RECOMMENDATION

It is respectfully recommended that Council approve "The City of Red Deer EL&P Department 2009 Annual Compliance Report to Council of the City of Red Deer".



Ligong Gan, P.Eng.
EL&P Manager

Attachment

DATE: February 23, 2010
TO: Ligong Gan, Electric Light & Power Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Alberta Market Surveillance Administrator Annual Compliance Report - 2009

Reference Report:

Electric Light & Power Manager, dated February 12, 2010

Resolutions:

“Resolved that Council of the City of Red Deer having considered the report from the Electric Light and Power Manager, dated February 12, 2010, Re: Alberta Market Surveillance Administrator Annual Compliance Report – 2009, hereby approves the City of Red Deer EL&P Department 2009 Annual Compliance Report to Council of the City of Red Deer.”

MOTION CARRIED

Report Back to Council: No

Comments/Further Action:

A copy of the signed 2009 Annual Compliance Report is attached for your use.



Elaine Vincent
Legislative & Administrative Services Manager
Attach./

c. Director of Development Services

Electric Light & Power Department, City of Red Deer

2009 Annual Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of the City of Red Deer pursuant to Sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003 for the period of January 1, 2009 to December 31, 2009.

The Electric Light & Power Department advises that

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation* AR160/2003;
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance;
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with; and
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per:



Ligong Gan, P.Eng.
Manager, EL&P Department

Per:



City Clerk

Date: February 22, 2010



Reports Item No. 5

ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: February 12, 2010

TO: Elaine Vincent, Manager, Legislative & Administrative Services

FROM: Ligong Gan, Manager, Electric Light & Power

RE: Alberta Market Surveillance Administrator Compliance Report – Q4/2009

The EL&P Department requests Council's approval of the Compliance Report to the Alberta *Market Surveillance Administrator* ("**MSA**") for the fourth quarter of 2009.

Background

Established under the *Electric Utilities Act* ("**Act**"), the MSA is enacted to protect the public interest and to ensure fairness, transparency and balance in Alberta's deregulated electricity marketplace. The *Code of Conduct Regulation* ("**Code**") grants powers to the MSA to carry out its duties to patrol the Alberta electricity market.

The Code requires EL&P to submit reports to the MSA, both quarterly and annually, to indicate compliance with the Code for certain aspects of its electric system operation. The reports must include how complaints, if any, have been dealt with.

The 2009 Q4 Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in the fourth quarter of 2009.

Recommendation

It is respectfully recommended that Council approve the attached report of "2009 Fourth Quarter Compliance Report to Council of the City of Red Deer".

A handwritten signature in black ink, appearing to read 'Ligong Gan'.

Ligong Gan, P.Eng.
EL&P Manager

Attachment

Electric Light & Power Department, City of Red Deer

2009 Fourth Quarter Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of The City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* (AR 160/2003) for the period of October 1, 2009 to December 31, 2009.

The EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans, including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: 

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

Per: _____
City Clerk

Date: February 22, 2010

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Lorraine Poth”
Acting City Manager



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

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

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

CONTACT INFORMATION			
Name of Report Writer:		Ligong Gan	
Department & Telephone Number:		Electric Light & Power, 403-342-8341	
REPORT INFORMATION			
Preferred Date of Agenda:		February, 2010	
Subject of the Report (provide a brief description)		Alberta Market Surveillance Administrator Compliance Report – Q4/2009	
Is this Time Sensitive? Why?		No.	
What is the Decision/Action required from Council?		We ask for approval from Council.	
Please describe Internal/ External Consultation, if any.		None.	
Is this a Committee of the Whole item?		No.	
How does the Report link to the Strategic Plan? Provincial regulatory requirement.			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. This is regular report to Council. EL&P is not aware of any outstanding issues.			
Has Financial Services been consulted? Are there any budget implications? Please describe. No financial impact to City.			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Ligong Gan
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT When/describe: _____	Topics When/Describe: _____	Board(s) / Committee(s) When/Describe: _____	
Do we need a Media Release?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Christine Kenzie

From: Ligong Gan
Sent: February 11, 2010 4:25 PM
To: Christine Kenzie; Elaine Vincent; Frieda McDougall
Cc: Andreas Zabel; Farah Samani
Subject: Agenda item for Council meeting Feb 22, 2010 - MSA compliance report for Q4/2009

Attachments: DMPROD-#885524_Council_Agenda_EL&P_Feb_22, 2010_A.pdf; 2009 Q4 Council Report re MSA.pdf; 2009 Q4 MSA Compliance Statement.pdf

Hi folks –

Here is a Council report I would like to include in the Council agenda for the Feb 22 Council meeting. This item is a regular undertaking and should not take more than 5 minutes of Council time.



DMPROD-#885524 2009 Q4 Council 2009 Q4 MSA
_Council_Agenda_... Report re MSA.... ompliance Stateme.

Thanks.

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department
City of Red Deer
Phone: (403) 342-8341
Fax: (403) 314-5842

DATE: February 12, 2010
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Alberta Market Surveillance Administrator Compliance Report – Q4/2009

The EL&P Department requests Council's approval of the Compliance Report to the Alberta *Market Surveillance Administrator* ("MSA") for the fourth quarter of 2009.

Background

Established under the *Electric Utilities Act* ("Act"), the MSA is enacted to protect the public interest and to ensure fairness, transparency and balance in Alberta's deregulated electricity marketplace. The *Code of Conduct Regulation* ("Code") grants powers to the MSA to carry out its duties to patrol the Alberta electricity market.

The Code requires EL&P to submit reports to the MSA, both quarterly and annually, to indicate compliance with the Code for certain aspects of its electric system operation. The reports must include how complaints, if any, have been dealt with.

The 2009 Q4 Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in the fourth quarter of 2009.

Recommendation

It is respectfully recommended that Council approve the attached report of "2009 Fourth Quarter Compliance Report to Council of the City of Red Deer".



Ligong Gan, P.Eng.
EL&P Manager

Attachment

FILE COPY



Council Decision – February 22, 2010

DATE: February 23, 2010
TO: Ligong Gan, Electric Light & Power Manager
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Alberta Market Surveillance Administrator Compliance Report – Q4/2009

Reference Report:

Electric Light & Power Manager, dated February 12, 2009

Resolutions:

“Resolved that Council of the City of Red Deer having considered the report from the Electric Light & Power Manager, dated February 12, 2010, Re: Alberta Market Surveillance Administrator Compliance Report – Q4/2009, hereby approves the 2009 Fourth Quarter Compliance Report to Council of the City of Red Deer.”

MOTION CARRIED

Report Back to Council: No

Comments/Further Action:

A copy of the signed 2009 4th Quarter Compliance Report is attached for your use.

Elaine Vincent
Legislative & Administrative Services Manager
Attach./

c. Director of Development Services

Electric Light & Power Department, City of Red Deer

2009 Fourth Quarter Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of The City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* (AR 160/2003) for the period of October 1, 2009 to December 31, 2009.

The EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
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- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans, including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____


Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

Per: _____


City Clerk

Date: February 22, 2010



DATE: February 12, 2010

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3357/E-2010
Johnstone Park Neighbourhood – Phase 14
Carolina Homes Ltd.

Proposal

Carolina Homes Ltd. is proposing to develop Phase 14, the final phase, of the Johnstone Park neighbourhood. Rezoning is being sought for approximately 4.45 ha (11.0 ac.) of land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-detached Dwelling Residential and P1 Parks & Recreation District in order to create 47 detached dwelling residential lots, 26 semi-detached dwelling, 1 public utility lot (PUL), and 1 municipal reserve lot.

The proposed PUL is to be zoned to P1, as the proposed PUL forms part of the neighbourhood open space and trail concept as a pedestrian linkage.

All of the proposed land use districts of Land Use Bylaw Amendment No. 3357/E-2010 conform to the *Johnstone Park Neighbourhood Area Structure Plan*.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/E-2010.

Handwritten signature of Martin Kvapil in blue ink.

Martin Kvapil
PLANNING ASSISTANT

Handwritten signature of Nancy Hackett in blue ink.

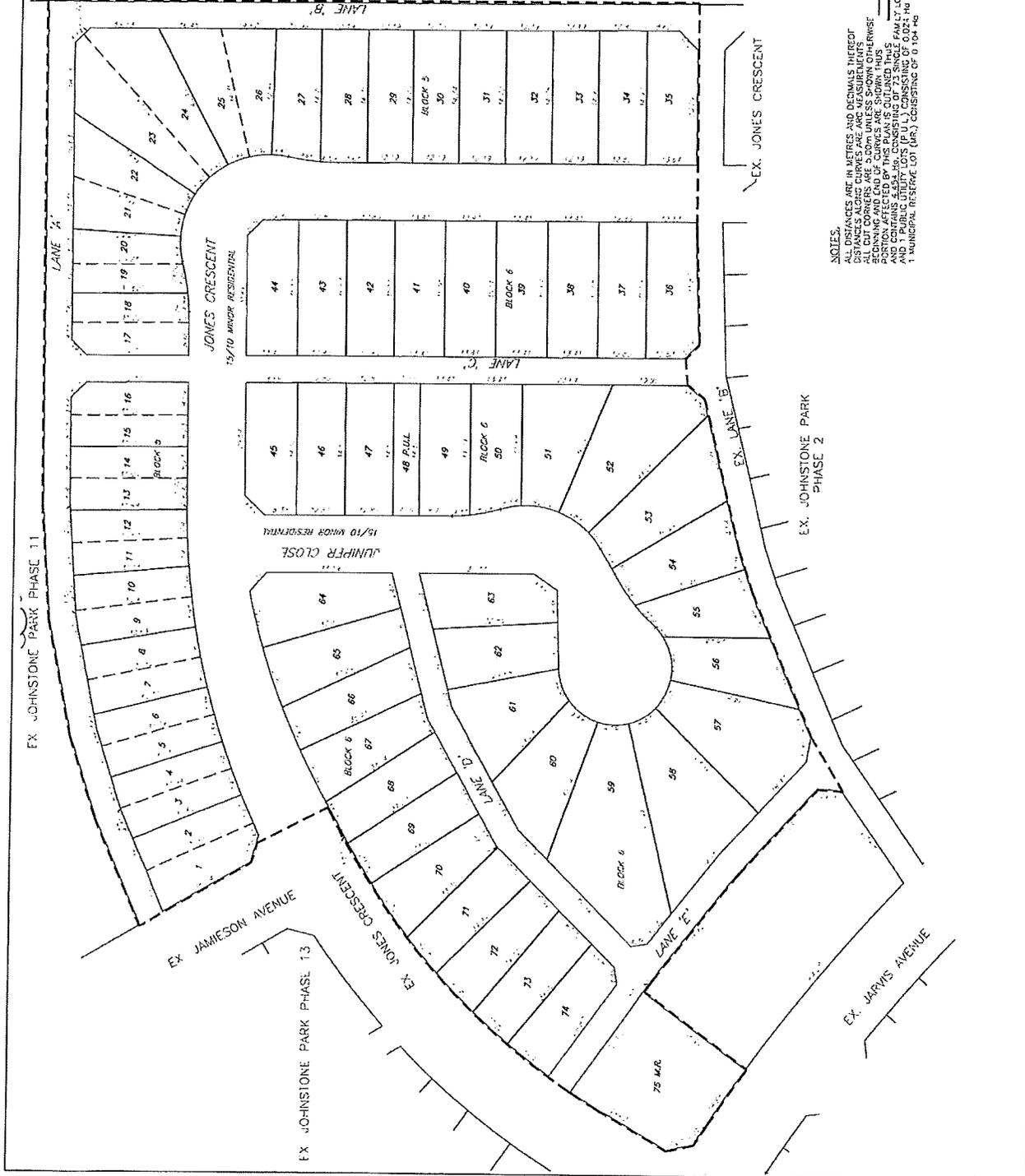
Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments



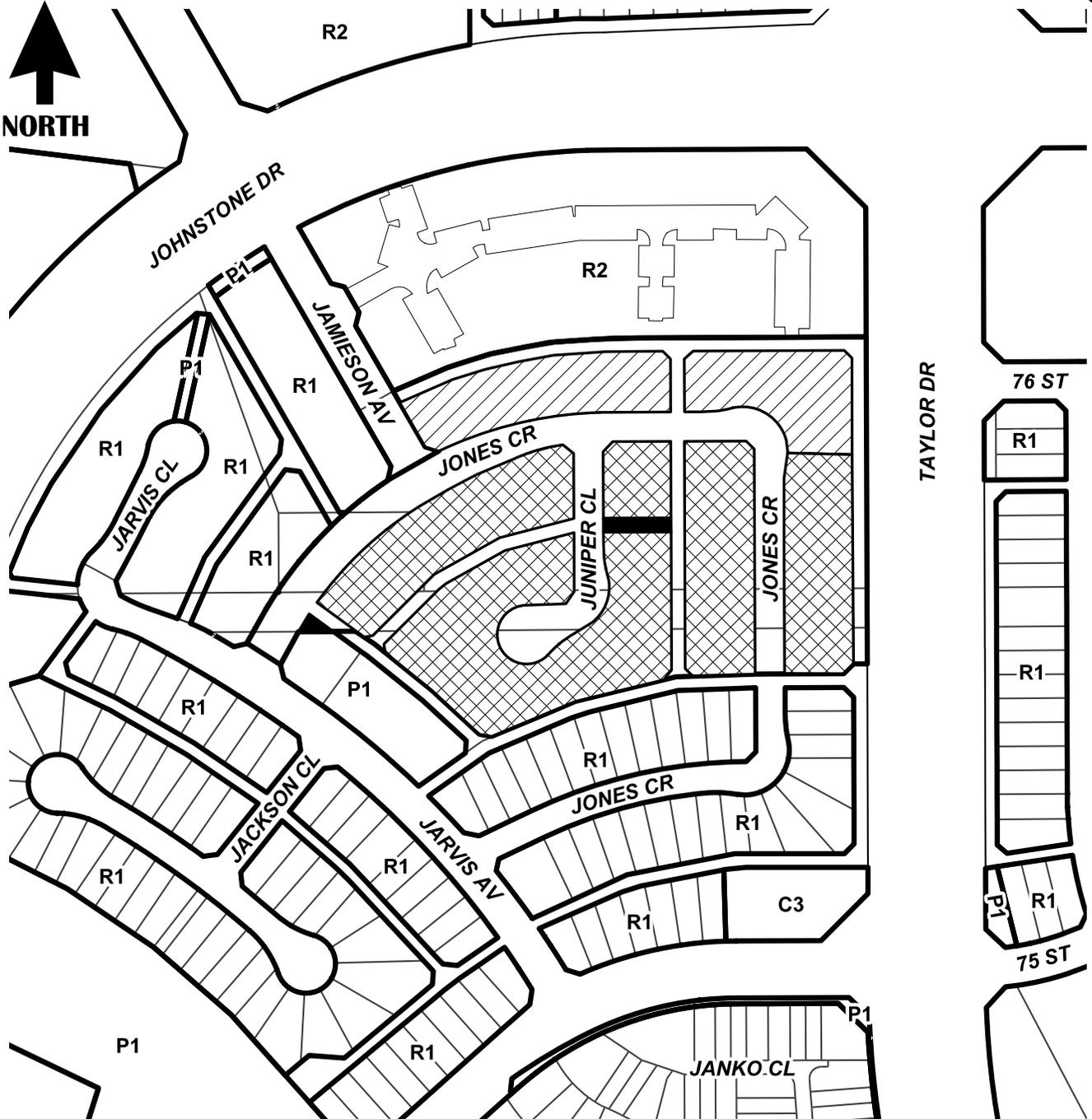
THE CITY OF RED DEER
 JOHNSTONE PARK
 PHASE 14
 TENTATIVE PLAN OF
 SUBDIVISION
 WITHIN THE
 N.E. 1/4 SEC. 30, TWP.38,
 RGE.27, W.4th. M.
 RED DEER
 ALBERTA
 FOR: CAROLINA HOMES INC.
 BY: AL-TERRA ENGINEERING LTD.
 SCALE:
 A1 VERSION = 1:500

PRELIMINARY
 PREPARED JAN 09/10
AL-TERRA
 ENGINEERING LTD



NOTES:
 1. DIMENSIONS ARE IN METRES AND DECIMALS THEREOF
 2. DISTANCES ARE SHOWN FROM THE BEGINNING OF THE
 3. ALL CUT CORNERS ARE 5.00M UNLESS SHOWN OTHERWISE
 4. BEGINNING AND END OF CURVES ARE SHOWN THUS
 5. THE PLAN IS SUBJECT TO THE SURVEYING ACT AND
 6. AND CONTAINS 6.69 H.A. CONSISTING OF 75 LOTS
 7. AND 1 PUBLIC UTILITY LOT (P.U.L.) CONSISTING OF 0.021 H.A. END
 8. 1 MUNICIPAL RESERVE LOT (M.R.) CONSISTING OF 0.104 H.A.

Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:

- A1 to P1
- A1 to R1
- A1 to R1A

Affected Districts:

- R1 - Residential (Low Density) District
- R1A - Residential (Semi Detached Dwelling) District
- P1 - Park and Recreation District
- A1 - Future Urban Development District

Proposed Amendment
 Map: 4/2010
 Bylaw: 3357/E-2010
 Date: Feb 17, 2010

Comments:

We support the recommendation of Administration that Council proceed with first reading of Land Use Bylaw Amendment 3357/9-2010 - Rezoning of Johnstone Park Neighbourhood - Phase 14. A Public Hearing would be held on Monday, March 22, 2010 at 6:00 p.m. during Council's regular meeting.

"Morris Flewwelling"
Mayor

"Lorraine Poth"
Acting City Manager



Request: Report for Inclusion
on a Council Agenda

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

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

CONTACT INFORMATION			
Name of Report Writer:	<i>Martin Kvapil</i>		
Department & Telephone Number:	<i>PCPS 403.343.3394</i>		
REPORT INFORMATION			
Preferred Date of Agenda:	<i>February 22, 2010</i>		
Subject of the Report (provide a brief description)	<i>3357/E-2010: Rezoning of Johnstone Park Phase 14</i>		
Is this Time Sensitive? Why?	<i>No</i>		
What is the Decision/Action required from Council?	<i>First reading</i>		
Please describe Internal/ External Consultation, if any.	<i>Completed through prior NASP process</i>		
Is this a Committee of the Whole item?	<i>No</i>		
How does the Report link to the Strategic Plan? <i>Be Strategic</i>			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. <i>No. None.</i>			
Has Financial Services been consulted? Are there any budget implications? Please describe. <i>N/A</i>			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: <i>Nancy Hackett 403.343.3394</i>
COMMUNITY IMPACT			
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)			
LEGISLATIVE & ADMINISTRATIVE USE ONLY			
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
SMT	Topics	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need a Media Release?			
		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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



DATE: February 12, 2010

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: Land Use Bylaw Amendment No. 3357/E-2010
Johnstone Park Neighbourhood – Phase 14
Carolina Homes Ltd.

Proposal

Carolina Homes Ltd. is proposing to develop Phase 14, the final phase, of the Johnstone Park neighbourhood. Rezoning is being sought for approximately 4.45 ha (11.0 ac.) of land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-detached Dwelling Residential and P1 Parks & Recreation District in order to create 47 detached dwelling residential lots, 26 semi-detached dwelling, 1 public utility lot (PUL), and 1 municipal reserve lot.

The proposed PUL is to be zoned to P1, as the proposed PUL forms part of the neighbourhood open space and trail concept as a pedestrian linkage.

All of the proposed land use districts of Land Use Bylaw Amendment No. 3357/E-2010 conform to the *Johnstone Park Neighbourhood Area Structure Plan*.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/E-2010.

Martin Kvapil
PLANNING ASSISTANT

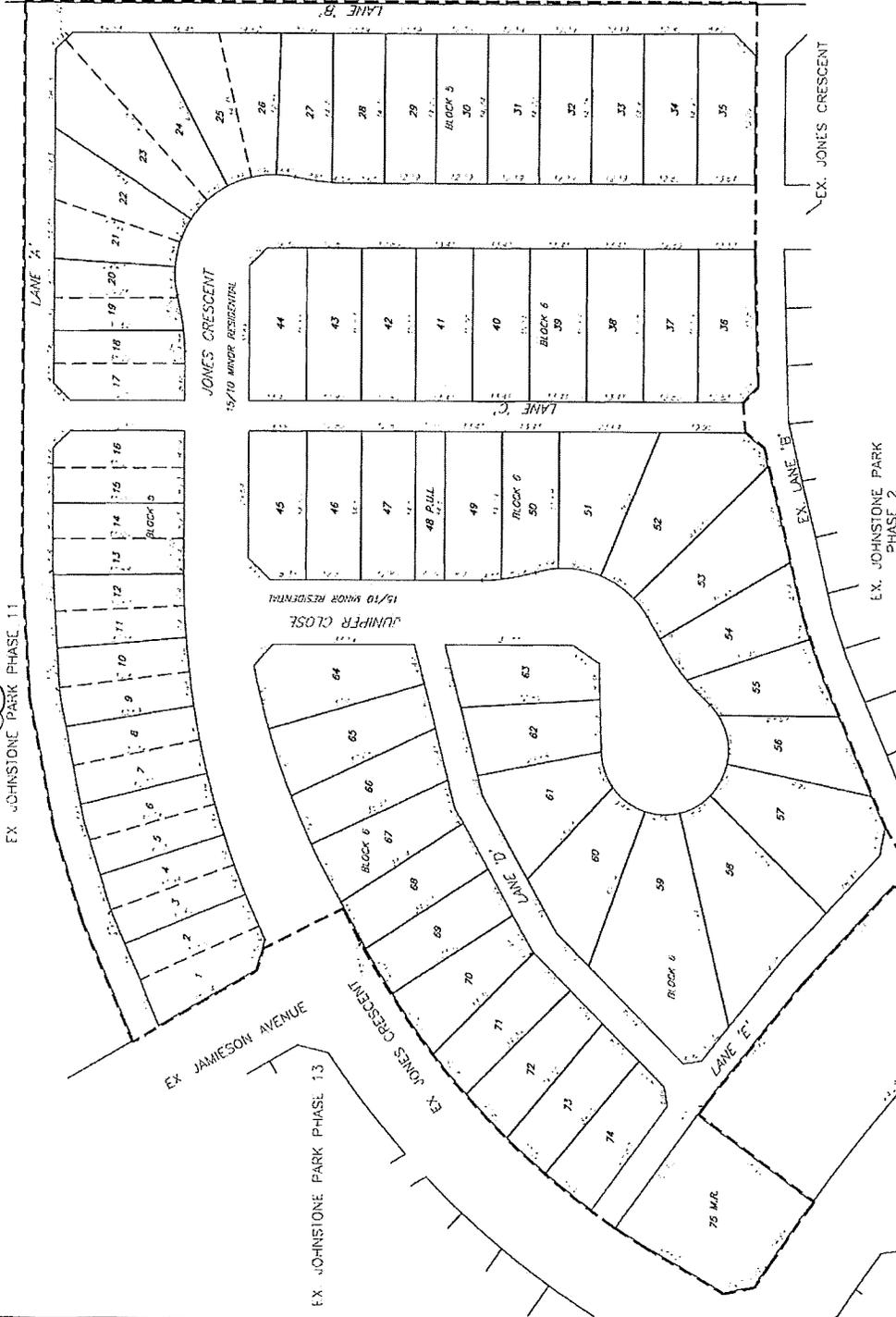
Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments

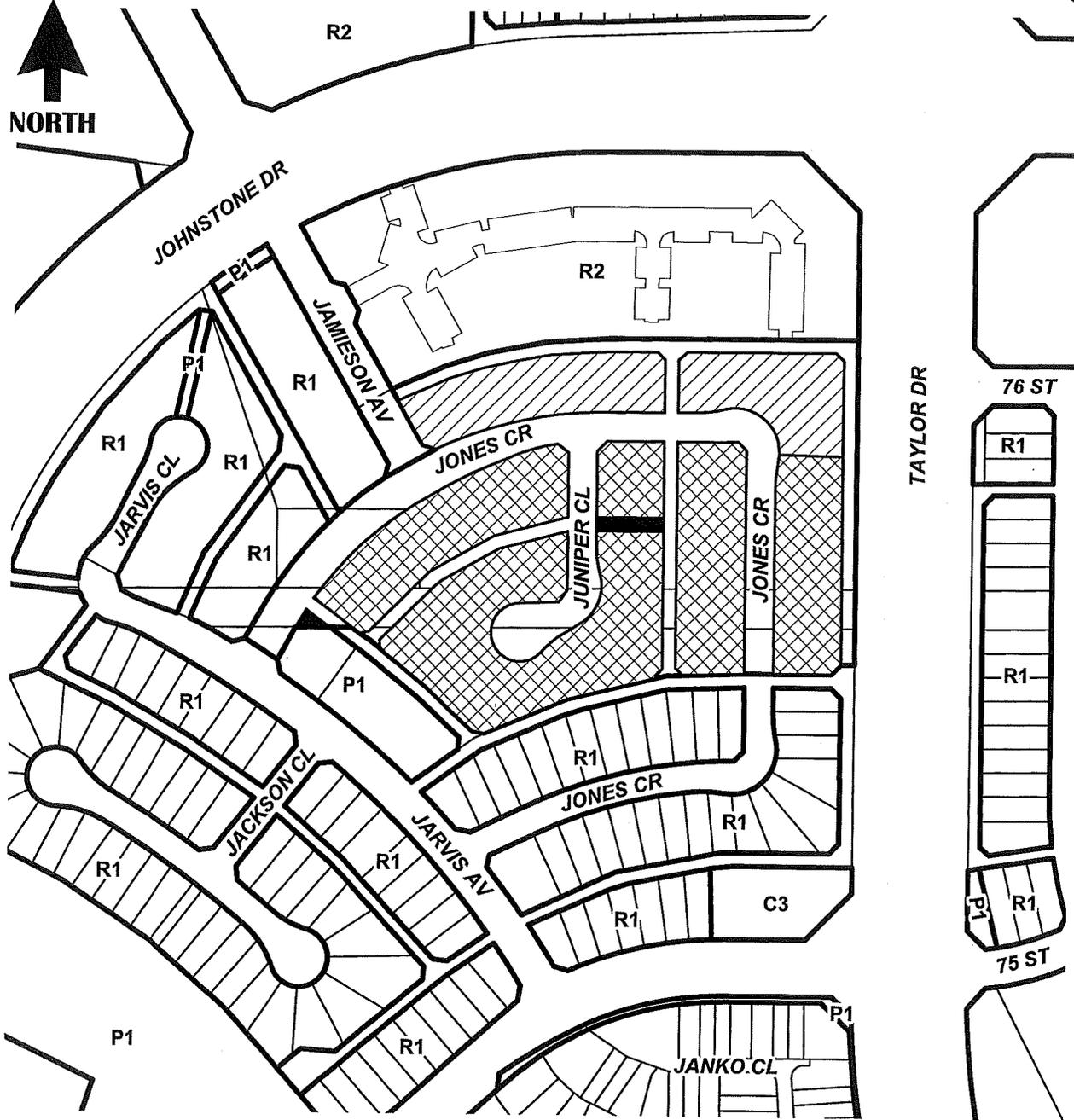


THE CITY OF RED DEER
 JOHNSTONE PARK
 PHASE 14
 TENTATIVE PLAN OF
 SUBDIVISION
 WITHIN THE
 N.E. 1/4 SEC. 30, TWP.38,
 RGE.27, W.4th. M.
 RED DEER
 ALBERTA
 FOR: CAROLINA HOMES INC.
 BY: AL-TERRA ENGINEERING LTD.
 SCALE:
 A1 VERSION - 1:500

PRELIMINARY
 PREPARED: JAN 25/10
AL-TERRA
 ENGINEERING LTD.



NOTES:
 ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
 ALL DISTANCES ARE TO BE MEASURED AS SHOWN
 ALL CUT CORNERS ARE TO BE SHOWN UNLESS OTHERWISE
 SPECIFIED AND END OF CURVES ARE SHOWN THUS
 AND CONTRAS TO BE SHOWN UNLESS OTHERWISE
 AND 1 PUBLIC UTILITY LOSS (P.U.L.) CONSISTING OF 0.02% HG 6RD
 1 MUNICIPAL RESERVE LOT (M.R.) CONSISTING OF 0.10% HG



Change District from:

- A1 to P1
- A1 to R1
- A1 to R1A

Affected Districts:

- R1 - Residential (Low Density) District
- R1A - Residential (Semi Detached Dwelling) District
- P1 - Park and Recreation District
- A1 - Future Urban Development District

Proposed Amendment
Map: 4/2010
Bylaw: 3357/E-2010
Date: Feb 17, 2010

Christine Kenzie

From: Martin Kvapil
Sent: February 10, 2010 2:55 PM
To: Christine Kenzie
Subject: RE: LUB Amendment

It is:

Carolina Homes Ltd.
Attn: Ian Welke
215, 340 Midpark Way SE
Calgary T2X 1P1
403.256.5544

Martin Kvapil | PCPS

t. 403.343.3394

From: Christine Kenzie
Sent: February 10, 2010 2:52 PM
To: Martin Kvapil
Subject: RE: LUB Amendment

You can use LUB Amendment 3357/E-2010 and Map 4/2010.

Is this a City rezoning or the request of a developer? i.e. who pays for advertising? - if a developer please advise who and contact info.

Gracias.

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

From: Martin Kvapil
Sent: February 10, 2010 2:49 PM
To: Christine Kenzie
Subject: LUB Amendment

Hi Christine,

May I please have an LUB number and map number for the rezoning of Johnstone Park Phase 14.

Thanks.

2010/02/10

FILE COPY



LEGISLATIVE & ADMINISTRATIVE SERVICES

February 23, 2010

Carolina Homes Ltd.
215, 340 Midpark Way SE
Calgary T2X 1P1

Attention: Ian Welke

Dear Mr. Welke:

Re: *Land Use Bylaw Amendment 3357/E-2010*
Johnstone Park Neighbourhood – Phase 14

Red Deer City Council gave first reading to *Land Use Bylaw Amendment 3357/E-2010* at the City of Red Deer's Council Meeting held Monday, February 22, 2010. A copy of the bylaw is attached.

Land Use Bylaw Amendment 3357/E-2010 proposes rezoning of approximately 11.0 acres of land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-Detached Dwelling Residential and P1 Parks and Recreation District in order to create 47 detached dwelling residential lots, 26 semi-detached dwelling lots, 1 public utility lot (PUL), and 1 municipal reserve lot. The proposed public utility lot is to be zoned to P1 Parks and Recreation District as it forms part of the neighbourhood open space and trail concept as a pedestrian linkage.

Council must hold a Public Hearing before giving second and third readings to the bylaw. This office will now advertise for a Public Hearing to be held on Monday, March 22, 2010 at 6:00 p.m in Council Chambers, during Council's regular meeting.

You are responsible for the advertising costs and will be invoiced for this cost which we estimate to be approximately \$800. If you are not in agreement with paying this cost, please notify me by 11:00 A.M. on Tuesday, March 16, 2010. If you have any questions or require additional information, please contact me at 403.356.8978.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine Kenzie'.

Christine Kenzie
Council Services Coordinator
/attach.

c. Parkland Community Planning Services

DATE: February 23, 2010
TO: Martin Kvapil, Parkland Community Planning Services
FROM: Elaine Vincent, Legislative and Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/E-2010
Johnstone Park Neighbourhood – Phase 14
Carolina Homes Ltd.

Reference Report:

Parkland Community Planning Services, dated February 12, 2010

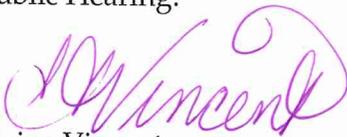
Bylaw Readings:

At the Monday, February 22, 2010 Regular Council Meeting Land Use Bylaw Amendment 3357/E-2010 received first reading. A copy of the bylaw is attached

Report Back to Council: Yes – March 22, 2010

Comments/Further Action:

A Public Hearing will be held on Monday, March 22, 2010 at 6:00 p.m. in Council Chambers during Council's regular meeting for Land Use Bylaw Amendment 3357/E-2010. Land Use Bylaw Amendment 3357/E-2010 proposes to rezone 11.0 acres of land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-detached Dwelling Residential and P1 Parks & Recreation District in order to create 47 detached dwelling residential lots, 26 semi-detached dwelling lots, 1 public utility lot (PUL) and 1 municipal reserve lot. This office will now proceed with the advertising for the Public Hearing.



Elaine Vincent
Legislative & Administrative Services Manager

/attach.

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

February 23, 2010

TERRY D MEINEMA & KAREN PHELAN
8 JONES CRES
RED DEER
AB T4P 3W6

Dear Sir/Madam:

**Re: Land Use Bylaw Amendment 3357/E-2010
Johnstone Park Neighbourhood – Phase 14**

Red Deer City Council proposes to pass Land Use Bylaw Amendment 3357/E-2010 which proposes rezoning of approximately 11.0 acres of land from A1 Future Urban Development District to R1 Residential (Low Density) District, R1A Semi-Detached Dwelling Residential and P1 Parks and Recreation District in order to create 47 detached dwelling residential lots, 26 semi-detached dwelling lots, 1 public utility lot (PUL), and 1 municipal reserve lot. The proposed public utility lot is to be zoned to P1 Parks and Recreation District, as it forms part of the neighbourhood open space and trail concept as a pedestrian linkage.

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

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on Monday, March 22, 2010 at 6 p.m. in Council Chambers, 2nd floor City Hall. If you would like a letter or petition included on the Council agenda it must be submitted to our office by Tuesday, March 16, 2010. You may also submit your letter or petition at the Public Hearing, or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes and any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 403.342.8132.

Yours truly,



Elaine Vincent
Legislative & Administrative Services Manager
Attachment



Correspondence Item No. 1

Legislative & Administrative Services

DATE: February 16, 2010
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Appointment of Red Deer Downtown Business Association Member
To the Greater Downtown Action Plan Steering Committee

The City of Red Deer received correspondence from the Red Deer Downtown Business Association regarding an appointment to the Greater Downtown Action Plan Steering Committee.

Council will consider this appointment in Committee of the Whole and will be asked to bring a resolution back to open Council.

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent
Manager

Section E – Ad Hoc Committees of Council

GREATER DOWNTOWN ACTION PLAN (AD HOC) STEERING COMMITTEE

City Representatives

- | | | | | |
|----|--|--------------------------------------|---------------------------------|----------------------------------|
| 1. | Craig Curtis, City Manager
P.O. Box 5008
Red Deer, AB T4N 3T4
Email: craig.curtis@reddeer.ca | 403-342-8156 Bus | Re-Appt:
Re-Appt:
Expiry: | Nov 2008
Nov 2009
Oct 2010 |
| 2. | Councillor Cindy Jefferies, Chair
4751 – 56 Street
Red Deer, AB T4N 2K2
Email: cindy.jefferies@reddeer.ca | 403-302-3706 Res
403-346-6195 Fax | Re-Appt:
Re-Appt:
Expiry: | Nov 2008
Nov 2009
Oct 2010 |
| 3. | Councillor Gail Parks
17 Ryan Close
Red Deer, AB T4P 3N7
Email: gail.parks@reddeer.ca | 403-343-1305 Res
403-346-6195 Fax | Original Appt:
Expiry: | Nov 2009
Oct 2010 |

Downtown Business Association Representatives

- | | | | | |
|----|---|---|---------------------------------------|----------------------------------|
| 4. | Al Gamble (Vice – Chair)
BECA International
5027 Lakeshore Drive
Sylvan Lake AB T4S 1R3
Email: algamble@beca.ca | 403-887-2888 Bus
403-506-2552 Cell
403-887-7728 Fax | Original Appt:
Re-Appt:
Expiry: | Oct 2007
Dec 2008
Dec 2011 |
| 5. | Duane Smethurst
Peaks Chiropractic
#103, 5212-48 Street
Red Deer AB T4N 7C3
ddpaofbj@shaw.ca | 403-343-7325 Bus
403-347-9776 Fax | Original Appt:
Re-Appt:
Expiry: | Oct 2007
Dec 2008
Dec 2011 |

Citizen-At-Large – Resolution Required

- | | | | | |
|----|---|--------------------------------------|---------------------------------------|----------------------------------|
| 6. | Vacant | | Original Appt:
Re-Appt:
Expiry: | Jan 2008
Nov 2009
Oct 2010 |
| 7. | Shirley Hocken
6005-57 Avenue
Red Deer AB T4N 4S8
Email: shocken@telusplanet.net | 403-346-2498 Bus | Original Appt:
Re-Appt:
Expiry: | Jan 2008
Nov 2009
Oct 2010 |
| 8. | (John) Paul Stewart
72 Anquetel Close
Red Deer AB T4R 1G7
Email: pstewart@rdcrd.ab.ca | 403-347-9772 Bus
403-347-6410 | Original Appt:
Re-Appt:
Expiry: | Jan 2008
Nov 2009
Oct 2010 |
| 9. | Janice Wing (Social Care)
Red Deer & District Community Foundation
(CEO)
4811-48 th Street
Red Deer AB T4N 1S6
Email: janicewing@rddcf.ca | 403-341-6911 Bus
403-341-4177 Fax | Original Appt:
Re-Appt:
Expiry: | Jan 2008
Nov 2009
Oct 2010 |

Parkland Community Planning Services Representative

Christine Kenzie

From: Frieda McDougall
Sent: February 10, 2010 1:14 PM
To: 'Laura'
Cc: Christine Kenzie
Subject: RE: DBA - GDAP rep

Thanks Laura. We'll advance this to a council meeting and will advise you when the appointment is made.

Frieda McDougall, Deputy City Clerk
Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8136
frieda.mcdougall@reddeer.ca

From: Laura [mailto:laura@downtownreddeer.com]
Sent: February 10, 2010 1:12 PM
To: Frieda McDougall
Cc: 'John Mytz'
Subject: DBA - GDAP rep

Hello Frieda,
Please see attached.

Laura Turner
Executive Director
Red Deer Downtown Business Association
111A 4818 50 (Gaetz) Avenue
Red Deer, AB T4N 4A3
D - 403.340.8692
O - 403.340.8696
F - 403.340.8699
C - 403.318.0517
www.downtownreddeer.com

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

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

FEB 18/10

DO NOT REPRODUCE
NOT FOR PUBLICATION

Christine Kenzie

To: Laura Turner - DBA (laura@downtownreddeer.com)

Subject: FW: DBA - GDAP rep

Good Morning Laura.

The appointment of a DBA representative to the GDAP committee will be presented to Council on Monday, February 22, 2010. This will be handled in Committee of the Whole and then brought back to the open meeting of Council. This item will be dealt with sometime before the supper break. I don't believe you need to be present in Council Chambers --- but if you want to come you are welcome to. The Council meeting starts at 3:00 P.M.

We will send you a letter confirming the appointment.

Christine Kenzie

Council Services Coordinator

Legislative & Administrative Services

City of Red Deer

Phone: 403.356.8978 Fax: 403.346.6195

christine.kenzie@reddeer.ca

From: Frieda McDougall

Sent: February 10, 2010 1:14 PM

To: 'Laura'

Cc: Christine Kenzie

Subject: RE: DBA - GDAP rep

Thanks Laura. We'll advance this to a council meeting and will advise you when the appointment is made.

Frieda McDougall, Deputy City Clerk

Legislative and Administrative Services

The City of Red Deer

Phone: 403-342-8136

frieda.mcdougall@reddeer.ca

From: Laura [mailto:laura@downtownreddeer.com]

Sent: February 10, 2010 1:12 PM

To: Frieda McDougall

Cc: 'John Mytz'

Subject: DBA - GDAP rep

Hello Frieda,
Please see attached.

Laura Turner
Executive Director

2010/02/18



FILE COPY

LEGISLATIVE & ADMINISTRATIVE SERVICES

February 23, 2010

Red Deer Downtown Business Association
11A, 4818-50 (Gaetz) Avenue
Red Deer, Alberta T4N 4A3

Attention: Laura Turner

Dear Ms. Turner:

Re: *Appointment of Red Deer Downtown Business Association Member to the Greater Downtown Action Plan Steering Committee.*

At the Monday, February 22, 2010 City of Red Deer Regular Council Meeting, the following motion was introduced and passed:

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager, dated February 16, 2010, Re: Appointment of Red Deer Downtown Business Association Member to the Greater Downtown Action Plan Steering Committee, hereby appoints Mr. John Mytz, as a representative of the Red Deer Downtown Business Association, to the Greater Downtown Action Plan Steering Committee, to fill the unexpired term of Mr. Duane Smethurst, for a term to expire October, 2010.

MOTION CARRIED

Please do not hesitate to contact our office should you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Elaine Vincent'.

Elaine Vincent

Legislative and Administrative Services Manager

c: LAS Committees Coordinator
E. Morris, Great Downtown Coordinator



Council Decision – February 22, 2010

DATE: February 23, 2010

TO: Frieda McDougall, Deputy City Clerk
Ed Morris, Staff Liason for the Greater Downtown Action Plan Steering Committee

FROM: Elaine Vincent, Legislative and Administrative Services Manager

SUBJECT: Committee Appointment – Greater Downtown Action Plan Steering Committee

Reference Report:

Legislative & Administrative Services Manager, dated February 16, 2010

Resolutions:

“Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager, dated February 16, 2010, Re: Appointment of Red Deer Downtown Business Association Member to the Greater Downtown Action Plan Steering Committee, hereby appoints Mr. John Mytz, as a representative of the Red Deer Downtown Business Association, to the Greater Downtown Action Plan Steering Committee, for a term to expire October, 2010.

MOTION CARRIED

Report Back to Council: No

A handwritten signature in purple ink that reads 'Elaine Vincent'. The signature is written in a cursive, flowing style.

Elaine Vincent
Legislative & Administrative Services Manager

- c. Legislative Services Committees Coordinator
Laura Turner, Executive Director, Downtown Business Association

THE CITY OF RED DEER
DRAFT RESOLUTIONS

Committee of the Whole

Date: February 22, 2010

No. 7, p.

Moved by Councillor

Seconded by Councillor

Resolved that Council of the City of Red Deer having considered the report from the Legislative & Administrative Services Manager, dated February 16, 2010, Re: Appointment of Red Deer Downtown Business Association Member to the Greater Downtown Action Plan Steering Committee, hereby appoints Mr. John Mytz, as a representative of the Red Deer Downtown Business Association, to the Greater Downtown Action Plan Steering Committee, for a term to expire October, 2010.

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

<input type="checkbox"/> For	<input checked="" type="checkbox"/> Against	A Absent
------------------------------	---	----------

Bylaws Item No. 1**BYLAW NO. 3357/F-2009**

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

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

1. Delete Reader Board Sign and Sponsor Recognition definitions and add the following new definitions to Section 3.3(1):
 - "**Dynamic Sign** – means a sign or portion of a sign with features that move or appear to move or change, whether the apparent movement or change is in the display, the sign structure itself, or any other component of the sign. A Dynamic Sign includes any display that incorporates a technology or method allowing the image on the sign face to change, such as rotating panels, LED lights manipulated through digital input, or “digital ink”. A Dynamic Sign does not include a sign whose message or image is changed by physically removing and replacing the sign or its components.
 - “**Sponsor Recognition** – means the recognition of a corporation, person or other entity which has donated money, goods or services to the owner of the land on which the sign is located or which has entered into an agreement to pay money to the owner of the land in exchange for public recognition of the contribution, which recognition may consist of one or more of the following: an expression of thanks, the sponsor’s name, brand, logo, tagline, website information or phone numbers.”
 - **Public Service Announcements** - means an announcement, for which no charge is made, that promotes the programs, activities or services of a federal, provincial, or municipal governments, non-profit charitable organizations, or another groups serving community interests, including date, time, and temperature information.

2. Delete Section 3.3 (7)(b) and replace with:

“No person shall place a Dynamic sign, flashing signs, revolving beacons, scrolling messages, stationary lights at locations which may, in the opinion of the Development Officer, obscure or cause confusion with traffic lights

- and traffic signs or in any way endanger progress of traffic through the streets or lanes of the City.”
3. Delete the following sentence from sections 3.4 (6)(b)(vi) and 3.4 (6)(c)(vi):

“Reader Board signs are however permitted.”
 4. Delete the term “Reader Board” and replace with “Dynamic Sign” in sub-sections 3.4 (6)(d)(v) and (vi).
 5. In sub-section 3.4 (6)(d)(iii), the area “9.2 m²” is deleted and replaced with the area “18.5 m²” .
 6. Add new sub-section 3.4 (14) as follows:

“(14) Dynamic Sign Regulations
 - (a) No Dynamic Sign may be erected or maintained in any district, whether as part of another sign or not, except as permitted in these Regulations;
 - (b) The provisions of subsection 3.4 (14), apply to all Dynamic Signs and notwithstanding section 2.8(1) of this Bylaw, those provisions may not be varied by the Development Authority.
 - (c) The Development Authority may, in its discretion, approve a Dynamic Sign as a portion of a permitted Free Standing or Fascia Sign.
 - (d) A Dynamic Sign may display public service announcements, but shall not include third party advertising or Sponsor Recognition except when it is located on a site in a PS district which is over 17.0 hectares.
 - (e) Messages shall be displayed for a minimum time period of 3 seconds.
 - (f) A Dynamic Sign must have an adjustable brightness level, and the level of brightness of a Dynamic Sign shall be to the reasonable satisfaction of the Development Officer.
 - (g) Dynamic signs shall not be permitted in Direct Control Districts.

Dynamic Signs shall adhere to the following regulations which may be varied by the Development Authority:

- (h) Dynamic Signs in C2A Commercial (Regional Shopping Centre) and PS (Public Service over 17.0 hectares), I1 Industrial (Business Service) and I2 Industrial (Heavy Industrial) Districts must meet the following requirements:
 - (i) not be located within 30.0 m radius of a residential district, and when site or lot of a proposed dynamic sign location is adjacent to a residential district notification will be sent within a 100.0 m radius of the proposed site;
 - (ii) be limited to one sign per building or site, with the exception of PS sites over 17 ha will be limited to 2 signs provided that one of the signs must be a fascia sign and the other must be a portion of a freestanding sign, and further provided that the two signs must be at least 50.0 m apart;
 - (iii) not be located on a lot within a 50.0 m radius of the boundary of a lot containing an existing dynamic sign;
 - (iv) comprise of not more than 25% of the total freestanding or fascia sign area
7. Delete section 3.4 (6) (d)(v), replace with the following and adjust corresponding numbering:
- “(v) Of the whole area of a sign, the entire area of the Dynamic Sign portion may be used for the announcement of any activities or events on the site on which the sign is located, for third party advertising, accessory tenants within the principal building or for the use of Sponsor Recognition; provided that where Sponsor Recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;
- “(vi) in addition to subsection (v), 50% of the total area of the static portion of a sign, may be used for identification of any accessory tenants within the principal building, for the announcement of any activities or events on the site on which the sign is located, for third party advertising or for the use of sponsor recognition; provided that where sponsor recognition is displayed, there must be displayed on the static portion of the sign words to the following effect: “Proudly Recognizing our Donors and Sponsors”;
8. Delete section 3.3 (3)(o) and replace with the following:

“Directional signs when located within the boundaries of a site with an area less than 1.4 m²”

9. Section 2.8 is deleted and replaced with the following new section 2.8:

- (1) “Notwithstanding any other provisions of this bylaw, even though a proposed development does not comply the provisions of this bylaw, or is a non-conforming building, the Commission may approve the application unconditionally, refuse the application or approve the application subject to such permanent or temporary conditions as it may deem advisable, if, in the opinion of the Commission, the proposed development would not:
 - (a) Unduly interfere with the amenities of the neighbourhood, or
 - (b) Materially interfere with or affect the use, enjoyment or value of neighbouring sites, or
 - (c) Contravene the intent of a statutory plan;

and provided that the proposed development conforms with the use prescribed for the site that land or building in this bylaw.”

- (1.1) “Subsection 2.8 (1) does not apply to any provisions of this Bylaw which expressly exclude it.”

10. The following heading is inserted after section 3.3(1):

“3.3(2) Sign Regulations”

11. Delete section 3.12 (2)(g) and replaced with the following new sub-section:

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

READ A FIRST TIME IN OPEN COUNCIL this 25th day of January 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Bylaws Item No. 2

BYLAW NO. 3357/JJ-2009

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

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

1. Delete section 3.3 (3.1)(f) and replace with the following new sub-section:

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

READ A FIRST TIME IN OPEN COUNCIL this 25th day of January 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Bylaws Item No. 3

BYLAW NO. 3357/B-2010

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

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

- 1 That "Use District Map K18" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 2/2010 attached hereto and forming part of this bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 25th day of January 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:

R1A - Residential (Semi Detached Dwelling) District

R2 - Residential (Medium Density) District

Change District from:



R1A to R2

Date: Jan 8, 2010

Proposed Amendment

Map: 2/2010

Bylaw: 3357/B-2010

Bylaws Item No. 4

BYLAW NO. 3398/A-2009

Being a bylaw of The City of Red Deer to amend Bylaw No. 3398, the bylaw adopting The West QE2 Major Area Structure Plan.

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

That Bylaw No. 3398/A-2009 is hereby adopted:

1. Bylaw 3398 is amended by deleting the entire West QE2 Major Area Structure Plan and substituting therefore, the attached amended text and maps of the "West QE2 Major Area Structure Plan".

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Refer to Attachment "A" for the amended text and maps

Bylaws Item No. 5

BYLAW NO. 3399/A-2009

Being a bylaw of The City of Red Deer to amend Bylaw No. 3399, the bylaw adopting The Queens Business Park Industrial Area Structure Plan.

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

That Bylaw No. 3399/A-2009 is hereby adopted:

1. Bylaw 3399 is amended by deleting the entire Queens Business Park Industrial Area Structure Plan and substituting therefore, the attached amended text and maps of the "Queens Business Park Industrial Area Structure Plan".

READ A FIRST TIME IN OPEN COUNCIL this 14th day of December 2009.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Refer to Attachment "B" for the amended text and maps

BYLAW NO. 3447/2010**Bylaws Item No. 5****OF THE CITY OF RED DEER
IN THE PROVINCE OF ALBERTA**

(the "Municipality")

This bylaw authorizes the Council of the Municipality to incur indebtedness by the issuance of debenture(s) in the amount of \$9,000,000 for the purpose of the Waskasoo Park Special Gathering Places Projects.

WHEREAS:

A. The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *Municipal Government Act* to authorize the financing, undertaking and completion of the Waskasoo Park Special Gathering Places Project(s). This capital project includes: the review and enhancement of the various park nodes in the Waskasoo Park area including Heritage Ranch, Bower Ponds, Three Mile Bend and River Bend Golf & Recreation areas. Capital items include signage, development of community public gathering areas, building upgrades, new park amenities, bridges and trails linking different park node areas, and existing trail improvements.

B. The total cost of the project is estimated to be \$9,000,000 and the Municipality estimates the following contributions will be applied to the project:

Reserves	\$0
Debenture(s)	<u>\$9,000,000</u>
Total Cost	\$9,000,000

C. In order to complete the project it will be necessary for the Municipality to borrow the sum of \$9,000,000, for a period not to exceed 15 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

D. The estimated lifetime of the project financed under this by-law is equal to, or in excess of 15 years.

E. The principal amount of the outstanding debt of the Municipality at December 31, 2009 is \$180,534,328 and no part of the principal or interest is in arrears.

- F. All required approvals for the project have been or will be obtained, and the project is and will be in compliance with all *Acts* and *Regulations* of the Province of Alberta.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. That for the purpose of the Waskasoo Park Special Gathering Places Projects, the sum of NINE MILLION DOLLARS (\$9,000,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the Waskasoo Park Special Gathering Places Projects.
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual payments of combined principal and interest instalments not to exceed FIFTEEN (15) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing, and not to exceed TEN (10) percent.
4. The indebtedness is to be repaid by way of revenue raised through Municipal property tax and the Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the project specified by this bylaw.

7. This bylaw comes into force on the date it is passed.

READ FIRST TIME IN OPEN COUNCIL this day of 2010.

READ SECOND TIME IN OPEN COUNCIL this day of 2010.

READ THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Bylaws Item No. 7

BYLAW NO. 3273/A-2010

Being a bylaw to amend Bylaw No. 3273/2000, the Electric Utility Bylaw of The City of Red Deer.

COUNCIL ENACTS AS FOLLOWS:

Bylaw No. 3273/2000 is hereby amended as follows:

1. By deleting Appendix "B" – Distribution Access Services Schedule of Fees – and replacing it with Appendix "B" attached hereto.
2. This bylaw shall come into effect on **March 1, 2010**.

READ A FIRST TIME IN OPEN COUNCIL this day of 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Distribution Access Services Schedule of Fees

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Terms and Conditions for Distribution Access and in the Terms and Conditions for Retail Access Services.

1. Connection/Disconnection/Reconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. Disconnection and reconnection may involve installation or removal of a load limiter.

2. Revoke Disconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee:

Applicable Overtime Rates

This fee is applied when service is required on an emergency basis. The fee is applicable to a new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: \$40.850 per request
Overtime Hours: \$275.96 per request

Applicable where the extra Service trip is required because of failure of the Customer to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

- 5. Ad Hoc Meter Test: \$100.00 for Self-Contained Meter
\$140.00 for Instrument-type Meter**

This fee applies when the City tests a City owned meter at the request of a Retailer or Customer. The fee is charged only if the accuracy proves to be within the limits allowed by the Government of Canada.

- 6. Dishonoured Cheques: \$25.00 per Cheque**

This fee is applicable for all dishonoured cheques returned to the City for any reason.

- 7. Non-Access Fee: \$25.00 per Meter per Month**

This fee is applicable where an actual meter reading by the City cannot be obtained for twelve consecutive months. The fee is applied in the thirteenth month in which an actual meter reading cannot be obtained and every month thereafter until an actual meter reading is obtained.

- 8. Security Deposit Situation Specific**

A security deposit may be requested from a Customer. Alternatively, the City may rely on the Customer's credit history.

- 9. Meter Verification/Certification \$89.87 per hour plus Materials**

This fee applies when a Retailer or Customer requests verification or certification of a Customer owned meter.

- 10. Meter Upgrade Fee: \$100.00 per hour for one man/one truck (single phase).
\$150.00 per hour for two men/one truck (multi phase).**

This fee is applicable for the time associated with City owned meter upgrades performed during regular business hours only. The Customer is also responsible for the cost of the materials, including the meter.

- 11. Off-Cycle Meter Reading: \$21.45 per Reading**

This fee is applied when a Retailer or a Customer requests that an off-cycle meter reading be performed.

12. Settlement History – Consumption \$112.39 per Hour

This fee is applied when a Retailer or Customer requests the consumption history beyond twelve (12) months for a Site.

13. Verification of Settlement Data \$100.00 per Hour

This fee is applied when a Retailer requests that an investigation be performed of suspect Load Settlement data. In the event that the City data is, in the opinion of the City, substantively incorrect, the fee is waived.

14. Custom Load Profile \$112.39 per Hour Plus Materials

This fee is applied when a Retailer requests a custom load profile.

15. Verification of Distribution Access Tariff Data \$112.39 per Hour

This fee is applied when a Retailer requests an investigation of suspect Distribution Access Tariff billing data. In the event that the City data is incorrect, the fee is waived.

16. Verification of Transaction Bill Data \$112.39 per Hour

This fee is applied when a Retailer requests an investigation of suspect billing data for a specific service order. In the event that the City's data is incorrect, the fee is waived.

17. Delivery of Cut-Off Warning Notice \$40.85 per Notice

This fee applies to a request from a Retailer to deliver a cut-off warning notice at a Site where either the Site will be cut off for financial reasons or the customer needs to be warned of impending cut-off due to vacancy or other non-financial reasons. The fee is charged to the requesting Retailer.

18. Request Distribution Tariff History \$112.39 per Hour

This fee applies when a Retailer requests a history of Distribution Tariff billing.

19. Penalty for Late Payment 3.25% of Total Current Charges Outstanding

This fee applies to a Retailer, customer or Distributed Generator. A one-time penalty charge of 3.25% will be applied no less than twenty-five days following the Current Bill Date indicated on the bill to total current charges outstanding.

Bylaws Item No. 8

BYLAW NO. 3357/E -2010

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

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

1. That "Use District Map J20" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 4 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

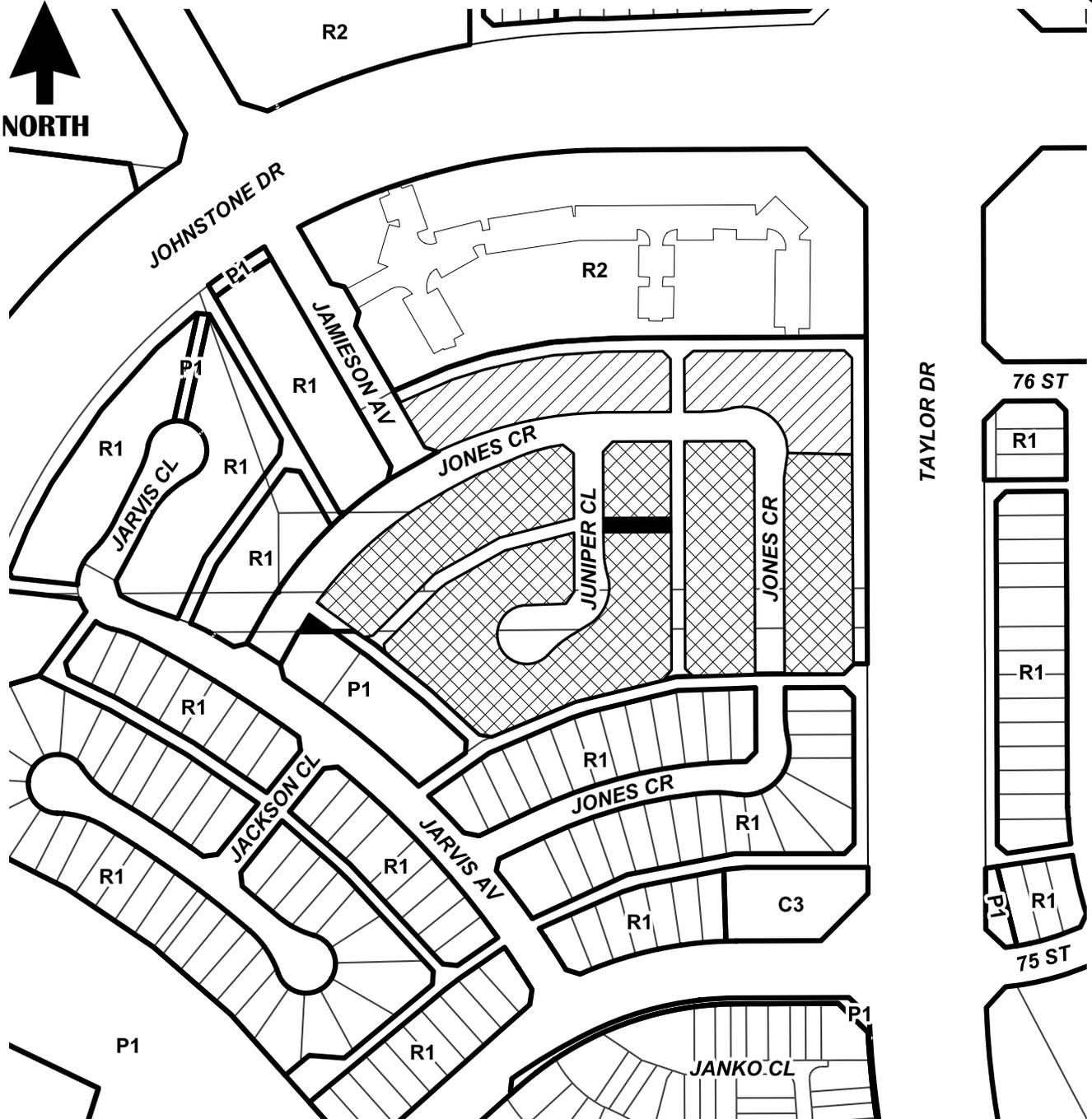
READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:

- A1 to P1
- A1 to R1
- A1 to R1A

Affected Districts:

- R1 - Residential (Low Density) District
- R1A - Residential (Semi Detached Dwelling) District
- P1 - Park and Recreation District
- A1 - Future Urban Development District

Proposed Amendment
 Map: 4/2010
 Bylaw: 3357/E-2010
 Date: Feb 17, 2010