

CITY COUNCIL

AGENDA

Tuesday, September 07, 2010 – Council Chambers, City Hall

Call to Order:	3:00 PM
Recess:	5:00 PM to 6:00 PM
Public Hearing(s):	6:00 PM

I. MINUTES

- I.1. Confirmation of the Minutes of the August 23, 2010 Council Meeting
- I.2. Confirmation of the Minutes of the August 30, 2010 Joint City/County Council Meeting

2. POINT OF INTEREST

3. UNFINISHED BUSINESS

- 3.1. Review of Insurance Practices and Programs
Division: Corporate Services
Department: Financial Services
(Agenda Pages 1 – 6)
- 3.2. Signs on Public Rights of Way
Division: Development Services and Planning Services
Department: Planning Services and Engineering Services
(Agenda Pages 7 – 33)
- 3.3. Changes to Location of Dynamic Sign Located at 48 Street and 51 Avenue
Division: Planning Services
Department: Parkland Community Planning Services
(Agenda Pages 34 – 35)

- 3.4. Speed Issues / Neighbourhood Safety - Denison Crescent / 39 Street
Division: Development Services
Department: Engineering Services

(Agenda Pages 36 – 38)

4. REPORTS

- 4.1. 55 Street Extension Project - Request for Transfer of Funds
Division: Development Services
Department: Engineering Services

(Agenda Pages 39 – 41)

5. BYLAWS

- 5.1. Removal of Reference to Specific Policy Numbers from The Dog Bylaw
3429/2009 and Permit Fee Bylaw 3149/95
Division: Planning Services & Corporate Services
Department: Bylaw and Research Coordinator and Policy & Research
Coordinator

(Agenda Pages 42 – 45)

- 5.1.a. Dog Bylaw Amendment 3429/A-2010 - Removal of Reference to Specific
Council Policies
Consideration of Three Readings of the Bylaw
Division: Corporate Services
Department: Policy & Research Coordinator

(Agenda Pages 46 – 46)

- 5.1.b. Permit Fee Bylaw Amendment 3149/A-2010 - Removal of Reference to
Specific Council Policies
Consideration of Three Readings of the Bylaw
Division: Corporate Services
Department: Policy & Research Coordinator

(Agenda Pages 47 – 49)

- 5.2. Land Use Bylaw Amendment 3357/U-2010 - Rezoning of Properties located at
6719, 6731, 6751, 6761, 6771 - 52 Avenue, From I1 Industrial (Business
Service) to C4 - Commercial (Major Arterial) - CAPP Investments Ltd.
Consideration of First Reading of the Bylaw
Division: Planning Services
Department: Planning Services

(Agenda Pages 50 – 72)

- 5.3. Sunnybrook South Neighbourhood Area Structure Plan Bylaw Amendment
3217/B-2010
Lot 1, Block 1, Plan 062 1407 - Removal of a Lane and Replace with a Public
Utility Lot / Addition of a Public Cul-de-Sac to R2 Site
Consideration of First Reading of the Bylaw
Division: Planning Services
Department: Parkland Community Planning Services

(Agenda Pages 73 – 89)

6. PUBLIC HEARINGS

7. CORRESPONDENCE

8. PETITIONS AND DELEGATIONS

9. NOTICES OF MOTION

10. ADMINISTRATIVE INQUIRIES

11. IN CAMERA MEETING

11.1. Land & Economic Development - Legal Matter

12. ADJOURNMENT

**Legislative & Governance Services**

DATE: August 30, 2010

TO: Craig Curtis, City Manager

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: January 13, 2010 Budget Council Meeting Resolution
And April 19, 2010 Council Resolution and June 28, 2010 Council
Resolution
Review of Insurance Practices and Programs

History

At the Wednesday, January 13, 2010 Budget Meeting of Council, the following resolution was passed in Open Council.

“Resolved that Council of the City of Red Deer hereby agrees that a review of insurance practices and programs to be presented back to Council as follows:

Related to deductibles – April 30, 2010

Related to self-insurance – October 31, 2010.”

At the Monday, April 19, 2010 Council meeting, the following resolution was passed to extend the deadline for the review of insurance practices and programs related to deductibles to June 28, 2010 as Administration required additional time to complete the report:

“Resolved that Council of the City of Red Deer, having considered the report from the Legislative & Administrative Services Manager, dated April 16, 2010, hereby agrees to table consideration of the January 13, 2010 Budget Council Meeting Resolution – Review of Insurance Practices and Programs as follows:

Review related to deductibles – June 28, 2010

Review related to self insurance – November 1, 2010”

At the time, information was requested from Alberta Municipal Services Corporation (AMSC), our Insurance provider on numerous occasions and have either not received the information requested or have received incomplete information. At the Monday,

June 28, 2010 Council Meeting, Administration requested additional time to complete the report related to deductibles and the following resolution was passed by Council:

“Resolved that Council of the City of Red Deer having considered the report from the Legislative & Governance Services Manager, dated June 21, 2010, re: January 13, 2010 Budget Council Meeting Resolution and April 9, 2010 Council Resolution, Review of Insurance Practices and Programs hereby agrees to table consideration of this item as follows:

1. Review related to deductibles – September 7, 2010
2. Review related to self insurance – to the first Regular Council Meeting after the November 1, 2010 Organizational Meeting.”

Discussion

A report from Administration relating to the Review of Insurance Deductibles is attached.

Recommendation:

Council consider:

- a) Passing a resolution lifting from the table consideration of the insurance practices and programs related to the deductible report.



Elaine Vincent
Manager



DATE: August 31, 2010

TO: Craig Curtis, City Manager

FROM: Dean Krejci, Financial Services Manager

SUBJECT: Review of Insurance Deductibles

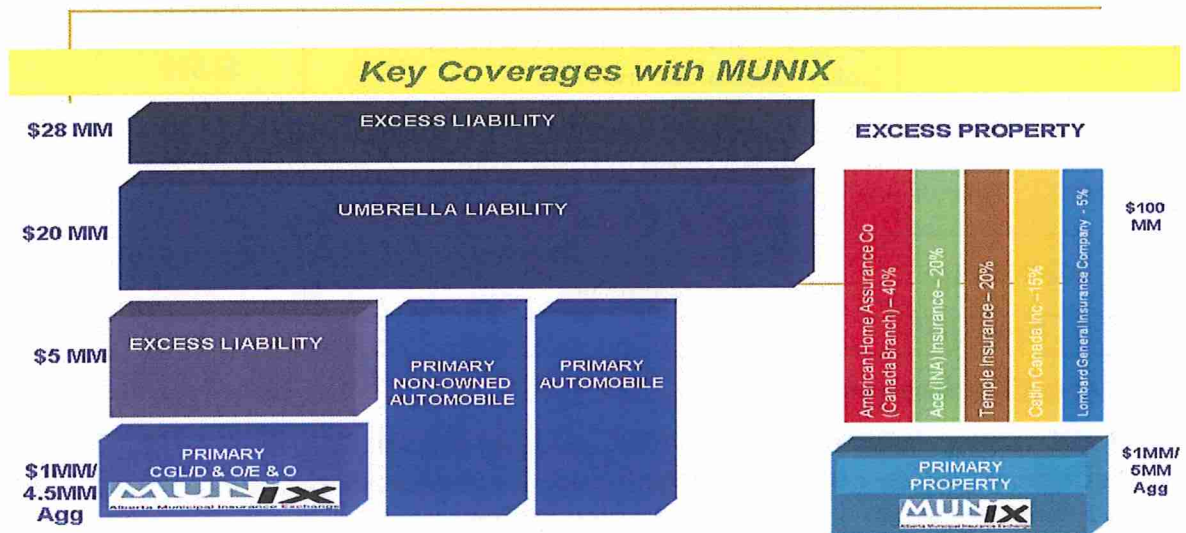
Purpose:

To provide a review of insurance deductibles as requested by council.

Background:

On January 1, 2002, The City of Red Deer became a member of the Alberta Municipal Insurance Exchange (Munix) which is administered by AMSC (Alberta Municipal Services Corporation) as a wholly owned subsidiary of AUMA (Alberta Urban Municipalities Association). Munix is a pool of funds used to pay claims. When the pool is depleted, then claims are covered by excess liability. Excess liability policies add another layer of protection to any of several other policies that The City holds, including general liability, employer's liability, and hired and non-owned auto liability policies. The MUNIX insurance covers the first \$1M per occurrence and/or the aggregate of \$4.5M and then the excess coverage would come to play. Property has excess coverage to \$100M. Liability claims have a total available of \$28M, \$5M in coverage plus \$23M in umbrella coverage.

The following is a breakdown of policy coverage:



Commercial General Liability Coverage - covers all activities of The City such as bodily injury, personal injury, advertising injury, property damage, malpractice, error and omission or negligent act.

Umbrella - layer of coverage that sits on top of the coverage The City has, and if claims exceed the limits (per occurrence or aggregate) of a particular coverage, then the umbrella drops down and responds to the claim. Over the umbrella coverage is the excess liability that will be utilized when the umbrella coverage is exhausted.



Financial Services Department

Non-Owned Automobile - covers City employees when they drive vehicles not owned by The City.

Automobile - vehicles are insured at actual cash value. Premiums to insure the vehicles are based on the liability risk of operation of the vehicle.

Property coverage - there is replacement cost guaranteed on buildings as there is a scheduled appraisal program handled by AMSC. Contents are insured for the stated value. There are exclusions from the policy for mold, asbestos, terrorism and overland flooding. Boiler and Machinery coverage is for mechanical systems in buildings. Mobile equipment is considered property, but is insured for the stated values.

Deductible and Premium Information:

LINE OF COVERAGE	DESCRIPTION OF COVERAGE	CURRENT DEDUCTIBLE	2010 PREMIUM
LIABILITY	bodily injury, personal injury and advertising injury, property damage and malpractice, (not resulting from motor vehicle injury) crime, employee dishonesty, loss inside/outside the premises, money orders and counterfeit currency, depositors forgery, professional fees	\$1,000	\$770,444.00
PROPERTY	buildings/structures	\$5,000	\$369,816.00
	mobile equipment, art, miscellaneous property	\$1,000	\$124,506.00
AUTO	buses (transit fleet)	\$10,000	\$299,626.00
	Buses (action van), emergency vehicles (police/ambulance), firetrucks	\$2,500	
	Passenger vehicles, snowmobiles, quads, golf carts, trailers, trucks (up to 3/4 ton)	\$500	
	Trucks (one ton and over)	\$1,000	
ENVIRONMENTAL	Non intentional and not preexisting environmental impairment	\$100,000	\$65,317.00
TOTAL PREMIUM			\$1,629,709

Deductible Analysis:

Based on information provided by AMSC changing deductibles on Vehicle, Mobile Equipment, Liability or Environmental lines of coverage is not an option. Therefore we are only showing property coverage deductible options.

Where final costs have not been determined we have based claim amounts on suggested reserves set by our insurers.



Financial Services Department

Property Claims History 2009 – July 2010

	Total Claim Amount	Amount paid by City @ \$5,000	Amount paid by City @ \$10,000	Amount Paid by City @ \$25,000	Amount Paid by City @ \$50,000
2009 Property Claims	669	669	669	669	669
	7,961	5,000	7,961	7,961	7,961
	28,629	5,000	10,000	25,000	28,629
	14,916	5,000	10,000	14,916	14,916
	30,000	5,000	10,000	25,000	31,400
2009 Subtotal	82,175	20,669	38,630	73,546	83,575
2010 Property Claims	10,000	5,000	10,000	10,000	10,000
	42,000	5,000	10,000	25,000	42,000
	1,748	1,748	1,748	1,748	1,748
	1,260	1,260	1,260	1,260	1,260
2010 Subtotal	55,008	13,008	23,008	38,008	55,008
Total Claims 2009 - 2010	137,183	33,677	61,638	111,554	138,583

Deductible Level	Current	\$5k	\$10k	\$25k	\$50k
Premium Cost 2009	326,199	324,040	309,407	285,284	268,153
Premium Cost 2010	369,816	367,368	350,779	323,430	304,009
Total Premium Cost 2009 - 2010	696,015	691,408	660,186	608,714	572,162

Premium Savings 2009		2,159	16,792	40,915	58,046
Premium Savings 2010		1,836	14,278	34,790	49,355
Total Premium Savings 2009 - 2010		3,995	31,069	75,705	107,401
Increase in Property Claims Cost		-	27,961	77,877	104,906
2009 - 2010 Net Savings (Cost)		3,995	3,108	(2,172)	2,495

Recommendation:

We recommend not increasing our property insurance deductible beyond \$5,000 at this time. AMSC will only allow an increased deductible on property so there is only a minimal savings as shown in the table above.

Currently our insurers cover additional costs for investigating, negotiating and settling these claims on our behalf that are not factored into the costs above. The City would have to bear these additional costs (adjusting, appraisal, legal and administrative fees) if the claim was below our deductible. This would further decrease the net savings and depending on the claims could end up costing The City more money.


Dean Krejci, B.Comm, CA
Financial Services Manager

Comments:

The report regarding the review of insurance deductibles outlines the breakdown of insurance deductibles in the City's base budget. I support the recommendation of Administration.

"Craig Curtis"
City Manager

FILE



Council Decision – September 7, 2010

DATE: September 8, 2010
TO: Dean Krejci, Financial Services Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Review of Insurance Deductibles

Reference Report:

Financial Services Manager, dated August 31, 2010

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Financial Services Manager, dated August 31, 2010, re: Review of Insurance Deductibles, hereby agrees not to increase the City of Red Deer's property insurance deductible beyond \$5,000 at this time."

Report Back to Council: No

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

Elaine Vincent
Legislative & Governance Services Manager

c Director of Corporate Services
LGS File

DATE: August 31, 2010
TO: Craig Curtis, City Manager
FROM: Dean Krejci, Financial Services Manager
SUBJECT: Review of Insurance Deductibles

Purpose:

To provide a review of insurance deductibles as requested by council.

Background:

On January 1, 2002, The City of Red Deer became a member of the Alberta Municipal Insurance Exchange (Munix) which is administered by AMSC (Alberta Municipal Services Corporation) as a wholly owned subsidiary of AUMA (Alberta Urban Municipalities Association). Munix is a pool of funds used to pay claims. When the pool is depleted, then claims are covered by excess liability. Excess liability policies add another layer of protection to any of several other policies that The City holds, including general liability, employer's liability, and hired and non-owned auto liability policies. The MUNIX insurance covers the first \$1M per occurrence and/or the aggregate of \$4.5M and then the excess coverage would come to play. Property has excess coverage to \$100M. Liability claims have a total available of \$28M, \$5M in coverage plus \$23M in umbrella coverage.

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Recommendation:

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Dean Krejci, B.Comm, CA
Financial Services Manager

Christine Kenzie

FILE COPY

From: Elaine Vincent
Sent: September 07, 2010 9:23 AM
To: Christine Kenzie; Frieda McDougall
Subject: Heads up

Was just speaking with Lorraine...

The report in todays council agenda related to insurance practices and programs is being revised... you will have a revised copy to hand out.

E

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



Financial Services Department

FILE COPY

DATE: August 26, 2010
TO: Craig Curtis, City Manager
CC: Lorraine Poth, Director, Corporate Services
FROM: Dean Krejci, Financial Services Manager
SUBJECT: Review of Insurance Deductibles

REUSED INSURANCE
REPORT
HANDLED OUT AT
SEPT 7/10 COUNCIL
MEETING.

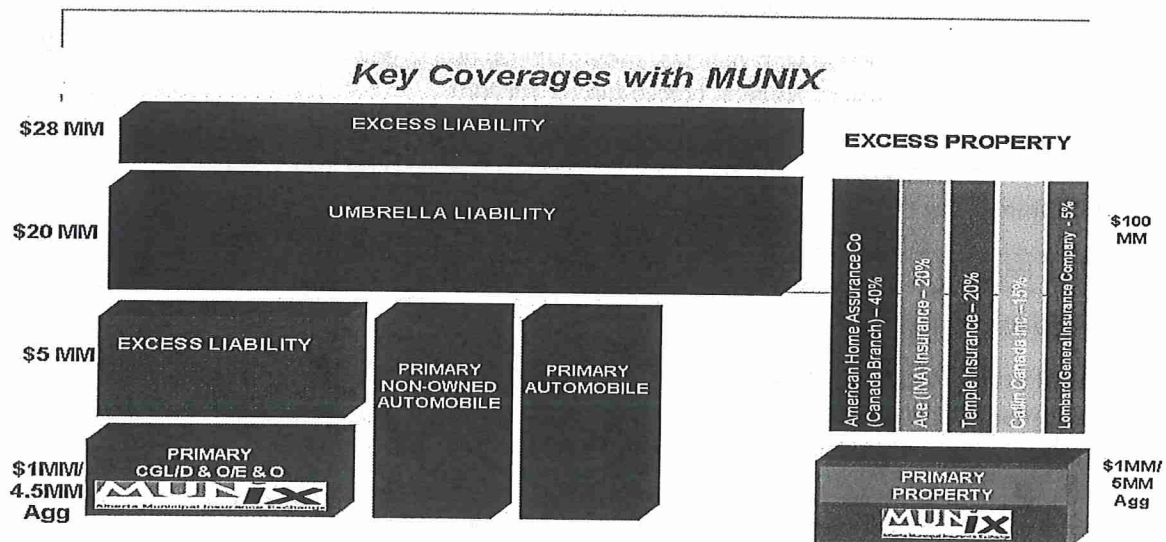
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2009 - 2010 Net Savings (Cost)		3,995	3,108	(2,172)	3,895

Recommendation:

We recommend not increasing our property insurance deductible beyond \$5,000 at this time. AMSC will only allow an increased deductible on property so there is only a minimal savings as shown in the table above.

Currently our insurers cover additional costs for investigating, negotiating and settling these claims on our behalf that are not factored into the costs above. The City would have to bear these additional costs (adjusting, appraisal, legal and administrative fees) if the claim was below our deductible. This would further decrease the net savings and depending on the claims could end up costing The City more money.


 Dean Krejci, B.Comm, CA
 Financial Services Manager

**Legislative & Governance Services**

DATE: August 30, 2010
TO: Craig Curtis, City Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Signs on Public Rights of Ways

History

At the Monday, June 14, 2010 Meeting of Council, Council considered a request for Crime Stopper signs in Public Rights of Way and the following resolution was considered:

“Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer, dated June 7, 2010, re: Crimestoppers Signs on Public Rights of Way, hereby agrees to allow the Crimestoppers Signs on Public Rights of Ways.”

Prior to consideration of the above resolution, the following tabling resolution as introduced and passed:

“Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer dated June 7, 2010 re: Crimestoppers Signs on Public Rights of Way, hereby agrees to table consideration of the resolution for up to ten weeks to acquire clarity as to the:

- Number of signs;
- Purpose of the signage;
- Size of signs;
- Location of signs; and
- To acquire comment from the RCMP; and further

To acquire clarity as to standard criteria to apply in the consideration of exceptions to the Sign Policy with respect to signage within our community.”

At the August 23, 2010 Council Meeting, the following resolution was passed:

“Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator, dated August 13, 2010, re: Signs on Public Rights of Ways, hereby agrees to table consideration of this item for up to two weeks.”

Discussion

A report from Administration is attached regarding Signs on Public Rights of Ways.

Recommendation:

Council consider:

- a) Passing a resolution to lift from the table consideration of the report regarding Signs on Public Rights of Ways.

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

Elaine Vincent
Manager

**Corporate Services Division**

DATE: August 26, 2010

TO: Craig Curtis, City Manager

FROM: Julia Townell, Bylaw Research Coordinator
Rebecca Clark, Traffic Engineer

SUBJECT: Signs on Public Rights of Ways

PURPOSE

This report discusses Council's two-part request for more information regarding private signs on public rights of ways. The first part addresses Crime Stoppers specifically and the second, standard criteria to apply in consideration to exceptions to the Guide and Information Signs Installation Warrant Council Policy.

COUNCIL DIRECTION

A. On June 14, 2010, City Council considered a request for Crime Stopper signs in Public Rights of Way and the following resolution was considered:

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer, dated June 7, 2010, re: Crime Stoppers Signs on Public Rights of Way, hereby agrees to allow the Crime Stoppers Signs on Public Rights of Ways."

Prior to consideration of the above resolution the following tabling resolution was introduced and passed.

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer dated June 7, 2010 re: Crime Stoppers Signs on Public Rights of Way, hereby agrees to table consideration of the resolution for up to ten weeks to acquire clarity as to the:

- Number of signs;
- Purpose of the signage;
- Size of signs;
- Location of signs; and
- To acquire comment from the RCMP"

B. Further, Council asked Administration to acquire "clarity as to standard criteria to apply in the consideration of exceptions to the *Guide and Information Signs Installation Warrant Council Policy* (4307-C) with respect to signage within our community."

BACKGROUND

Council not only has an interest in driver safety, but an interest in the aesthetics of the roadside. Council has approved sign regulations by way of the *Land Use Bylaw, Guide and Information Signs Installation Warrant Council Policy* (4307-C), and the *Guide and Information Signs Installation Warrant* to ensure that signs fulfill the needs of motorists, do not create a distraction, and do not litter the roadside. Council has already taken steps to limit mobile signs and dynamic signs with the purpose of keeping key corridors "clean looking" to the visiting public and community.

Nevertheless, Council has made some exceptions. The Neighbourhood Watch Association has been allowed to erect permanent signs on public property. Other organizations such as Mothers Against Drunk Driving (M.A.D.D) and the Canadian Crime Stoppers Association have requested the same latitude. Given the number of charitable organizations in Canada (approximately 114,683), the potential for further requests is great. Managing those requests in a fair and equitable manner is imperative. Any policy changes, permitting private signs on public rights of ways, must consider the intent of current regulations: to promote vehicular and pedestrian safety, and not to detract from the aesthetics from surrounding areas.

A: CRIME STOPPERS

Having considered the report "Crime Stoppers Signs on Public Rights of Way" from the Engineering Services Manager and the Traffic Engineer, dated June 7, 2010, Council requested additional information, before considering the resolution to allow Crime Stoppers to erect signs on public rights of ways. Further to that request, Administration can provide the following information.

With regard to the number and location of signs, Crime Stoppers would like to see at least one sign in every community across Alberta. In Red Deer, a sign at each entrance way would be ideal. The size of each sign is 4 ft x 2 ft. The purpose of the signs is to create awareness of the Crime Stoppers organization, and subsequently to have crime reported. According to the RCMP, Crime Stoppers is a valuable asset to law enforcement and the community of Red Deer. The RCMP receives a large number of actionable tips each year, many resulting in the recovery of stolen property and drugs. The number of arrests made and charges laid as a result of Crime Stopper tips is significant.

In terms of the effectiveness of the signs themselves, the RCMP can only offer anecdotal information. The program is quite well known and accessible to the public. Often callers who report to Crime Stoppers are somewhat emotional and those individuals frequently have a transient will to report to authorities. In these cases, being presented with some form of advertising stimuli while in an elevated emotional state can be the difference

between reporting and not reporting. Signs improve the awareness of the Crime Stoppers organization and, therefore, the chances that a crime is reported.

B: EXCEPTIONS TO THE GUIDE AND INFORMATION SIGNS INSTALLATION WARRANT COUNCIL POLICY

Council also asked Administration to "acquire clarity as to standard criteria to apply in the consideration of exceptions to the *Guide and Information Signs Installation Warrant Council Policy* (4307-C) with respect to signage within our community." Further to this request, Administration can provide the following information.

Since the request from Crime Stoppers, additional requests from similar charitable organizations have been received relative to the placement of signs along public rights of ways and in residential (R1) neighbourhoods. While Council's intent is to support the location of Crime Stoppers signs is recognized, Administration has also considered other requests from organizations such as M.A.D.D Canada.

LEGISLATION

When considering a number of options to allow exceptions to the *Guide and Information Signs Installation Warrant Council Policy* (4307-C), Administration first looked at The City's legislative authority to control signage on public rights of ways.

Canadian Charter of Rights and Freedoms

As stated by Chapman Riebeek LLP, under the *Municipal Government Act* (MGA), The City has authority to pass bylaws regulating signs pursuant to sections 640(1) and 640(4)(m). The ability to regulate includes the ability to completely prohibit certain types of signs. However, the authority provided by the MGA is restricted by the *Canadian Charter of Rights and Freedoms*. An article from Brownlee LLP states that part of the difficulty in regulating signs is that restrictions on signs may interfere with the freedom of expression, which is protected under section 2(b) of the Charter. The question then arises as to when and how this freedom can be restricted.

Section 1 of the Charter states that a restriction on a guaranteed right can be upheld, provided the restriction is reasonable and demonstrably justified in a free and democratic society. Therefore, in order for a municipality to limit the constitutionally protected freedom of expression, it must demonstrate that there is a justifiable reason for doing so. The measures chosen must also be proportional to the objective. Two common arguments that have been considered in courts, where municipalities were successful in limiting signs on public rights of ways, thereby limiting the freedom expression, are: 1) to minimize urban blight and 2) to reduce distractions to drivers, thus promoting driver safety.

The City of Red Deer has a number of regulations that are consistent with provincial and federal regulations. They include the following.

Land Use Bylaw

(6) 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 Development Officer;

Currently, signs on public property are prohibited, with the exception of election, garage sale, A-board (with a permit), and government signs for a limited duration.

Council Policy 4307-C

"The purpose of this policy is to ensure that signs are installed to fulfill the needs of the motorists and that a consistent set of criteria are used in considering all request for Guide and Information Signs."

"The City shall, when considering requests for the installation of signs to give direction to certain private or public facilities and/or businesses, refer to the document entitled "Guide and Information Signs Installation Warrant" dated April 7, 1986, as a guideline."

Guide and Information Signs Installation Warrant

The *Guide and Information Signs Installation Warrant* includes regulations for advertising/recognition signs:

"Guide and Information signs are installed for the purpose of providing destination information to 'those drivers who need this information'. The signs must be responsible to the needs of the motoring public."

"Guide and Information signs are not installed for the purposes of:

- C. Giving recognition to any particular groups, organizations, or individuals in their contributions to the community."

"Due to the concern for public safety, motorist confusion and frustration, it is recommended that Advertisement/Recognition Signs be installed on private property instead of on road rights of way."

Since the *Guide and Information Signs Installation Warrant* was written in 1986, driver workload has increase dramatically and many distractions exist within and outside of the vehicle.

OTHER ALBERTA MUNICIPALITIES

Administration also looked at how other municipalities manage similar requests for private signs on public rights of ways.

Fifteen Alberta municipalities were interviewed to see how each addresses requests for signs on public rights of ways. In general, most municipalities did not allow private signs on public rights of ways, or they had no formalized process for approving signs on public property. Where there was no formalized process, requests were either looked at on a case-by-case basis by Engineering or Roads, or the municipality simply turned a blind eye to non-profit organizations. Some examples of organizations that have been allowed to erect signs on public rights of ways, in other municipalities, include Crime Stoppers, the Rotary Club, and the Lions Club.

There were some instances where municipalities have allowed private signs on billboards or information signs, placed on public property. For example, Grande Prairie uses several private sign companies to manage requests from various organizations. The sign companies make the decision as to who can advertise on a billboard or information sign (in an approved location) and for how long. Generally, decisions are made on a first-come-first-serve basis, and signs are posted for a limited time so that other organizations have the opportunity to advertise. This gives the sign companies a chance to establish a client list, and also removes the administrative work from the municipality.

There are some municipalities in the process of establishing rules around private signs on public rights of ways. Fort Saskatchewan is looking at implementing a formal process and a 'service club' information sign, where non-profit organizations could post their information for a limited amount of time. Grande Prairie is another municipality considering alternative methods for managing private signs on public property. One option they are considering is placing concrete pads, with landscaping around it, to designate specific areas where signs will be permitted. Any sign not on the concrete pad would be removed and the owner subject to a penalty.

While investigating the options for managing signs, it became clear that most municipalities did feel that exceptions should be made for charitable organizations. However, there was no clear answer of how to properly administer requests from such organizations, and how to limit the number of signs on public rights of ways. As well, there is the legal aspect to consider when favouring one type of organization over another. The City cannot, under the Charter, pick and choose what organizations are allowed to erect signs on public property.

OPTIONS CONSIDERED

Bearing in mind federal, provincial and municipal regulations, the following options were considered by Administration with regard to signs on public rights of ways.

1. Uphold Existing Practices

The City of Red Deer could continue with existing practices, whereby private signs on public rights of ways are prohibited, unless an exception is made by Council.

As mentioned above, The City already has established a Council Policy (4307-C) that prohibits signage on public rights of ways. In the past, exceptions to the policy were made on a case-by-case basis, whereby Council considers each cause or organization separately. However, without a formalized approval process, decisions may be interpreted as bias and unfair.

Further, Chapman Riebeek LLP advised that "A bylaw provision that regulates or prohibits signs is an infringement of the right to freedom of expression and challengeable. The provision will only be enforceable if The City can show it is demonstrably justified in a free and democratic society. The more serious the infringement (i.e. a complete ban), the harder it will be justify, and the more susceptible it will be to a successful challenge". The question then to ask is how a municipality can limit signs on public property.

2. Accept all Signs in Any Location

The City frequently receives requests from the installation of road signs to provide information about certain private or public facilities/businesses. As stated in the *Guide and Information Signs Installation Warrant*, more signs, or more information per sign, would provide useful information to some drivers; but this advantage is offset by the difficulty drivers would have sifting through the additional information to find the directions pertinent to their own trips, while driving at the same time. Excessive numbers of signs on the roadway would result in each sign losing its effectiveness in commanding attention -- motorists are more likely to miss the sign that they are looking for.

While missing a destination sign would merely result in the motorist's confusion and inconvenience, missing a warning or regulatory sign could result in serious traffic accidents.

3. Accept all Signs for a Limited Duration

Another option is to accept all signs in any location, but only for a limited amount of time. This option does not address the needs of Crime Stoppers or M.A.D.D Canada, both who would like permanent signs on public property. Further, this option could potentially reduce the number of signs on public rights of ways, if enforced properly. However, similar to option 2, even with time limits placed on the life of a sign, it's difficult to say how many signs could potentially be erected at one time. The City may find that safety is still a concern, whereby the proliferation of signs could cause drivers to miss important information. As well, monitoring and enforcing time limits on signs could be an

administrative challenge for The City, requiring further resources. It could also severely detract from the aesthetics of the city

4. Accept all Signs in Specific Locations

Similar to option 3, The City of Red Deer could limit the number of permanent private signs on public rights of ways by allowing them only in specific locations. By restricting where signs may be located, The City can ensure that roadways remain uncluttered, so that important signage remains effective. While this option may prevent the inundation of signs in areas where safety is a greater concern, the proliferation of signs in an approved area could contribute to urban blight. The City could lose the clean look Council desires in Red Deer's corridors.

Engineering Services has identified three potential areas for a municipal services sign:

- the south side of 19 Street east of 40 Avenue;
- the east side of 30 Avenue north of the Collicutt Centre; and,
- the north side of 67 Street west of the Red Deer River.

As many rights of way in the city are encumbered with underground and overhead utilities, the exact locations and feasibility of each site would have to be confirmed through a detailed design process.

5. Accept all Signs in Specific Locations for a Limited Duration

The City of Red Deer can combine option 4 and 5, so that permanent signs are only permitted in approved areas for a limited time. While this option may reduce the number of signs in specific areas, it does not address the needs of Crime Stoppers or M.A.D.D. Further, the same concerns remain: 1) how will the timelines be enforced and 2) will the inundation of signs in a specific location contribute to urban blight?

6. Create a Municipal Services Sign Related to Crime Prevention

As mentioned earlier, there are approximately 114,683 charitable organizations in Canada. As more organizations request signs on public rights of ways, The City must consider their impact on driver safety and urban blight. To help manage the proliferation of signs, The City could erect three (to begin with) large municipally owned information signs in specific locations, which could host a number of smaller charitable signs related to crime prevention (a municipal concern). This option could work very well for Crime Stoppers and M.A.D.D, who are currently considering developing a coalition with Neighbourhood Watch and Citizens on Patrol in order to share resources and cut costs.

However, this option would mean that organizations like Crime Stoppers and M.A.D.D would likely have to develop and customize signs to meet City standards, to fit on the information sign, adding an additional cost to the organization. Further, The City would have to invest in large information signs, which can be relatively expensive. The administrative work associated with managing the sign could also add to the cost of the project. As well, The City would have to consider how best to manage, in the interest of

fairness, requests from organizations and other third party advertisers wanting to post information on the municipal sign.

Engineering Services has identified three potential areas for a municipal services sign:

- the south side of 19 Street east of 40 Avenue;
- the east side of 30 Avenue north of the Collicutt Centre; and,
- the north side of 67 Street west of the Red Deer River.

As many rights of way in the city are encumbered with underground and overhead utilities, the exact locations and feasibility of each site would have to be confirmed through a detailed design process.

The municipal services sign would be approximately 3.5m by 1.8m (12' x 6'). It is expected that this kind of sign would accommodate around 6 individual signs (about 4' x 2'). The sign could be double-sided and oriented so that it was visible from two travel directions.

Approximate cost for one basic two-sided sign would be \$2000.00. Additional decorative features and landscaping would add to the cost. There would also be operational costs related to maintaining the signs and changing out or rotating the display signs.

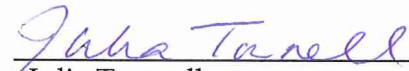
Costs based on:

- Round breakaway posts
- 4ft x 8ft aluminum sheeting (largest size we can get sheeting in is 1.2 m x 2.4 m)
- Covered in beige non-reflective vinyl, no lettering

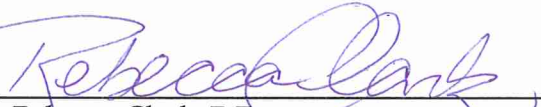
Note that the maintenance of the sign (e.g. removing graffiti, fixing vandalism, etc.) falls outside of the Public Work's normal maintenance activities and would need to be accounted for in an operating budget.

RECOMMENDATION

Administration recommends that Council consider option 6, whereby The City of Red Deer would erect three municipally owned permanent information signs in the areas identified by Engineering. The information signs would host crime prevention information. The funding for the signs would come from the Community Services fund.



Julia Townell
Bylaw Research Coordinator



Rebecca Clark, P.Eng.
Traffic Engineer

- c. Paul Meyette, Director, Planning Services
 Paul Goranson, Director, Development Services
 Frank Colosimo, Manager, Engineering Services
 Joyce Boon, Co-Manager, Inspections & Licensing
 Russ Pye, Co-Manager, Inspections & Licensing

Comments:

I support the recommendation of Administration.

“Craig Curtis”
City Manager



September 1, 2010

Red Deer City Council
City of Red Deer
Box 5008
Red Deer, AB T4N 3T4

Dear Members of City Council:

Re: Central Alberta Crime Stoppers

Central Alberta Crime Stoppers would appreciate the assistance of The City to help our organization promote awareness and increase visibility of the Crime Stoppers program in Red Deer.

Crime Stoppers has been active in Central Alberta for over 25 years—we have a presence in more than 90 communities in Central Alberta.

Anonymous informers provide information through anonymous channels, including telephone, secure web sites and text messaging to Crime Stoppers. Steps are taken to ensure that Crime Stoppers cannot identify the tipster, or contact him/her.

Our goal is to raise awareness of the program by reminding citizens that the program exists in our community and providing them with information on how to contact Crime Stoppers if they wish to make a tip.

Crime Stoppers will provide the signs; however, we are asking that the City erect signs at the four major entrances into Red Deer, i.e., Gaetz Avenue, north & south and Highway 11, east and west.

Your consideration of this request would be appreciated.

Yours truly,

A handwritten signature in blue ink, appearing to read 'Buck Buchanan', is written over a horizontal line.

Buck Buchanan
Chairman



6519 67 Street
Red Deer, AB T4P 1A3
Phone: 403 346 8101
Fax: 403 309 4356

www.centralalberta.safecommunities.ca



July 15, 2010

City of Red Deer Council
c/o Legislative & Administrative Services
Box 5008
Red Deer, AB T4N 3T4

Dear Mayor and Councilors:

Community Partners Against Impaired Driving (CPAID) is a community action committee working under Safe Communities Central Alberta. CPAID's primary goal is to change the way our community thinks and acts about impaired driving. Each year, impaired drivers are taking lives on our roadways, and our partners are ready to step up and establish impaired driving as *unacceptable* in our communities.

CPAID (includes such organizations such as RCMP, Alberta Health Services, Office of Traffic Safety, MADD, CORD Traffic Engineers, Alberta Transportation Safety Board) is preparing to launch a provincial initiative that encourages citizens to report suspected impaired drivers to 911. On July 29, Alberta's RCMP "K" Division, MADD, Alberta Health Services, EMS and local enforcement will be launching "Report Impaired Drivers – Call 911" (RID). This provincial media event will bring attention to the issue of impaired driving and outlines one simple action we can all take to combat the behavior – call in a suspected drunk driver.

Report Impaired Drivers – Call 911 was launched in the City of Calgary last fall. Since then, Calgary police have reported a 67% increase in the number of calls reporting possible impaired drivers. This in turn has resulted in an increased number of impaired driving charges and prosecutions. (See attached media release.) On the heels of this success, provincial RCMP have partnered with MADD to launch Report Impaired Drivers – Call 911 provincially. As part of the initiative, MADD Canada has provided highway signs to encourage citizens to phone 911.

Our request to your council is to consider the erection of two RID signs within the City of Red Deer. The signs are four feet by eight feet in size. (See attached picture.) We have consulted with your traffic engineers and have had a couple of locations identified where the signs would not be a safety concern and where a large number of drivers would be able to see them. These locations are along the east end of 67th Street and/or along 19th Street.

I have attached additional information on the program and signs. If you have any further questions please contact me. Thank you for your consideration of our request.

Respectfully,

A handwritten signature in cursive script that reads "Shelley Dallas-Smith". The signature is written in black ink and is positioned to the left of a faint, circular official stamp.

Shelley Dallas-Smith, Chair, CPAID
Alberta Health Services – Injury Prevention Program

MEDIA RELEASE – JULY 8, 2010**CALGARIANS AND STAMPEDE VISITORS ALIKE URGED TO
REPORT IMPAIRED DRIVERS – CALL 911**

Calgary, Alberta – As Calgarians are joined by thousands of visitors gearing up for the Calgary Stampede, MADD Canada and the Calgary Police Service (CPS) are reminding everyone to drive sober and call 911 if they see a suspected impaired driver.

"We hope everyone has a great time as they take in the Stampede and everything this great city has to offer, but please do so responsibly," said MADD Canada's incoming National President Denise Dubyk. "If you're going to be drinking, leave the driving to someone sober."

As part of the ongoing *Report Impaired Driving – Call 911* program, the public is also being urged to call police if they spot a driver they suspected is impaired.

"Residents and visitors should know that if they see a driver they think is impaired, they can call 911 to report it to police," said Sgt. Rick Butler from the CPS Traffic Unit. "By alerting us to a potentially dangerous driver, they give us the opportunity to take that driver off the road before a collision occurs and before someone is seriously injured or killed."

The program, first launched by MADD Canada, the Calgary Police Service, Alberta Health Services-Calgary Zone and the City of Calgary in October 2009, will get the message out through signage featured in Calgary bars and clubs throughout Stampede.

The latest 911 statistics show that the public is definitely taking notice of the campaign, which initially focused on road signage as a means to share this message:

- Impaired driving calls received via 911 increased by 67.1% (from 1,755 to 2,932).
- Total impaired driving calls (including the non-emergency line and 911) increased by 40.5% (from 3,290 to 4,621).
- Impaired driving charges laid as a result of the 911 calls increased by 16.9% (from 136 to 159).

These statistics are based on calls in the first six months of the program, from October 2009 to March 2010, compared to calls in the same six-month time frame in 2008/2009.

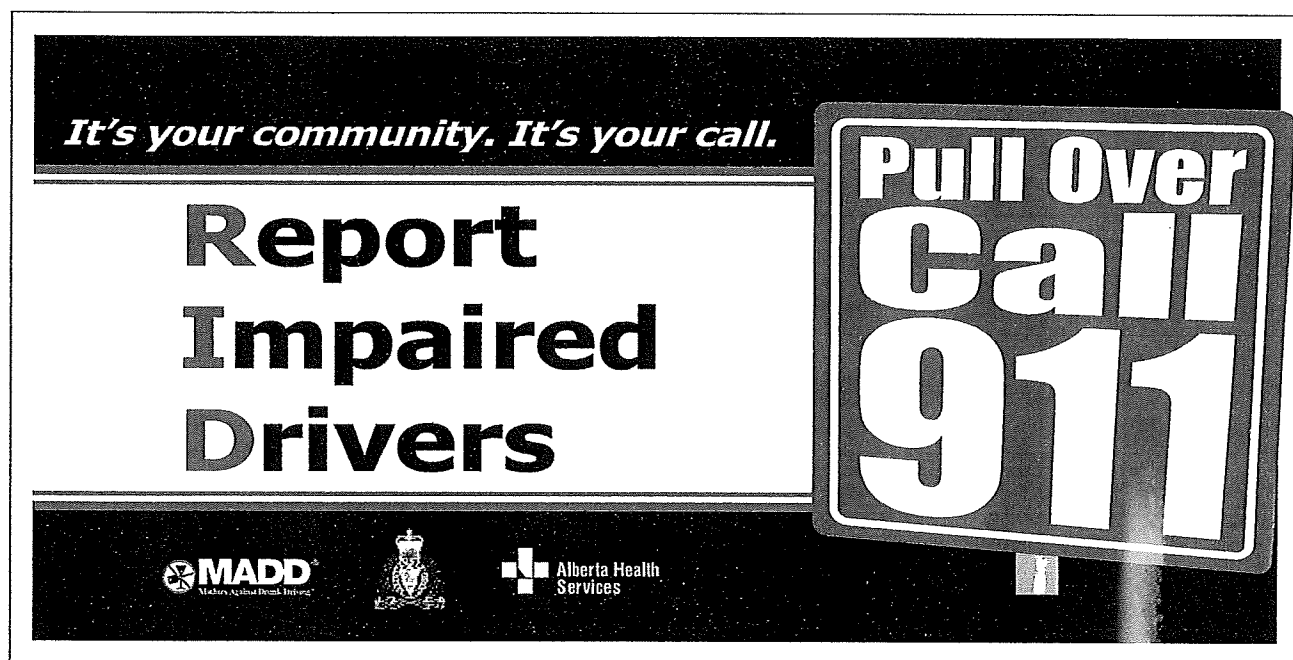
Impaired driving continues to be a very serious problem in Canada. On average, 4 people are killed and 200 injured every day as result of impaired driving collisions.

Everyone has a role to play in preventing those crashes. "Don't drive impaired. Don't accept a ride from an impaired driver. Call 911 if you see a driver you suspect is impaired," Ms. Dubyk said. "If we all do those things, imagine how many lives could be saved and how many injuries prevented."

For further information contact: Louise Knox, Chapter Services Manager, MADD Canada 1-780-288-5372 or 1-866-900-6233

**MADD Canada
Report Impaired Drivers**

**8'x4'
244 x 122 cm**



Red Deer Sign

May 20, 2010
Clayton T. Wiseman



**Alberta
Traffic
Supply**

Edmonton: (780) 440-4114
Calgary: (403) 248-3241
www.AtsTrafficGroup.com

Report Impaired Driving – Call 911 in Calgary

- In October, 2009, Report Impaired Driving – Call 911 was launched in Calgary, Alberta by the City of Calgary, the Calgary Police Service, Alberta Health Services and MADD Canada.
- *Report Impaired Driving – Call 911* signs were posted along major traffic corridors in the city to remind the public that that everyone has the right to safe roads.
- The campaign aims to raise awareness about impaired driving, encourage members of the public to report those suspected of impaired driving, and discourage impaired drivers from taking the risk.
- Early results indicate Calgarians are getting the message. In the first five months of the program (from October 2009 to February 2010):
 - Calls to 911 from members of the public to report a suspected impaired driver increased by nearly 60% (from 1,484 calls to 2,365 calls) over the same time period in the previous years.
 - The number of people charged with impaired driving as a result of calls to 911 increased by 17 % (from 111 to 130).



Calgary Sign



Report Submitted to the June 14, 2010
Council Meeting

Date: June 7, 2010

To: Elaine Vincent, Legislative & Governance Services Manager

From: Frank Colosimo, Engineering Services Manager
Rebecca Clark, Traffic Engineer

Re: **Crimestoppers Signs on Public Rights of Way**

Engineering Services was informally approached by the Crimestoppers organization offering free Crimestoppers signage to be placed in City rights of way at city entrances. The signs themselves would be provided free of charge with City forces installing the signs at our expense. Engineering staff respectfully declined the signage as Council Policy does not recommend private advertisement or recognition signs on city property. This report outlines the history and rationale of the policy as well as potential actions that Council may wish to consider.

A. City Council Policy

City Council Policy 4307 (the Policy) states that:

The purpose of this policy is to ensure that signs are installed to fulfill the needs of motorists and that a consistent set of criteria are used in considering all requests for Guide and Information Signs.

The City shall, when considering requests for the installation of signs to give direction to certain private or public facilities and/or businesses, refer to the document entitled "Guide and Information Signs Installation Warrant" dated April 7, 1986, as a guideline.

A copy of the policy and above noted document is attached for your reference.

Relevant excerpts from Warrant:

"Advertisement/Recognition Signs

Guide and Information signs are installed for the purpose of providing destination information to "those drivers who need this information". The signs have to be responsive to the NEEDS OF THE MOTORING PUBLIC.

Guide and Information signs are not installed for the purposes of:

C. Giving recognition to any particular groups, organizations, or individuals in their contributions to the community.

The need for signs for advertisement purposes is recognized. Due to the concern for public safety, it is recommended that Advertisement/Recognition Signs be installed on private property instead of on road rights of way."

Legislative & Governance Services Manager
June 7, 2010
Page 2

B. Discussion

Driver workload has increased dramatically over the last few decades and many distractions exist within and outside of the vehicle. Beyond the potential for distraction is the general visual clutter along City streets. Understandably, Council has an interest in the aesthetics of the roadside. Indeed, Council has already taken steps to limit mobile signs and dynamic signs with the purpose of keeping key corridors "clean looking" to the visiting public and our community. The Policy was created to ensure that signs are installed to fulfill the needs of motorists. The City entrances are already littered with regulatory and directional signs. Appendix "A" shows photos of what motorists currently face as they enter the City. Additional advertisement / recognition signage would add to the cluttered streetscape and increase the number of signs drivers have to sift through to get the information they need to safely navigate the roads. This would further complicate the driving task while providing no relevant driver information.

Since the Policy was adopted, Council has approved exceptions. One particular example was for Block Parent signage. Council approved the signs in 1986, just months after adopting the Guide and Information Signs Installation Warrant Policy. Over the next 23 years, the sign locations lost relevancy as City boundaries changed, and the signs fell into disrepair and became outdated from Block Parent standards. The organization disbanded their Red Deer branch in 2005. Four years later, in 2009, Council approved the removal of the signs.

There are any number of organizations that support worthy causes, which may be of interest to residents and visitors that could benefit from increased exposure of signage in city rights of way. In total, there are over 114K registered charities in Canada.

As an example, MADD Canada is planning a nationwide launch of their MADD 911 campaign this summer and has expressed interest in signs being installed in city rights of way. MADD Canada has committed four billboard-sized signs for the Red Deer area.

C. Conclusion

After reviewing the conclusions of the previous study, report and resulting policy, Engineering Services notes that the restrictions and considerations that helped form those documents are still valid today. As such, we do not support any additional signs at City entrances that will add to the sign proliferation that already exists.

However, Engineering Services recognizes that there is a legitimate demand from the general public for recognition or advertisement signs and that this need cannot always be met with signs on private property. Just as regulatory and important directional signs can get lost in the clutter at City entrances, additional signs may not be noticed. With many kilometers of roads in Red Deer, there are almost certainly alternative locations


Legislative & Governance Services Manager
June 7, 2010
Page 3

for advertisement and promotional signs. Although perhaps not at the originally requested locations, these strategic sites could be better for the organizations because they will be more likely to be noticed with fewer distracting signs. Furthermore, City residents that don't leave Red Deer often would have a better chance of seeing signs that were located further into the City. Locations could be chosen such that visitors would still be likely to pass them on their travels through Red Deer.

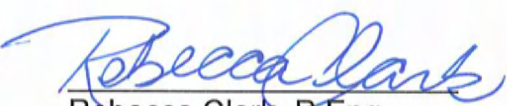
D. Recommendation

Engineering Services proposes three recommendations that Council may wish to consider:

1. Uphold the existing policy and do not permit the signs to be installed.
2. Allow the signs, as it is within Council's jurisdiction to make exceptions to the policy. Future requests would be handled on a case-by-case basis through the same procedure, whereby Council considers each cause or organization separately.
3. Re-strike the Sign Bylaw Review Committee. This committee would provide guidance on how the City can facilitate promotional or advertisement signs including factors such as:
 - Potential for strategically placed signs;
 - Displaying several different organizations on one collective sign;
 - Approval process;
 - Rotation scheme if demand exceeds signage capacity; and
 - Appropriate types of organizations or causes.



Frank Colosimo, P.Eng.
Engineering Services Manager



Rebecca Clark, P.Eng.
Traffic Engineer

RC/ldr
Attach.

c. Director of Development Services

Appendix A



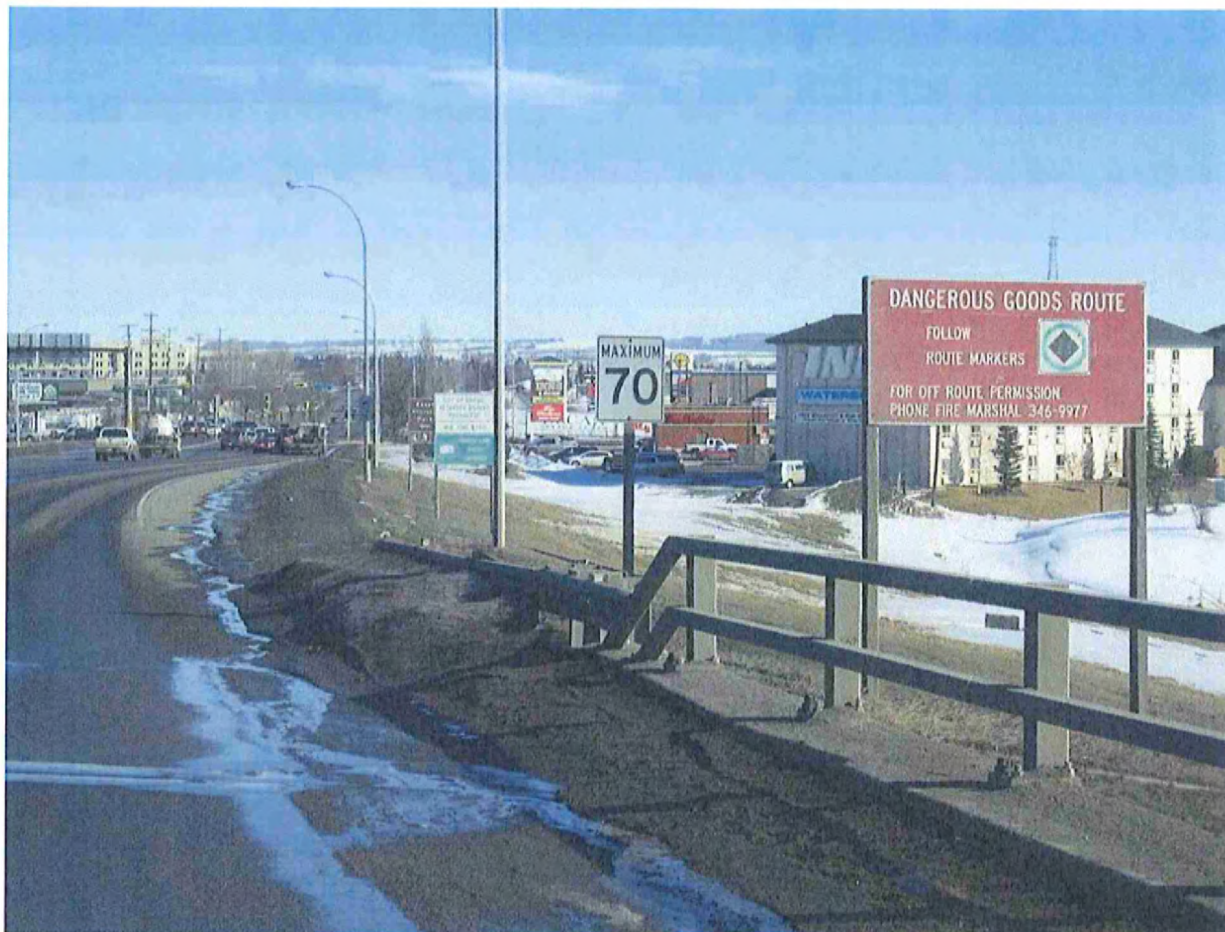
50 Avenue Northbound (approaching 19 Street)



32 Street Eastbound (approaching 57 Avenue)



55 Street Westbound (approaching 30 Avenue)



67 Street Eastbound (approaching Orr Drive)



50 Avenue Southbound (approaching 80 Street)

COUNCIL POLICY
4307 - C**Guide and Information Signs
Installation Warrant****Purpose:**

The purpose of this policy is to ensure that signs are installed to fulfil the needs of motorists and that a consistent set of criteria are used in considering all requests for Guide and Information Signs.

Policy Statement(s):

The City shall, when considering requests for the installation of signs to give direction to certain private or public facilities and/or businesses, refer to the document entitled "Guide and Information Signs Installation Warrant" dated April 7, 1986, as a guideline.

Authority/Responsibility to Implement:

The City Manager will ensure the policy requirements are met and updated as required.

References/Links:

- Council Agenda of April 28, 1986

Document History:

Approved: September 9, 1996
Administrative Revision (new template): March 9, 2010

FILE



Council Decision – September 7, 2010

DATE: September 8, 2010

TO: Julia Townell, Bylaw Research Coordinator
Rebecca Clark, Traffic Engineer

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Signs on Public Rights of Ways

Reference Report:

Bylaw Research Coordinator and Traffic Engineer, dated August 26, 2010

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer, dated June 7, 2010, re: Crime Stoppers Signs on Public Rights of Way, hereby agrees to allow the Crime Stoppers Signs on Public Rights of Ways."

MOTION DEFEATED

"Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator and the Traffic Engineer, dated August 26, 2010, re: Signs on Public Rights of Ways, hereby agrees to erect, as a pilot project for one full year, two municipally owned permanent information signs, not to exceed 4 x 8 feet, to host crime prevention information, in the areas as follows:

- the south side of 19 Street east of 40 Avenue, and
- the north side of 67 Street west of the Red Deer River

with funding for the signs to come from Community Services and a report to be brought back to Council at the conclusion of the pilot responding to:

- demand by agencies to be displayed on the sign
- appropriateness of the locations
- proposed costing options."

MOTION CARRIED

Report Back to Council: Yes

Comments/Further Action

A report is to be brought back to Council at the conclusion of the pilot project responding to the following:

- demand by agencies to be displayed on the sign
- appropriateness of the locations
- proposed costing options.



Elaine Vincent
Legislative & Governance Services Manager

c Director of Development Services
Director of Planning Services
Engineering Services Manager
Inspections & Licensing Co-Managers
Corporate Meeting Coordinator

Director of Community Services
Financial Services Manager
Community Services Division Controller
LGS File

LEGISLATIVE & GOVERNANCE SERVICES

September 8, 2010

Shelley Dallas-Smith, Chair, CPAID
Safe Communities of Central Alberta
6519 – 67 Street
Red Deer, AB T4P 1A3

Dear Ms Dallas-Smith:

Re: Request to Erect Two RID (Report Impaired Drivers – Call 911) Signs Within The City of Red Deer

At the Monday, September 7, 2010 Red Deer City Council Meeting, Council considered your request for two RID (Report Impaired Drivers – Call 911) signs within the City of Red Deer as well as a report from City Administration regarding signs on public rights of ways. Council passed the following resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator and the Traffic Engineer, dated August 26, 2010, re: Signs on Public Rights of Ways, hereby agrees to erect, as a pilot project for one full year, two municipally owned permanent information signs, not to exceed 4 x 8 feet, to host crime prevention information, in the areas as follows:

- the south side of 19 Street east of 40 Avenue, and
- the north side of 67 Street west of the Red Deer River

with funding for the signs to come from Community Services and a report to be brought back to Council at the conclusion of the pilot responding to:

- demand by agencies to be displayed on the sign
- appropriateness of the locations
- proposed costing options.”

Please contact the City of Red Deer Engineering Services Department at 403-342-8158 regarding the process for erecting the RID signs on the areas noted above.

Sincerely,



Elaine Vincent
Manager

cc: Engineering Services Manager
Traffic Engineer
Bylaw Research Coordinator

LEGISLATIVE & GOVERNANCE SERVICES

September 8, 2010

Mr. B. Buchanan, Chairman
Central Alberta Crime Stoppers
Box 33
Red Deer, AB T4N 5E7

Dear Buck:

Re: Central Alberta Crime Stoppers Request for Signs on Public Rights of Way

At the Monday, September 7, 2010 Red Deer City Council Meeting, Council considered your request for Crime Stopper signs to be erected at major entrances into Red Deer as well as a report from City Administration regarding signs on public rights of ways.

Council passed the following resolution:

"Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator and the Traffic Engineer, dated August 26, 2010, re: Signs on Public Rights of Ways, hereby agrees to erect, as a pilot project for one full year, two municipally owned permanent information signs, not to exceed 4 x 8 feet, to host crime prevention information, in the areas as follows:

- the south side of 19 Street east of 40 Avenue, and
- the north side of 67 Street west of the Red Deer River

with funding for the signs to come from Community Services and a report to be brought back to Council at the conclusion of the pilot responding to:

- demand by agencies to be displayed on the sign
- appropriateness of the locations
- proposed costing options."

Please contact the City of Red Deer Engineering Services Department at 403-342-8158 regarding the process for erecting the Crime Stoppers signs on the areas noted above.

Sincerely,



Elaine Vincent
Manager

cc: Engineering Services Manager
Traffic Engineer
Bylaw Research Coordinator

**Corporate Services Division**

DATE: August 26, 2010
TO: Craig Curtis, City Manager
FROM: Julia Townell, Bylaw Research Coordinator
Rebecca Clark, Traffic Engineer
SUBJECT: Signs on Public Rights of Ways

PURPOSE

This report discusses Council's two-part request for more information regarding private signs on public rights of ways. The first part addresses Crime Stoppers specifically and the second, standard criteria to apply in consideration to exceptions to the Guide and Information Signs Installation Warrant Council Policy.

COUNCIL DIRECTION

A. On June 14, 2010, City Council considered a request for Crime Stopper signs in Public Rights of Way and the following resolution was considered:

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer, dated June 7, 2010, re: Crime Stoppers Signs on Public Rights of Way, hereby agrees to allow the Crime Stoppers Signs on Public Rights of Ways."

Prior to consideration of the above resolution the following tabling resolution was introduced and passed.

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager and the Traffic Engineer dated June 7, 2010 re: Crime Stoppers Signs on Public Rights of Way, hereby agrees to table consideration of the resolution for up to ten weeks to acquire clarity as to the:

- Number of signs;
- Purpose of the signage;
- Size of signs;
- Location of signs; and
- To acquire comment from the RCMP"

between reporting and not reporting. Signs improve the awareness of the Crime Stoppers organization and, therefore, the chances that a crime is reported.

B: EXCEPTIONS TO THE GUIDE AND INFORMATION SIGNS INSTALLATION WARRANT COUNCIL POLICY

Council also asked Administration to "acquire clarity as to standard criteria to apply in the consideration of exceptions to the *Guide and Information Signs Installation Warrant Council Policy* (4307-C) with respect to signage within our community." Further to this request, Administration can provide the following information.

Since the request from Crime Stoppers, additional requests from similar charitable organizations have been received relative to the placement of signs along public rights of ways and in residential (R1) neighbourhoods. While Council's intent is to support the location of Crime Stoppers signs is recognized, Administration has also considered other requests from organizations such as M.A.D.D Canada.

LEGISLATION

When considering a number of options to allow exceptions to the *Guide and Information Signs Installation Warrant Council Policy* (4307-C), Administration first looked at The City's legislative authority to control signage on public rights of ways.

Canadian Charter of Rights and Freedoms

As stated by Chapman Riebeek LLP, under the *Municipal Government Act* (MGA), The City has authority to pass bylaws regulating signs pursuant to sections 640(1) and 640(4)(m). The ability to regulate includes the ability to completely prohibit certain types of signs. However, the authority provided by the MGA is restricted by the *Canadian Charter of Rights and Freedoms*. An article from Brownlee LLP states that part of the difficulty in regulating signs is that restrictions on signs may interfere with the freedom of expression, which is protected under section 2(b) of the Charter. The question then arises as to when and how this freedom can be restricted.

Section 1 of the Charter states that a restriction on a guaranteed right can be upheld, provided the restriction is reasonable and demonstrably justified in a free and democratic society. Therefore, in order for a municipality to limit the constitutionally protected freedom of expression, it must demonstrate that there is a justifiable reason for doing so. The measures chosen must also be proportional to the objective. Two common arguments that have been considered in courts, where municipalities were successful in limiting signs on public rights of ways, thereby limiting the freedom expression, are: 1) to minimize urban blight and 2) to reduce distractions to drivers, thus promoting driver safety.

Since the *Guide and Information Signs Installation Warrant* was written in 1986, driver workload has increase dramatically and many distractions exist within and outside of the vehicle.

OTHER ALBERTA MUNICIPALITIES

Administration also looked at how other municipalities manage similar requests for private signs on public rights of ways.

Fifteen Alberta municipalities were interviewed to see how each addresses requests for signs on public rights of ways. In general, most municipalities did not allow private signs on public rights of ways, or they had no formalized process for approving signs on public property. Where there was no formalized process, requests were either looked at on a case-by-case basis by Engineering or Roads, or the municipality simply turned a blind eye to non-profit organizations. Some examples of organizations that have been allowed to erect signs on public rights of ways, in other municipalities, include Crime Stoppers, the Rotary Club, and the Lions Club.

There were some instances where municipalities have allowed private signs on billboards or information signs, placed on public property. For example, Grande Prairie uses several private sign companies to manage requests from various organizations. The sign companies make the decision as to who can advertise on a billboard or information sign (in an approved location) and for how long. Generally, decisions are made on a first-come-first-serve basis, and signs are posted for a limited time so that other organizations have the opportunity to advertise. This gives the sign companies a chance to establish a client list, and also removes the administrative work from the municipality.

There are some municipalities in the process of establishing rules around private signs on public rights of ways. Fort Saskatchewan is looking at implementing a formal process and a 'service club' information sign, where non-profit organizations could post their information for a limited amount of time. Grande Prairie is another municipality considering alternative methods for managing private signs on public property. One option they are considering is placing concrete pads, with landscaping around it, to designate specific areas where signs will be permitted. Any sign not on the concrete pad would be removed and the owner subject to a penalty.

While investigating the options for managing signs, it became clear that most municipalities did feel that exceptions should be made for charitable organizations. However, there was no clear answer of how to properly administer requests from such organizations, and how to limit the number of signs on public rights of ways. As well, there is the legal aspect to consider when favouring one type of organization over another. The City cannot, under the Charter, pick and choose what organizations are allowed to erect signs on public property.

administrative challenge for The City, requiring further resources. It could also severely detract from the aesthetics of the city

4. Accept all Signs in Specific Locations

Similar to option 3, The City of Red Deer could limit the number of permanent private signs on public rights of ways by allowing them only in specific locations. By restricting where signs may be located, The City can ensure that roadways remain uncluttered, so that important signage remains effective. While this option may prevent the inundation of signs in areas where safety is a greater concern, the proliferation of signs in an approved area could contribute to urban blight. The City could lose the clean look Council desires in Red Deer's corridors.

Engineering Services has identified three potential areas for a municipal services sign:

- the south side of 19 Street east of 40 Avenue;
- the east side of 30 Avenue north of the Collicutt Centre; and,
- the north side of 67 Street west of the Red Deer River.

As many rights of way in the city are encumbered with underground and overhead utilities, the exact locations and feasibility of each site would have to be confirmed through a detailed design process.

5. Accept all Signs in Specific Locations for a Limited Duration

The City of Red Deer can combine option 4 and 5, so that permanent signs are only permitted in approved areas for a limited time. While this option may reduce the number of signs in specific areas, it does not address the needs of Crime Stoppers or M.A.D.D. Further, the same concerns remain: 1) how will the timelines be enforced and 2) will the inundation of signs in a specific location contribute to urban blight?

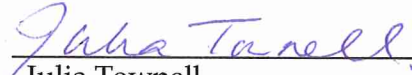
6. Create a Municipal Services Sign Related to Crime Prevention

As mentioned earlier, there are approximately 114,683 charitable organizations in Canada. As more organizations request signs on public rights of ways, The City must consider their impact on driver safety and urban blight. To help manage the proliferation of signs, The City could erect three (to begin with) large municipally owned information signs in specific locations, which could host a number of smaller charitable signs related to crime prevention (a municipal concern). This option could work very well for Crime Stoppers and M.A.D.D, who are currently considering developing a coalition with Neighbourhood Watch and Citizens on Patrol in order to share resources and cut costs.

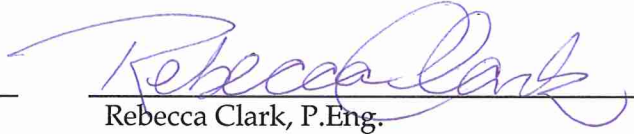
However, this option would mean that organizations like Crime Stoppers and M.A.D.D would likely have to develop and customize signs to meet City standards, to fit on the information sign, adding an additional cost to the organization. Further, The City would have to invest in large information signs, which can be relatively expensive. The administrative work associated with managing the sign could also add to the cost of the project. As well, The City would have to consider how best to manage, in the interest of

RECOMMENDATION

Administration recommends that Council consider option 6, whereby The City of Red Deer would erect three municipally owned permanent information signs in the areas identified by Engineering. The information signs would host crime prevention information. The funding for the signs would come from the Community Services fund.



Julia Townell
Bylaw Research Coordinator



Rebecca Clark, P.Eng.
Traffic Engineer

- c. Paul Meyette, Director, Planning Services
- Paul Goranson, Director, Development Services
- Frank Colosimo, Manager, Engineering Services
- Joyce Boon, Co-Manager, Inspections & Licensing
- Russ Pye, Co-Manager, Inspections & Licensing

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:	Julia Townell		
Department & Telephone Number:	Planning Services, 356-8896		
REPORT INFORMATION			
Preferred Date of Agenda:	September 7, 2010		
Subject of the Report (provide a brief description)	Crime Stoppers and private signs on public rights of ways.		
Is this Time Sensitive? Why?	Yes. Council deadline.		
What is the Decision/Action required from Council?	Council approve three City owned signs, as a pilot project, for one full year, that would host crime prevention information.		
Please describe Internal/ External Consultation, if any.	Engineering, Inspections & Licensing, Planning Department, RCMP, and City Solicitor		
Is this an In-Camera item?			
How does the Report link to the Strategic Plan and other existing Plans & Policies?			
<ul style="list-style-type: none"> - Current policies do not allow private signs on public rights of ways - Be Excellent – Collaborate for success - Be Authentic – Community relationships 			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.			
Yes. No.			
Are there any financial/budget implications? Please describe. Are there other organizational implications? Please describe.			
Yes. The information signs will require funding from The City.			
Presentation: (10 Min Max.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Presenter Name and Contact Information: Julia Townell – 356-8896 julia.townell@reddeer.ca
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 checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address) Crime Stoppers – Buck Buchanan (bucky@xcops.ca), Debb Mann (debbmann@telus.net)			
FOR LEGISLATIVE & GOVERNANCE SERVICES USE ONLY			
Has this been to CLT / City Manager Briefings/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
CLT When/describe: _____	City Manager Briefings 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 & Governance Services.

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

ORIGINAL



September 1, 2010

Red Deer City Council
City of Red Deer
Box 5008
Red Deer, AB T4N 3T4

Dear Members of City Council:

Re: Central Alberta Crime Stoppers

Central Alberta Crime Stoppers would appreciate the assistance of The City to help our organization promote awareness and increase visibility of the Crime Stoppers program in Red Deer.

Crime Stoppers has been active in Central Alberta for over 25 years—we have a presence in more than 90 communities in Central Alberta.

Anonymous informers provide information through anonymous channels, including telephone, secure web sites and text messaging to Crime Stoppers. Steps are taken to ensure that Crime Stoppers cannot identify the tipster, or contact him/her.

Our goal is to raise awareness of the program by reminding citizens that the program exists in our community and providing them with information on how to contact Crime Stoppers if they wish to make a tip.

Crime Stoppers will provide the signs; however, we are asking that the City erect signs at the four major entrances into Red Deer, i.e., Gaetz Avenue, north & south and Highway 11, east and west.

Your consideration of this request would be appreciated.

Yours truly,

Buck Buchanan
Chairman



FILE COPY

LEGISLATIVE & GOVERNANCE SERVICES

July 16, 2010

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Shelly Dallas-Smith, Chair, CPAID
Alberta Health Services – Injury Prevention Program
Safe Communities Central Alberta
6519 – 67 Street
Red Deer, AB T4P 1A3

Dear Ms. Dallas-Smith:

**Re: Request for Erection of Two “Report Impaired Drivers – Call 911” (RID) Signs
Within The City of Red Deer**

On behalf of Red Deer City Council, I would like to acknowledge receipt of your letter, received in this office on July 15, 2010, regarding a request to erect two “Report Impaired Drivers – Call 911” (RID) signs within the City of Red Deer.

Your letter will be directed to City Administration for their review and I will advise you of their comments in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Kenzie'.

Christine Kenzie
Council Services Coordinator

c Traffic Engineer
Inspections & Licensing Manager

FILE COPY



Legislative & Governance Services

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

DATE: July 16, 2010

TO: Rebecca Clark, Traffic Engineer
Joyce Boon, Inspections & Licensing Manager

FROM: Christine Kenzie, Council Services Coordinator

SUBJECT: Request for Erection of Two "Report Impaired Drivers – Call 911"
(RID) Signs within the City of Red Deer
Safe Communities, Central Alberta

Enclosed is a letter from Safe Communities, Central Alberta, received at Legislative & Governance Services on July 15, 2010. This letter is addressed to Red Deer City Council and is requesting Council consider the erection of two "Report Impaired Drivers – Call 911" (RID) signs within the City of Red Deer.

Please provide your comments to this request by August 20, 2010, for possible inclusion on the August 23, 2010 Council Agenda.

Thanks.

A handwritten signature in blue ink, appearing to read 'C Kenzie'.

Christine Kenzie

/attach.

SEPT 2/2010
Christine Kenzie

BACKUP INFORMATION
~~NOT SUBMITTED TO COUNCIL~~

BACKUP
SIGNS ON PUBLIC
RIGHTS OF
WAY

To: sccca@telus.net
Subject: Request to Erect Two RID Signs within City of Red Deer

Dear Shelley Dallas-Smith

On July 15, 2010 you submitted a letter to Red Deer City Council requesting Council consider the erection of two RID signs within the City of Red Deer.

A report will be brought before Red Deer City Council to the September 7, 2010 Council Meeting regarding signs on public rights of ways. We have also received a request from Crime Stoppers to erect signage within The City.

The Council meeting starts at 3:00 P.M. and is held in Council Chambers on the 2nd floor of City Hall. This item will be dealt with near the start of the meeting.
You are welcome to attend.

You can view the September 7, 2010 Council meetin agenda on the City's website at www.reddeer.ca/citycouncil

Please call if you have any questions.

I will be away from the office on Friday, September 3rd - returning on Tuesday, September 7, 2010.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca



July 15, 2010

City of Red Deer Council
c/o Legislative & Administrative Services
Box 5008
Red Deer, AB T4N 3T4

Dear Mayor and Councilors:

Community Partners Against Impaired Driving (CPAID) is a community action committee working under Safe Communities Central Alberta. CPAID's primary goal is to change the way our community thinks and acts about impaired driving. Each year, impaired drivers are taking lives on our roadways, and our partners are ready to step up and establish impaired driving as *unacceptable* in our communities.

CPAID (includes such organizations such as RCMP, Alberta Health Services, Office of Traffic Safety, MADD, CORD Traffic Engineers, Alberta Transportation Safety Board) is preparing to launch a provincial initiative that encourages citizens to report suspected impaired drivers to 911. On July 29, Alberta's RCMP "K" Division, MADD, Alberta Health Services, EMS and local enforcement will be launching "Report Impaired Drivers – Call 911" (RID). This provincial media event will bring attention to the issue of impaired driving and outlines one simple action we can all take to combat the behavior – call in a suspected drunk driver.

Report Impaired Drivers – Call 911 was launched in the City of Calgary last fall. Since then, Calgary police have reported a 67% increase in the number of calls reporting possible impaired drivers. This in turn has resulted in an increased number of impaired driving charges and prosecutions. (See attached media release.) On the heels of this success, provincial RCMP have partnered with MADD to launch Report Impaired Drivers – Call 911 provincially. As part of the initiative, MADD Canada has provided highway signs to encourage citizens to phone 911.

Our request to your council is to consider the erection of two RID signs within the City of Red Deer. The signs are four feet by eight feet in size. (See attached picture.) We have consulted with your traffic engineers and have had a couple of locations identified where the signs would not be a safety concern and where a large number of drivers would be able to see them. These locations are along the east end of 67th Street and/or along 19th Street.

I have attached additional information on the program and signs. If you have any further questions please contact me. Thank you for your consideration of our request.

Respectfully,

A handwritten signature in cursive script that reads "Shelley Dallas-Smith". The signature is written in dark ink and is positioned to the left of a faint, circular official stamp.

Shelley Dallas-Smith, Chair, CPAID
Alberta Health Services – Injury Prevention Program

**CALGARIANS AND STAMPEDE VISITORS ALIKE URGED TO
REPORT IMPAIRED DRIVERS – CALL 911**

Calgary, Alberta – As Calgarians are joined by thousands of visitors gearing up for the Calgary Stampede, MADD Canada and the Calgary Police Service (CPS) are reminding everyone to drive sober and call 911 if they see a suspected impaired driver.

"We hope everyone has a great time as they take in the Stampede and everything this great city has to offer, but please do so responsibly," said MADD Canada's incoming National President Denise Dubyk. "If you're going to be drinking, leave the driving to someone sober."

As part of the ongoing *Report Impaired Driving – Call 911* program, the public is also being urged to call police if they spot a driver they suspected is impaired.

"Residents and visitors should know that if they see a driver they think is impaired, they can call 911 to report it to police," said Sgt. Rick Butler from the CPS Traffic Unit. "By alerting us to a potentially dangerous driver, they give us the opportunity to take that driver off the road before a collision occurs and before someone is seriously injured or killed."

The program, first launched by MADD Canada, the Calgary Police Service, Alberta Health Services-Calgary Zone and the City of Calgary in October 2009, will get the message out through signage featured in Calgary bars and clubs throughout Stampede.

The latest 911 statistics show that the public is definitely taking notice of the campaign, which initially focused on road signage as a means to share this message:

- Impaired driving calls received via 911 increased by 67.1% (from 1,755 to 2,932).
- Total impaired driving calls (including the non-emergency line and 911) increased by 40.5% (from 3,290 to 4,621).
- Impaired driving charges laid as a result of the 911 calls increased by 16.9% (from 136 to 159).

These statistics are based on calls in the first six months of the program, from October 2009 to March 2010, compared to calls in the same six-month time frame in 2008/2009.

Impaired driving continues to be a very serious problem in Canada. On average, 4 people are killed and 200 injured every day as result of impaired driving collisions.

Everyone has a role to play in preventing those crashes. "Don't drive impaired. Don't accept a ride from an impaired driver. Call 911 if you see a driver you suspect is impaired," Ms. Dubyk said. "If we all do those things, imagine how many lives could be saved and how many injuries prevented."

For further information contact: Louise Knox, Chapter Services Manager, MADD Canada 1-780-288-5372 or 1-866-900-6233

MADD Canada
Report Impaired Drivers

BACKUP INFORMATION
NOT SUBMITTED

8'x4'
244 x 122 cm



Red Deer Sign

May 20, 2010
Clayton T. Wiseman



Edmonton: (780) 440-4114
Calgary: (403) 248-3241
www.AtsTrafficGroup.com

Report *I*mpaired *D*Driving – Call 911 in Calgary

- In October, 2009, Report Impaired Driving – Call 911 was launched in Calgary, Alberta by the City of Calgary, the Calgary Police Service, Alberta Health Services and MADD Canada.
- *Report Impaired Driving – Call 911* signs were posted along major traffic corridors in the city to remind the public that that everyone has the right to safe roads.
- The campaign aims to raise awareness about impaired driving, encourage members of the public to report those suspected of impaired driving, and discourage impaired drivers from taking the risk.
- Early results indicate Calgarians are getting the message. In the first five months of the program (from October 2009 to February 2010):
 - Calls to 911 from members of the public to report a suspected impaired driver increased by nearly 60% (from 1,484 calls to 2,365 calls) over the same time period in the previous years.
 - The number of people charged with impaired driving as a result of calls to 911 increased by 17 % (from 111 to 130).



Calgary Sign

**Legislative & Governance Services**

DATE: August 30, 2010
TO: Craig Curtis, City Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Location of Dynamic Sign on Building Located at 48th Street and 51st Avenue (AEI Sign)

History

At the Monday, July 26, 2010 Meeting of Council, the following resolution was passed.

“Resolved that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated June 21, 2010 re Land Use Bylaw Amendment 3357/R-2010 – Dynamic Signs in C4 Districts, hereby directs Administration to prepare a report to be brought back to Council in up to six weeks time, advising how the AEI sign may be relocated up on the building.”

Discussion

Administration is requesting extra time to complete the report and is requesting the deadline be extended to the Monday, October 4, 2010 Council Meeting.

Recommendation:

Council consider:

- a) Passing a resolution to table consideration of the report advising how the AEI sign may be relocated up on the building to the Monday, October 4, 2010 Council Meeting.

Elaine Vincent
Manager

Comments:

I support the recommendation of Administration that the report regarding location of dynamic sign on building located at 48th Street and 51st Avenue (AEI Sign) be tabled to the October 4, 2010 Council meeting.

“Craig Curtis”
City Manager

FILE



Council Decision – September 7, 2010

DATE: September 8, 2010
TO: Brandon Silver, Parkland Community Planning Services
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Changes to Location of Dynamic Sign Located at 48 Street and 51 Avenue

Reference Report:

Legislative & Governance Services Manager, dated August 30, 2010

Resolution:

"Resolved that Council of the City of Red Deer having considered the report from the Legislative & Governance Services Manager, dated August 30, 2010, re: Location of Dynamic Sign on Building Located at 48th Street and 51st Avenue, (AEI Sign) hereby agrees to table consideration of this item to the Monday, October 4, 2010 Council Meeting to provide administration additional time to prepare recommendations with regard to the relocation of the AEI sign."

Report Back to Council: Yes to the October 4, 2010 Council Meeting

Comments/Further Action:

A report is to be prepared to include recommendations with regard to the relocation of the AEI sign, and brought back to the Monday, October 4, 2010 Council meeting.

A handwritten signature in black ink, appearing to read 'Elaine Vincent', written in a cursive style.

Elaine Vincent
Legislative & Governance Services Manager

c Director of Planning Services
Inspections & Licensing Co-Managers
Corporate Meeting Coordinator
LGS File



Legislative & Governance Services

DATE: August 30, 2010
TO: Craig Curtis, City Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Location of Dynamic Sign on Building Located at 48th Street and 51st Avenue (AEI Sign)

History

At the Monday, July 26, 2010 Meeting of Council, the following resolution was passed.

"Resolved that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated June 21, 2010 re Land Use Bylaw Amendment 3357/R-2010 – Dynamic Signs in C4 Districts, hereby directs Administration to prepare a report to be brought back to Council in up to six weeks time, advising how the AEI sign may be relocated up on the building."

Discussion

Administration is requesting extra time to complete the report and is requesting the deadline be extended to the Monday, October 4, 2010 Council Meeting.

Recommendation:

Council consider:

- a) Passing a resolution to table consideration of the report advising how the AEI sign may be relocated up on the building to the Monday, October 4, 2010 Council Meeting.

Elaine Vincent
 Manager

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@pcpc.ab.ca

Date August 30th, 2010
To: Craig Curtis, City Manager
From: Brandon Silver, Parkland Community Planning Services
Re: Location of Dynamic Sign on Building Located at 48th Street and
51st Avenue (AEI Sign)

History

At the Monday, July 26, 2010 Meeting of Council, the following resolution was passed.

"Resolved that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated June 21, 2010 re Land Use Bylaw Amendment 3357/R-2010 – Dynamic Signs in C4 Districts, hereby directs Administration to prepare a report to be brought back to Council in up to six weeks time, advising how the AEI sign may be relocated up on the building."

Please note that the AEI sign is within the C1 district and therefore is a non-conforming use. All signs Dynamic signs that are not within the C2A or PS districts are considered non-forming and therefore are not currently permitted to be altered or rebuilt if damaged or destroyed.

Request

Since the July 26, 2010 meeting of Council administration has concluded through an analysis of the options available, that in order to address the issue of the relocation of the non-conforming AEI Dynamic Sign, a new land use bylaw amendment would have to be proposed. This proposed bylaw amendment will address all non-conforming Dynamic signs within Red Deer assuring that the greater issue introduced at the July 26th meeting, will be resolved.

The proposed amendment would place each existing non-conforming sign on a list of exceptions, allowing each existing sign to apply for a sign permit to be relocated, but not altered.

The proposed amendment is technically complicated and despite every effort to meet the stated deadline to be brought back to council, in order to properly draft this amendment and ensure it's effectiveness, more time is required.

Administration is requesting extra time to complete the report and is requesting the deadline be extended to the Monday, October 4, 2010 Council Meeting.

Recommendation:

Council consider:

- a) Passing a resolution to table consideration of the report advising how the AEI sign may be relocated up on the building to the Monday, October 4, 2010 Council Meeting.



Brandon M. Silver
Planner / Urban Designer
Parkland Community Planning Services

cc. Paul Meyette, Director of Planning Services

Council Decision – July 26, 2010

DATE: July 27, 2010

TO: Brandon Silver, Parkland Community Planning Services
Joyce Boon, Inspections & Licensing Manager

FROM: Elaine Vincent, Legislative and Governance Services Manager

SUBJECT: Vision for Gaetz Avenue and Dynamic Signage in C4 District
Land Use Bylaw Amendment 3357/R-2010
Dynamic Signs in C4 District

Reference Report:

Legislative & Governance Services Manager, dated July 19, 2010 and Parkland Community Planning Services, dated June 21, 2010

Bylaw Readings:

At the Monday, June 28, 2010 Council Meeting Land Use Bylaw Amendment 3357/R-2010 received second and third reading. A copy of the bylaw is attached.

The following resolution was introduced and passed following discussion at the Public Hearing for Land Use Bylaw Amendment 3357/R-2010, regarding concerns raised by Mr. Arnie Scoritz, owner of the AEI Building (Corner of 48th Street & 51st Avenue) of the location of the dynamic sign located on his building:

Resolutions:

"Resolved that Council of the City of Red Deer, having considered the report from Parkland Community Planning Services, dated June 21, 2010 re Land Use Bylaw Amendment 3357/R-2010 - Dynamic Signs in C4 Districts, hereby directs Administration to prepare a report to be brought back to Council in up to six weeks time, advising how the AEI sign may be relocated up on the building."

Report Back to Council: Yes, in up to six weeks time.

Comments/Further Action:

Please provide a report, as noted in the above resolution, for Council's review in up to six weeks time.

FILE

BYLAW 3357/R-2010

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

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

Bylaw No. 3357/ R2010 is hereby amended as follows:

1. Add the following text to Part 8 Direct Control Districts and Exceptions Respecting Land Use to appear in order after section 8.22(1)(v):

(w) In order to accommodate diverse forms of advertising within the C4 District for sites that have no less than 100 metre frontage on Gaetz Avenue and offer conference and convention space, *Dynamic Signs* which comply with section 3.4(14) of this bylaw may be allowed as a discretionary use on the following sites:

- (i) LOT E, Plan 5009KS (3310- 50 Avenue),
- (ii) LOT 5, BLOCK 15, Plan 4436TR (2929 - 50 Avenue),
- (iii) LOT 1A, BLOCK 44, PLAN 8121177 (4311- 49 Avenue)


2. Replace Map L13 forming part of this bylaw with the attached Map L13.
3. Replace Map M12 forming part of this bylaw with the attached Map M12.
4. Replace Map M14 forming part of this bylaw with the attached Map M14.
5. Replace Map L12 forming part of this bylaw with the attached Map L12.

READ A FIRST TIME IN OPEN COUNCIL this 28TH day of June 2010.

READ A SECOND TIME IN OPEN COUNCIL this 26th day of July 2010.

READ A THIRD TIME IN OPEN COUNCIL this 26th day of July 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26th day of July 2010.


MAYOR


CITY CLERK

Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:



C4 to C4(w)

Affected Districts:

C4 - Commerical (Major Arterial) District

Proposed Amendment

Map: 15-2010

Bylaw: 3357/R-2010

Date: June 21, 2010

Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Joyce Boon
Sent: August 26, 2010 2:29 PM
To: Christine Kenzie; Brandon Silver
Cc: Paul Meyeette
Subject: FW: Followup from July 26 2010 Council meeting

Attachments: July 26 2010 Council Decision Letter re AEI Signage.pdf

Hi Christine, Brandon is working on this report now. This is coming back as a bylaw amendment.

Joyce Boon
Inspections & Licensing Manager
403.342.8192
joyce.boon@reddeer.ca

From: Christine Kenzie
Sent: August 26, 2010 2:18 PM
To: Joyce Boon
Subject: Followup from July 26 2010 Council meeting



July 26 2010
Council Decision ...

Attached is a copy of the July 26 2010 Council Decision letter regarding a request to provide information back to Council (within six weeks time) on how the AEI sign could be relocated up on the building.....

Six weeks would be the September 7th Council Meeting.

Report will be needed by Monday, August 30th.

Let me know.

Thanks.

Christine Kenzie | Council Services Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

To: Joyce Boon
Subject: Followup from July 26 2010 Council meeting
Attachments: July 26 2010 Council Decision Letter re AEI Signage.pdf



July 26 2010
Council Decision ...

Attached is a copy of the July 26 2010 Council Decision letter regarding a request to provide information back to Council (within six weeks time) on how the AEI sign could be relocated up on the building.....

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**Legislative & Governance Services**

DATE: August 30, 2010
TO: Craig Curtis, City Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Speed Issues / Neighbourhood Safety – Denison Crescent / 39 Street

History

At the Monday, June 14, 2010 Meeting of Council, the following resolution was passed.

“Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager, dated June 7, 2010, re: Proposed Barrier Measures Adjacent Denison Crescent Residents, hereby directs administration to propose alternate solutions for Council’s consideration, within the next three months, to implement strategies to reduce speed and enhance neighbourhood safety.”

Discussion

Administration is requesting extra time to complete the report and is requesting the deadline be extended to the Monday, October 4, 2010 Council Meeting. A copy of Administration’s report is attached.

Recommendation:

Council consider:

- a) Passing a resolution to table consideration of the report regarding alternate solutions to implement strategies to reduce speed and enhance neighbourhood safety, for Denison Crescent Residents, to the Monday, October 4, 2010 Council Meeting.

Elaine Vincent
Manager



Date: August 30, 2010

To: Craig Curtis, City Manager

From: Frank Colosimo, Engineering Services Manager

Re: Speed Issues / Neighbourhood Safety - Denison Crescent / 39 Street

Background

On June 14, 2010, City Council considered a proposal for barrier measures adjacent to Denison Crescent Residents / 39 Street.

The following motion was introduced and passed.

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager, dated June 7, 2010, re: proposed Barrier Measures Adjacent Denison Crescent Residents, hereby directs administration to propose alternate solutions for Council's consideration, within the next three months, to implement strategies to reduce speed and enhance neighbourhood safety."

Discussion

Subsequent to the above noted direction, administration is working on the following:

1. The Traffic Section is preparing an Operational Safety Study Report which will present alternative solutions to speed and safety issues on 39 Street between 30th Avenue and east City limits.
2. Internal meetings.
3. Alternatives will then be presented to the resident committee for discussion and input.
4. Return to Council with amended report October 4, 2010.

Recommendation:

That consideration of this item be tabled for 4 weeks until the October 4 Council meeting.



Frank Colosimo, P.Eng.
Engineering Services Manager

Comments:

I support the recommendation of Administration that the report regarding alternate solutions to implement strategies to reduce speed and enhance neighbourhood safety for Denison Crescent residents, be tabled to the October 4, 2010 Council meeting.

“Craig Curtis”
City Manager

Council Decision –September 7, 2010

DATE: September 8, 2010
TO: Frank Colosimo, Engineering Services Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Speed Issues/Neighbourhood Safety – Denison Crescent/39 Street

Reference Report:

Legislative & Governance Services Manager, dated August 30, 2010 and Engineering Services Manager, dated August 30, 2010

Resolution:

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager, dated August 30, 2010, re: Speed Issues / Neighbourhood Safety – Denison Crescent / 39 Street, hereby agrees to table consideration of this item to provide for a report to be prepared regarding alternate solutions to reduce speed and enhance neighbourhood safety for Denison Crescent, to the Monday, October 4, 2010 Council Meeting."

Report Back to Council: Yes to the October 4, 2010 Council Meeting

Comments/Further Action:

A report is to be brought back to the Monday, October 4, 2010 Council Meeting regarding alternate solutions to reduce speed and enhance neighbourhood safety for Denison Crescent.



Elaine Vincent
Legislative & Governance Services Manager

- c Director of Planning Services
- Director of Development Services
- Corporate Meeting Coordinator
- LGS File

Legislative & Governance Services

DATE: August 30, 2010
TO: Craig Curtis, City Manager
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Elaine Vincent
Manager

Submission Request 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:	Frank Colosimo		
Department & Telephone Number:	Engineering Services, 403-342-8158		
REPORT INFORMATION			
Preferred Date of Agenda:	September 7, 2010		
Subject of the Report (provide a brief description)	39 Street Speed and Safety Issues		
Is this Time Sensitive? Why?	Yes; Council requested information come back by September 7 meeting.		
What is the Decision/Action required from Council?	Approval to table the matter for an additional four weeks while more public consultation and internal review is undertaken.		
Please describe Internal/ External Consultation, if any.	In progress.		
Is this an In-Camera item?	No.		
How does the Report link to the Strategic Plan and other existing Plans & Policies? Goal: Be Excellent – Collaborate for success (COLL)			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. No.			
Are there any financial/budget implications? Please describe. Are there other organizational implications? Please describe. Yes, but the extent is not known at this time.			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information:
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 & GOVERNANCE SERVICES USE ONLY			
Has this been to CLT / City Manager Briefings/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
CLT	City Manager Briefings	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need Communications Support?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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

Date: August 30, 2010
To: Craig Curtis, City Manager
From: Frank Colosimo, Engineering Services Manager
Re: Speed Issues / Neighbourhood Safety - Denison Crescent /39 Street

Background

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2. Internal meetings.
3. Alternatives will then be presented to the resident committee for discussion and input.
4. Return to Council with amended report October 4, 2010.

Recommendation:

That consideration of this item be tabled for 4 weeks until the October 4 Council meeting.



Frank Colosimo, P.Eng.
Engineering Services Manager

Dear City Council members:

There has been an ongoing issue presented to the City Council concerning the "dangerous" stretch of 39th street between 20th and 30th avenues. If one reads the articles in the June 16th and 18th editions of the Red Deer Advocate this seems to have reached near hysteric proportions.

I would like the opportunity to present a second opinion on this matter to the Councilors. I have lived in this area for over eight years and drive down this stretch of road about three times a day on average. In addition, I frequently go for walks in the area and occasionally ride my bicycle down 39th street (although not as often as I used to due to the danger the road calms present for cyclists). I would like to make the following points.

The city is trying to fix a problem that doesn't exist.

I am baffled as to why the city thinks this is a dangerous stretch of road and that "something needs to be done about it". For both professional and personal reasons I drive throughout Red Deer and consider this stretch of road as any main drag in the city and far safer than most. It does not need to be "fixed". I am unaware of any f

The speed issue

I inquired at the city whether this road is dangerous and ne dangerous. All the indicate that the sp city is merely che particular dangers.

First, if the city is o road calms to "fix" concrete barriers, w

Second, the excess experience. I have s equipment has. In my experience most drivers travel at about the 50 kph speed limit. Yes, there are some speeders as there are on any city road, but there are others who drive well below the speed limit. To get an average speed of over 60 is impossible. With all due respect, I believe the city's speed measurements are erroneous. As I don't know details of how the measurements were done I can't comment on why they may be in error. But I can say that if the average speed was really over 60 kph I would be aware of it.

The drunk driver who hit a house.

I see this topic frequently brought up and wish to address it. About a year ago a drunk driver lost control of his vehicle and ended up hitting a house in the area. I do not in any way wish to make light of what could have been a tragic accident. However, this accident has nothing to do with 39th street. That is, the cause was not due to any inherent flaws or design issues on 39th street. The cause was a drunk driver traveling at a very high speed. Period.

This driver was destined to lose control at some point and it could have happened anywhere - 40th avenue, 32nd street, Taylor drive, downtown Red Deer. It just happened to be on this section of road. (Someone I spoke to at the city did agree with me on this point).

There have been many other serious accidents in Red Deer, some with fatalities. Earlier this year, a speeding driver went through a red light on 30th avenue, struck another vehicle and killed two young parents of three children. Wisely, the city is not in a panic to try to fix this "dangerous"

ORIGINAL
LETTER
- HANDED OUT
AT COUNCIL
SEPT 1/2010
RE: DUNLON
COUNCIL

intersection. Why? Because it was not the fault of the intersection. It was the fault of the driver.

The same applies to this stretch of 39th street. To repeat, it was chance that this drunk driver lost control where he did. It was not the fault of the road, it was the fault of a drunk driver traveling at a high rate of speed.

The road calms

The city now admits the road calms they installed didn't "fix" anything and were a waste of money. I would add that they are also dangerous. I don't expect to see major accidents happening there any day, but they definitely make the road less safe than it was, as a little reasoning would show.

The calms reduce the room cars have to maneuver and take evasive action. The calms are dangerous for cyclists who have to swerve into traffic to get around them (I almost had an accident doing this). And obviously they are not safe for pedestrians. Instead of being able to stand back on the curb to indicate they wish to cross the street, pedestrians now have to step out onto the "bulb" dangerously near passing traffic.

I should also point out that buses (and other large vehicles such as fire trucks, motor homes or vehicles pulling trailers) have to swing out into the opposing lane of traffic in order to maneuver around the road calms. I fail to understand how this can be regarded as a safety enhancement.

I think the road calms are a prime example of the fact that when you try to solve a problem that doesn't exist you inevitably make things worse.

Other suggested "fixes": Speed humps and a 40kmh zone

The idea has also been mentioned (not by the city that I am aware of) of installing speed humps. Speed humps are highly effective - for a distance of about 40 feet. Speed humps would not only be completely ineffective in stopping speeders but they would be dangerous and a huge annoyance to drivers in the area. I question the efficacy of speed humps in residential areas but they undoubtedly don't belong on main roads.

The idea of people braking heavily to slow down for a speed bump cannot possibly be considered safe. And the speed humps would need to be adequately sanded in the winter - something I am not optimistic would happen as other areas of this road are often not sanded or are sanded inadequately (particularly the intersections at Dempsey/Duston and Douglas Avenue). And keep in mind that Fire Station #4 is just down the street. I don't think they would be anxious to negotiate speed humps on their way to any emergency calls.

And it is certainly unnecessary to reduce the speed limit to 40 kph. I have a better suggestion that I will mention shortly.

Thirty ninth street is a main road, not a residential street

Seriously, I am beginning to think this is being overlooked. If the city wishes to install road calms, speed humps and 40kph speed limits, are they not just trying to turn it into a residential road? Worse, in fact. None of our residential roads have these "features". Thirty ninth street is not a residential road. It is a main thoroughfare. Keep this in mind.

Anything that impedes the flow of traffic on a main drag is not a safety "enhancement"

As I am not a traffic engineer, some may say I am not qualified to make such a comment. They may be right, but on the other hand I would have known better than to install road calms. Still, I think common sense would tell us this the above statement is true.

If hazards like road calms and speed humps really do increase the safety of roads, then perhaps we should install them on 32nd street, Gaetz Avenue, 67th street and other areas. Maybe we

could convince the province to "enhance" Highway 2 with such features. No one would actually consider this to be sane or sensible. And yet 39th street seems to be some sort of "special case" where logic and common sense fall to the wayside.

While other cities try to ensure the smooth and steady flow of traffic, the City of Red Deer seems to be fixated on "road calming". I've recently heard one of the benefits of the new Cenotaph park downtown will be its "road calming" effect. If we throw out the "road calm" euphemism and replace it with the more accurate "traffic impediment" somehow it all seems less appealing.

Speed limit signs

If the city is really concerned about excessive speeds on this road, here's an idea: *Install speed limit signs*. Pretty sensible, wouldn't you say? Better than road calms and speed humps and a lot cheaper, too. Perhaps City Council hasn't been made aware that *there are no speed limit signs on this stretch of road*. Oh, there used to be. The city took them down years ago. I have no idea why. Maybe you can ask.

When the city removed the speed signs I mistakenly thought they did so because the road had reverted to the 60 kph that is standard on most main drags. (I recently discovered my wife had thought this, too.) This was an erroneous assumption on my part, but perhaps an understandable one. For a long time I drove accordingly. I would not be surprised that if many of the people caught during last years "radar blitz" (I actually saw few vehicles pulled over during this extended period) were ticketed because they thought the speed limit was 60 kph.

I was told that the city only posts signs where there is a *change* in speed limits. Actually, the city has many signs posted where there is no speed limit change but, in any case, I would suggest a more sensible policy would be to place signs anywhere that the speed limit may not be clear. People turning off 30th avenue (60 kph) onto this stretch of 39th street could understandably assume its speed limit was also 60 as it is a main thoroughfare.

The hedges and concrete barriers along Denison Crescent

I'd believe that any "improvements" the city decides to make have to satisfy 3 criteria:

1. They do not unnecessarily inconvenience other residents of the area.
2. They do not impair people's safety.
3. The cost has to be reasonable in proportion to the actual problem.

I suspect the real issue here may be that the city realized it allowed the properties on Denison Crescent to be developed too close to 39th street without an intervening berm or barrier. I would agree with this, but trying to "fix" 39th street with road calms and speed humps does nothing to solve that particular problem. I think the idea to install hedges to provide some additional protection to the properties along Denison Crescent is an excellent solution. The hedges would be reasonably effective, relatively cheap and would even beautify the area somewhat.

However, when it comes to the concrete barriers the city has obviously forgotten to take into consideration the safety of other residents and drivers in this area. A resident on Denison Crescent says that vehicles continue to run off the road smashing into trees and fences. I admit I have not witnessed this myself, but if correct then those vehicles will now be smashing into concrete barriers. How can the increased danger this poses to drivers possibly be justified in order to protect fences?

If the city feels it has to provide some additional protection over the next 5 years until the hedges grow in, an obvious and much safer solution would be to install a low tire barrier. Tire barriers are used on race tracks around the world and are proven effective. As the city can get recycled tires from its own waste facility, this may even be a cheaper solution.

I know that the intent of the residents of Denison Crescent was not to endanger the safety of other residents in any way and I feel confident they would accept other, less dangerous,

alternatives to concrete barriers. *The fact that an alternate city proposal was, incredibly, to install a permanent precast concrete wall is simply too appalling to even comment on.*

I also wish to point out that this it is *only* the section of 39th street bordering Denison Crescent that is reported to have problems with vehicles continuously running off the road and into trees and fences. This has not been happening on other stretches of this road, so I am hoping that the City won't decide to also "fix" other sections of 39th street.

Suggestions

A note in the June 14th Council minutes reads: "Resolved that Council of the City of Red Deer . . . hereby directs administration to propose alternate solutions for Council's consideration, within the next three months, to implement strategies and enhance neighborhood safety." Again, I do not feel there are any speed issues to solve, but I will offer my suggestions to make the road safer.

1. Remove the road calms. These are proven ineffective and definitely are detrimental to the safety of the road.
2. Post speed limit signs. One just east of 30th avenue and one just west of Dempsey street would be adequate. A cheap, obvious solution.
3. Sand this section of road better in the winter. Last winter I saw a bus lose control approaching the turn at Douglas Avenue (not the driver's fault - the road was glare ice). Had the skill of the driver not enabled them to correct the skid, they would have hit parallel to the "road calm", possibly tipping the bus. Remember, these road calms are supposed to be a safety feature.
4. Install more crosswalks. I really don't think this is necessary as vehicles almost always stop for pedestrians in this area (and often even for bicycles). Still, the only crosswalks are on the western half of this road (at Douglas Avenue and Davison Drive). If the city is worried about pedestrian safety they could consider installing additional crosswalks at the Dodge Avenue and/or Dempsey Street intersections.

To summarize

In summary, I feel that the city is spending a lot of money to fix a problem that they acknowledged to me does not even exist. In doing so, the city is actually making this stretch of road *less* safe. If I was misinformed and there is some sort of real issue with this stretch of road (such as high accident rates) then perhaps the City can present this information to the Councilors. Taking action on unsubstantiated stories, fairy tales, or "guesses" at how many speeding tickets may have been issued is not satisfactory. The City needs to be basing their decisions on *facts*.

Perhaps, *in fairness to other residents in the area*, the city should canvas them and ask if they feel that "improvements" like road calms, concrete barriers, speed humps, and reduced speed limits are desirable or necessary.

Although it may be impractical, ideally I would like Councilors to take a drive down this section of 39th street. Or even take their dogs for a walk down this road. In spite of all the dangers you've heard about, dozens of people, including myself, feel perfectly safe walking there. If you encounter multiple vehicles careening down the road at 80 or 90 kph; if you see cars running over the curb and crashing into trees and fences; if you see children "petrified with fear" to cross the road; well, then I've mislead you.

I'll take my chances. Thank you for your time.



Dwayne Wedman
403 340 1061
dwedman@shaw.ca



Date: August 30, 2010

To: City Manager

From: Engineering Services Manager

Re: 55 Street Extension Project - Request for Transfer of Funds

A. Purpose

The purpose of this memo is to request capital funding for the 55 Street Extension Project by transferring land sale proceeds from the Road Right Of Way Reserve to the 55 Street Extension project.

B. Background

During the City Council Regular Meeting held on July 26, 2010, it was resolved that Road Closure Bylaw 3450/2010 be approved and that the River City Developments Ltd. offer to purchase these portions of closed roadways (and a small portion of municipal reserve) be accepted. This land sale is in support of the Greater Downtown Action Plan and the "Elements at Rivers Edge" development, located at 5516 – 50 Avenue.

The purchase price agreed to for the sale of this property is ± \$2,150,000 + GST. Once received, this amount will be allocated to the Road Right Of Way Reserve Fund.

C. 55 Street Extension Project Budget

The extension of 55 Street is part of the Greater Downtown Action Plan Traffic Initiatives and its completion is critical to ensure that adequate site access is provided to the "Elements at Rivers Edge" development.

As part of the 2010 Capital Budget, \$175,000 was approved for detailed design. The source of the funding is 75% Basic Capital Grant and 25% Capital Project Reserve. It was planned that as part of the 2011 Capital Budget, the cost for construction and land acquisition would be included. Initial estimates of the total project cost are \$5,400,000 dollars.

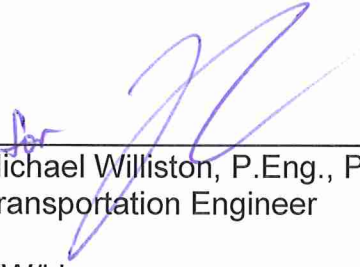
Since commencing design, there has been an urgency put on the completion of the project to accommodate Saputo's access and River City Development. In order to accommodate an October 2011 construction completion schedule, construction must commence by next spring. Prior to construction commencing, right of way must be purchased and utility relocation must occur. It is proposed that the proceeds of the sale of surplus 54th Avenue right of way be used to undertake this work this fall. The sale of surplus road right of way is valued at ± \$2,150,000. The remaining budget to complete construction of the project, approximately \$3,325,000, will be included in the 2011 capital budget.

August 30, 2010

Page 2

D. Recommendation

Engineering Services respectfully requests that, once received from River City Developments Ltd., the \$2,150,000 in proceeds from the land sale be used to partially fund the 55 Street Extension Project. These funds will allow necessary utility relocations and land purchases to commence prior to approval of the 2011 Capital Budget.



Michael Williston, P.Eng., P.E.
Transportation Engineer
MW/ldr

Frank Colosimo, P.Eng.
Engineering Services Manager

Dean Krejci, Financial Services Manager

Comments:

I strongly support the recommendation of Administration as it contemplates the sale of road and the utilization of funds to both purchase and develop the new road right of way for 55th Street.

“Craig Curtis”
City Manager

FILE

Council Decision – September 7, 2010

DATE: September 8, 2010
TO: Frank Colosimo, Engineering Services Manager
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: 55 Street Extension Project – Request for Transfer of Funds

Reference Report:

Engineering Services Manager, dated August 30, 2010

Resolutions:

"Resolved that Council of the City of Red Deer having considered the report from the Engineering Services Manager, dated August 30, 2010, re: 55 Street Extension Project – Request for Transfer of Funds, hereby agrees that once received from River City Developments, the \$2,150,000 in proceeds from the land sale be used to partially fund the 55 Street Extension Project in order to allow necessary utility relocations and land purchases to commence prior to approval of the 2011 Capital Budget."

Report Back to Council: No

Comments/Further Action:



Elaine Vincent
Legislative & Governance Services Manager

- c Corporate Services Director
 Development Services Director
 Planning Services Director
 Financial Services Manager
 Michael Williston, Traffic Engineer

Date: August 30, 2010
To: City Manager
From: Engineering Services Manager
Re: 55 Street Extension Project - Request for Transfer of Funds

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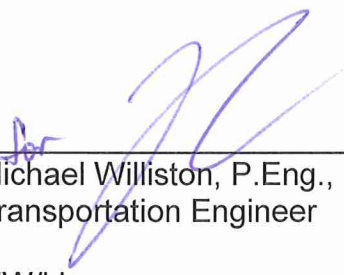
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August 30, 2010
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Michael Williston, P.Eng., P.E.
Transportation Engineer

MW/ldr



Frank Colosimo, P.Eng.
Engineering Services Manager

Dean Krejci, Financial Services Manager



Submission Request 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:		Michael Williston	
Department & Telephone Number:		Engineering – Extension 8379	
REPORT INFORMATION			
Preferred Date of Agenda:		September 7	
Subject of the Report (provide a brief description)		Request for a funding advance for the 55 Street Extension project in order to proceed with land acquisition and utility relocations.	
Is this Time Sensitive? Why?		Yes. The project must start construction in the spring of 2011 and the above issues must be resolved prior to that time.	
What is the Decision/Action required from Council?		Approve the transfer of \$2.15M in proceeds from the land sale to Rivercity Developments from the Road ROW Reserve Fund to the project.	
Please describe Internal/ External Consultation, if any.		Engineering has consulted with other departments and utility companies to quantify impacts to the project.	
Is this an In-Camera item?		No.	
How does the Report link to the Strategic Plan and other existing Plans & Policies?			
The 55 Street Extension is one of the initiatives identified in the GDAP.			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.			
Legal Counsel has not been consulted.			
Are there any financial/budget implications? Please describe. Are there other organizational implications? Please describe.			
Presentation: (10 Min Max.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Presenter Name and Contact Information:
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 & GOVERNANCE SERVICES USE ONLY			
Has this been to CLT / City Manager Briefings/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
CLT	City Manager Briefings	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need Communications Support?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

Please return completed form, along with report and any additional information to Legislative & Governance

**Corporate Services Division**

DATE: August 26, 2010

TO: Craig Curtis, City Manager

FROM: Julia Townell, Bylaw and Research Coordinator
Kim Woods, Policy & Research Coordinator

SUBJECT: Bylaw Amendments:
- Dog Bylaw 3429/A-2010
- Permit Fee Bylaw 3149/A-2010

History:

This year, The City of Red Deer established a new division: Planning Services. As a result, there was some department reporting structure changes, one of those being the Inspections & Licensing department, originally in Development Services Division, was realigned under Planning Services.

With this change, policies and procedures were moved from Development Services number series 4400 to the new Planning Services Division number series 6100.

The following three Policies and Procedures under Inspections & Licensing require re-numbering:

Current:	4416-C Dog License Fees
New:	6116-C Dog License Fees
Current:	4417-C Permit Fees: Building & Development
New:	6117-C Permit Fees: Building & Development

These policies have not yet been renumbered since the policy numbers are cited in these related bylaws:

- Dog Bylaw 3429/2009
- Permit Fee Bylaw 3149/95

In order to renumber the policies, the bylaws must be amended. To simplify the process if future changes are made to the policy numbers, the City Solicitor was contacted about the removal of the policy numbers from the bylaws. His response was that we could remove direct reference to policy numbers and the suggested wording is as follows:

"Fees payable under this bylaw shall be as specified by resolution of Council from time to time."

Proposed Amendments:

The City Solicitor has also recommended further bylaw amendment changes, these are outlined within the following tables:

Dog Bylaw 3429/2009

Section	Current Wording	Proposed Wording
Fees 8. (1)	"Fees payable under this bylaw shall be those specified in City Council Policy 4416-C- Dog Bylaw License Fees."	"Fees payable under this bylaw shall be as specified by resolution of Council from time to time."

Permit Fee Bylaw 3149/95

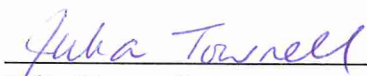
Section	Current Wording	Proposed Wording
Section 2	"No person shall be issued a permit under the <i>Safety Codes Act</i> until the prescribed fee has been paid to The City."	"No permit under the <i>Safety Codes Act</i> for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
Section 5	"The form of permits and applications required under this bylaw shall be in such form as is approved by the Licensing and Inspection Manager."	"The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw."
Section 7	"No person shall be issued a development permit until the prescribed fee has been paid to The City. A development permit shall include, but is not limited to, a permit issued under the provisions of the Land Use Bylaw or any compliance report for which a fee has been prescribed."	"No permit under the <i>Land Use Bylaw</i> for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
Section 9	"The fees for permits shall be the fees set out in Council Policy 4417-C, adopted on March 23, 2009. Those fees shall be adjusted annually on April 30 each year commencing in the year 2010 by the change in the Alberta average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."	"The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established, the fees shall automatically be adjusted, rounded to the nearest \$0.05 to reflect the change in the Alberta Average Consumer

		Price Index. The City Manager or designate shall calculate the annual change in fees."
Schedule "A"	"The fees for permits under <i>Safety Codes Act</i> shall be provided for in the City Council Policy 4417-C Permit Fees. 2"	"The fees for permits under <i>Safety Codes Act</i> shall be as specified by resolution of Council from time to time."
Schedule "B"	"The fees for permits and other services under the Land Use Bylaw shall be provided for in the City Council Policy 4417-C Permit Fees.2"	"The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time."

Recommendation:

That Council consider three readings to the following bylaw amendments:

- Dog Bylaw 3429/A-2010
- Permit Fee Bylaw 3149/A-2010


 Julia Townell
 Bylaw Research Coordinator
 /attach.

 Kim Woods
 Policy & Research Coordinator

- c. City Solicitor
 Paul Meyette, Director, Planning Services
 Frieda McDougall, Deputy City Clerk
 Lisa Perkins, Corporate Services Divisional Strategist
 Joyce Boon, Co-Manager, Inspections & Licensing
 Russ Pye, Co-Manager, Inspections & Licensing

Comments:

I support the recommendation of Administration that Council consider three readings of Dog Bylaw Amendment 3429/A-2010 and Permit Fee Bylaw Amendment 3149/A-2010.

“Craig Curtis”
City Manager

BYLAW NO. 3429/A-2010

Being a Bylaw to amend Bylaw No. 3429/2009 The Dog Bylaw of the City of Red Deer.

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

Bylaw No. 3429/2009 is hereby amended as follows:

1. Section 8 (1) is deleted in its entirety and replaced with the following new section 8 (1):

“8 (1) Fees payable under this bylaw shall be as specified by resolution of Council from time to time.”
2. In all other respects, Bylaw No. 3429/2009 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

MAYOR

CITY CLERK

DATE: September 8, 2010

TO: Julia Townell, Bylaw and Research Coordinator
Kim Woods, Policy & Research Coordinator

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Dog Bylaw Amendment 3429/A-2010 – Removal of Reference to Specific Council Policies

Reference Report:

Bylaw and Research Coordinator and Policy & Research Coordinator dated August 26, 2010.

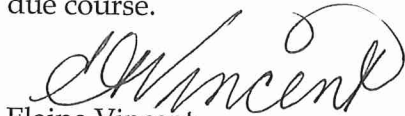
Bylaw Readings:

Dog Bylaw Amendment 3429/A-2010 received three readings. A copy of the bylaw is attached.

Report Back to Council: No

Comments / Further Action:

This amendment to Dog Bylaw 3429/2009 is basically housekeeping in nature and deletes specific policy numbers from within the bylaw. This will ensure future policy changes will not require a bylaw amendment. This office will amend the consolidated copy of Dog Bylaw 3429/2009 and distribute it in due course.



Elaine Vincent
Legislative & Governance Services Manager
/attach

- c Director of Planning Services
- Deputy City Clerk
- City Solicitor
- Corporate Services Divisional Strategist
- Inspection & Licensing Co-Managers
- Corporate Meeting Coordinator
- LGS File

BYLAW NO. 3429/A-2010

Being a Bylaw to amend Bylaw No. 3429/2009 The Dog Bylaw of the City of Red Deer.

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

Bylaw No. 3429/2009 is hereby amended as follows:

1. Section 8 (1) is deleted in its entirety and replaced with the following new section 8 (1):

"8 (1) Fees payable under this bylaw shall be as specified by resolution of Council from time to time."

2. In all other respects, Bylaw No. 3429/2009 is hereby ratified and confirmed.

READ A FIRST TIME IN OPEN COUNCIL this 7th day of September 2010.

READ A SECOND TIME IN OPEN COUNCIL this 7th day of September 2010.

READ A THIRD TIME IN OPEN COUNCIL this 7th day of September 2010.

AND SIGNED BY THE MAYOR AND CLERK this 7th day of September 2010.


MAYOR


CITY CLERK

FILE

Council Decision – September 7, 2010

DATE: September 8, 2010

TO: Julia Townell, Bylaw and Research Coordinator
Kim Woods, Policy & Research Coordinator

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Permit Fee Bylaw Amendment 3149/A-2010 – Removal of Reference to Specific Council Policies

Reference Report:

Bylaw and Research Coordinator and Policy & Research Coordinator dated August 26, 2010.

Bylaw Readings:

Permit Fee Bylaw Amendment 3149/A-2010 received three readings. A copy of the bylaw is attached.

Report Back to Council: No

Comments / Further Action:

This amendment to Permit Fee Bylaw Amendment 3149/95 is basically housekeeping in nature and deletes specific policy numbers from within the bylaw. This will ensure future policy changes will not require a bylaw amendment. This office will amend the consolidated copy of Permit Fee Bylaw 3149/95 and distribute it in due course.



Elaine Vincent
Legislative & Governance Services Manager
/attach.

- c Director of Planning Services
- Deputy City Clerk
- City Solicitor
- Corporate Services Divisional Strategist
- Inspections & Licensing Co-Managers
- Corporate Meeting Coordinator
- LGS File

BYLAW NO. 3149/A-2010

Being a Bylaw to amend Bylaw No. 3149/95 The Permit Fee Bylaw of the City of Red Deer.

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

Bylaw No. 3149/95 is hereby amended as follows:

1. Section 2 is deleted and replaced with the following new section 2:

"2 No Permit under the Safety Codes Act for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."

2. Section 5 is deleted and replaced with the following new section 5:

"5 The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw."

3. Section 7 is deleted and replaced with the following new section 7:

"7 No permit under the Land Use Bylaw for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."

4. Section 9 is deleted in its entirety and replaced with the following new section 9:

"9 The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established the fees shall automatically be adjusted, rounded to the nearest \$0.05, to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."

5. Schedules A and B are deleted and replaced with the attached new Schedule A and B.

6. In all other respects, Bylaw No. 3149/95 is hereby ratified and confirmed.


READ A FIRST TIME IN OPEN COUNCIL this 7th day of September 2010.

READ A SECOND TIME IN OPEN COUNCIL this 7th day of September 2010.

READ A THIRD TIME IN OPEN COUNCIL this 7th day of September 2010.

AND SIGNED BY THE MAYOR AND CLERK this 7th day of September 2010.


MAYOR


CITY CLERK

SCHEDULE "A"

FEES FOR PERMITS UNDER SAFETY CODES ACT

The fees for permits under *Safety Codes Act* shall be as specified by resolution of Council from time to time.

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

The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time.



Submission Request 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:	Julia Townell & Kim Woods		
Department & Telephone Number:	Planning Services, 356-8896		
REPORT INFORMATION			
Preferred Date of Agenda:	September 7, 2010		
Subject of the Report (provide a brief description)	The numbering scheme policies has changed – amend bylaws to no longer reference specific policies		
Is this Time Sensitive? Why?	No.		
What is the Decision/Action required from Council?	Council approve the change or wording in the bylaws, provided by the City Solicitor, so that they no longer reference specific numbers.		
Please describe Internal/ External Consultation, if any.	Inspections & Licensing, Corporate Services, LGS, and City Solicitor		
Is this an In-Camera item?			
How does the Report link to the Strategic Plan and other existing Plans & Policies?			
<ul style="list-style-type: none"> - Be Strategic – Sustainable - Be Strategic – Leadership 			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe. Yes. No.			
Are there any financial/budget implications? Please describe. Are there other organizational implications? Please describe. No.			
Presentation: (10 Min Max.)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Julia Townell – 356-8896 julia.townell@reddeer.ca
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 & GOVERNANCE SERVICES USE ONLY			
Has this been to CLT / City Manager Briefings/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
CLT	City Manager Briefings	Board(s) / Committee(s)	
When/describe: _____	When/Describe: _____	When/Describe: _____	
Do we need Communications Support?		<input type="checkbox"/> YES	<input type="checkbox"/> NO

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

Corporate Services Division

DATE: August 26, 2010

TO: Craig Curtis, City Manager

FROM: Julia Townell, Bylaw and Research Coordinator
Kim Woods, Policy & Research Coordinator

SUBJECT: Bylaw Amendments:
- Dog Bylaw 3429/A-2010
- Permit Fee Bylaw 3149/A-2010

History:

This year, The City of Red Deer established a new division: Planning Services. As a result, there was some department reporting structure changes, one of those being the Inspections & Licensing department, originally in Development Services Division, was realigned under Planning Services.

With this change, policies and procedures were moved from Development Services number series 4400 to the new Planning Services Division number series 6100.

The following three Policies and Procedures under Inspections & Licensing require re-numbering:

Current:	4416-C Dog License Fees
New:	6116-C Dog License Fees
Current:	4417-C Permit Fees: Building & Development
New:	6117-C Permit Fees: Building & Development

These policies have not yet been renumbered since the policy numbers are cited in these related bylaws:

- Dog Bylaw 3429/2009
- Permit Fee Bylaw 3149/95

In order to renumber the policies, the bylaws must be amended. To simplify the process if future changes are made to the policy numbers, the City Solicitor was contacted about the removal of the policy numbers from the bylaws. His response was that we could remove direct reference to policy numbers and the suggested wording is as follows:

"Fees payable under this bylaw shall be as specified by resolution of Council from time to time."

Proposed Amendments:

The City Solicitor has also recommended further bylaw amendment changes, these are outlined within the following tables:

Dog Bylaw 3429/2009

Section	Current Wording	Proposed Wording
Fees 8. (1)	"Fees payable under this bylaw shall be those specified in City Council Policy 4416-C- Dog Bylaw License Fees."	"Fees payable under this bylaw shall be as specified by resolution of Council from time to time."

Permit Fee Bylaw 3149/95

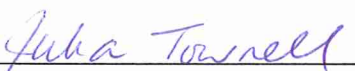
Section	Current Wording	Proposed Wording
Section 2	"No person shall be issued a permit under the <i>Safety Codes Act</i> until the prescribed fee has been paid to The City."	"No permit under the <i>Safety Codes Act</i> for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
Section 5	"The form of permits and applications required under this bylaw shall be in such form as is approved by the Licensing and Inspection Manager."	"The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw."
Section 7	"No person shall be issued a development permit until the prescribed fee has been paid to The City. A development permit shall include, but is not limited to, a permit issued under the provisions of the Land Use Bylaw or any compliance report for which a fee has been prescribed."	"No permit under the <i>Land Use Bylaw</i> for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
Section 9	"The fees for permits shall be the fees set out in Council Policy 4417-C, adopted on March 23, 2009. Those fees shall be adjusted annually on April 30 each year commencing in the year 2010 by the change in the Alberta average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."	"The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established, the fees shall automatically be adjusted, rounded to the nearest \$0.05 to reflect the change in the Alberta Average Consumer

		Price Index. The City Manager or designate shall calculate the annual change in fees."
Schedule "A"	"The fees for permits under <i>Safety Codes Act</i> shall be provided for in the City Council Policy 4417-C Permit Fees. 2"	"The fees for permits under <i>Safety Codes Act</i> shall be as specified by resolution of Council from time to time."
Schedule "B"	"The fees for permits and other services under the Land Use Bylaw shall be provided for in the City Council Policy 4417-C Permit Fees.2"	"The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time."

Recommendation:

That Council consider three readings to the following bylaw amendments:

- Dog Bylaw 3429/A-2010
- Permit Fee Bylaw 3149/A-2010


 Julia Townell
 Bylaw Research Coordinator
 /attach.

 Kim Woods
 Policy & Research Coordinator

- c. City Solicitor
 Paul Meyette, Director, Planning Services
 Frieda McDougall, Deputy City Clerk
 Lisa Perkins, Corporate Services Divisional Strategist
 Joyce Boon, Co-Manager, Inspections & Licensing
 Russ Pye, Co-Manager, Inspections & Licensing

BYLAW NO. 3149/A-2010

Being a Bylaw to amend Bylaw No. 3149/95 The Permit Fee Bylaw of the City of Red Deer.

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

Bylaw No. 3149/95 is hereby amended as follows:

1. Section 2 is deleted and replaced with the following new section 2:

“2 No Permit under the Safety Codes Act for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid.”

2. Section 5 is deleted and replaced with the following new section 5:

“5 The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw.”

3. Section 7 is deleted and replaced with the following new section 7:

“7 No permit under the Land Use Bylaw for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid.”

4. Section 9 is deleted in its entirety and replaced with the following new section 9:

“9 The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year, subsequent to the year in which the fees were established, the fees shall automatically be adjusted, rounded to the nearest \$0.05, to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees.”

5. Schedules A and B are deleted and replaced with the attached new Schedule A and B.

6. In all other respects, Bylaw No. 3149/95 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

MAYOR

CITY CLERK
SCHEDULE "A"

FEES FOR PERMITS UNDER SAFETY CODES ACT

The fees for permits under *Safety Codes Act* shall be as specified by resolution of Council from time to time.

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

The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time.

Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Julia Townell
Sent: August 30, 2010 8:27 AM
To: Christine Kenzie
Subject: RE: Here are the files for the policy related amendments -- Questions Re Report

Hi Christine,

Thank you for catching that. The report should include "rounded to the nearest \$0.05". I changed it in one place, but forgot to change it in the other.

Julia

From: Christine Kenzie
Sent: Friday, August 27, 2010 9:56 AM
To: Julia Townell
Subject: FW: Here are the files for the policy related amendments -- Questions Re Report

1. Section 9 is deleted in its entirety and replaced with the following new section 9:

"9 The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year, subsequent to the year in which the fees were established, the fees shall automatically be adjusted, rounded to the nearest \$0.05, to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."

The above is an excerpt from the Permit Fee Bylaw Amendment you sent re Section 9.

In your report you list the proposed wording for Section 9 as follows:

"The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established, the fees shall automatically be adjusted to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."

There is an discrepancy between what is in the Permit Fee Bylaw Amendment and your report. Need to clarify if the section "rounded to the nearest \$.0.05," should this be included in the bylaw amendment??

Let me know ASAP.

Thanks.

(I left you a voice mail message to call me on Friday.)

Christine Kenzie | Council Services Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Julia Townell
Sent: August 26, 2010 2:05 PM
To: Christine Kenzie
Subject: Here are the files for the policy related amendments

<< File: 989345 - Memo Bylaw Amendments to three bylaws Taxi Business Dog Permit Fees (June 29 2010 to LGS Manager) - 2.DOC >>

<< File: Amdt 3149A-2010.DOC >> _____
From: Chris << File: Amdt 3429A-2010.DOC >> ine Kenzie
Sent: Thursday, August 26, 2010 1:43 PM
To: Julia Townell
Subject: Reminder to Email the Reports /Bylaws re Traffic & Dog/Permit Fee Amendments

Just a reminder to email me the reports re above.

Thanks.

Christine Kenzie | Council Services Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

Backup

Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Julia Townell

Sent: August 26, 2010 2:03 PM

To: Christine Kenzie

Subject: RE: Draft 3282/B-2010 - Taxi Business Bylaw Amendment - Changes to Schedule A & B - Deleting Reference to Specific Council Policy

Yes, you can delete the draft version, as the fees will have to go back into the bylaw. Thank you. :-)

From: Christine Kenzie

Sent: Thursday, August 26, 2010 2:01 PM

To: Julia Townell

Subject: Draft 3282/B-2010 - Taxi Business Bylaw Amendment - Changes to Schedule A & B - Deleting Reference to Specific Council Policy

I wanted to check to see when you plan to bring the Taxi Business Bylaw amendment back to Council.

If it is going to be a month or two --- I will delete the attached draft version that was made up previously --- and you can start over with a new amendment when you are ready?

Do you agree?

Christine Kenzie | Council Services Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

2010/08/26

Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Julia Townell
Sent: August 23, 2010 8:48 AM
To: Kim Woods
Cc: Christine Kenzie; Frieda McDougall
Subject: RE: License Fee Amendments

Hi Kim,

I'm not sure if you've submitted the bylaw amendments to Christine, so I've copied her on this email. The Permit Fee Bylaw (with the below mentioned change) and the Dog Bylaw amendment can go forward to Council. The Taxi Business Bylaw amendments should not go forward to Council at this time.

When we met with the Don Simpson, he did say that the taxi fees must go back into the Taxi Business Bylaw. (As you know, there's some history as to why they were put into a policy in the first place.) My understanding is that we were to leave the policy as is, and make the amends to the bylaw this fall. At that time, we would annul the policy. Therefore, there is no need to submit any policy changes to Council with regard to the Taxi Business bylaw. I will develop a report to amend the Taxi Business Bylaw, to include fees back into the bylaw, at a later date.

As for the Permit Fee Bylaw, The City Solicitor has made changes that go beyond simply referencing a policy. I also note that some of the initial changes have been lost in the number of reviews that have occurred. The policy no longer states that the "fees will be automatically adjusted and implemented, rounded to the nearest \$0.05, every year by April 30 to reflect the change in the Alberta average Consumer Price Index from the previous calendar year". This statement needs to be in there. I'll make the change.

You also asked about best practices when sending a report to Council, where a bylaw amendment relates to a policy. Typically, if it's a bylaw that I'm responsible for, I'll make the changes and present them to Council. However, in this case, Lisa made the bylaw amendments and sent them to me for review. This made sense, as Lisa wanted the bylaws to properly reference a policy. We can discuss further, when you're back.

Thank you,

Julia

From: Kim Woods
Sent: Saturday, August 21, 2010 2:27 PM
To: Julia Townell
Subject: FW: License Fee Amendments

Hi Julia:

Here is the final follow up with our City Solicitor.

I am now on vacation and I will be back on September 7.

I am sending a separate email with the revised taxi bylaw amendment and the proposed strike out changes to the taxi policy. I have to ask you to have a look at the taxi changes for the bylaw and policy also the change that needs to be added in the report is highlighted in yellow. As you are the bylaw person this is best left to your expertise. Also I thought Don had indicated we would be completing this later in the fall but I guess if we can incorporate the changes now that may be

2010/08/23

useful for you as it appears we are not in compliance – to section 8(c.1) saying the rates have to be specified in the bylaw (quoting Don's correspondence from June 4).

If you could discuss with who you need to in your area and they agree we can then submit this for the next council agenda. I have tried to help as much as I can, so I will leave the final delivery of this report to you for submission to the next agenda. The deadline to get it into Christine is August 30 – but the sooner the better.

So another email is coming to you after this one with the proposed changes to the taxi policy. I had a quick look at the policy – however please ensure all the metered taxi rate areas are properly deleted and added to the bylaw as I did not have a lot of time to review this. Thanks Julia.

Thank you,

Kim

Kim Woods Policy & Research Coordinator
Corporate Services, The City of Red Deer
Phone: 403.342.8246
Email: kim.woods@reddeer.ca
Website: [The City of Red Deer](http://www.reddeer.ca)

From: Jennifer Carver [mailto:jcarver@chapmanriebeek.com]
Sent: August 20, 2010 11:16 AM
To: Kim Woods
Subject: License Fee Amendments

Hi Kim,

I have reviewed the documents you emailed regarding the amendments to the taxi business bylaw, permit fee bylaw, and dog bylaw. Please find my attached correspondence.

If you have any questions please let me know.

Sincerely,

Jennifer L. Carver
Student-at-Law
Chapman Riebeek LLP
Barristers & Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Telephone: (403) 346-6603
Fax: (403) 340-1280
jcarver@chapmanriebeek.com

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2010/08/23

[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.]

Christine Kenzie

From: Kim Woods
Sent: August 21, 2010 2:36 PM
To: Christine Kenzie; Frieda McDougall
Subject: FW: License Fee Amendments
Follow Up Flag: Follow up
Flag Status: Red
Attachments: Letter to Kim Woods.20.08.10.pdf; Amdt.3282B-2010.DOC; Amdt.3149A-2010.DOC; Amdt.3429A-2010.DOC

Good afternoon:

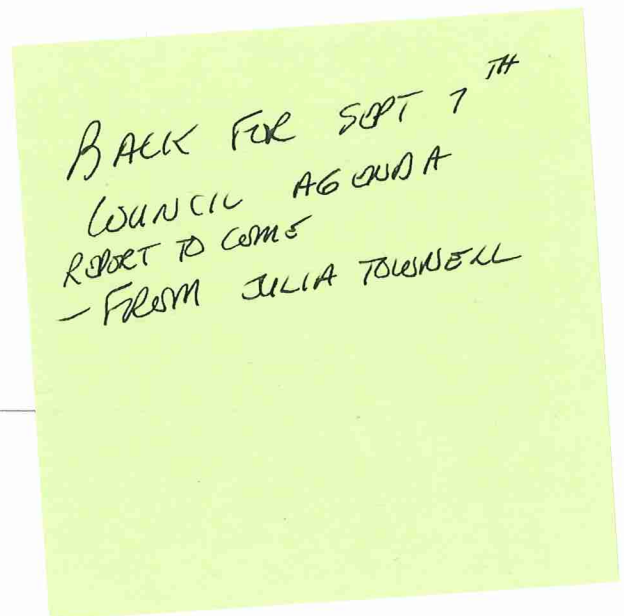
Just a heads up that we did need to make further changes to the taxi bylaw amendment and it now looks like we need to revise the taxi policy with taking out the metered fare rates and putting these into the bylaw. I have completed the draft changes and sent a separate email to Julia to follow up on, she will be checking with who needs to in Inspections and probably back with the City Solicitor.

I just wanted to let you know where we are with this and hopefully everything gets tied up for the next agenda. I indicated the council deadline below.

Thank you and if you have any questions please give Julia a call.

Kim

Kim Woods Policy & Research Coordinator
Corporate Services, The City of Red Deer
Phone: 403.342.8246
Email: kim.woods@reddeer.ca
Website: The City of Red Deer



From: Kim Woods
Sent: August 21, 2010 2:27 PM
To: Julia Townell
Subject: FW: License Fee Amendments

Hi Julia:

Here is the final follow up with our City Solicitor.

I am now on vacation and I will be back on September 7.

I am sending a separate email with the revised taxi bylaw amendment and the proposed strike out changes to the taxi policy. I have to ask you to have a look at the taxi changes for the bylaw and policy also the change that needs to be added in the report is highlighted in yellow. As you are the bylaw person this is best left to your expertise. Also I thought Don had indicated we would

2010/08/23

be completing this later in the fall but I guess if we can incorporate the changes now that may be useful for you as it appears we are not in compliance – to section 8(c.1) saying the rates have to be specified in the bylaw (quoting Don's correspondence from June 4).

If you could discuss with who you need to in your area and they agree we can then submit this for the next council agenda. I have tried to help as much as I can, so I will leave the final delivery of this report to you for submission to the next agenda. The deadline to get it into Christine is August 30 – but the sooner the better.

So another email is coming to you after this one with the proposed changes to the taxi policy. I had a quick look at the policy – however please ensure all the metered taxi rate areas are properly deleted and added to the bylaw as I did not have a lot of time to review this. Thanks Julia.

Thank you,

Kim

Kim Woods Policy & Research Coordinator
Corporate Services, The City of Red Deer
Phone: 403.342.8246
Email: kim.woods@reddeer.ca
Website: [The City of Red Deer](http://www.reddeer.ca)

From: Jennifer Carver [mailto:jcarver@chapmanriebeek.com]
Sent: August 20, 2010 11:16 AM
To: Kim Woods
Subject: License Fee Amendments

Hi Kim,

I have reviewed the documents you emailed regarding the amendments to the taxi business bylaw, permit fee bylaw, and dog bylaw. Please find my attached correspondence.

If you have any questions please let me know.

Sincerely,

Jennifer L. Carver
Student-at-Law
Chapman Riebeek LLP
Barristers & Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Telephone: (403) 346-6603
Fax: (403) 340-1280
jcarver@chapmanriebeek.com

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CHAPMAN RIEBEEK LLP
Barristers & Solicitors

BACKUP INFORMATION
NOTED TO COUNCIL

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

DONALD J. SIMPSON*
NANCY A. BERGSTROM*
MICHELLE A. BAER
ELIZABETH L. TURNER

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

*Denotes Professional Corporation

Your file:
Our file: 5419 DJS
Direct Email: jcarver@chapmanriebeek.com

August 20, 2010

VIA EMAIL

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

Attention: Kim Woods, Policy & Research Coordinator

Dear Madam:

RE: City License Fees - Amendments to Various Bylaws

I have reviewed the amendments for the Taxi Business Bylaw, Permit Fee Bylaw, and Dog Bylaw. I have made some corrections and the revised amendments are enclosed.

The Taxi Business Bylaw amendment makes reference to a new Schedule B. Don Simpson provided an earlier opinion that the license fees may be set by resolution but the actual taxi rates must still be specified in the bylaw. **Your draft report to Craig Curtis and the new Schedule B still indicates that the metered fare rates will be set by resolution of Council. This must be changed as it is not legally permissible. The new Schedule B must still specify the metered fare rates.**

If you have any questions or would like to discuss this further please feel free to contact me.

Yours truly,

CHAPMAN RIEBEEK LLP

Per:


JENNIFER L. CARVER

JLC
Enclosure

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

Telephone: (403) 346-6603

Fax: (403) 340-1280

Email: info@chapmanriebeek.com

BYLAW NO. 3282/B-2010

Being a Bylaw to amend Bylaw No. 3282/2001 The Taxi Business Bylaw of the City of Red Deer.

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

Bylaw No. 3282/2001 is hereby amended as follows:

1. Section 2.1 (4), 3 (3) and 6 (a) are deleted and replaced with the following new sections:

“2.1 (4) An independent Owner/Operator must pay the specified annual fee.”

“3 (3) Anyone may obtain a copy of the list of all vehicles used by a broker on application to the License Inspector and on payment of the specified fee.”

“6 (a) payment of the specified fee;”

2. In sections 25 (2) and 27 (3) (c) the phrase “fee required in Schedule “A”” is deleted and replaced with the phrase “the specified fee.”

3. Section 29 (1) (j) is deleted and replaced with the following new section:

“29 (1) (j) the specified fee.”

4. The notation in Schedule “A” – Annual License Fees is deleted in its entirety and replaced with the following notation:

“The Annual License Fees payable under this bylaw shall be as specified by resolution of Council from time to time.”

5. Schedule “B” is deleted in its entirety and replaced with the attached new Schedule “B”.

6. In all other respects, Bylaw No. 3282/2001 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

MAYOR

CITY CLERK

SCHEDULE "B"

The Taxi Business Bylaw Metered Fare Rates shall be as specified by resolution of Council from time to time. [This Schedule must still specify the Metered Fare Rates – this cannot be done by resolution of Council.]

BYLAW NO. 3149/A-2010

Being a Bylaw to amend Bylaw No. 3149/95 The Permit Fee Bylaw of the City of Red Deer.

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

Bylaw No. 3149/95 is hereby amended as follows:

1. Section 2 is deleted and replaced with the following new section 2:
"2 No Permit under the Safety Codes Act for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
2. Section 5 is deleted and replaced with the following new section 5:
"5 The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw."
3. Section 7 is deleted and replaced with the following new section 7:
"7 No permit under the Land Use Bylaw for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid."
4. Section 9 is deleted in its entirety and replaced with the following new section 9:
"9 The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established the fees shall automatically be adjusted to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees."
5. Schedules A and B are deleted and replaced with the attached new Schedule A and B.
6. In all other respects, Bylaw No. 3149/95 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

MAYOR

CITY CLERK

SCHEDULE "A"

FEES FOR PERMITS UNDER SAFETY CODES ACT

The fees for permits under *Safety Codes Act* shall be as specified by resolution of Council from time to time.

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

The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time.

BYLAW NO. 3429/A-2010

Being a Bylaw to amend Bylaw No. 3429/2009 The Dog Bylaw of the City of Red Deer.

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

Bylaw No. 3429/2009 is hereby amended as follows:

1. Section 8 (1) is deleted in its entirety and replaced with the following new section 8 (1):

“8 (1) Fees payable under this bylaw shall be as specified by resolution of Council from time to time.”

2. In all other respects, Bylaw No. 3429/2009 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

MAYOR

CITY CLERK

BACKUP

Christine Kenzie

JAN 7, 2010

To: Frieda McDougall; Lisa Hannah
Cc: Julia Townell
Subject: FW: 3149/95 Permit Fee Bylaw New - Consolidated

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

See email below from the City Solicitor -- regarding making the revision to the Permit Fee Bylaw -- to correct the "Licensing and Inspection Manager" error.

Don is suggesting holding off on making the correction to the bylaw until other amendments are required as the correction would have to be approved by 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

-----Original Message-----

From: Don Simpson [mailto:dsimpson@chapmanriebeek.com]
Sent: January 07, 2010 9:37 AM
To: Christine Kenzie
Cc: Michelle Baer
Subject: Re: 3149/95 Permit Fee Bylaw New - Consolidated

Hi Christine:

My initial response is that the correction of the incorrect term 'Licensing and Inspections Manager' is not an urgent matter from a legal point of view. Since there is no such position at City Hall, the only possible interpretation of the bylaw is that Council must have meant 'Inspections and Licensing Manager'. If this issue ever came up in court, the bylaw would be read and interpreted as though the term 'Inspections and Licensing Manager' had been used.

I would further note that the only reference in the bylaw to this position is to identify the person who is responsible for designing the application forms and the form of permit. Neither of these documents is likely to be controversial, so it is difficult to imagine any circumstances under which the validity of these documents would be legally challenged.

However, if you do want to correct the mistake, then the proper way to do it would be by way of a formal bylaw amendment to the Permit Fee Bylaw. Section 63(2)(h) of the MGA does permit council to establish a bylaw to authorize the revision of some or all of the City's bylaws to correct grammatical or clerical or typographical errors. However, this power should be used in a case where you want to pass a bylaw of general application, that is, a bylaw that gives the City Clerk the authority to make revisions to all City bylaws.

It really wouldn't make any sense to have Council pass a bylaw to correct clerical errors in the Permit Fees Bylaw alone. If that were the only bylaw that was of concern, it would be just as easy to pass an amendment to the Permit Fee Bylaw directly.

I would recommend that you consider delaying any correction of this deficiency until such time as the Permit Fee Bylaw needs amendment for other reasons. However, if you do not anticipate any other changes to the bylaw, then you could prepare an amending bylaw now.

I hope this explanation makes sense and answers your question. Please let me

know if you require further verification.

Don Simpson
Chapman Riebeek LLP
Barristers and Solicitors
300, 4808 Ross Street
Red Deer, AB T4N 1X5
Tel: (403) 346-6603
Fax: (403) 340-1280

On 1/7/10 8:38 AM, "Christine Kenzie" <Christine.Kenzie@reddeer.ca> wrote:

> We have found a clerical error in Permit Fee Bylaw 3149/95. Section 5 refers
> to the "Licensing and Inspection Manager" and the proper title is "Inspections
> & Licensing Manager" . Making the change does not affect the intent of the
> bylaw.
>
> According to Section 63 (2) (h) Council must authorize any correcting of
> clerical, grammatical and typographical errors.
>
> Question: Do we need to prepare a formal bylaw amendment to have Council
> approve to correct this error or can we make the correction without it going
> to Council?
>
> A copy of the bylaw is attached for your review.
>
> 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
>
>
>
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Jan 6/09
Christine Kenzie

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

To: Lisa Hannah; Amber Senuk
Cc: Julia Townell
Subject: RE: Administrative Change to Permit Fee Bylaw 3149/95

We will make the change (Amber & I) and will distribute the revised Consolidate copy of the bylaw.

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: Lisa Hannah
Sent: January 06, 2010 2:44 PM
To: Christine Kenzie; Amber Senuk
Cc: Julia Townell
Subject: Administrative Change to Permit Fee Bylaw 3149/95

Hello,

A slight administrative correction is needed for #5 of this bylaw. Currently it reads, "Licensing and Inspection Manager". The correct title is "Inspections & Licensing Manager". Do you want to make the change or me?

Cheers,
Lisa

Lisa Hannah
Policy & Research Coordinator
Legislative & Administrative Services
The City of Red Deer
(403) 342-8246
lisa.hannah@reddeer.ca
<http://www.reddeer.ca/>

BYLAW NO. 3149/95

Being a bylaw of the City of Red Deer, in the Province of Alberta, to establish fees for the issuance of certain permits under City bylaws;

WHEREAS under section 8 of the *Municipal Government Act*, a Council may by bylaw establish fees for licences, permits, and approvals;

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

1 This bylaw may be called the "Permit Fee Bylaw".

PERMITS ISSUED UNDER THE SAFETY CODES ACT

2 No person shall be issued a permit under the *Safety Codes Act* until the prescribed fee has been paid to The City.¹

3 (1) Except as provided in section 3(2), permits may be issued to:

(a) a licensed contractor:

(b) a homeowner to perform work on or within his own owner-occupied single family dwelling.

(2) No permit shall be issued to a homeowner to perform the following work:

(a) Electrical - installation of electrical system to main service connection

- electrical installations respecting swimming pools, therapeutic pools, tubs or hot tubs

(b) Gas - installation of a gas system.

4² A building permit is required for the construction of a detached garage, residential basement finishing work, uncovered decks over 24" off the ground and manufactured homes/additions.

5 The form of permits and applications required under this bylaw shall be in such form as is approved by the Licensing and Inspection Manager.

6 An applicant for a permit under the *Safety Codes Act* shall complete and

1 3149/A-2009

2 3149/A-2003

file with the Safety Code Officer, an application form, together with such plans, site plans, and specifications and copies thereof as the Safety Code Officer may require.

PERMITS UNDER THE LAND USE BYLAW

- 7 No person shall be issued a development permit until the prescribed fee has been paid to The City. A development permit shall include, but is not limited to, a permit issued under the provisions of the Land Use Bylaw or any compliance report for which a fee has been prescribed.¹

MISCELLANEOUS

- 8 The granting of a permit under this bylaw does not entitle the permittee, his successor or assigns or anyone on his or on their behalf to construct any building that fails to comply with the requirements of any building restriction agreement affecting the site described in the permit.
- 9 The fees for permits shall be the fees set out in Council Policy 4417-C, adopted on March 23, 2009. Those fees shall be adjusted annually on April 30 each year commencing in the year 2010 by the change in the Alberta average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees.²
- 10 Bylaw No. 3132/95 is hereby repealed.
- 11 This bylaw shall come into full force and effect upon the passage of third reading.

READ A FIRST TIME IN OPEN COUNCIL this 25 day of September 1995.

READ A SECOND TIME IN OPEN COUNCIL this 25 day of September 1995.

READ A THIRD TIME IN OPEN COUNCIL this 25 day of September 1995.

AND SIGNED BY THE MAYOR AND CITY CLERK this 25 day of September 1995.

"G.D. Surkan"

"Kelly Kloss"

MAYOR

CITY CLERK

¹ 3149/A-2009

² 3149/A-2009

SCHEDULE "A"¹

FEES FOR PERMITS UNDER SAFETY CODES ACT

The fees for permits under *Safety Codes Act* shall be provided for in the City Council Policy 4417-C Permit Fees.²

¹ 3149/B-96, 3149/A-97, 3149/B-97, 3149/A-98, 3149/A-2000, 3149/A-2005

² 3149/A-2009

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

The fees for permits and other services under the Land Use Bylaw shall be provided for in the City Council Policy 4417-C Permit Fees.²

¹ 3149/A-96, 3149/A-97, 3149/A-2005

² 3149/A-2009

BYLAW NO. 3149/A-2010

Being a Bylaw to amend Bylaw No. 3149/95 The Permit Fee Bylaw of the City of Red Deer.

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

Bylaw No. 3149/95 is hereby amended as follows:

1. Section 2 is deleted and replaced with the following new section 2:

“2 No Permit under the Safety Codes Act for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid.”
2. Section 5 is deleted and replaced with the following new section 5:

“5 The Inspections and Licensing Manager shall determine the form of permits and applications for permits under this bylaw.”
3. Section 7 is deleted and replaced with the following new section 7:

“ 7 No permit under the Land Use Bylaw for a matter listed in Schedule A shall be issued until such time as the fee for such permit has been paid.”
4. Section 9 is deleted in its entirety and replaced with the following new section 9:

“9 The fees for permits under this Bylaw shall be as set out in Schedules A and B except as otherwise established from time to time by resolution of Council. On April 30 of each year subsequent to the year in which the fees were established the fees shall automatically be adjusted, rounded to the nearest \$0.05, to reflect the change in the Alberta Average Consumer Price Index. The City Manager or designate shall calculate the annual change in fees.”
5. Schedules A and B are deleted and replaced with the attached new Schedule A and B.
6. In all other respects, Bylaw No. 3149/95 is hereby ratified and confirmed.

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 CLERK this	day of	2010.

<hr/> MAYOR	<hr/> CITY CLERK
-------------	------------------

SCHEDULE "A"

FEES FOR PERMITS UNDER SAFETY CODES ACT

The fees for permits under *Safety Codes Act* shall be as specified by resolution of Council from time to time.

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

The fees for permits and other services under the Land Use Bylaw shall be as specified by resolution of Council from time to time.



PLANNING SERVICES

DATE: August 18, 2010

TO: Craig Curtis, City Manager

FROM: Jordan Furness, Planner

RE: Land Use Bylaw Amendment No.3357/U-2010

From: I1 – Industrial (Business Service) District
To: C4 – Commercial (Major Arterial) District

6719 52 Ave (Lot 7, Block 1, Plan 3996 MC)
 6731 52 Ave (Lot 7A, Block 1, Plan 3996 MC)
 6751 52 Ave (Lot 8, Block 1, Plan 6784 KS)
 6761 52 Ave (Lot, 9 Block 1, Plan 6784 KS)
 6771 52 Ave (Lot, 10 Block 1 Plan 6784 KS)

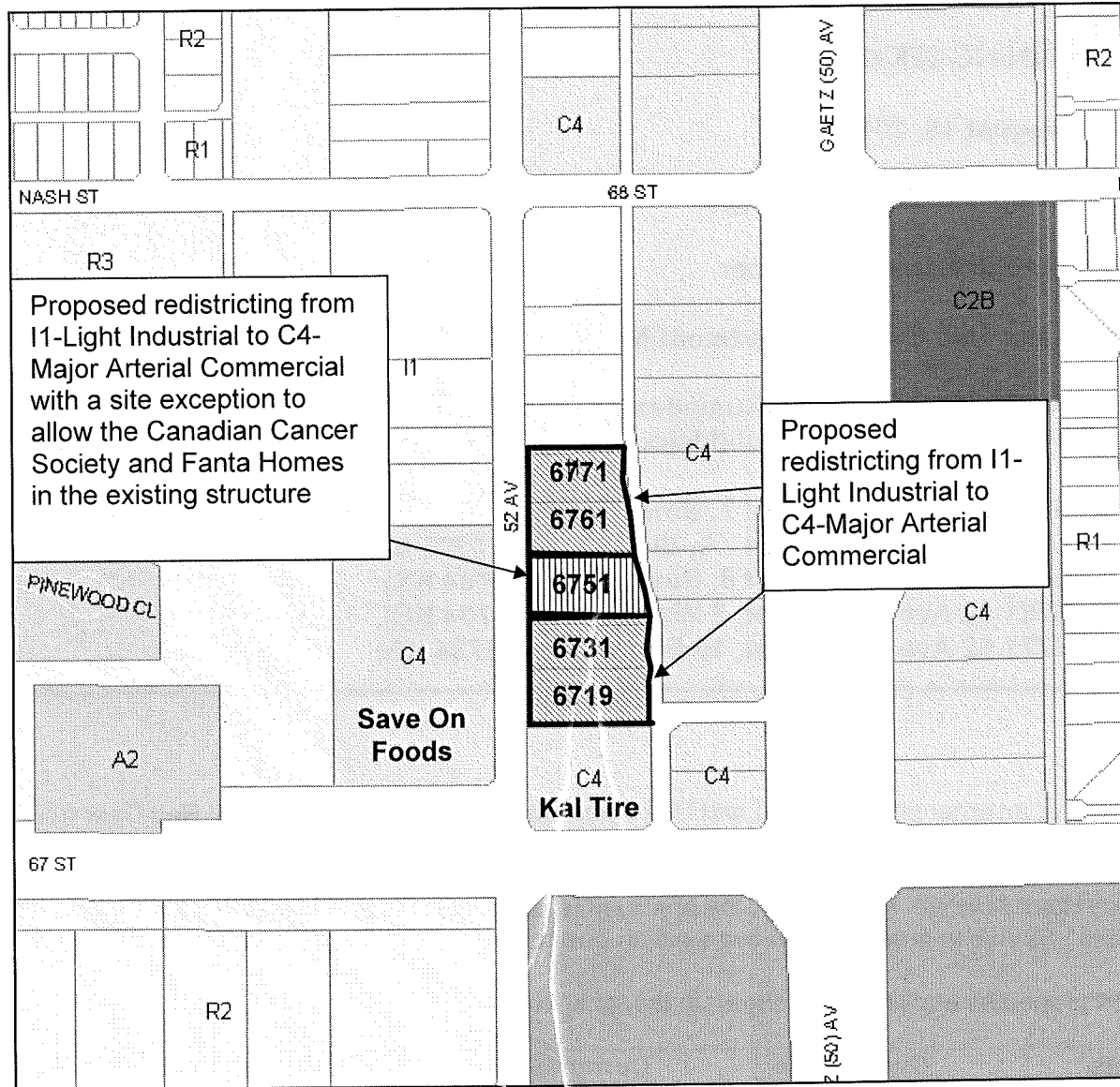
Introduction

An application for an amendment to the Land Use Bylaw has been made to the City of Red Deer from CAPP Investments Ltd., owners of the property located at 6751 52 Avenue. They are requesting to change the land use district of five (5) properties from I1 – Industrial (Business Service) to C4 – Commercial (Major Arterial). Additionally, the applicant is requesting two site exceptions on the site that they own, 6751 52 Ave in order to allow two existing businesses to continue as conforming uses.

The affected properties are listed and shown in the table and map below:

Address	Current Use	Current Land Use District	Proposed Land Use District
6719 52 Avenue	Kal-Tire (Automotive)	I1-Light Industrial	C4-Major Arterial Commercial
6731 52 Avenue	Vacant Lot	I1-Light Industrial	C4-Major Arterial Commercial
6751 52 Avenue	Kraze FM (Communication) Canadian Cancer Society (Warehouse) Fanta Homes (Construction)	I1-Light Industrial	C4-Major Arterial Commercial with site exception to allow Canadian Cancer Society and Fanta Homes
6761 52 Avenue	McLevins Welding (Outdoor Storage)	I1-Light Industrial	C4-Major Arterial Commercial
6771 52 Avenue	McLevins Welding (Outdoor Storage)	I1-Light Industrial	C4-Major Arterial Commercial

City Manager
August 19, 2010
Page 2 of 5



The applicant's consultant has prepared a proposal supporting the amendment, which is attached as Appendix A. It describes the existing characteristics, land use impact on adjacent properties, traffic impact on adjacent intersections, pedestrian circulation, and parcel access.

The applicant's rationale for the redesignation is as follows:

- There is more of a market demand for C4-Major Arterial Commercial uses compared to I1-Light Industrial in this area.
- The City has grown and industrial uses have become inappropriate for this location. This is why rail yards, concrete plants and public works yards have moved from our Downtown and other commercial areas.
- Commercial uses provide a better transition to the residential neighbourhood to the west.
- This is an extension of the existing C4-Major Arterial Commercial.

Background

This is an area in transition with a history of re-designation applications and corresponding planning reports.

In **1998** an application came forward to change the then vacant 5020 68 Street from I1 Light Industrial to C4 Major Arterial Commercial. This is the current location of the strip mall containing businesses such as the Canadian Blood Donor Clinic and Canada Post. Prior to a single re-designation The City wanted to take a look at the potential to re-designate all properties along 52 Avenue from 67 Street to 71 Street from industrial to commercial use.

PDP Consulting was commissioned by The City to review the implications and consult with area landowners. The result was a re-designation of 5020 68 Street as the land owners were not in support of a comprehensive re-designation to C4.

The report supported the re-designation of the Kal Tire site to C4 because of presence on 67th Street and proximity to Save-On. It also recommended that should commercial demand continue to increase, a comprehensive block by block re-designation take place rather than spot zoning.

In **2002**, an application was approved to re-designate the Kal Tire site, 5022 67 Street, on the corner of 52 Avenue and 67th Street.

In **2004**, the City received a request to re-designate the property located at 6899-52 Avenue to C4 from I1. At that time the 1998 study was updated by PCPS and included landowner consultation. The majority of property owners did not support comprehensive re-designating to C4. Based on concerns from Administration, the report recommended that only the re-designation requested should be undertaken at this point in time and prior to any further re-designation that the City undertake an area redevelopment plan (ARP) to set out the long term future direction for this area.

The ARP was recommended to provide direction on improvements to infrastructure including sidewalks, intersections, road right of ways and general streetscape enhancements. A detailed public consultation process would be undertaken and include the adjacent residential community.

In **2007**, PCPS received two separate letters requesting the properties of 6771 52 Avenue (McLevin's Welding storage site) and 5751 52 Avenue (current application) be re-designated from I1-Light Industrial to C4-Major Arterial Commercial. At this time, PCPS circulated the applications for comment to City Administration. The recommendation from Administration was consistent with the 2004 report that an area redevelopment plan needs to be completed prior to any further re-designations. Based on comments PCPS informed the property owners that an area redevelopment plan was planned for the area and PCPS would not recommend support to Council for their re-designation application at this time. The land owners chose not to proceed.

An area redevelopment plan for 52 Avenue has been on the PCPS work plan since 2004. Other items have taken priority on the work plan. In February **2010**, the Planning Services Director suggested that if CAPP Investments Ltd. is interested in pursuing re-designation that they prepare a proposal for consideration to re-designate at a minimum 6751 52 Avenue to 6719 52 Avenue to C4 major arterial commercial. A single lot rezoning would not be considered. As a result the current proposal was submitted.

City Manager
August 19, 2010
Page 4 of 5

Community Plans

The Generalized Land Use Concept contained within the *Municipal Development Plan* shows the area as being within the Gaetz Avenue "major urban corridor", which indicates that the primary uses should be commercial. Within the policies, policy 12.8 states:

The Gaetz Avenue commercial corridor shall be the primary arterial commercial area within the City and the 67 Street commercial corridor shall be a secondary arterial commercial area. In the areas shown on the Generalized Land Use Concept map as a major urban corridor, opportunities for intensification of land use, mixed use development and improvements to make these corridors more pedestrian friendly and transit oriented should be promoted and encouraged.

There is no neighbourhood area structure or redevelopment plan covering the properties in question.

Circulation Comments

All area landowners within 100 m were notified by letter of this rezoning application and no objections or concerns were received.

CAPP Investments also obtained signed letters from the three other landowners whose properties would be re-designated indicating they are in support of the re-districting.

The proposed amendment was circulated to City departments. There were no objections to the proposed amendment, however a number of comments were included. They are:

- Transit indicated a preference for sidewalks to be installed on both sides of 52nd Avenue as being part of the transit oriented approach. Currently, only the portion of 52nd Avenue that borders the Save-On-Foods has a sidewalk. It is anticipated that as redevelopment occurs along the street, sidewalks would be installed.
- The Parks Section did note that the portion of 52 Avenue from 62nd St north to Niven St is indicated as a proposed bikeway in the City of Red Deer Trails Master Plan. No hard infrastructure is currently required to implement the bikeway.
- Engineering indicated:
 - That an Area Redevelopment Plan should be completed in order to provide direction on improvements to infrastructure including sidewalks, street intersections, utilities, and streetscape enhancements.
 - A Traffic Impact Assessment is suggested to assess the impact on the 68th Street / 52nd Avenue intersection resulting from the upgrade of the land use from I1 to C4.
 - they would not support a blanket re-designation of all lots along 52nd Avenue, only for those landowners who request it.

Analysis

The proposed amendment has the full support of the landowners whose properties are to be re-districted and no objections were raised by surrounding property owners. It also not only meets the intent of the Municipal Development Plan but would bring the area into conformance with the uses shown on the Generalized Land Use Concept. The amendment represents a continuation of the transition of uses within the area from industrial to commercial. As it currently stands, the properties

City Manager
August 19, 2010
Page 5 of 5

forming affected by this Bylaw are surrounded by existing Major Arterial Commercial (C4) sites to the west south and east.

The City has available industrial land that is more appropriately located in other areas, therefore the loss of industrial designated land in this area will not have an overall negative impact on the available supply of industrial land in the City.

Re-districting the properties to commercial will also better serve the long-term needs of surrounding residents by facilitating more pedestrian and cycling accessible destinations for nearby residents. This applies in particular to people living to the west in the Normandeau neighbourhood. The re-districting serves as a precursor to potential redevelopment, at which time infrastructure issues, such as sidewalks and intersection upgrades can be better determined, whether through recommendations of an Area Redevelopment Plan or as a condition of development permits.

Recommendation

Planning staff respectfully recommends that Council pass First Reading of proposed Bylaw 3357/U - 2010.



Jordan Furness
Planner
City of Red Deer



Tony Lindhout, RPP, MCIP
Assistant City Planning Manager
Parkland Community Planning Services

**Land Use Rezoning Proposal
52nd Avenue
City of Red Deer**

**Prepared for
CAPP Investments Ltd.**

**Prepared by
Chris Beaumont, C.E.T.
July 10, 2010**

Table of Contents

1.0 Location and Purpose

- 1.1 Location
- 1.2 Purpose

2.0 Policy Framework

- 2.1 Land Use Bylaw
- 2.2 52 Avenue Land Use Designation Study: 2004 Update
- 2.3 52 Avenue Zoning Study

3.0 Existing Characteristics

- 3.1 Legal Description and Ownership
- 3.2 Existing Land Use
- 3.3 Adjacent Land Use
- 3.4 Existing Access

4.0 Zoning / Land Use

- 4.1 Re-Zoning
- 4.2 Land Use

5.0 Transportation / Traffic

- 5.1 Existing Road Network
- 5.2 Traffic Flow After Re-Zoning
- 5.3 Parking

6.0 Pedestrian Access – Sidewalks & Trails

- 6.1 Existing Conditions
- 6.2 Pedestrian Access on 52 Avenue

7.0 Conclusions and Summary

8.0 Site Photographs

9.0 Existing Land Use and Application Parcels Map

10.0 Proposed Land Use Map

11.0 Existing Pedestrian Connections Map

1.0 Location and Purpose

1.1 Location

The subject sites for the proposed rezoning are 6719, 6731, 6751, 6761 and 6771-52nd Avenue. All of the sites are on the east side of 52nd Avenue, north of the Kal Tire site on 67th Street and east of the Save-On Foods store.

1.2 Purpose

The purpose of this report is to provide information to facilitate a Land Use Bylaw Rezoning Request for five lots on the east side of 52nd Avenue, north of 67th Street. Although the report will deal with some general issues concerning all of 52nd Avenue, it will specifically deal with the five lots in the re-zoning request. This report deals more specifically with the five lots proposed for re-zoning and should be used in conjunction with the previous reports prepared for all of 52nd Avenue.

2.0 Policy Framework

The policy framework used to guide this request consists of the following bylaws and studies:

2.1 City of Red Deer Land Use Bylaw

The Land Use Bylaw was prepared by the City of Red Deer and was adopted August 14, 2006. It provides detailed information to regulate the use and development of land and buildings in the city of Red Deer, pursuant to Part 17 of the Municipal Government Act.

2.2 52nd Avenue Land Use Designation Study: 2004 Update

The 52 Avenue Land Use Designation Study: 2004 Update was originally prepared by PDP Consulting, Red Deer in April of 1998 and was updated by Parkland Community Planning Services in July 2004. It was approved by City Council on September 7, 2004.

2.3 52 Avenue Zoning Study

The 52 Avenue Zoning Study was prepared by PDP Consulting of Red Deer April 8, 1998.

3.0 Existing Characteristics

3.1 Legal Description and Ownership

The five subject sites are described as and owned by:

6719-52 Ave. – Lot 7, Block 1, Plan 3996 MC – 582469 Alberta Ltd.
6731-52 Ave. – Lot 7A, Block 1, Plan 3996 MC – 582469 Alberta Ltd.
6751-52 Ave. – Lot 8, Block 1, Plan 6784 KS – CAPP Investments Ltd.
6761-52 Ave. – Lot 9, Blk. 1, Plan 6784 KS – 1155565 Alberta Ltd. / Fred Embury
6771-52 Ave. – Lot 10, Blk. 1, Plan 6784 KS – Michael A. Dolynchuk Prof. Corp.

3.2 Existing Land Use

6719-52 Ave. – Automotive - Kal Spring & Steering
6731-52 Ave. – Vacant Lot
6751-52 Ave. – Communication - Kraze FM – Two Vacant Bays
6761-52 Ave. – Outdoor Storage – McLevins Welding
6771-52 Ave. – Outdoor Storage – McLevins Welding

3.3 Adjacent Land Use

The adjacent land uses vary and are generally made up of grocery, restaurant, sales, and commercial services. The five subject lots are surrounded by Commercial C4 zoning to the east, west and south sides and I1 zoning to the north and west sides of 6771-52 Avenue, the northern most lot of the five in the proposal. Therefore the rezoning proposal will be congruent with the surrounding land uses. See Figure 9.0 for existing land use zoning and the location of the lots requesting rezoning.

3.4 Existing Access

Access to the lots to be re-zoned on 52 Avenue is from 67 Street and Gaetz Avenue via 68 Street. Both 67 Street and Gaetz Avenue are Truck Routes and major arterial roads. 52 Avenue is not a Truck Route.

The majority of 52 Avenue has a 10.97m carriageway in a 20.12m right of way and is classed as an Industrial Collector. At the north end of the Save-On Foods site, 52 Avenue widens out to 12.7m then to 14.5m with four lanes of traffic towards 67 Street. There is no parking allowed on the street.

4.0 Zoning / Land Use

4.1 Re-zoning

The applicant and property owners have clients or believe that there is market demand for C4 Commercial property on 52nd Avenue in the future. See Figure 10.0 for proposed and existing land use zoning.

As a municipality grows, it is necessary to make changes to land use zonings that become inappropriate for that location. That is why we move rail yards, concrete plants and public works yards from our Downtown and other commercial areas throughout the city

As the previous studies indicate, the most logical redevelopment of 52 Avenue is through a gradual re-zoning of lots from I1 to C4. This allows a gradual transition of the neighborhood; allows current I1 type business' time to relocate to appropriate industrial areas; and so I1 businesses don't have the development constraints of a 'blanket' zoning to C4 Commercial.

4.2 Land Use

The area was originally designated for light industrial to meet the demand for businesses associated with oilfield and agricultural services. Starting in the mid-seventies, the nature of the business land uses started changing to businesses which serviced a local market rather than the regional market.

Likely because 52 Avenue is off the 'beaten path'; the businesses which currently exist there, with the exception of Save-On Foods and possibly Canada Post, are businesses which don't see continuous traffic flow. They are smaller service type businesses which see intermittent traffic flow. This trend is likely to continue as the street redevelops and the type business that requires being in a high exposure areas with high traffic flows will gravitate to Gaetz Avenue.

Entertainment uses such as bars and nightclubs are a discretionary use under the C4 Commercial zoning. The City has the right to refuse this type of business to locate in this area due to the proximity of a residential neighborhood, increased traffic, parking and noise issues. The City also has the right to deny any of the discretionary uses under the C4 Zoning for the same reasons. It is also unlikely that the discretionary use type of business would locate on 52 Avenue as the street does not meet the major requirement of high traffic flow and ease of access to be successful.

5.0 Transportation / Traffic

5.1 Existing Road Network

52 Avenue is classed as a Local Industrial roadway. The road width is 10.97 metres and there is no parking allowed on either side of the road. Access to 52 Avenue is from 67 Street and Gaetz Avenue via 68 Street. Both 67 Street and Gaetz Avenue are Truck Routes and major arterial roads. 52 Avenue is not a Truck Route.

Industrial Collector Roads have a design service volume of less than 10 000 vehicles per day. There is no data available for 52 Avenue for 24 hours counts. Following are some examples of collector road traffic counts:

Location	24 Hour Traffic Count	Year of Count
Horn Street	4257	2000
57 Ave. (West Park)	4161	2003
Rutherford Drive	4358	2002
Davison Drive	4048	2002
Ellenwood Drive	2064	2002
22 Street	7566	2003

The first five examples are residential collector roads but are a good indicator as they serve full quarter section residential subdivisions. The count locations were coming off major arterial roads such as 32 Street, 30 Avenue and Gaetz Avenue so they represent a similar situation as 52 Avenue. The final traffic count is 22 Street between Gaetz Avenue and Taylor Drive. This four lane road is a main connection between Gaetz Avenue and Taylor Drive and services two major shopping areas, yet has only traffic volumes at 75% of its design capacity. The conclusion would be that 52 Avenue is only likely at 50% of its design capacity. Peak Hour Traffic Counts indicate this also.

5.2 Traffic Flow After Re-zoning

It is likely that the majority of traffic visiting C4 zoned business on the five lots would enter from 67 Street, which as mentioned earlier is four lanes wide. Therefore, the rezoning of the five lots would have a negligible impact on traffic volumes as the road is currently operating at likely 50% of its design capacity. It should be noted that the C4 zoning which is predominant along Gaetz Avenue is accessed by service roads which are approximately 10m wide and allow parking on one side. 52 Avenue is 10.97m wide with no parking allowed.

5.3 Parking

The five sites contained in the rezoning request are either vacant (no buildings), or have parking along the sides or have a parking lot configuration that doesn't require backing onto 52 Avenue. As lots redevelop, it could be a development condition that parking lots are configured so that it is not necessary to back onto 52 Avenue, thus eliminating any safety concerns.

6.0 Sidewalks and Trails

6.1 Existing Conditions

Currently there is a 1.5m standard monolithic sidewalk on the west side of 52 Avenue from 67 Street to the north entrance of the Save-On Foods site. Asphalt driveways and parking areas adjacent to 52 Avenue cover about 90% of the length of the west side of 52 Avenue and about 50% of the length of the east side of 52 Avenue. This currently allows pedestrians to stay off the road.

There is a large linear municipal reserve to the west of the businesses on 52 Avenue which allows pedestrians to move north / south. There is also 1.5m sidewalk along the west Gaetz Avenue Service Road.

General observation of pedestrian traffic along 52 Avenue shows that the majority of foot traffic is 'through' traffic headed for Save-On Foods, the Village Mall or the Parkland Mall. Their destination does not appear to be businesses along 52 Avenue. See Figure 11.0 for existing sidewalk and trail connections.

6.2 Pedestrian Access on 52 Avenue

It would be a fair projection that re-zoning the five lots in question would create a negligible increase in pedestrian traffic as the majority of people drive. It is a reasonable assumption that as the area continues to transition from industrial to commercial type businesses, a sidewalk would be necessary, primarily to alleviate safety concerns.

A sidewalk could be required by the City as a condition of development as each site develops or new sidewalks could be funded through the City of Red Deer Capital Sidewalk Construction Program. This program has funded the construction of sidewalks on the Gaetz Avenue Service Roads in the same circumstance. It should be noted that a new sidewalk along the back of existing curb would have major impediments such as existing streetlights at about 0.75m behind the curb on the west side of 52 Avenue and fire hydrants on both sides of the road.

7.0 Conclusions

- 7.1 Transition of the five proposed lots to C4 from I1 is beneficial for the surrounding neighborhoods to have C4 Commercial services at their convenience. It is also beneficial to remove industrial applications away from residential areas.
- 7.2 It is unlikely that traffic from Normandeau would increase as residents of this neighborhood are already using Nash, Niven and 52 Avenue to access Gaetz Avenue, 67 Street and the multitude of existing C4 businesses and malls in the area.
- 7.3 Gradual rezoning of lots on 52 Avenue allows time for industrial type businesses to relocate and to increase C4 type businesses as demand requires.
- 7.4 The area is adjacent to the Gaetz Avenue C4 Commercial district and therefore a better transitional zoning to the Normandeau residential neighborhood than I1.
- 7.5 52 Avenue is not a truck route yet has many large trucks servicing the industrial businesses on the street. A change to C4 zoning will reduce the number of large trucks in the area.
- 7.6 Any traffic volume increase due to re-zoning would be negligible and as the road is likely only at 50% of its design capacity at present so there is room for future traffic growth.
- 7.7 Parking is not an issue as three of the lots are vacant and will be designed to meet the requirements of the C4 zoning and the two lots with buildings have adequate parking and a layout that doesn't require backing onto 52 Avenue.

It is a reasonable and logical expectation that as a municipality grows, it is necessary to make changes to land use zonings that become inappropriate for that location. Industrial areas that are developed away from commercial areas such as Northlands Industrial, Riverside Light Industrial, Edgar Industrial and Queens Business Park are more appropriate locations for I1 zoned businesses.

52nd Avenue is a similar situation to Kerry Wood Drive in Riverside Meadows where I1 zoned businesses are now in the middle of a residential neighborhood and no longer compatible in that location. These properties are gradually transitioning to residential or neighborhood commercial uses.

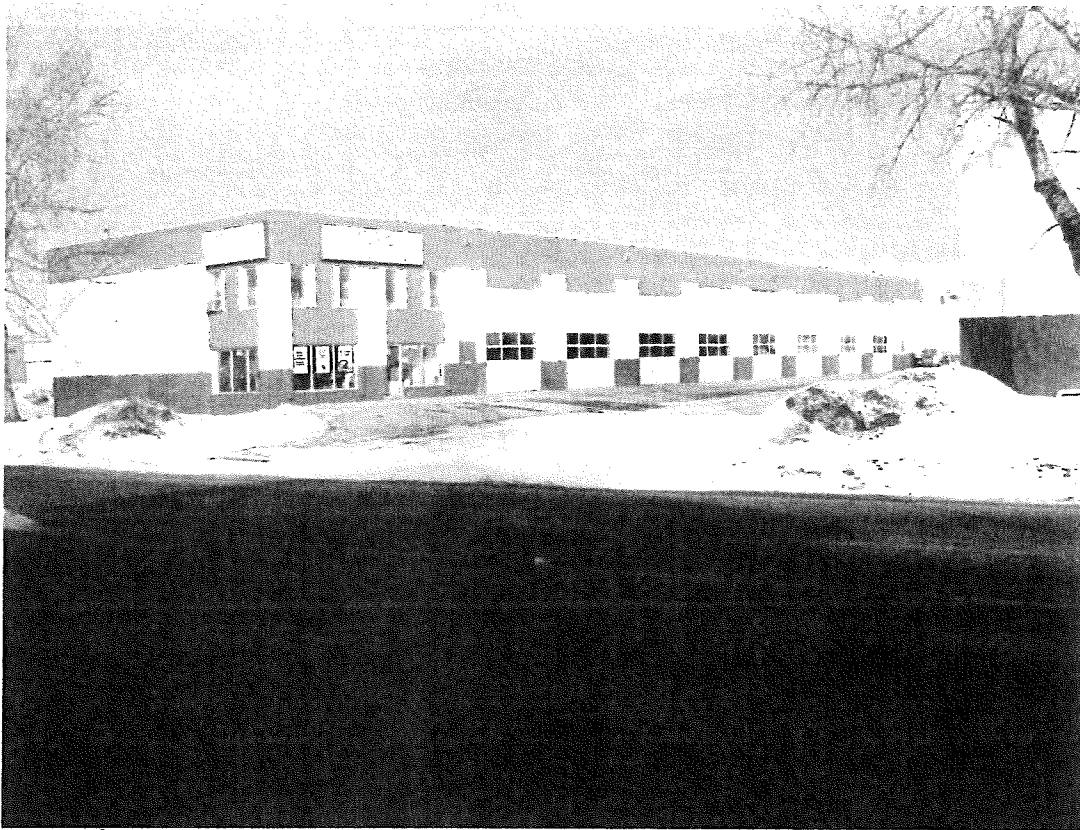
In conclusion, the rezoning of the five lots in this proposal from I1 to C4 will have no negative impacts and many benefits to the surrounding neighborhood as mentioned above.



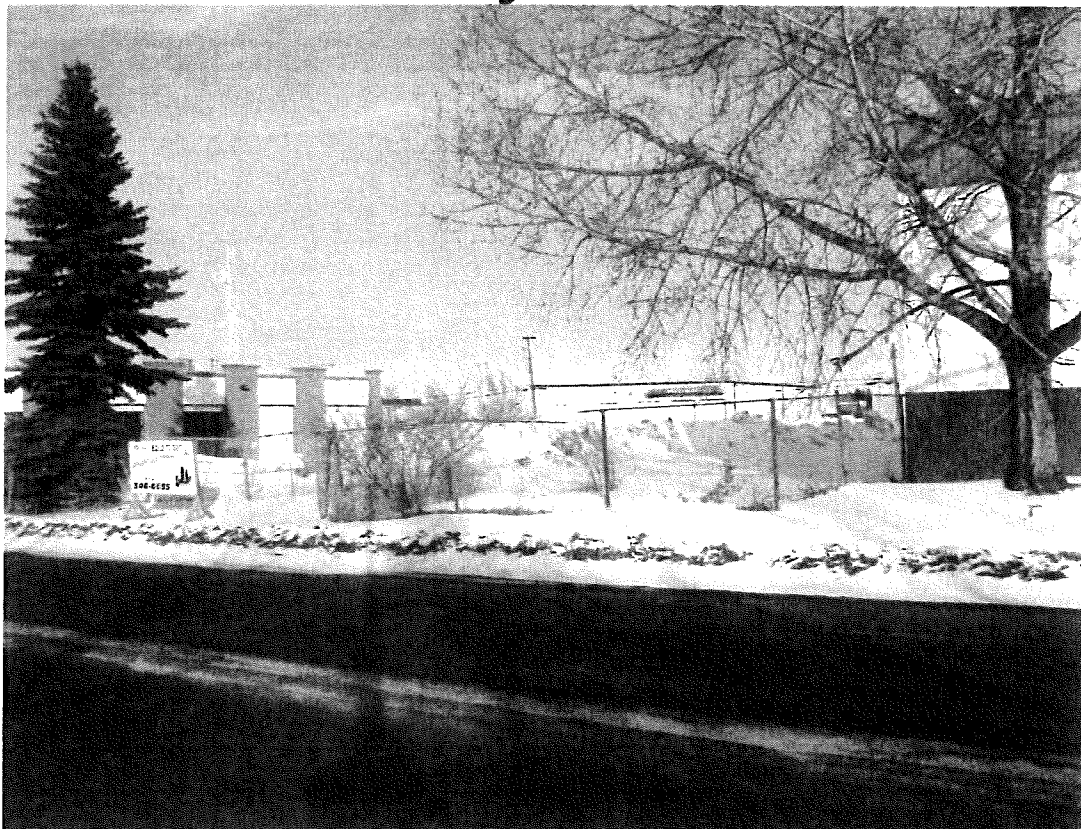
**6720-52nd Avenue - Save On Foods – Existing C4 Commercial Site
Looking North from 67th Street**



**5030-67th Street - Kal Tire – Existing C4 Commercial Site
Looking North East from 67th Street**



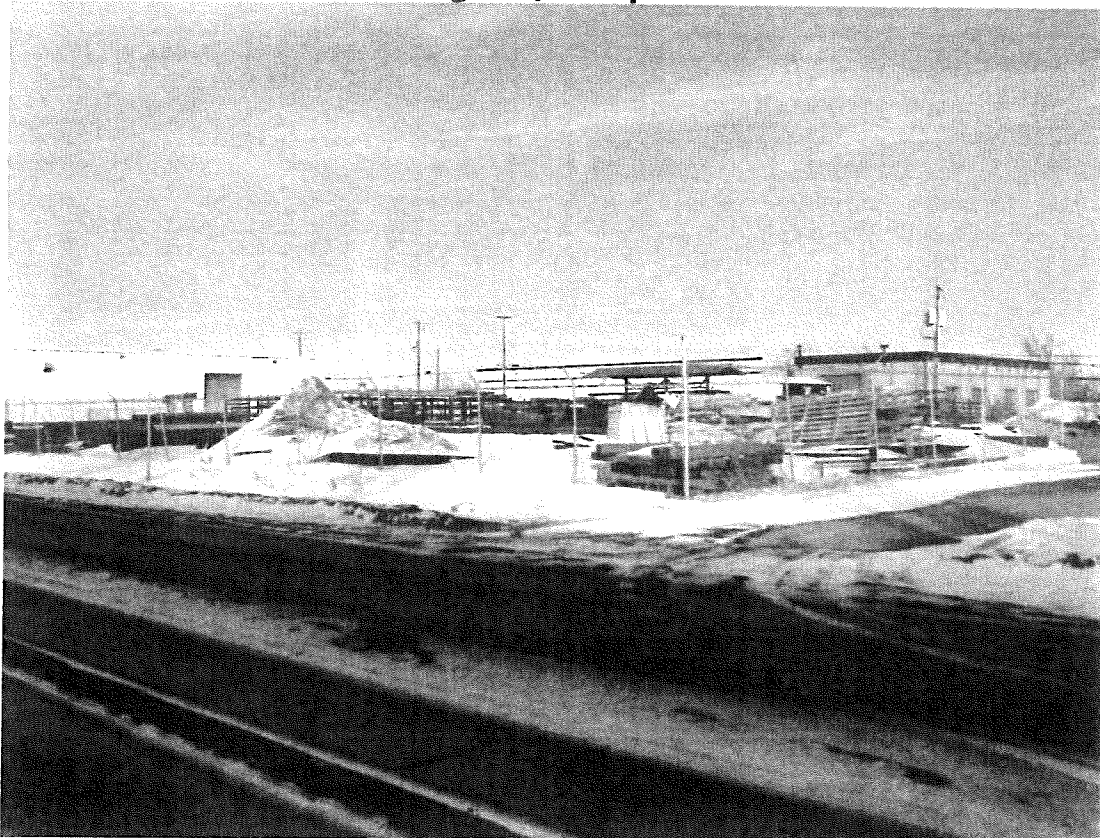
**6719-52nd Avenue - Kal Spring & Steering - Existing I1 / Proposed C4
Looking North East**



**6731-52nd Avenue – Vacant Lot – Existing I1 / Proposed C4
Looking North East**



**6751-52nd Avenue – Kraze FM / Two Vacant bays
Existing I1 / Proposed C4**



**6761 & 6771-52nd Avenue – McLevins Welding Storage Yard
Existing I1 / Proposed C4**



**6781 & 6785-52nd Avenue – Red Deer Ironworks and Fresh Ink
Existing I1 – First Site north of the Proposed Rezoning Lots**



**6781-52nd Avenue – Red Deer Ironworks
Existing I1 – Second Site North of the Proposed Rezoning Lots**

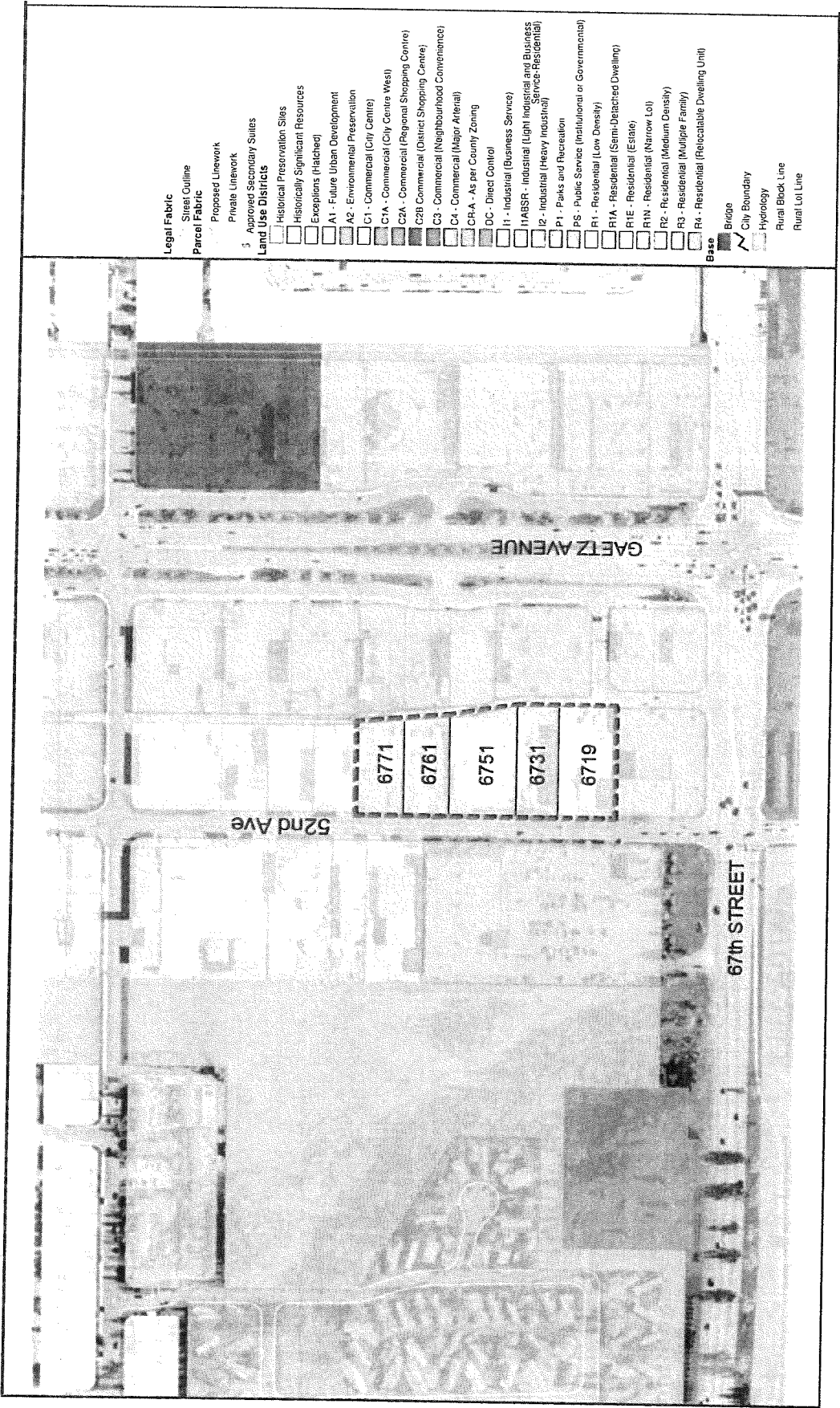


Figure 9.0 - EXISTING LAND USE (I1) and APPLICATION PARCELS

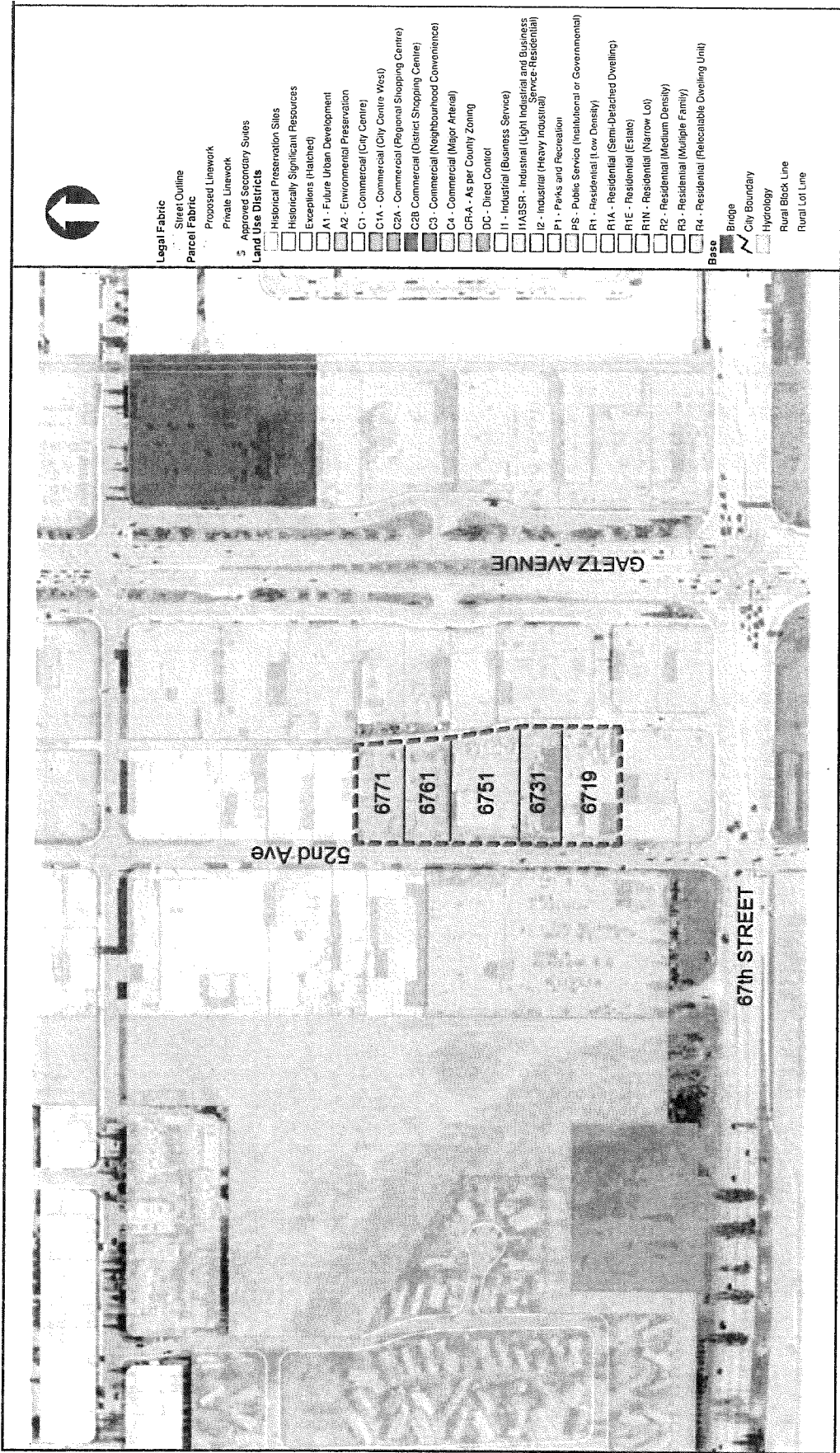


Figure 10.0 - PROPOSED LAND USE (C4)

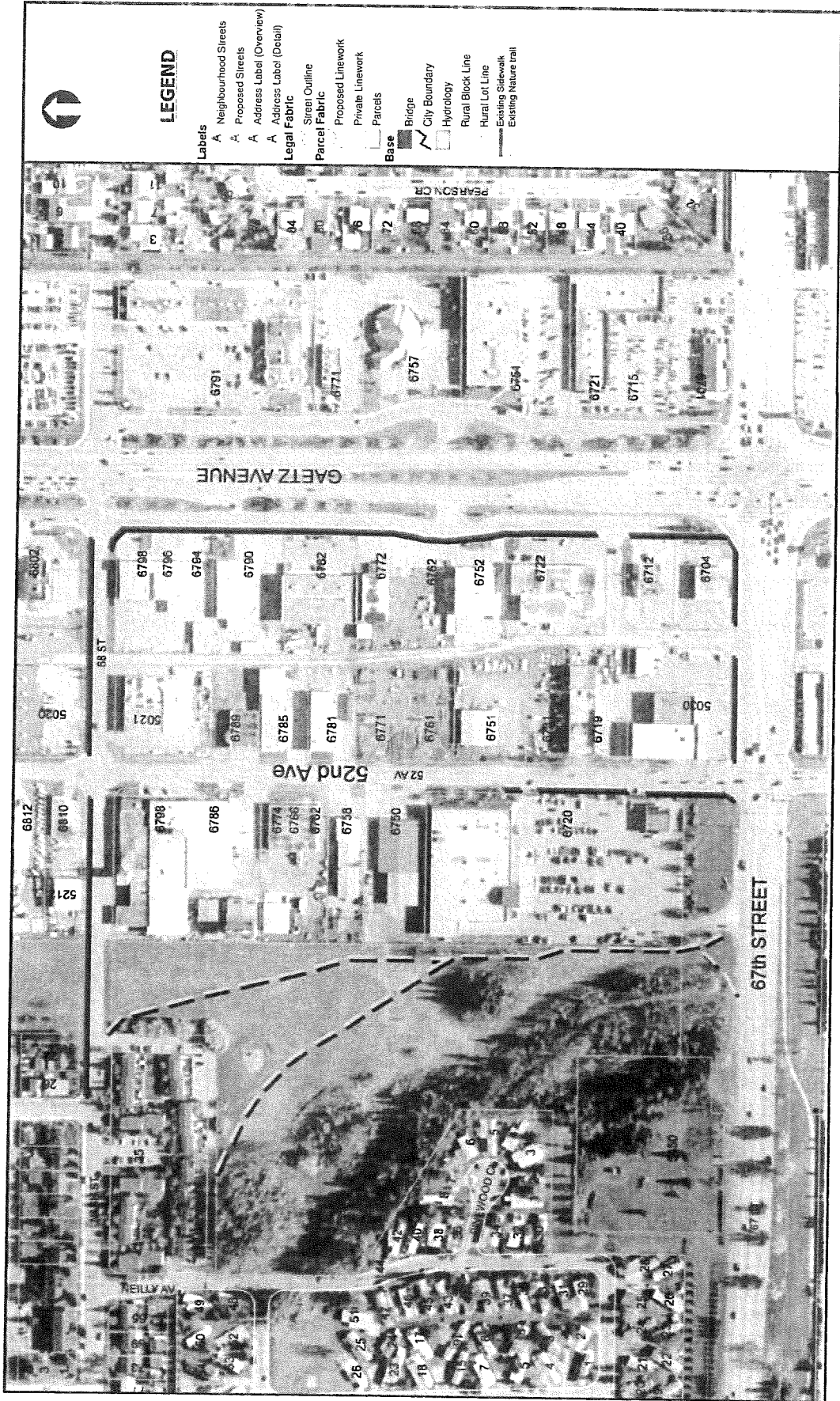


Figure 11 - PEDESTRIAN CONNECTIONS

Comments:

I support the recommendation of Administration that Council consider first reading of Land Use Bylaw Amendment 3357/U-2010 – Rezoning of Properties located at 6719, 6731, 6751, 6761, 6771 – 52 Avenue from I1 Industrial (Business Service) to C4 – Commercial (Major Arterial). A Public Hearing would be held on Monday, October 4, 2010 at 6:00 P.M. during Council's Regular Meeting.

“Craig Curtis”
City Manager

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

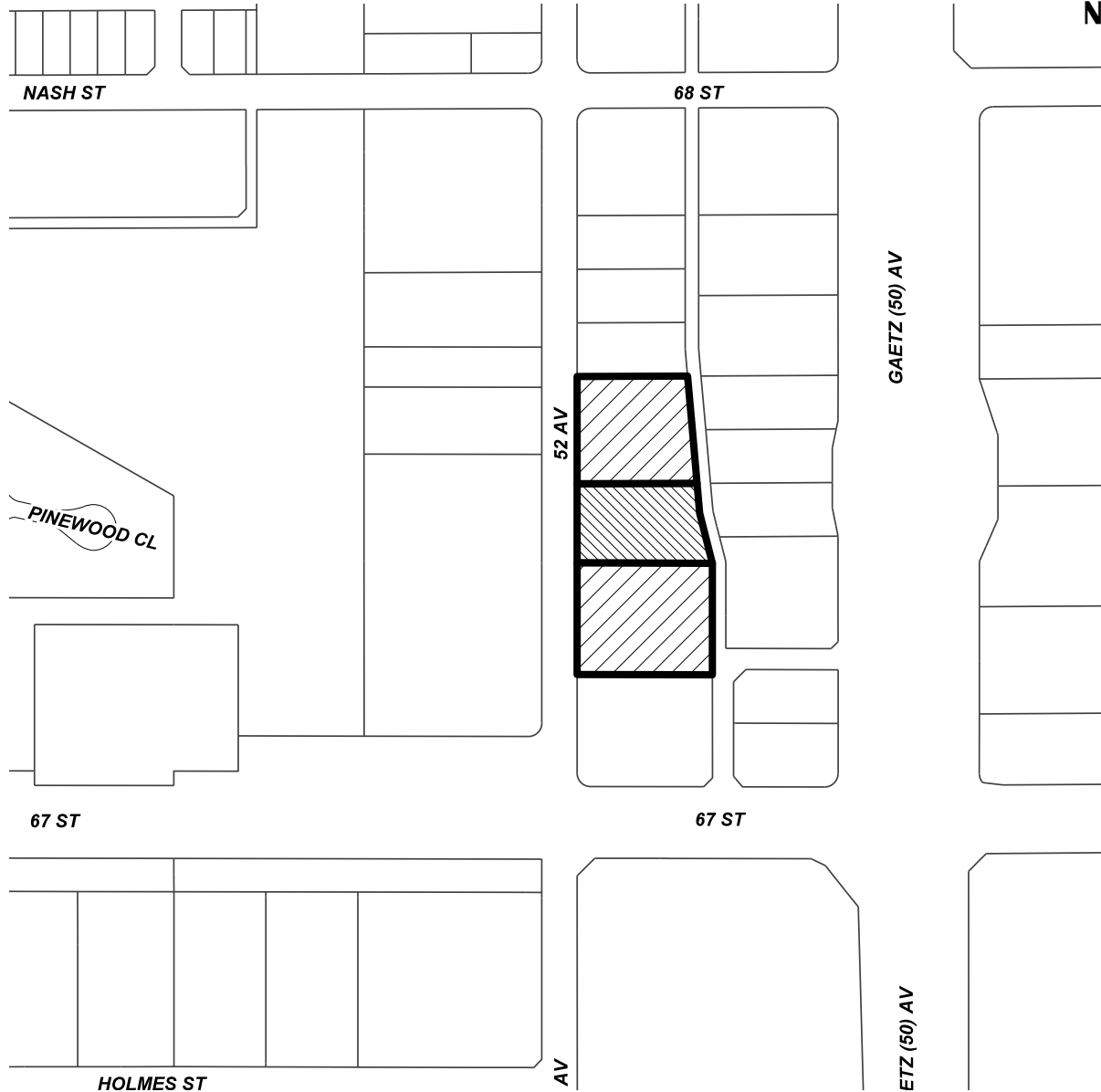
Bylaw No. 3357/2006 is hereby amended as follows:

- 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.

CITY CLERK



Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:



I1 to C4



I1 to C4 g(iii)

Affected Districts:

I1 - Industrial (Business Service) District

C4 - Commercial (Major Arterial) District

Proposed Amendment

Map: 18-2010

Bylaw: 3357/U-2010

Date: July 14, 2010

Council Decision – September 7, 2010

DATE: September 8, 2010
TO: Jordan Furness, Planner
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/U-2010 – Rezoning of Properties located at: 6719, 6731, 6751, 6761, 6771 – 52 Avenue, From I1 Industrial (Business Service) to C4 – Commercial (Major Arterial) – CAPP Investments Ltd.

Reference Report:

City of Red Deer Planning Services, dated August 18, 2010.

Bylaw Readings:

Land Use Bylaw Amendment 3357/U-2010 was given first reading. A copy of the bylaw is attached.

Report Back to Council: Yes – To the Monday, October 4, 2010 Council Meeting

Comments / Further Action:


Land Use Bylaw Amendment 3357/U-2010 provides for the rezoning of properties located at 6719, 6731, 6751, 6761, 6771 – 52 Avenue from I1 Industrial (Business Service) to C4 – Commercial (Major Arterial) district. The amendment represents a continuation of the transition of uses within the area from industrial to commercial. A Public Hearing will be held on Monday, October 4, 2010 at 6:00 p.m. during Council's regular meeting. This office will proceed with the advertising for the public hearing.

Elaine Vincent
Legislative & Governance Services Manager
/attach.

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

Inspections & Licensing Manager
Land & Economic Development Manager
IT Services – GIS Section
Property Assessment Technician, Danny Lake
Corporate Meeting Coordinator
LGS File

ORIGINAL

 Red Deer	Submission Request For Inclusion on a Council Agenda
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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:		Jordan Furness	
Department & Telephone Number:		Planning 403-406-8701	
REPORT INFORMATION			
Preferred Date of Agenda:		Sep. 7 / 10	
Subject of the Report (provide a brief description)		LUB Amendment II to C4 6700 Block of 52 Ave	
Is this Time Sensitive? Why?		Yes Need to have public hearing prior to election	
What is the Decision/Action required from Council?		Approval of 1st Reading	
Please describe Internal/ External Consultation, if any.		Circulated internally and to landowners within 100m	
Is this an In-Camera item?		no	
How does the Report link to the Strategic Plan and other existing Plans & Policies?			
Goal → Be Strategic → Sustainable / Amendment fulfills intention of MAP			
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.			
Amendment was referred to them. No objections			
Are there any financial/budget implications? Please describe. Are there other organizational implications? Please describe.			
no			
Presentation: (10 Min Max.)		Presenter Name and Contact Information:	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Jordan Furness 403-406-8701	
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 & GOVERNANCE SERVICES USE ONLY			
Has this been to CLT / City Manager Briefings/ Committees: MPC, EAC, CPAC (Please circle those that apply)			
CLT When/describe: _____		City Manager Briefings 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 & Governance Services.

PLANNING SERVICES

DATE: August 18, 2010

TO: Craig Curtis, City Manager

FROM: Jordan Furness, Planner

RE: Land Use Bylaw Amendment No.3357/U-2010

From: I1 – Industrial (Business Service) District
To: C4 – Commercial (Major Arterial) District

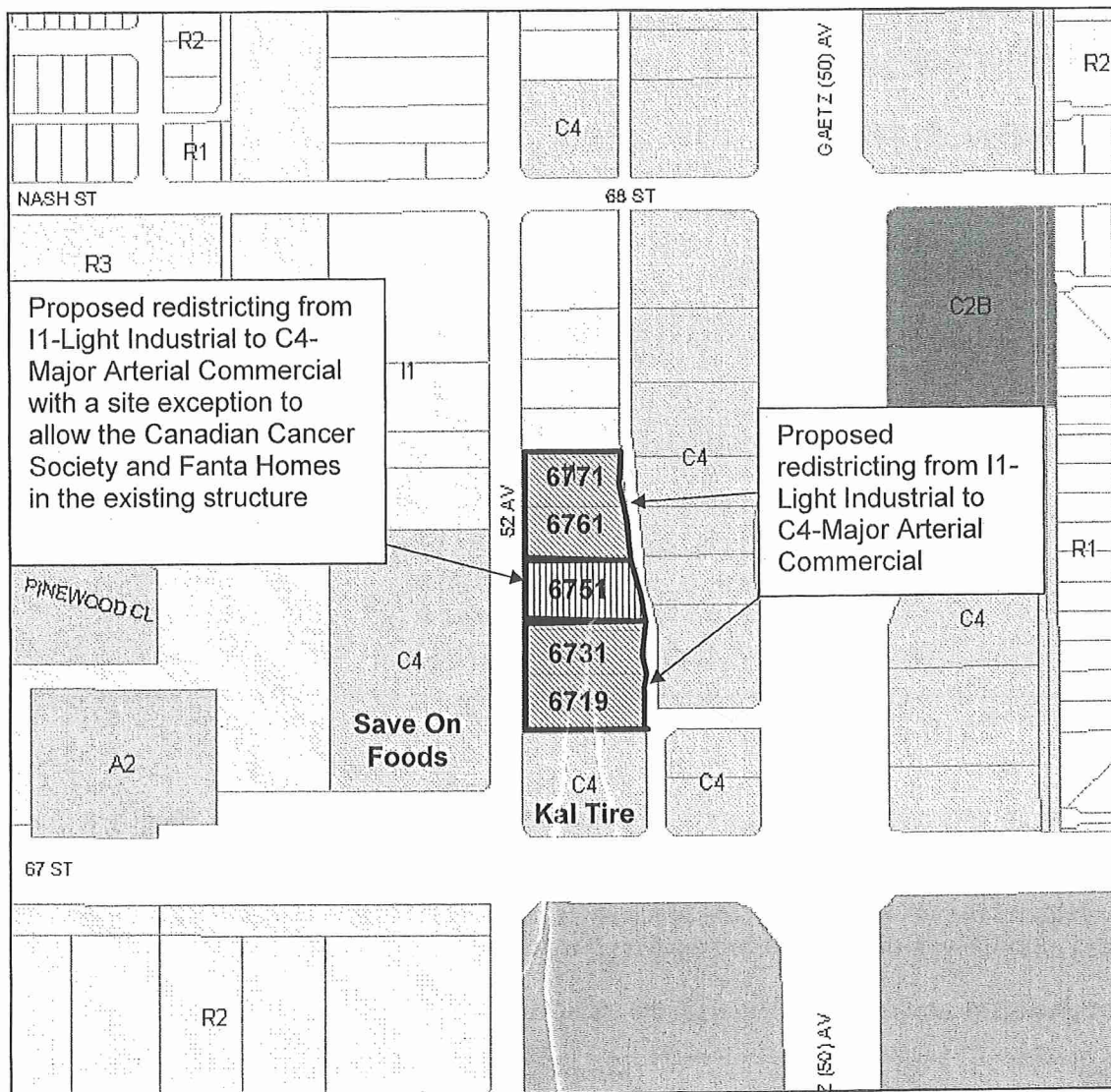
6719 52 Ave (Lot 7, Block 1, Plan 3996 MC)
6731 52 Ave (Lot 7A, Block 1, Plan 3996 MC)
6751 52 Ave (Lot 8, Block 1, Plan 6784 KS)
6761 52 Ave (Lot, 9 Block 1, Plan 6784 KS)
6771 52 Ave (Lot, 10 Block 1 Plan 6784 KS)

Introduction

An application for an amendment to the Land Use Bylaw has been made to the City of Red Deer from CAPP Investments Ltd., owners of the property located at 6751 52 Avenue. They are requesting to change the land use district of five (5) properties from I1 – Industrial (Business Service) to C4 – Commercial (Major Arterial). Additionally, the applicant is requesting two site exceptions on the site that they own, 6751 52 Ave in order to allow two existing businesses to continue as conforming uses.

The affected properties are listed and shown in the table and map below:

Address	Current Use	Current Land Use District	Proposed Land Use District
6719 52 Avenue	Kal-Tire (Automotive)	I1-Light Industrial	C4-Major Arterial Commercial
6731 52 Avenue	Vacant Lot	I1-Light Industrial	C4-Major Arterial Commercial
6751 52 Avenue	Kraze FM (Communication) Canadian Cancer Society (Warehouse) Fanta Homes (Construction)	I1-Light Industrial	C4-Major Arterial Commercial with site exception to allow Canadian Cancer Society and Fanta Homes
6761 52 Avenue	McLevins Welding (Outdoor Storage)	I1-Light Industrial	C4-Major Arterial Commercial
6771 52 Avenue	McLevins Welding (Outdoor Storage)	I1-Light Industrial	C4-Major Arterial Commercial



The applicant's consultant has prepared a proposal supporting the amendment, which is attached as Appendix A. It describes the existing characteristics, land use impact on adjacent properties, traffic impact on adjacent intersections, pedestrian circulation, and parcel access.

The applicant's rationale for the redesignation is as follows:

- There is more of a market demand for C4-Major Arterial Commercial uses compared to I1-Light Industrial in this area.
- The City has grown and industrial uses have become inappropriate for this location. This is why rail yards, concrete plants and public works yards have moved from our Downtown and other commercial areas.
- Commercial uses provide a better transition to the residential neighbourhood to the west.
- This is an extension of the existing C4-Major Arterial Commercial.

Background

This is an area in transition with a history of re-designation applications and corresponding planning reports.

In **1998** an application came forward to change the then vacant 5020 68 Street from I1 Light Industrial to C4 Major Arterial Commercial. This is the current location of the strip mall containing businesses such as the Canadian Blood Donor Clinic and Canada Post. Prior to a single re-designation The City wanted to take a look at the potential to re-designate all properties along 52 Avenue from 67 Street to 71 Street from industrial to commercial use.

PDP Consulting was commissioned by The City to review the implications and consult with area landowners. The result was a re-designation of 5020 68 Street as the land owners were not in support of a comprehensive re-designation to C4.

The report supported the re-designation of the Kal Tire site to C4 because of presence on 67th Street and proximity to Save-On. It also recommended that should commercial demand continue to increase, a comprehensive block by block re-designation take place rather than spot zoning.

In **2002**, an application was approved to re-designate the Kal Tire site, 5022 67 Street, on the corner of 52 Avenue and 67th Street.

In **2004**, the City received a request to re-designate the property located at 6899-52 Avenue to C4 from I1. At that time the 1998 study was updated by PCPS and included landowner consultation. The majority of property owners did not support comprehensive re-designating to C4. Based on concerns from Administration, the report recommended that only the re-designation requested should be undertaken at this point in time and prior to any further re-designation that the City undertake an area redevelopment plan (ARP) to set out the long term future direction for this area.

The ARP was recommended to provide direction on improvements to infrastructure including sidewalks, intersections, road right of ways and general streetscape enhancements. A detailed public consultation process would be undertaken and include the adjacent residential community.

In **2007**, PCPS received two separate letters requesting the properties of 6771 52 Avenue (McLevin's Welding storage site) and 5751 52 Avenue (current application) be re-designated from I1-Light Industrial to C4-Major Arterial Commercial. At this time, PCPS circulated the applications for comment to City Administration. The recommendation from Administration was consistent with the 2004 report that an area redevelopment plan needs to be completed prior to any further re-designations. Based on comments PCPS informed the property owners that an area redevelopment plan was planned for the area and PCPS would not recommend support to Council for their re-designation application at this time. The land owners chose not to proceed.

An area redevelopment plan for 52 Avenue has been on the PCPS work plan since 2004. Other items have taken priority on the work plan. In February **2010**, the Planning Services Director suggested that if CAPP Investments Ltd. is interested in pursuing re-designation that they prepare a proposal for consideration to re-designate at a minimum 6751 52 Avenue to 6719 52 Avenue to C4 major arterial commercial. A single lot rezoning would not be considered. As a result the current proposal was submitted.

Community Plans

The Generalized Land Use Concept contained within the *Municipal Development Plan* shows the area as being within the Gaetz Avenue "major urban corridor", which indicates that the primary uses should be commercial. Within the policies, policy 12.8 states:

The Gaetz Avenue commercial corridor shall be the primary arterial commercial area within the City and the 67 Street commercial corridor shall be a secondary arterial commercial area. In the areas shown on the Generalized Land Use Concept map as a major urban corridor, opportunities for intensification of land use, mixed use development and improvements to make these corridors more pedestrian friendly and transit oriented should be promoted and encouraged.

There is no neighbourhood area structure or redevelopment plan covering the properties in question.

Circulation Comments

All area landowners within 100 m were notified by letter of this rezoning application and no objections or concerns were received.

CAPP Investments also obtained signed letters from the three other landowners whose properties would be re-designated indicating they are in support of the re-districting.

The proposed amendment was circulated to City departments. There were no objections to the proposed amendment, however a number of comments were included. They are:

- Transit indicated a preference for sidewalks to be installed on both sides of 52nd Avenue as being part of the transit oriented approach. Currently, only the portion of 52nd Avenue that borders the Save-On-Foods has a sidewalk. It is anticipated that as redevelopment occurs along the street, sidewalks would be installed.
- The Parks Section did note that the portion of 52 Avenue from 62nd St north to Niven St is indicated as a proposed bikeway in the City of Red Deer Trails Master Plan. No hard infrastructure is currently required to implement the bikeway.
- Engineering indicated:
 - That an Area Redevelopment Plan should be completed in order to provide direction on improvements to infrastructure including sidewalks, street intersections, utilities, and streetscape enhancements.
 - A Traffic Impact Assessment is suggested to assess the impact on the 68th Street / 52nd Avenue intersection resulting from the upgrade of the land use from I1 to C4.
 - they would not support a blanket re-designation of all lots along 52nd Avenue, only for those landowners who request it.

Analysis

The proposed amendment has the full support of the landowners whose properties are to be re-districted and no objections were raised by surrounding property owners. It also not only meets the intent of the Municipal Development Plan but would bring the area into conformance with the uses shown on the Generalized Land Use Concept. The amendment represents a continuation of the transition of uses within the area from industrial to commercial. As it currently stands, the properties

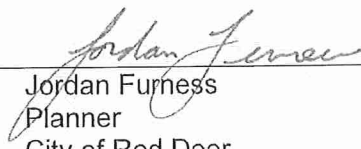
forming affected by this Bylaw are surrounded by existing Major Arterial Commercial (C4) sites to the west south and east.

The City has available industrial land that is more appropriately located in other areas, therefore the loss of industrial designated land in this area will not have an overall negative impact on the available supply of industrial land in the City.


Re-districting the properties to commercial will also better serve the long-term needs of surrounding residents by facilitating more pedestrian and cycling accessible destinations for nearby residents. This applies in particular to people living to the west in the Normandeau neighbourhood. The re-districting serves as a precursor to potential redevelopment, at which time infrastructure issues, such as sidewalks and intersection upgrades can be better determined, whether through recommendations of an Area Redevelopment Plan or as a condition of development permits.

Recommendation

Planning staff respectfully recommends that Council pass First Reading of proposed Bylaw 3357/U - 2010.



Jordan Furness
Planner
City of Red Deer



Tony Lindhout, RPP, MCIP
Assistant City Planning Manager
Parkland Community Planning Services

Land Use Rezoning Proposal
52nd Avenue
City of Red Deer

Prepared for
CAPP Investments Ltd.

Prepared by
Chris Beaumont, C.E.T.
July 10, 2010

Table of Contents

1.0	Location and Purpose
1.1	Location
1.2	Purpose
2.0	Policy Framework
2.1	Land Use Bylaw
2.2	52 Avenue Land Use Designation Study: 2004 Update
2.3	52 Avenue Zoning Study
3.0	Existing Characteristics
3.1	Legal Description and Ownership
3.2	Existing Land Use
3.3	Adjacent Land Use
3.4	Existing Access
4.0	Zoning / Land Use
4.1	Re-Zoning
4.2	Land Use
5.0	Transportation / Traffic
5.1	Existing Road Network
5.2	Traffic Flow After Re-Zoning
5.3	Parking
6.0	Pedestrian Access - Sidewalks & Trails
6.1	Existing Conditions
6.2	Pedestrian Access on 52 Avenue
7.0	Conclusions and Summary
8.0	Site Photographs
9.0	Existing Land Use and Application Parcels Map
10.0	Proposed Land Use Map
11.0	Existing Pedestrian Connections Map

1.0 Location and Purpose

1.1 Location

The subject sites for the proposed rezoning are 6719, 6731, 6751, 6761 and 6771-52nd Avenue. All of the sites are on the east side of 52nd Avenue, north of the Kal Tire site on 67th Street and east of the Save-On Foods store.

1.2 Purpose

The purpose of this report is to provide information to facilitate a Land Use Bylaw Rezoning Request for five lots on the east side of 52nd Avenue, north of 67th Street. Although the report will deal with some general issues concerning all of 52nd Avenue, it will specifically deal with the five lots in the re-zoning request. This report deals more specifically with the five lots proposed for re-zoning and should be used in conjunction with the previous reports prepared for all of 52nd Avenue.

2.0 Policy Framework

The policy framework used to guide this request consists of the following bylaws and studies:

2.1 City of Red Deer Land Use Bylaw

The Land Use Bylaw was prepared by the City of Red Deer and was adopted August 14, 2006. It provides detailed information to regulate the use and development of land and buildings in the city of Red Deer, pursuant to Part 17 of the Municipal Government Act.

2.2 52nd Avenue Land Use Designation Study: 2004 Update

The 52 Avenue Land Use Designation Study: 2004 Update was originally prepared by PDP Consulting, Red Deer in April of 1998 and was updated by Parkland Community Planning Services in July 2004. It was approved by City Council on September 7, 2004.

2.3 52 Avenue Zoning Study

The 52 Avenue Zoning Study was prepared by PDP Consulting of Red Deer April 8, 1998.

3.0 Existing Characteristics

3.1 Legal Description and Ownership

The five subject sites are described as and owned by:

6719-52 Ave. – Lot 7, Block 1, Plan 3996 MC – 582469 Alberta Ltd.
6731-52 Ave. – Lot 7A, Block 1, Plan 3996 MC – 582469 Alberta Ltd.
6751-52 Ave. – Lot 8, Block 1, Plan 6784 KS – CAPP Investments Ltd.
6761-52 Ave. – Lot 9, Blk. 1, Plan 6784 KS – 1155565 Alberta Ltd. / Fred Embury
6771-52 Ave. – Lot 10, Blk. 1, Plan 6784 KS – Michael A. Dolynchuk Prof. Corp.

3.2 Existing Land Use

6719-52 Ave. – Automotive - Kal Spring & Steering
6731-52 Ave. – Vacant Lot
6751-52 Ave. – Communication - Kraze FM – Two Vacant Bays
6761-52 Ave. – Outdoor Storage – McLevins Welding
6771-52 Ave. – Outdoor Storage – McLevins Welding

3.3 Adjacent Land Use

The adjacent land uses vary and are generally made up of grocery, restaurant, sales, and commercial services. The five subject lots are surrounded by Commercial C4 zoning to the east, west and south sides and I1 zoning to the north and west sides of 6771-52 Avenue, the northern most lot of the five in the proposal. Therefore the rezoning proposal will be congruent with the surrounding land uses. See Figure 9.0 for existing land use zoning and the location of the lots requesting rezoning.

3.4 Existing Access

Access to the lots to be re-zoned on 52 Avenue is from 67 Street and Gaetz Avenue via 68 Street. Both 67 Street and Gaetz Avenue are Truck Routes and major arterial roads. 52 Avenue is not a Truck Route.

The majority of 52 Avenue has a 10.97m carriageway in a 20.12m right of way and is classed as an Industrial Collector. At the north end of the Save-On Foods site, 52 Avenue widens out to 12.7m then to 14.5m with four lanes of traffic towards 67 Street. There is no parking allowed on the street.

4.0 Zoning / Land Use

4.1 Re-zoning

The applicant and property owners have clients or believe that there is market demand for C4 Commercial property on 52nd Avenue in the future. See Figure 10.0 for proposed and existing land use zoning.

As a municipality grows, it is necessary to make changes to land use zonings that become inappropriate for that location. That is why we move rail yards, concrete plants and public works yards from our Downtown and other commercial areas throughout the city

As the previous studies indicate, the most logical redevelopment of 52 Avenue is through a gradual re-zoning of lots from I1 to C4. This allows a gradual transition of the neighborhood; allows current I1 type business' time to relocate to appropriate industrial areas; and so I1 businesses don't have the development constraints of a 'blanket' zoning to C4 Commercial.

4.2 Land Use

The area was originally designated for light industrial to meet the demand for businesses associated with oilfield and agricultural services. Starting in the mid-seventies, the nature of the business land uses started changing to businesses which serviced a local market rather than the regional market.

Likely because 52 Avenue is off the 'beaten path'; the businesses which currently exist there, with the exception of Save-On Foods and possibly Canada Post, are businesses which don't see continuous traffic flow. They are smaller service type businesses which see intermittent traffic flow. This trend is likely to continue as the street redevelops and the type business that requires being in a high exposure areas with high traffic flows will gravitate to Gaetz Avenue.

Entertainment uses such as bars and nightclubs are a discretionary use under the C4 Commercial zoning. The City has the right to refuse this type of business to locate in this area due to the proximity of a residential neighborhood, increased traffic, parking and noise issues. The City also has the right to deny any of the discretionary uses under the C4 Zoning for the same reasons. It is also unlikely that the discretionary use type of business would locate on 52 Avenue as the street does not meet the major requirement of high traffic flow and ease of access to be successful.

5.0 Transportation / Traffic

5.1 Existing Road Network

52 Avenue is classed as a Local Industrial roadway. The road width is 10.97 metres and there is no parking allowed on either side of the road. Access to 52 Avenue is from 67 Street and Gaetz Avenue via 68 Street. Both 67 Street and Gaetz Avenue are Truck Routes and major arterial roads. 52 Avenue is not a Truck Route.

Industrial Collector Roads have a design service volume of less than 10 000 vehicles per day. There is no data available for 52 Avenue for 24 hours counts. Following are some examples of collector road traffic counts:

Location	24 Hour Traffic Count	Year of Count
Horn Street	4257	2000
57 Ave. (West Park)	4161	2003
Rutherford Drive	4358	2002
Davison Drive	4048	2002
Ellenwood Drive	2064	2002
22 Street	7566	2003

The first five examples are residential collector roads but are a good indicator as they serve full quarter section residential subdivisions. The count locations were coming off major arterial roads such as 32 Street, 30 Avenue and Gaetz Avenue so they represent a similar situation as 52 Avenue. The final traffic count is 22 Street between Gaetz Avenue and Taylor Drive. This four lane road is a main connection between Gaetz Avenue and Taylor Drive and services two major shopping areas, yet has only traffic volumes at 75% of its design capacity. The conclusion would be that 52 Avenue is only likely at 50% of its design capacity. Peak Hour Traffic Counts indicate this also.

5.2 Traffic Flow After Re-zoning

It is likely that the majority of traffic visiting C4 zoned business on the five lots would enter from 67 Street, which as mentioned earlier is four lanes wide. Therefore, the rezoning of the five lots would have a negligible impact on traffic volumes as the road is currently operating at likely 50% of its design capacity. It should be noted that the C4 zoning which is predominant along Gaetz Avenue is accessed by service roads which are approximately 10m wide and allow parking on one side. 52 Avenue is 10.97m wide with no parking allowed.

5.3 Parking

The five sites contained in the rezoning request are either vacant (no buildings), or have parking along the sides or have a parking lot configuration that doesn't require backing onto 52 Avenue. As lots redevelop, it could be a development condition that parking lots are configured so that it is not necessary to back onto 52 Avenue, thus eliminating any safety concerns.

6.0 Sidewalks and Trails

6.1 Existing Conditions

Currently there is a 1.5m standard monolithic sidewalk on the west side of 52 Avenue from 67 Street to the north entrance of the Save-On Foods site. Asphalt driveways and parking areas adjacent to 52 Avenue cover about 90% of the length of the west side of 52 Avenue and about 50% of the length of the east side of 52 Avenue. This currently allows pedestrians to stay off the road.

There is a large linear municipal reserve to the west of the businesses on 52 Avenue which allows pedestrians to move north / south. There is also 1.5m sidewalk along the west Gaetz Avenue Service Road.

General observation of pedestrian traffic along 52 Avenue shows that the majority of foot traffic is 'through' traffic headed for Save-On Foods, the Village Mall or the Parkland Mall. Their destination does not appear to be businesses along 52 Avenue. See Figure 11.0 for existing sidewalk and trail connections.

6.2 Pedestrian Access on 52 Avenue

It would be a fair projection that re-zoning the five lots in question would create a negligible increase in pedestrian traffic as the majority of people drive. It is a reasonable assumption that as the area continues to transition from industrial to commercial type businesses, a sidewalk would be necessary, primarily to alleviate safety concerns.

A sidewalk could be required by the City as a condition of development as each site develops or new sidewalks could be funded through the City of Red Deer Capital Sidewalk Construction Program. This program has funded the construction of sidewalks on the Gaetz Avenue Service Roads in the same circumstance. It should be noted that a new sidewalk along the back of existing curb would have major impediments such as existing streetlights at about 0.75m behind the curb on the west side of 52 Avenue and fire hydrants on both sides of the road.

7.0 Conclusions

- 7.1 Transition of the five proposed lots to C4 from I1 is beneficial for the surrounding neighborhoods to have C4 Commercial services at their convenience. It is also beneficial to remove industrial applications away from residential areas.
- 7.2 It is unlikely that traffic from Normandeau would increase as residents of this neighborhood are already using Nash, Niven and 52 Avenue to access Gaetz Avenue, 67 Street and the multitude of existing C4 businesses and malls in the area.
- 7.3 Gradual rezoning of lots on 52 Avenue allows time for industrial type businesses to relocate and to increase C4 type businesses as demand requires.
- 7.4 The area is adjacent to the Gaetz Avenue C4 Commercial district and therefore a better transitional zoning to the Normandeau residential neighborhood than I1.
- 7.5 52 Avenue is not a truck route yet has many large trucks servicing the industrial businesses on the street. A change to C4 zoning will reduce the number of large trucks in the area.
- 7.6 Any traffic volume increase due to re-zoning would be negligible and as the road is likely only at 50% of its design capacity at present so there is room for future traffic growth.
- 7.7 Parking is not an issue as three of the lots are vacant and will be designed to meet the requirements of the C4 zoning and the two lots with buildings have adequate parking and a layout that doesn't require backing onto 52 Avenue.

It is a reasonable and logical expectation that as a municipality grows, it is necessary to make changes to land use zonings that become inappropriate for that location. Industrial areas that are developed away from commercial areas such as Northlands Industrial, Riverside Light Industrial, Edgar Industrial and Queens Business Park are more appropriate locations for I1 zoned businesses.

52nd Avenue is a similar situation to Kerry Wood Drive in Riverside Meadows where I1 zoned businesses are now in the middle of a residential neighborhood and no longer compatible in that location. These properties are gradually transitioning to residential or neighborhood commercial uses.

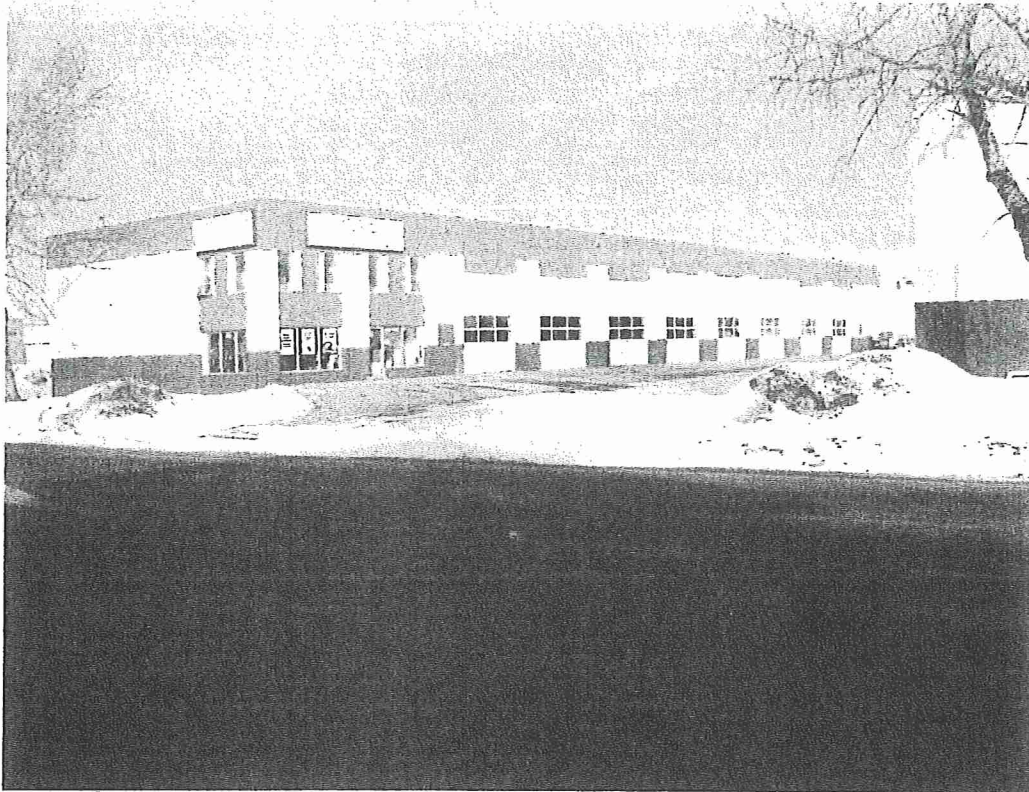
In conclusion, the rezoning of the five lots in this proposal from I1 to C4 will have no negative impacts and many benefits to the surrounding neighborhood as mentioned above.



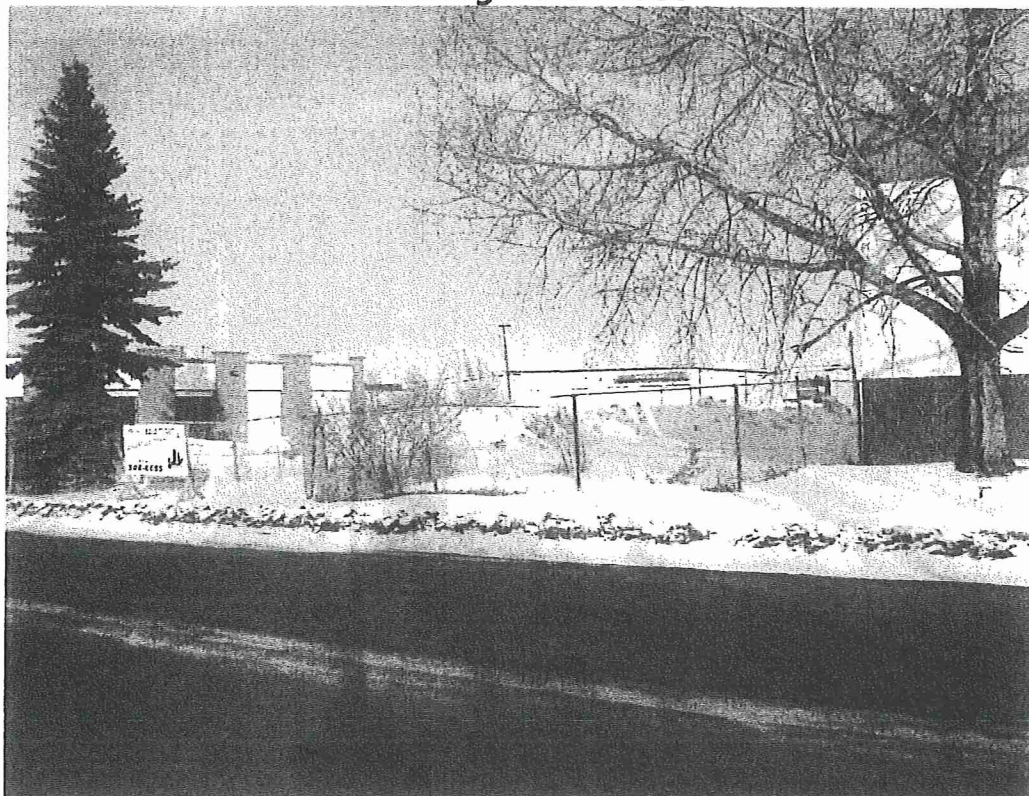
**6720-52nd Avenue - Save On Foods – Existing C4 Commercial Site
Looking North from 67th Street**



**5030-67th Street - Kal Tire – Existing C4 Commercial Site
Looking North East from 67th Street**



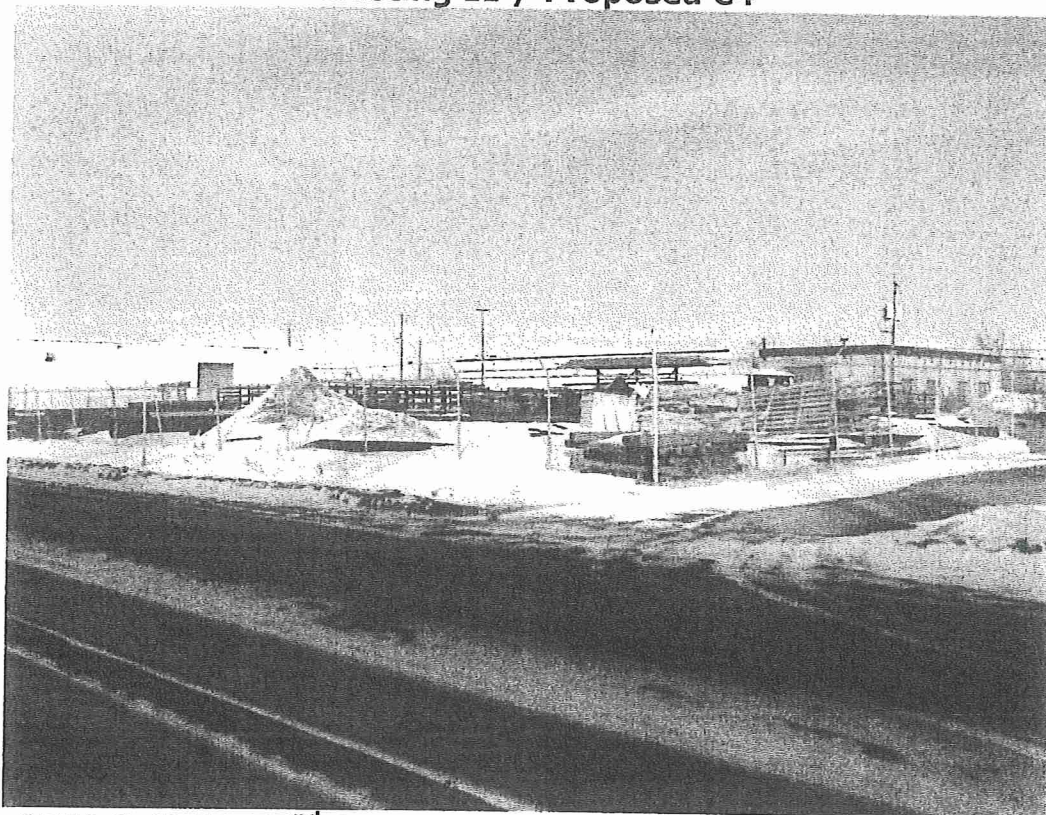
**6719-52nd Avenue - Kal Spring & Steering - Existing I1 / Proposed C4
Looking North East**



**6731-52nd Avenue – Vacant Lot – Existing I1 / Proposed C4
Looking North East**



**6751-52nd Avenue – Kraze FM / Two Vacant bays
Existing I1 / Proposed C4**



**6761 & 6771-52nd Avenue – McLevins Welding Storage Yard
Existing I1 / Proposed C4**



**6781 & 6785-52nd Avenue – Red Deer Ironworks and Fresh Ink
Existing I1 – First Site north of the Proposed Rezoning Lots**



**6781-52nd Avenue – Red Deer Ironworks
Existing I1 – Second Site North of the Proposed Rezoning Lots**

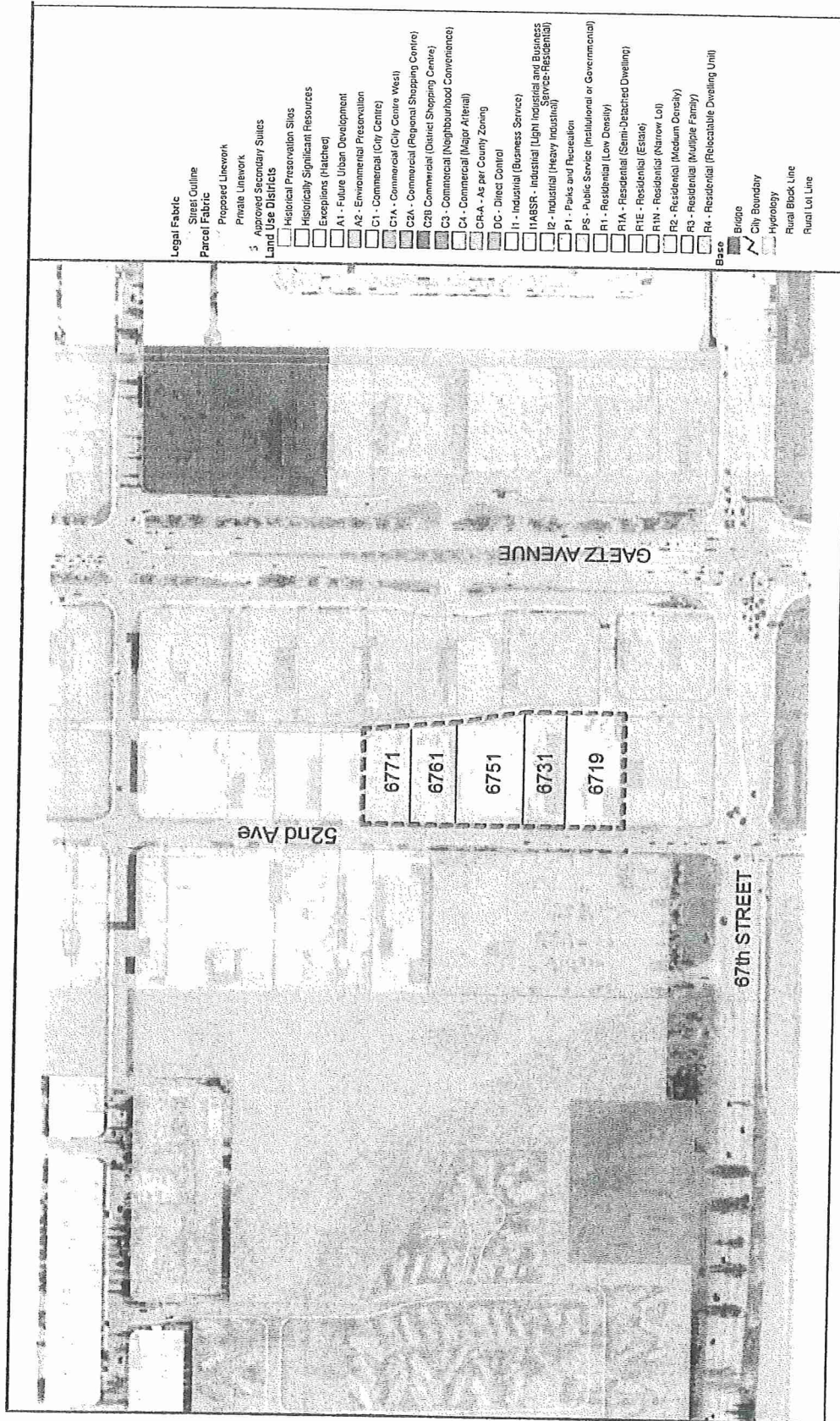


Figure 9.0 - EXISTING LAND USE (11)
and APPLICATION PARCELS

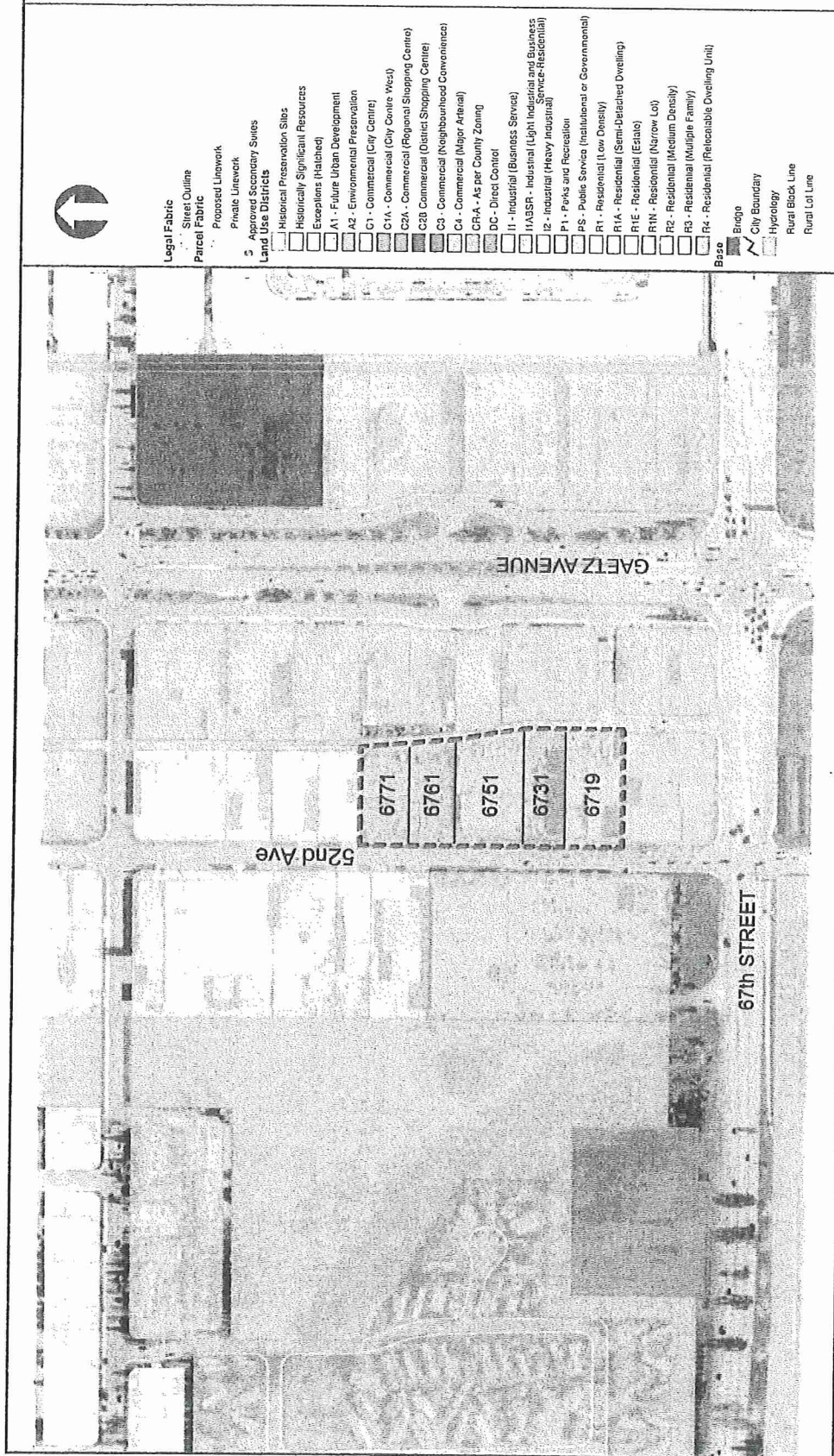
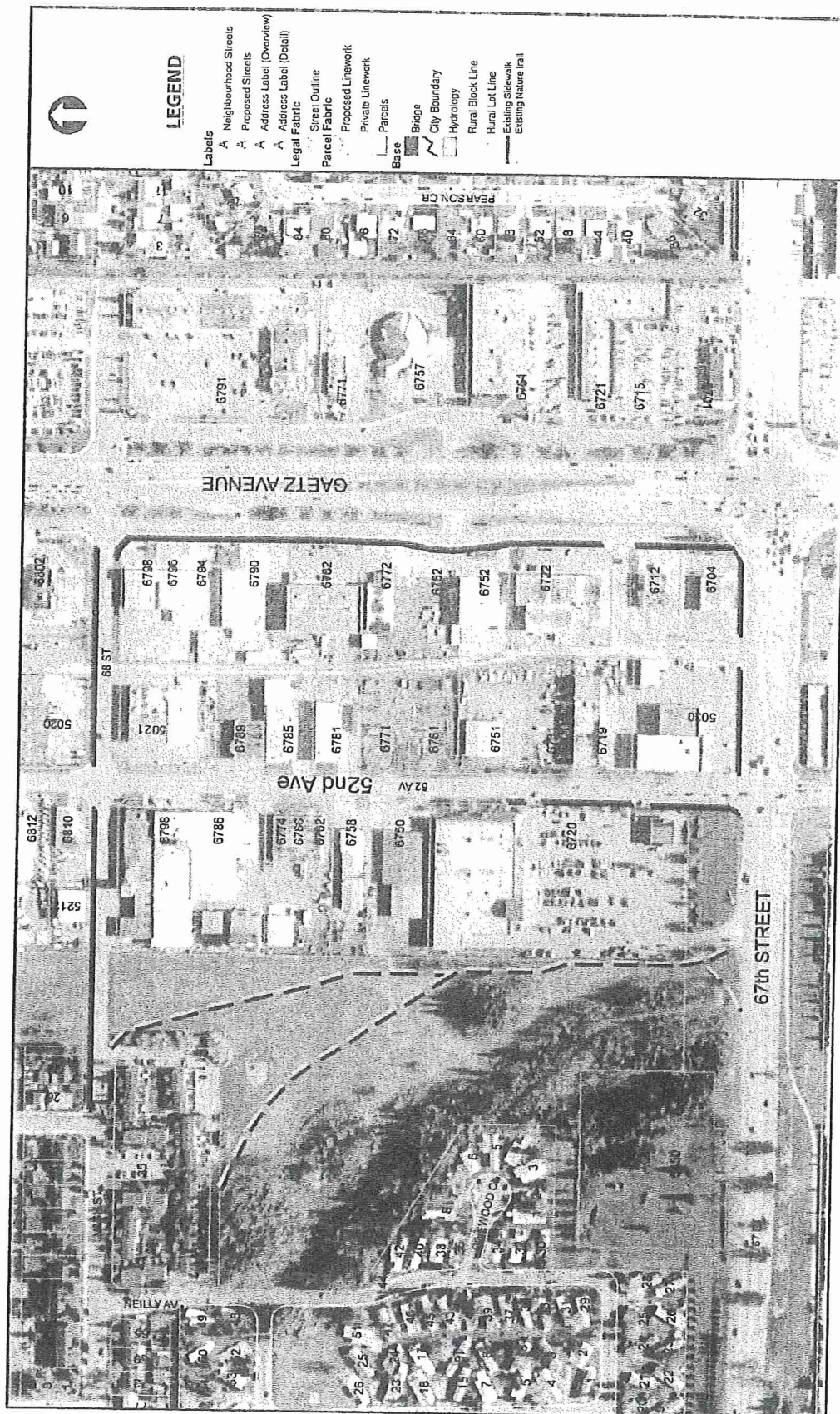


Figure 10.0 - PROPOSED LAND USE (C4)



Christine Kenzie

From: Jordan Furness
Sent: August 20, 2010 8:37 AM
To: Christine Kenzie
Subject: RE: Sep 7 Council Item

Hi Christine,

the contact is Sherry White of CAPP Investments. Mailing address is 101 - 4315 55 Ave, Red Deer, T4N 4N7

Her phone number is 403-588-4050 fax - 403-340-8441

thanks,

Jordan Furness

Planner
City of Red Deer
ph. 403-406-8701

From: Christine Kenzie
Sent: August 20, 2010 8:33 AM
To: Jordan Furness
Subject: FW: Sep 7 Council Item

Jordan, would you have a contact name and address for Capp Investments Ltd.? I will need to send a letter to them, if Council gives first reading to this LUB Amendment, regarding the advertising costs for the Public Hearing.

Thanks.

Christine Kenzie | Council Services Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

From: Jordan Furness
Sent: August 19, 2010 3:04 PM
To: Christine Kenzie
Subject: Sep 7 Council Item

Hi Christine,

Do I submit council agenda items to you? This is for the Sep 7 council meeting.

Jordan Furness

Planner
City of Red Deer
ph. 403-406-8701

2010/08/20



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

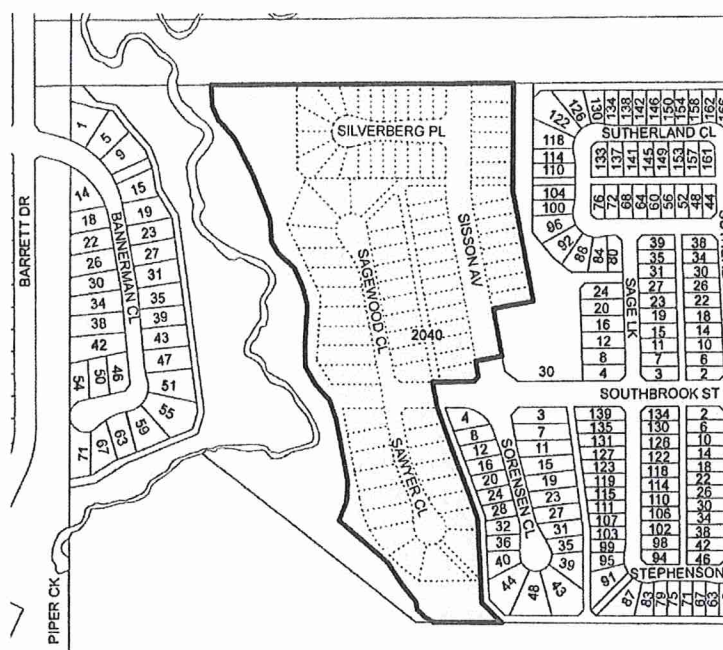
Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcpc.ab.ca

Date August 30th, 2010
To: Craig Curtis, City Manager
From: Brandon Silver, Parkland Community Planning Services
Re: Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407
Neighbourhood Area Structure Plan Amendment 3217/ B2010

Background

In accordance with the City's *Neighbourhood Planning Guidelines and Standards (NPGS)*, the proposed Sunnybrook South *Neighbourhood Area Structure Plan (NASP)* amendments were submitted to the Municipal Planning Commission (MPC) for review on August 23rd 2010. MPC recommended that council give first reading to the proposed amendments.

Subject Area (Lot 1, Block 1, Plan 062 1407) with Sunnybrook South NASP



Melcor Development Ltd. has requested that the Sunnybrook South NASP be amended as follows:

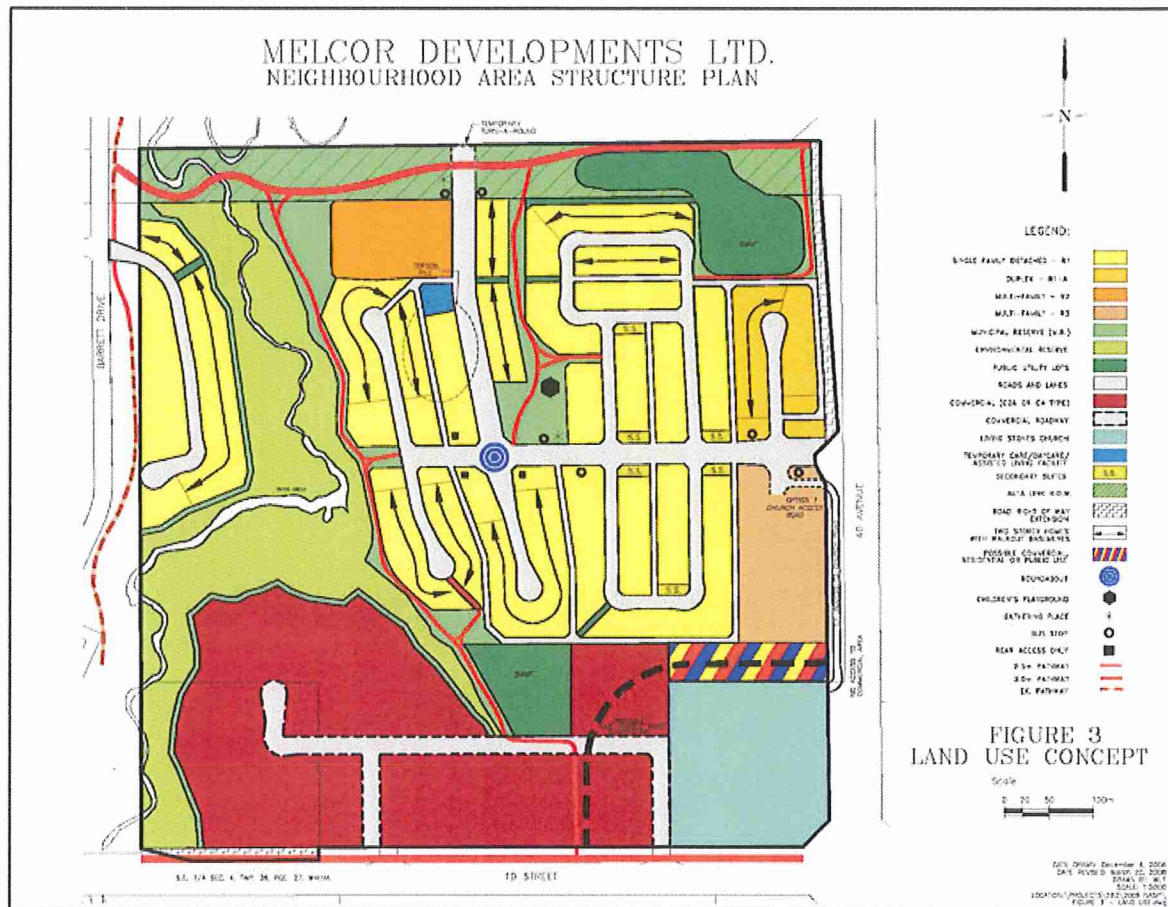
1. Remove a lane and replace it with a Public Utility Lot (PUL) as shown in figure 3.
2. Add a public cul-de-sac to the R2 site as shown in figure 3.

The rationale behind the first proposed amendment is; that removing the lane and adding a PUL prevents motorists from using the lane as a short cut through the neighbourhood (a potential nuisance to adjacent landowners), while maintaining a pedestrian link.

The second amendment, the addition of a cul-de-sac to the R2 site, is intended to allow for the development of semi-detached units. This form of development typically requires a public roadway.

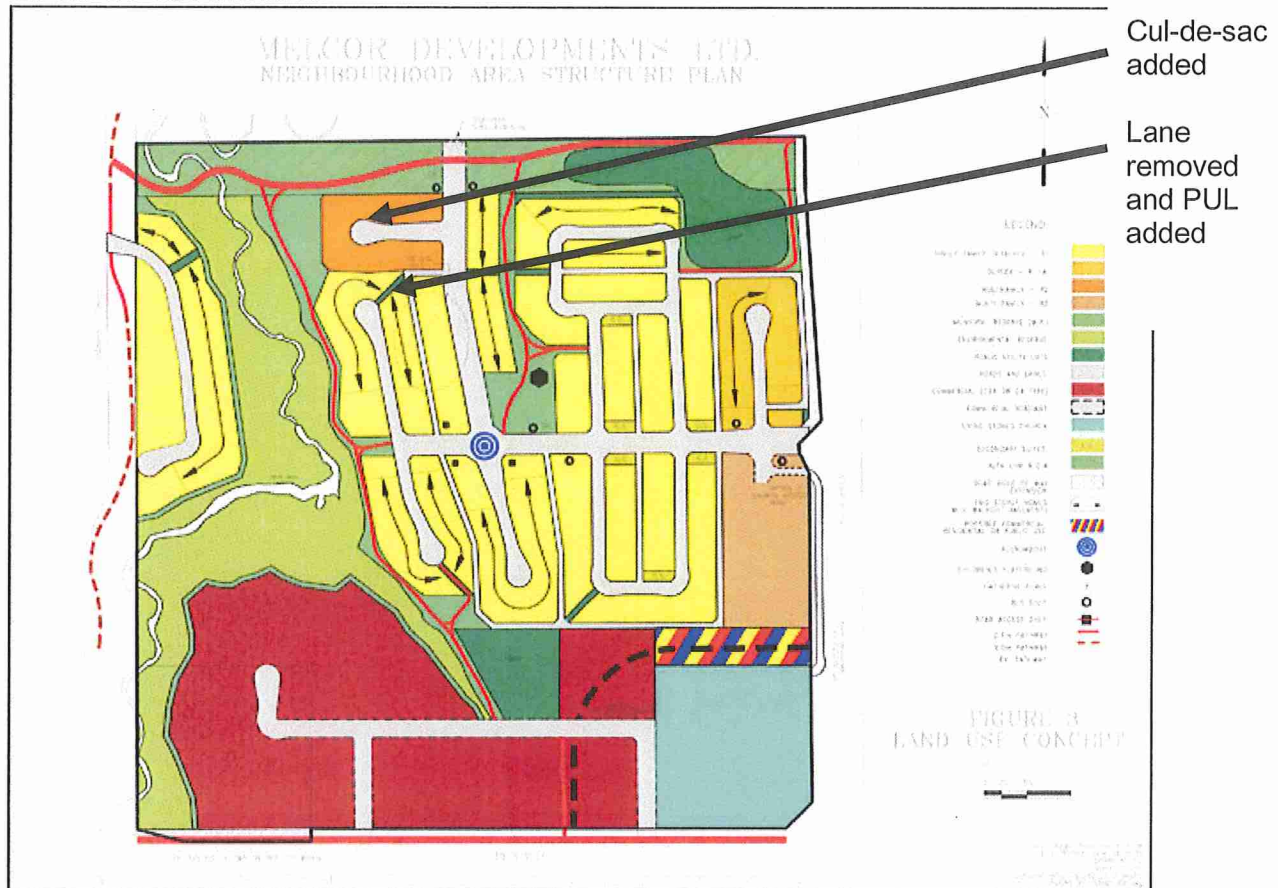
EXISTING

Figure 2. Shows the existing NASP with the lane included and no cul-de-sac on the R2 site.



PROPOSED

Figure 3. Shows the proposed NASP with: 1. *the lane removed and a PUL added, and*
2.. *cul-de-sac included*



Please note that the existing NASP shows an assisted living facility that is left out of the proposed amendment. The developer advertised the sale of the site with no offers being received and therefore the use was removed from the proposed NASP. The proposed amendment reflects the current status site. The assisted living facility site was zoned R1 and it will remain zoned R1, therefore there is no amendment needed for the site.

Circulation Comments

Because adding a public road to an R2 site is considered a "Major" amendment, the proposed NASP amendment was circulated internally and to affected landowners in the neighbourhood.

The proposed amendment was circulated between July 12th and August 12th. There were no outstanding issues or concerns regarding the proposed amendments and we have not received any comments or concerns from any members of the public.

Planning Analysis

Within the existing NASP there is potential for a private road of the same configuration. Although adding a cul-de-sac on the R2 site may have some affect on the potential structure of the site, it will not significantly change potential uses for the site, and will not alter the site negatively.

Although the addition of a cul-de-sac and the transfer of a lane to a PUL together constitute a "Major" NASP amendment according to the NPGS, these particular amendments have a minimal impact on the site.

The main implications of the proposed amendments will be that the public cul-de-sac will ultimately be the responsibility of the City to maintain.

Recommendation

Planning staff recommends that City Council proceed with first reading of Neighbourhood Area Structure Plan Amendment No. 3217/B-2010 to amend the *Sunnybrook South Neighbourhood Structure Plan*.



Brandon M. Silver
Planner / Urban Designer
Parkland Community Planning Services

cc. Paul Meyette, Director of Planning Services



Date: August 23, 2010
To: City Council
From: Municipal Planning Commission
Subject: Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407
Land Use Bylaw NASP Amendment 3217/B-2010

At the Monday, August 23, 2010 Municipal Planning Commission meeting, the commission considered a report from Parkland Community Planning Services, dated August 12, 2010, regarding the Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407 – Land Use Bylaw Amendment 3217/B-2010. Following discussion, the motion as set out below was introduced and passed.

“Resolved that the Municipal Planning Commission, having considered the report from Parkland Community Planning Services, dated August 12, 2010, regarding the Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407 – Land Use Bylaw Amendment 3217/B-2010, hereby, supports the proposed amendment to the Sunnybrook South Neighbourhood Area Structure Plan, Land Use Bylaw 3217/B-2010, and recommends that Council proceed with 2nd and 3rd readings.”

MOTION CARRIED

The Municipal Planning Commission noted that the proposed development should investigate the opportunity for front attached garages.

The above is submitted for Council’s consideration.

Regards,

Mayor M. Flewwelling
Chair, Municipal Planning Commission

/sm

c. B. Silver, Parkland Community Planning Services

Comments:

I support the recommendation of Administration that Council consider first reading of Sunnybrook South Neighbourhood Area Structure Plan Bylaw Amendment 3217/B-2010 – Removal of a Lane and Replace with a Public Utility Lot / Addition of a Public Cul-de-Sac to R2 Site. A Public Hearing would be held on Monday, October 4, 2010 at 6:00 P.M. during Council's Regular Meeting.

“Craig Curtis”
City Manager

BYLAW NO. 3217/B - 2010

Being a bylaw to amend Bylaw No. 3217/98, the bylaw adopting the neighbourhood area structure plans as a bylaw of the City of Red Deer.

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

That Bylaw No. 3217/98 is hereby amended:

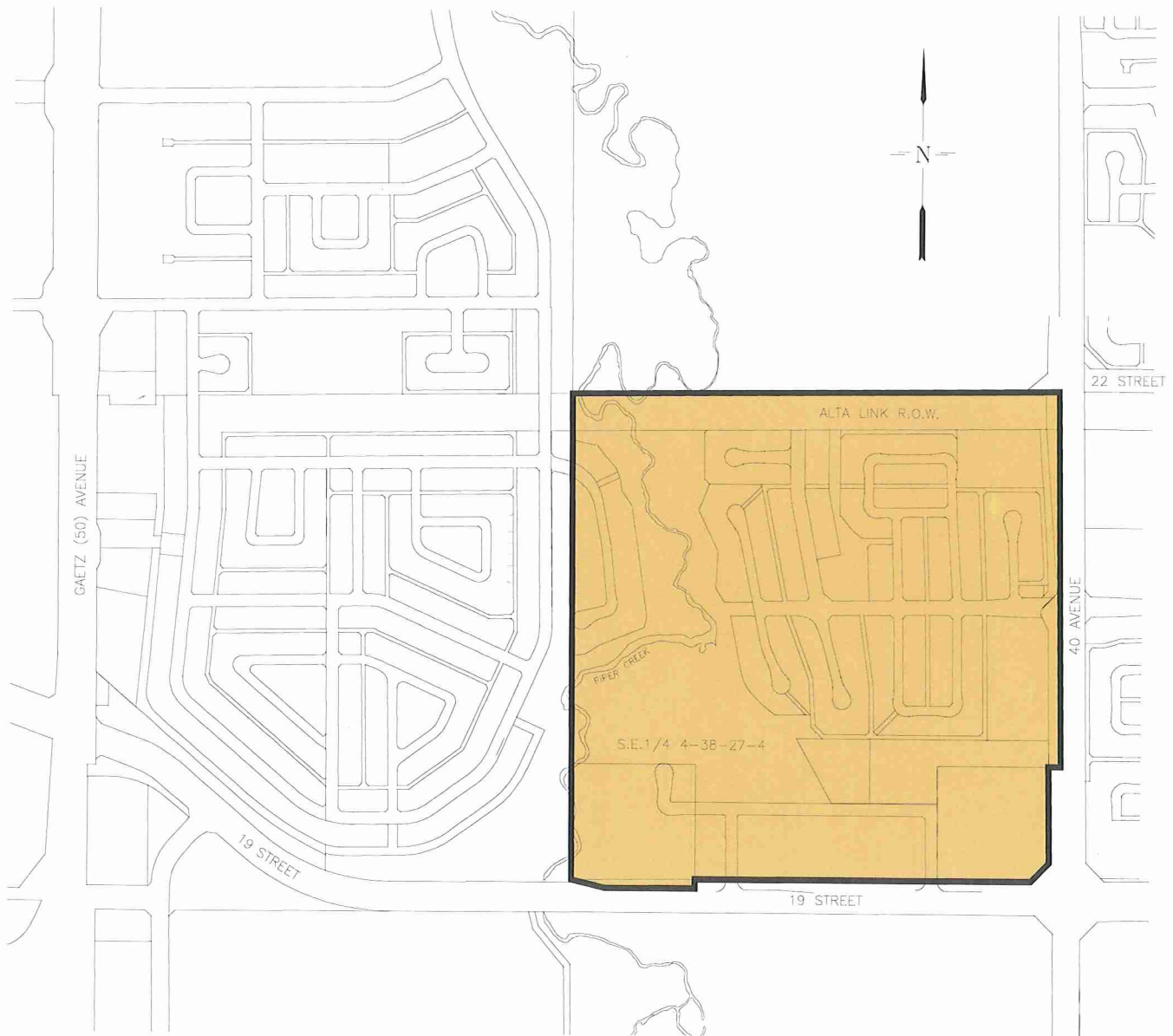
- 1. By replacing Figures 1, 2, 3, 4, 7, 8, 9, 11, 12 and 13, within the current *Sunnybrook South Neighbourhood Area Structure Plan* with the attached Figures 1, 2, 3, 4, 7, 8, 9, 11, 12 and 13 and forming part of this bylaw.

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

MELCOR DEVELOPMENTS LTD.
NEIGHBOURHOOD AREA STRUCTURE PLAN

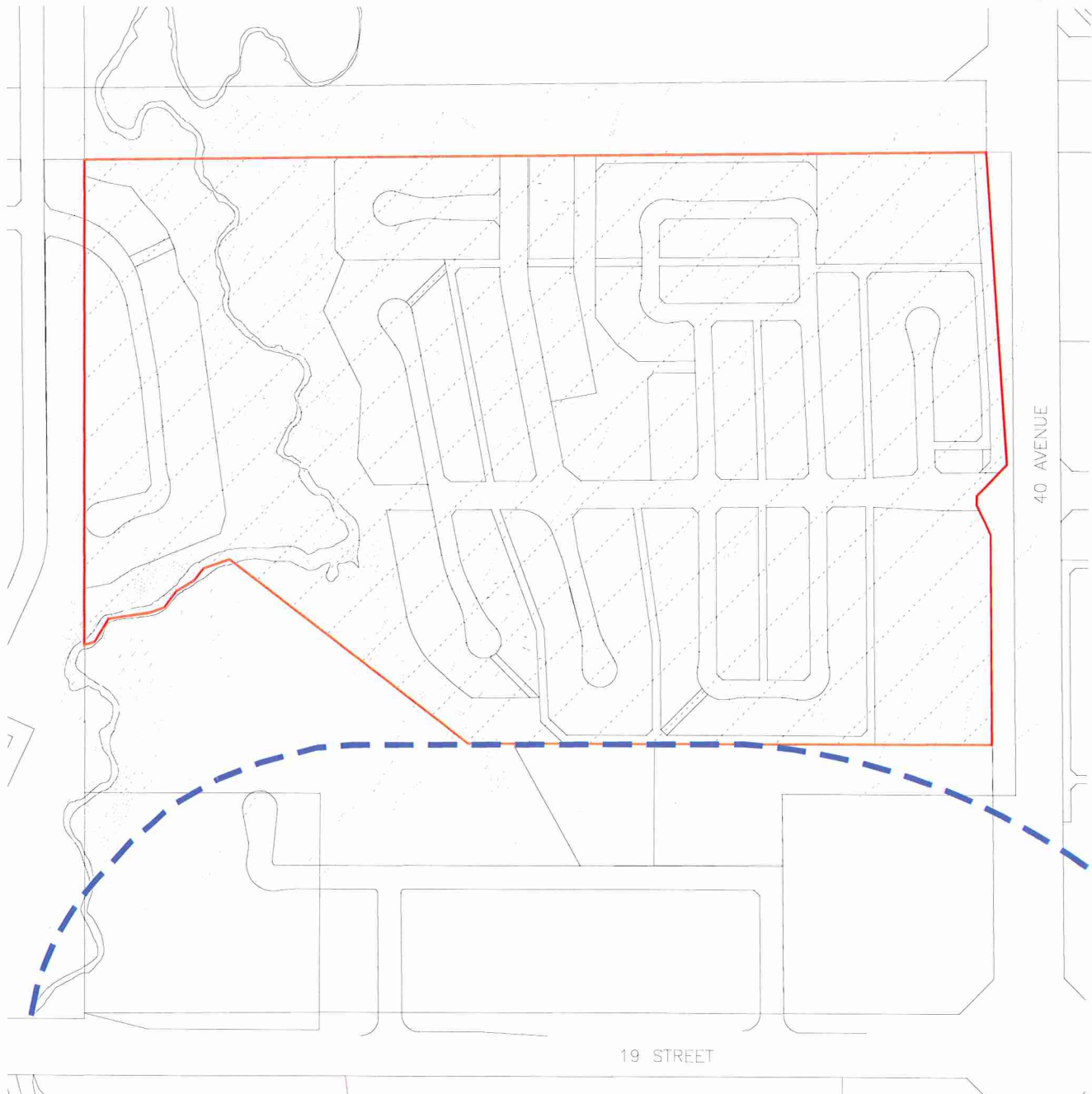


DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:10,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 1 - LOCATION.dwg

0 100m 200m 500m

FIGURE 1
LOCATION

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



LEGEND:

--- 300m LANDFILL SETBACK



MELCOR DEVELOPMENT LTD. LAND

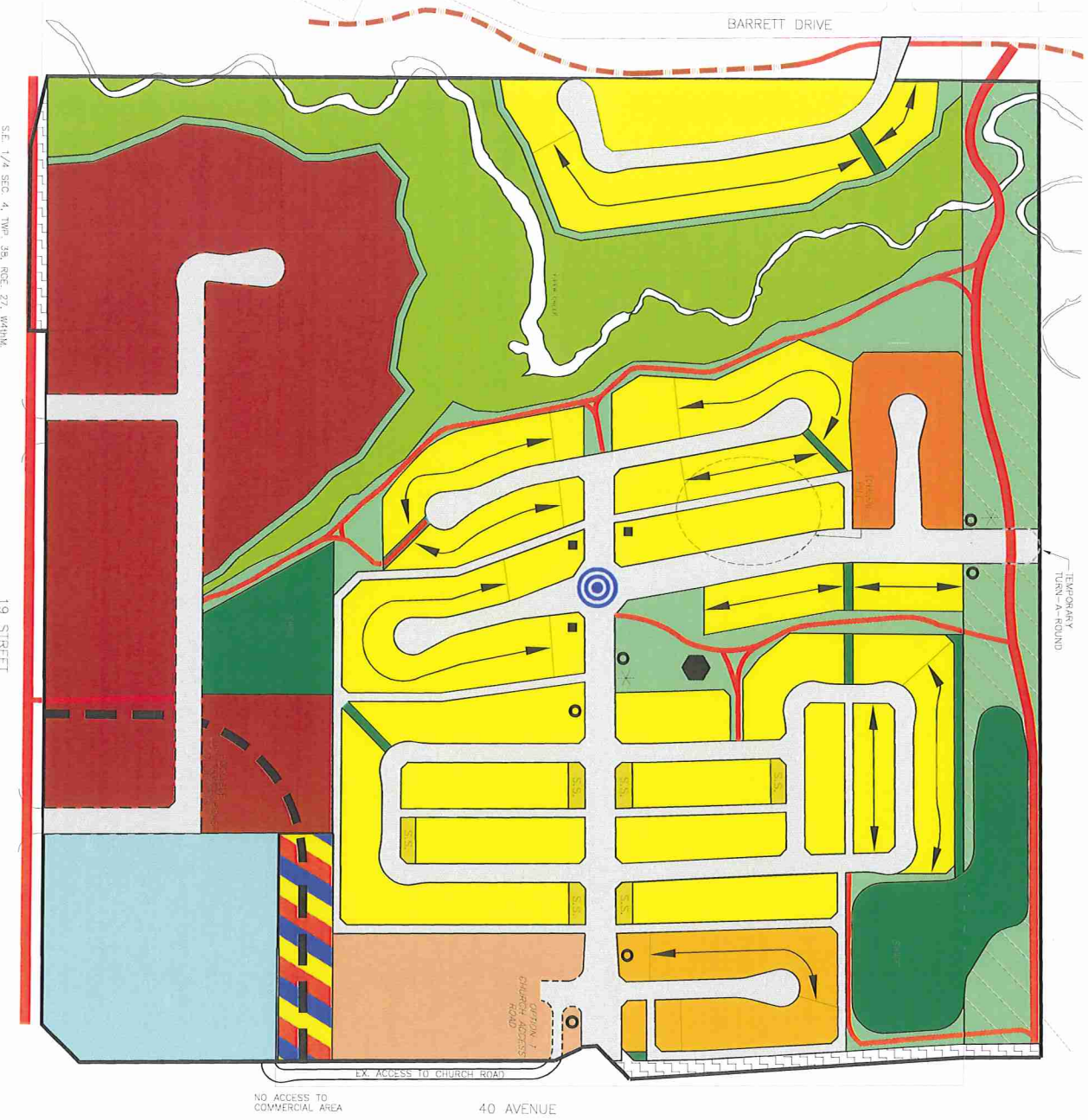
Scale



FIGURE 2
EXISTING CONTOURS

DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 2 - EXISTING CONTOURS.dwg

MELCOR DEVELOPMENTS LTD.
NEIGHBOURHOOD AREA STRUCTURE PLAN



LEGEND:

- SINGLE FAMILY DETACHED - R1
- DUPLEX - R1-A
- MULTIFAMILY - R2
- MULTI-FAMILY - R3
- MUNICIPAL RESERVE (M.R.)
- ENVIRONMENTAL RESERVE
- PUBLIC UTILITY LOTS
- ROADS AND LANES
- COMMERCIAL (C2A OR C4 TYPE)
- COMMERCIAL ROADWAY
- LIVING STONES CHURCH
- SECONDARY SUITES
- ALTA LINK R.O.W.
- ROAD RIGHT OF WAY EXTENSION
- TWO STOREY HOUSES WITH WALKOUT BASEMENTS POSSIBLE COMMERCIAL, RESIDENTIAL OR PUBLIC USE
- ROUNDABOUT
- CHILDREN'S PLAYGROUND
- GATHERING PLACE
- BUS STOP
- REAR ACCESS ONLY
- 2.5m PATHWAY
- 3.0m PATHWAY
- EX. PATHWAY

FIGURE 3
LAND USE CONCEPT



DATE DRAWN: December 4, 2006
 DATE REVISED: June 18, 2010
 DRAWN BY: TQ
 CHECKED BY: TQ
 LOCATION: PROJECTS/2621/2010 VARIOUS
 FIGURE 3 - LAND USE CONCEPT

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



Scale
0 20 50 100m

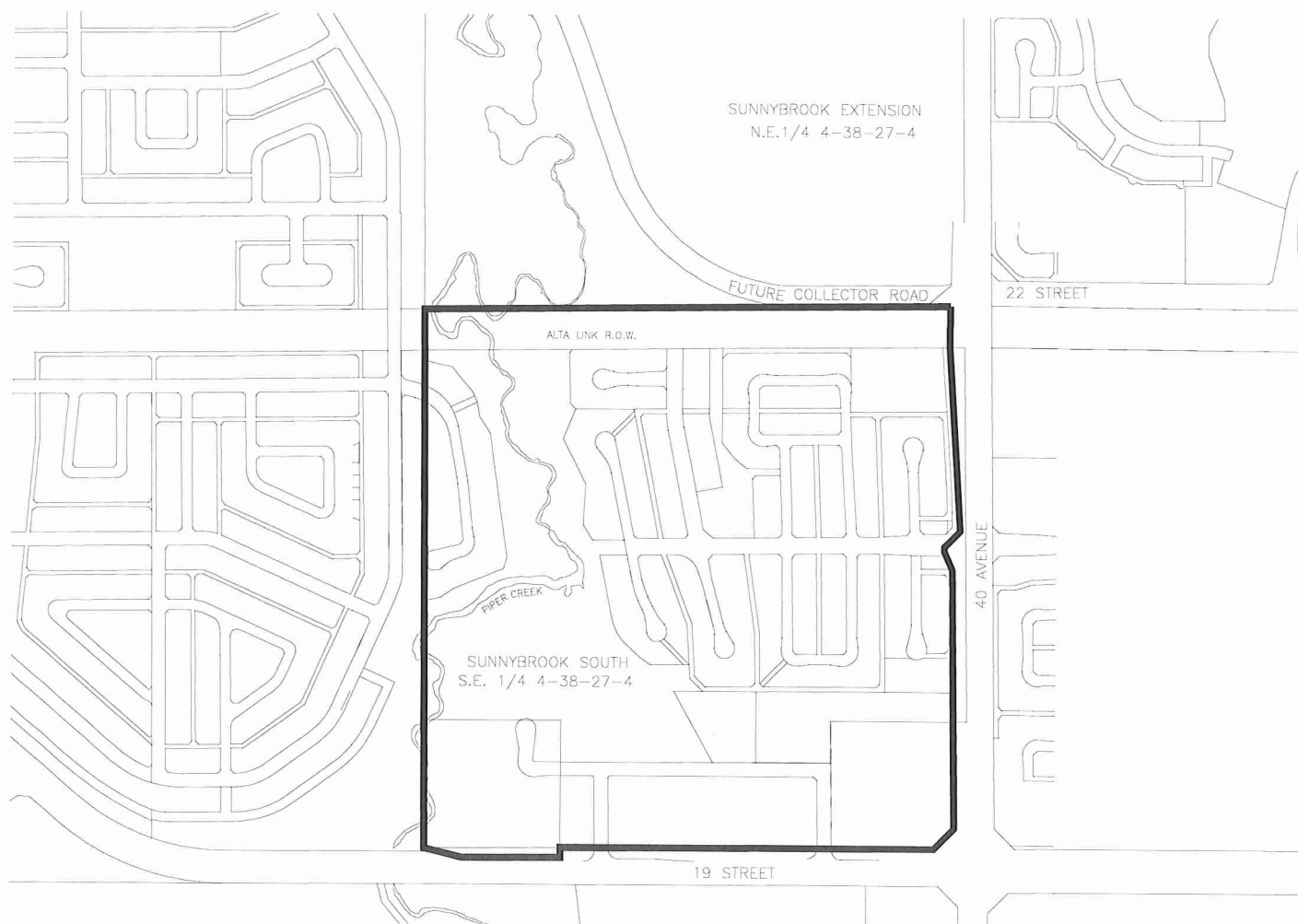
LEGEND:

P.U.L.		ALTA LINK R.O.W.	
MUNICIPAL RESERVE		2.5m PATHWAY	
ENVIRONMENTAL RESERVE		3.0m PATHWAY	
ROAD R.O.W.		Ex. PATHWAY	

DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 4 - OPEN SPACES.dwg

FIGURE 4
OPEN SPACES
PLAN

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



0 100m 200m 500m

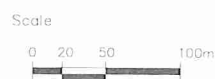
DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:10,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 7 - MOLLY BANISTER.dwg

FIGURE 7
PROPOSED NORTH CONNECTOR

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



DATE DRAWN: December 4, 2006
 DATE REVISED: June 18, 2010
 DRAWN BY: WLT
 SCALE: 1:5,000
 LOCATION: \PROJECTS\262\2010 NASP\
 FIGURE 8 - MAJOR STORM.dwg



LEGEND:
 ——— OUTLINE BOUNDARY
 → STORM SEWER MAIN
 - - - EXISTING SEWER MAIN

FIGURE 8
STORM SEWERS

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



Scale

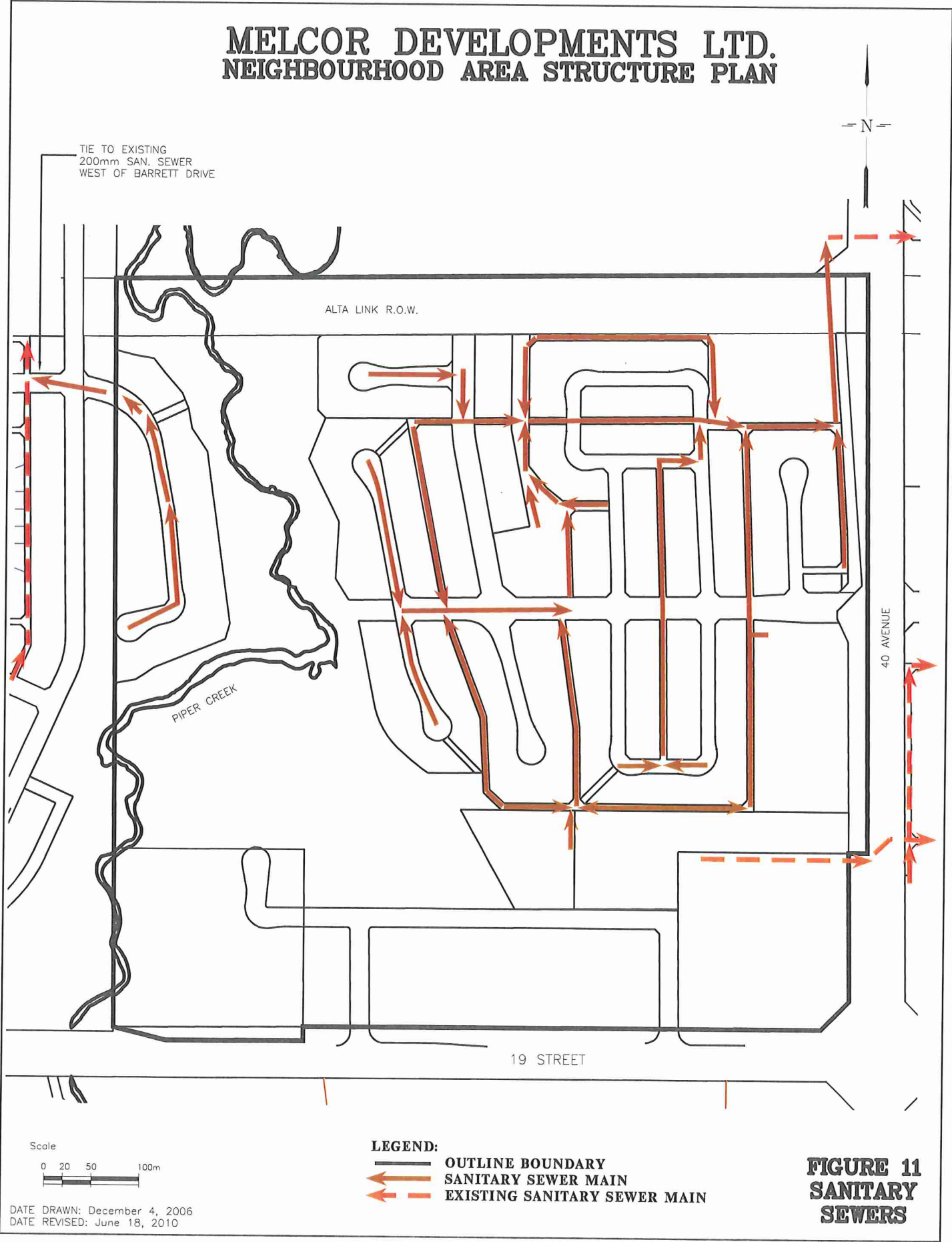
0 20 50 100m

DATE DRAWN: December 4, 2006
 DATE REVISED: June 18, 2010
 DRAWN BY: WLT
 SCALE: 1:5,000
 LOCATION: \PROJECTS\262\2008 NASP\
 FIGURE 9 - OVERLAND DRAINAGE.dwg

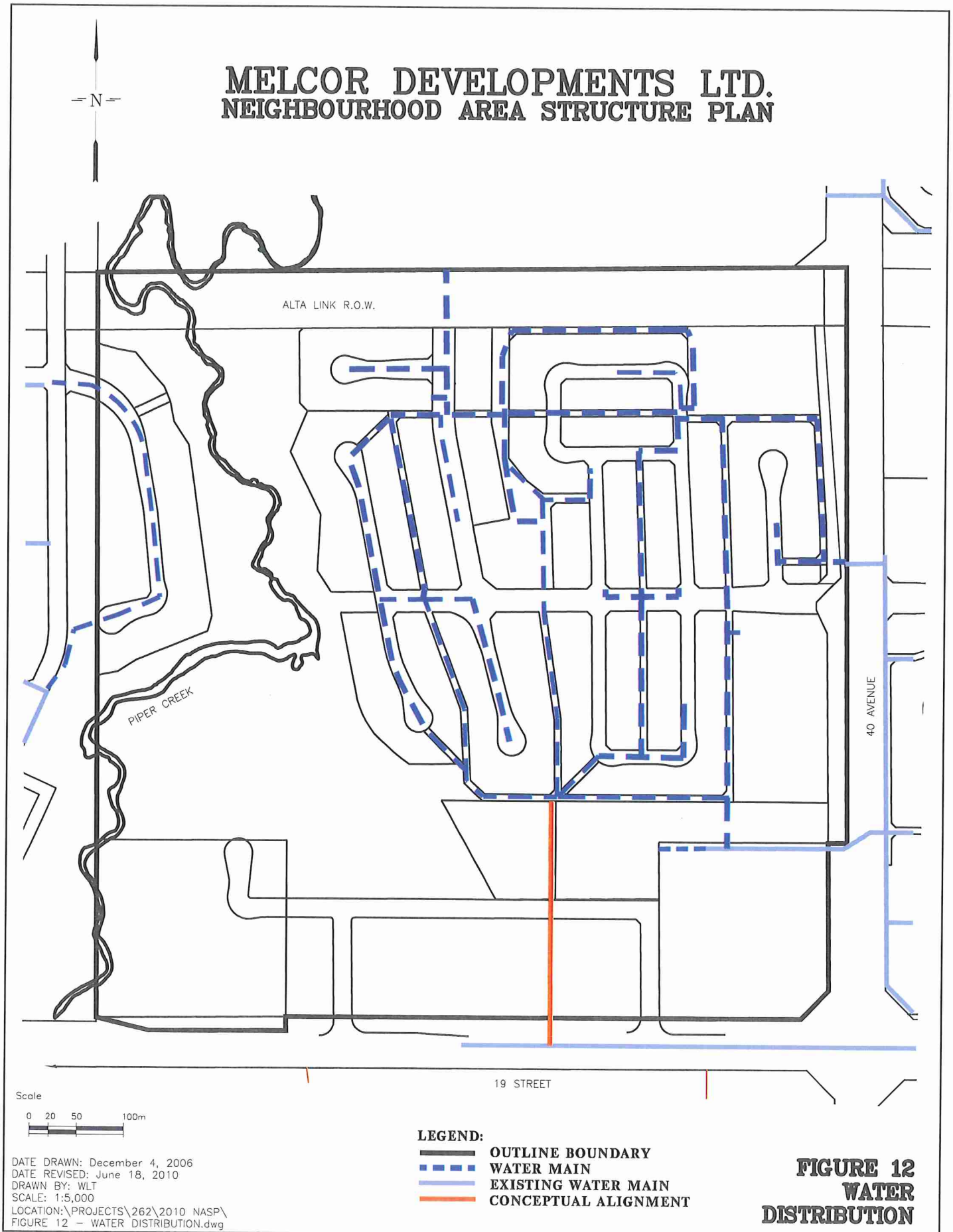
LEGEND:

- OUTLINE BOUNDARY**
- MAJOR STORM FLOW DIRECTION**
- 100 YEAR STORM FLOOD LINE**

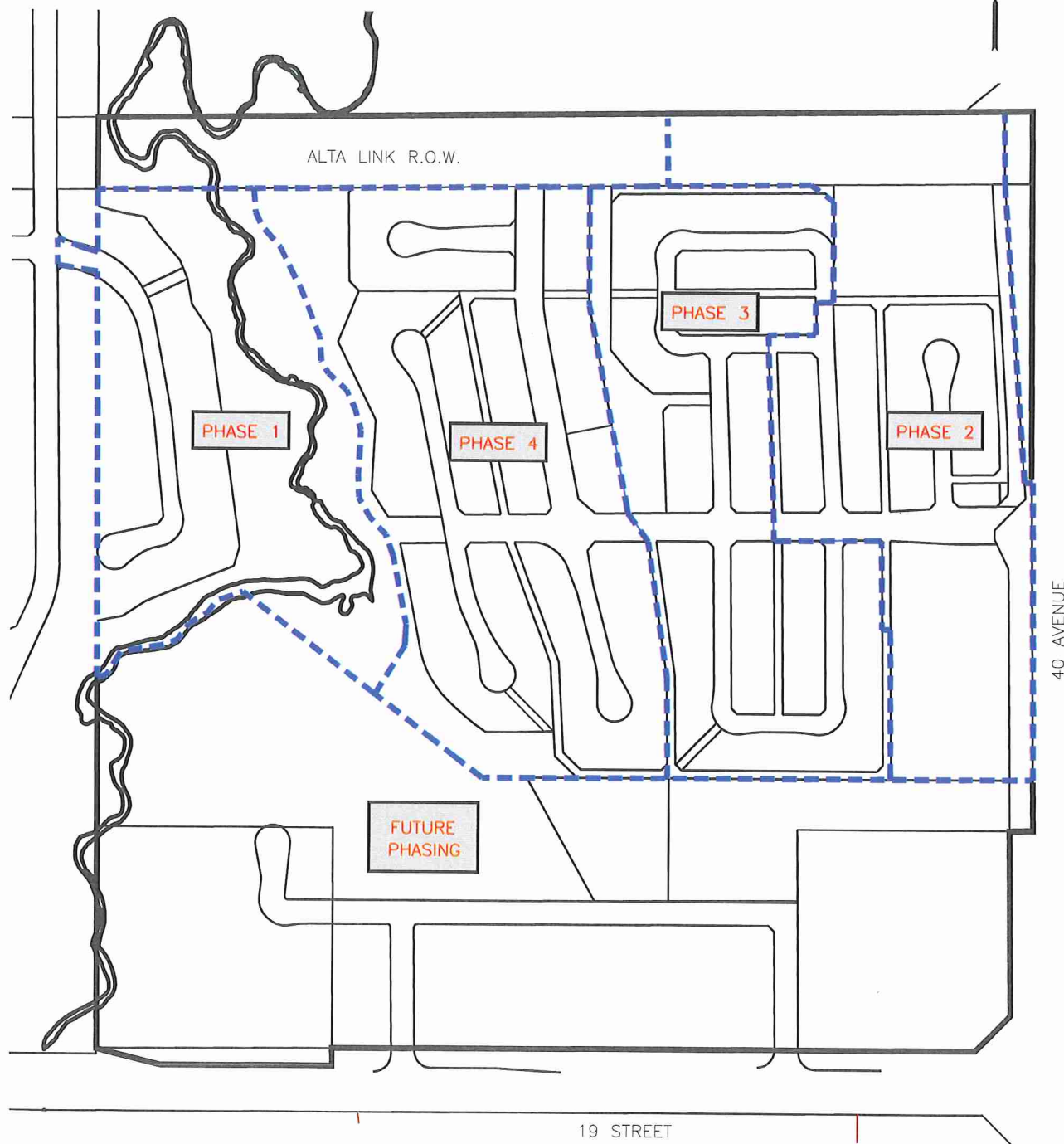
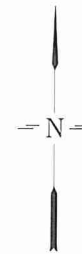
FIGURE 9
OVERLAND
DRAINAGE



DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010



MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



Scale

0 20 50 100m

DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 13 - PHASING.dwg

LEGEND:

- OUTLINE BOUNDARY
- PHASE BOUNDARY

FIGURE 13
PHASING CONCEPT

Council Decision – September 7, 2010

DATE: September 8, 2010
TO: Brandon Silver, Planner
FROM: Elaine Vincent, Legislative & Governance Services Manager
SUBJECT: Sunnybrook South Neighbourhood Area Structure Plan Bylaw Amendment 3217/B-2010
Lot 1, Block 1, Plan 062 1407 – Removal of a Lane and Replace with a Public Utility Lot/ Addition of a Public Cul-de-Sac to R2 Site

Reference Report:

Parkland Community Planning Services, August 30, 2010.

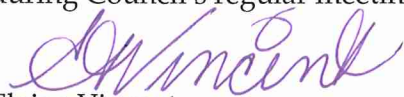
Bylaw Readings:

Sunnybrook South Neighbourhood Area Structure Plan Bylaw Amendment 3217/B-2010 received first reading. A copy of the bylaw is attached.

Report Back to Council: Yes – to the Monday, September 20, 2010 Council Meeting

Comments / Further Action:

Sunnybrook South Neighbourhood Area Structure Plan Bylaw Amendment 3217/B-2010 provides for the removal of a lane to be replaced with a Public Utility Lot and the addition of a cul-de-sac on an R2 Residential (Medium Density) District Site. The removal of the lane and addition of the Public Utility lot prevents motorists from using the lane as a short cut through the neighbourhood, while maintaining a pedestrian link. The addition of a cul-de-sac to the R2 Residential (Medium Density) District site is intended to allow for the development of semi-detached dwelling units. This type of development requires a public roadway. A Public Hearing will be held on Monday, September 20, 2010 at 6:00 p.m. during Council's regular meeting. This office will proceed with the advertising for the public hearing.



Elaine Vincent
Legislative & Governance Services Manager
/attach.

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

Inspections & Licensing Co-Managers
Land & Economic Development Manager
IT Services – GIS Section
Property Assessment Technician, Danny Lake
LGS File

BYLAW NO. 3217/B - 2010

Being a bylaw to amend Bylaw No. 3217/98, the bylaw adopting the neighbourhood area structure plans as a bylaw of the City of Red Deer.

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

That Bylaw No. 3217/98 is hereby amended:

1. By replacing Figures 1, 2, 3, 4, 7, 8, 9, 11, 12 and 13, within the current *Sunnybrook South Neighbourhood Area Structure Plan* with the attached Figures 1, 2, 3, 4, 7, 8, 9, 11, 12 and 13 and forming part of this bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 7th day of September 2010.

READ A SECOND TIME IN OPEN COUNCIL this day of 2010.

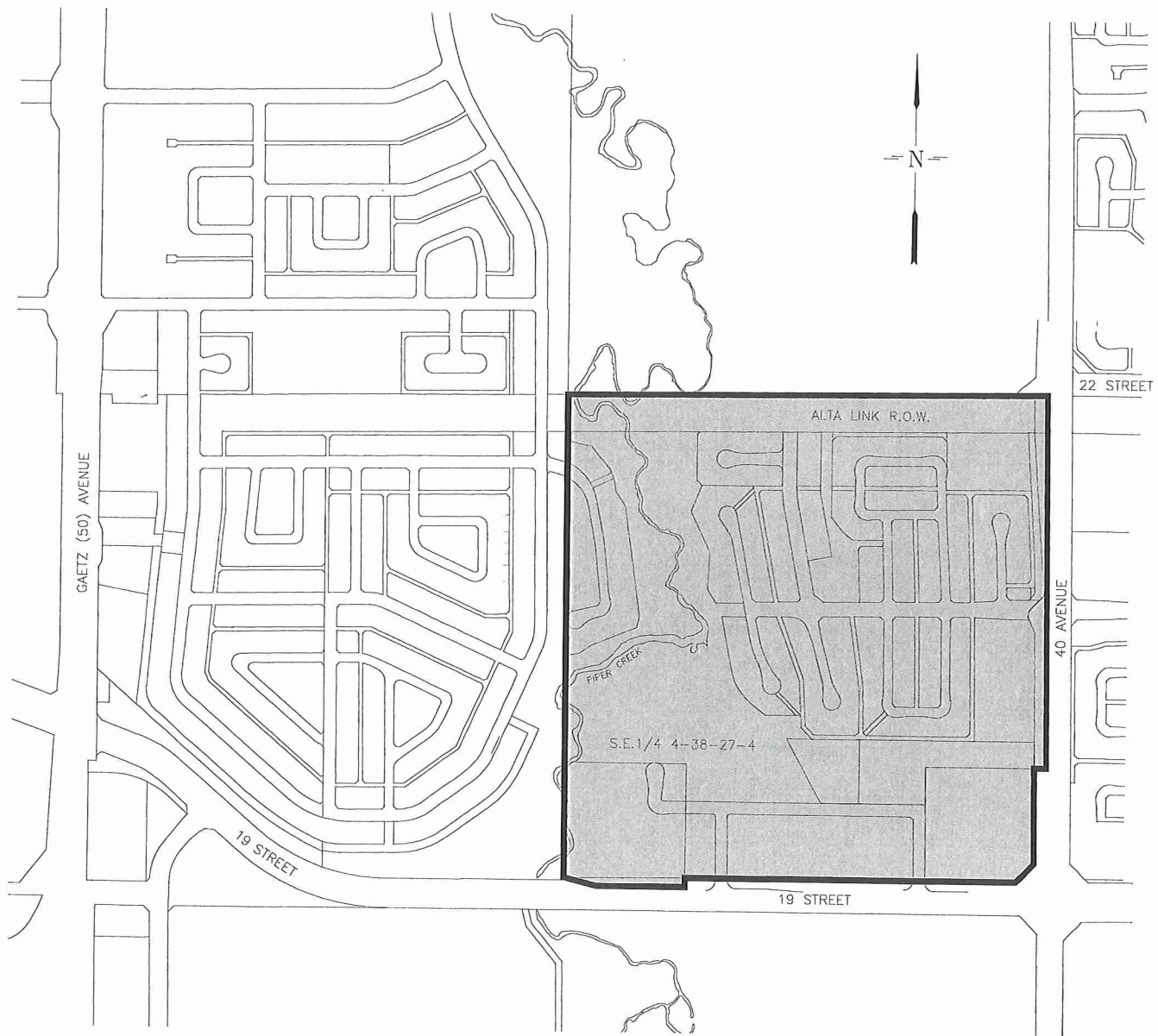
READ A THIRD TIME IN OPEN COUNCIL this day of 2010.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2010.

MAYOR

CITY CLERK

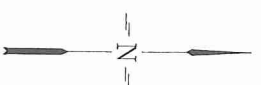
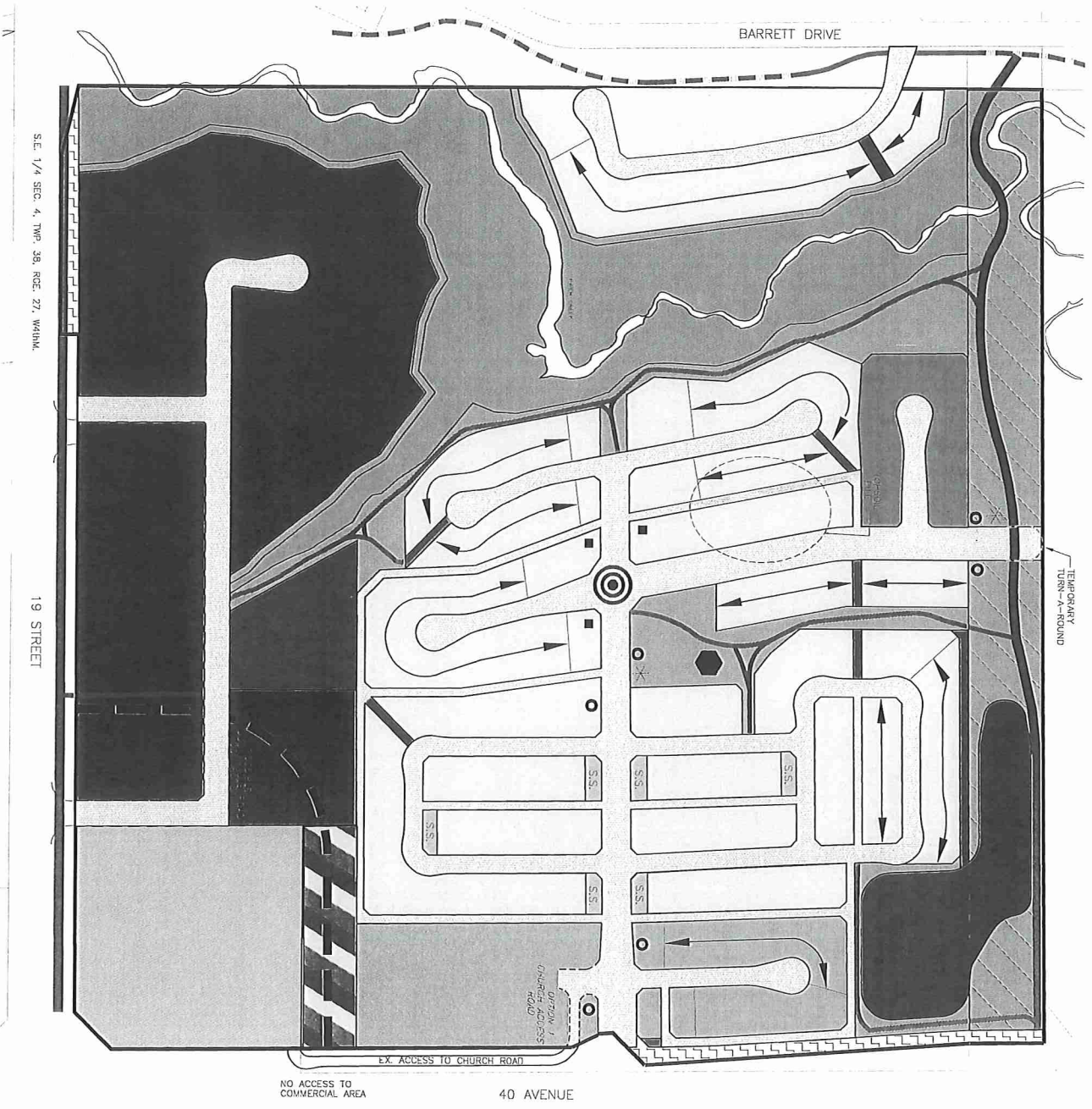
MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



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SCALE: 1:10,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 1 - LOCATION.dwg

FIGURE 1
LOCATION

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



LEGEND:

- SINGLE FAMILY DETACHED - R1
- DUPLEX - R1-A
- MULTIFAMILY - R2
- MULTI-FAMILY - R3
- MUNICIPAL RESERVE (M.R.)
- ENVIRONMENTAL RESERVE
- PUBLIC UTILITY LOTS
- ROADS AND LANES
- COMMERCIAL (C2A OR C4 TYPE)
- COMMERCIAL ROADWAY
- LIVING STONES CHURCH
- SECONDARY SUITES
- ALTA LINK R.O.W.
- ROAD RIGHT OF WAY EXTENSION
- TWO STOREY HOMES WITH WALKOUT BASEMENTS
- POSSIBLE COMMERCIAL RESIDENTIAL OR PUBLIC USE
- ROUNDABOUT
- CHILDREN'S PLAYGROUND
- GATHERING PLACE
- BUS STOP
- REAR ACCESS ONLY
- 2.5m PATHWAY
- 3.0m PATHWAY
- EX. PATHWAY

FIGURE 3
LAND USE CONCEPT



S.E. 1/4 SEC. 4, TWP. 38, RGE. 27, W4M1A.

19 STREET

40 AVENUE

BARRETT DRIVE

TEMPORARY TURN-AROUND

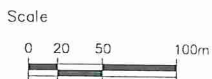
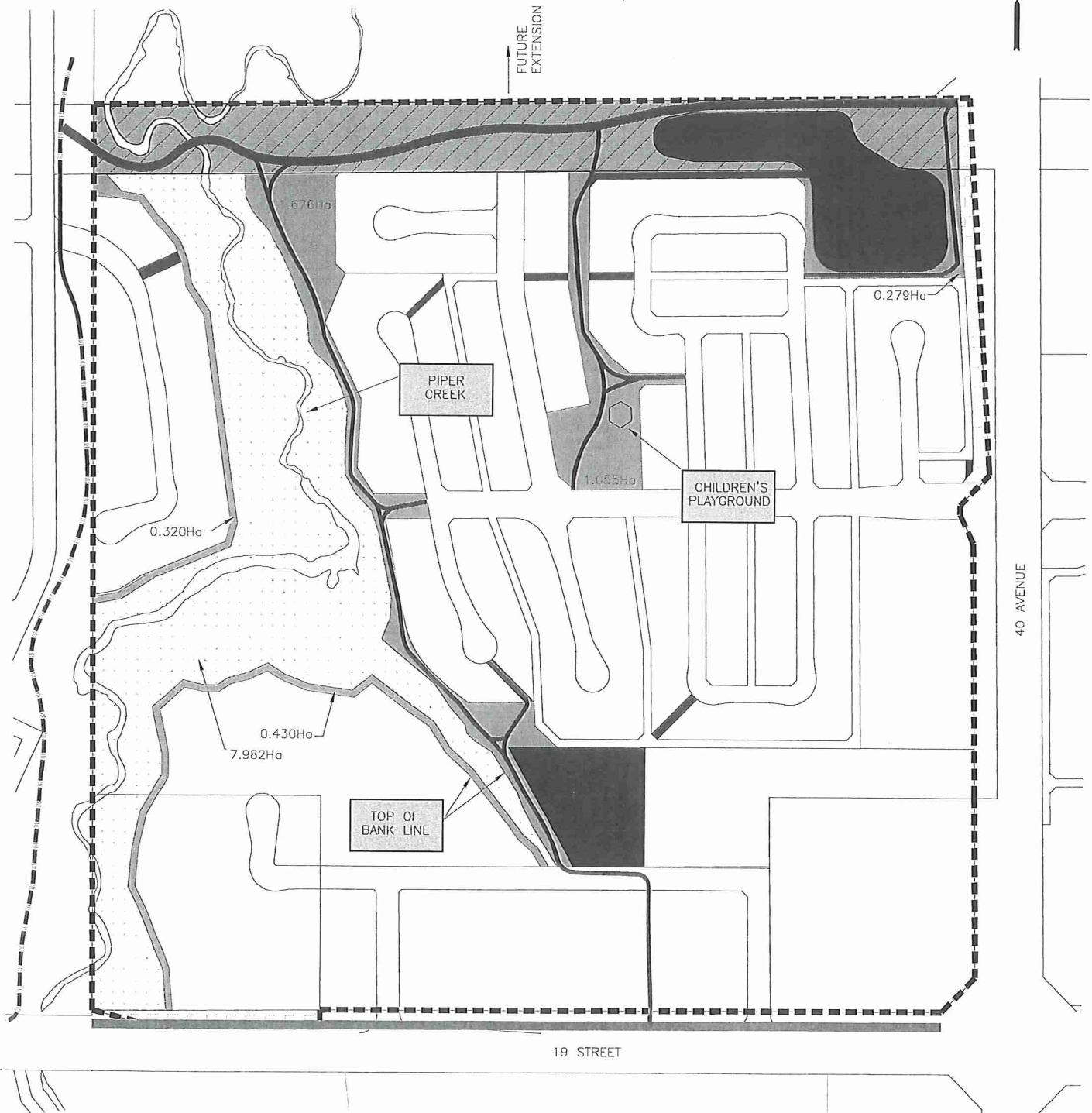
NO ACCESS TO COMMERCIAL AREA

CHILDREN'S PLAYGROUND

EX. ACCESS TO CHURCH ROAD

DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
SCALE: 1:5000
LOCATION: PROJECT\202\2010 M&P\FIGURE 3 - LAND USE.dwg

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



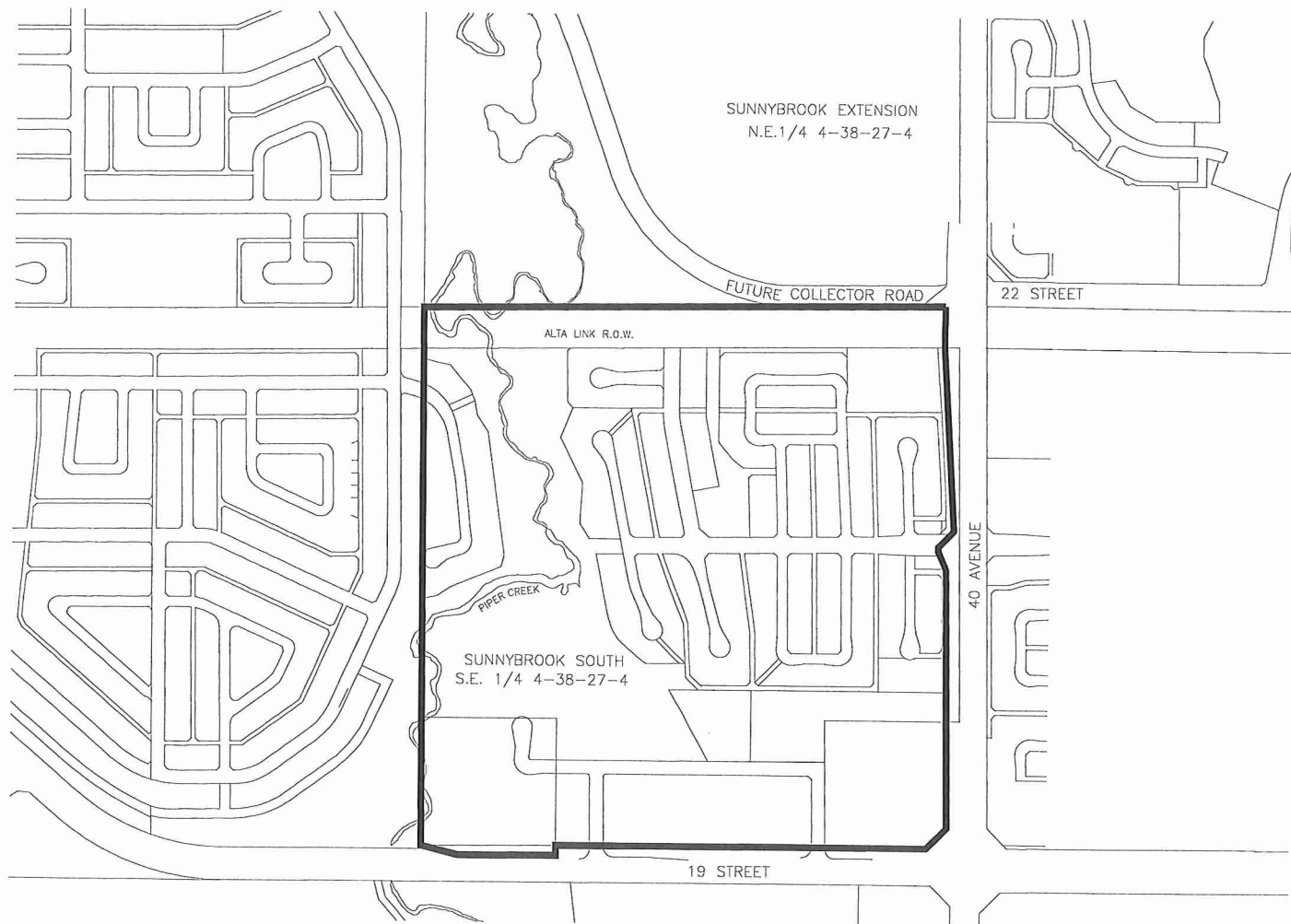
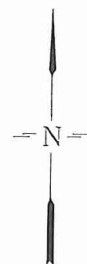
LEGEND:

P.U.L.		ALTA LINK R.O.W.	
MUNICIPAL RESERVE		2.5m PATHWAY	
ENVIRONMENTAL RESERVE		3.0m PATHWAY	
ROAD R.O.W.		Ex. PATHWAY	

DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 4 - OPEN SPACES.dwg

FIGURE 4
OPEN SPACES
PLAN

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN

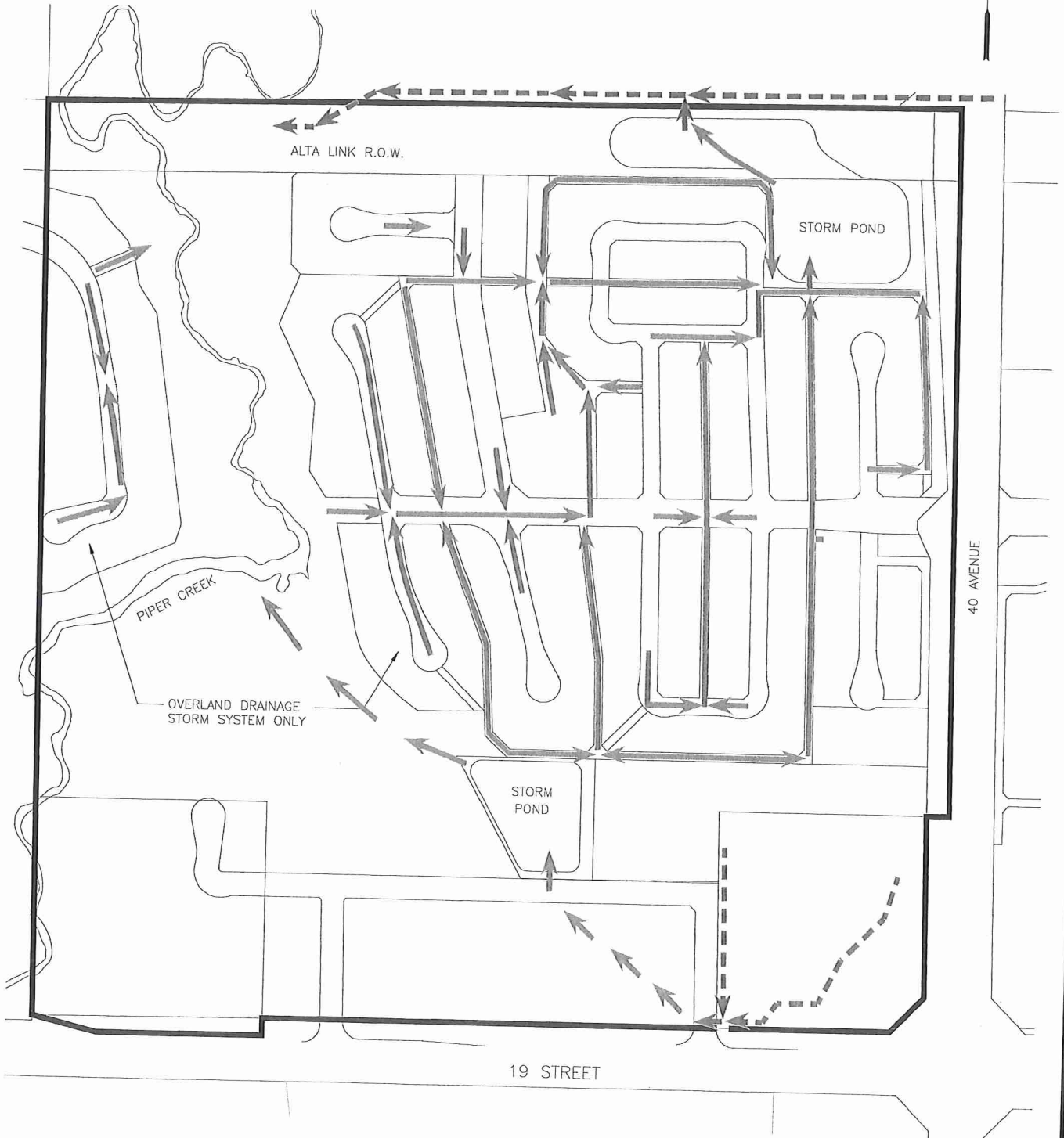
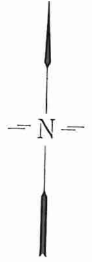


0 100m 200m 500m

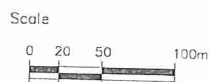
DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:10,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 7 - MOLLY BANISTER.dwg

FIGURE 7
PROPOSED NORTH CONNECTOR

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



DATE DRAWN: December 4, 2006
 DATE REVISED: June 18, 2010
 DRAWN BY: WLT
 SCALE: 1:5,000
 LOCATION: \PROJECTS\262\2010 NASP\
 FIGURE 8 - MAJOR STORM.dwg

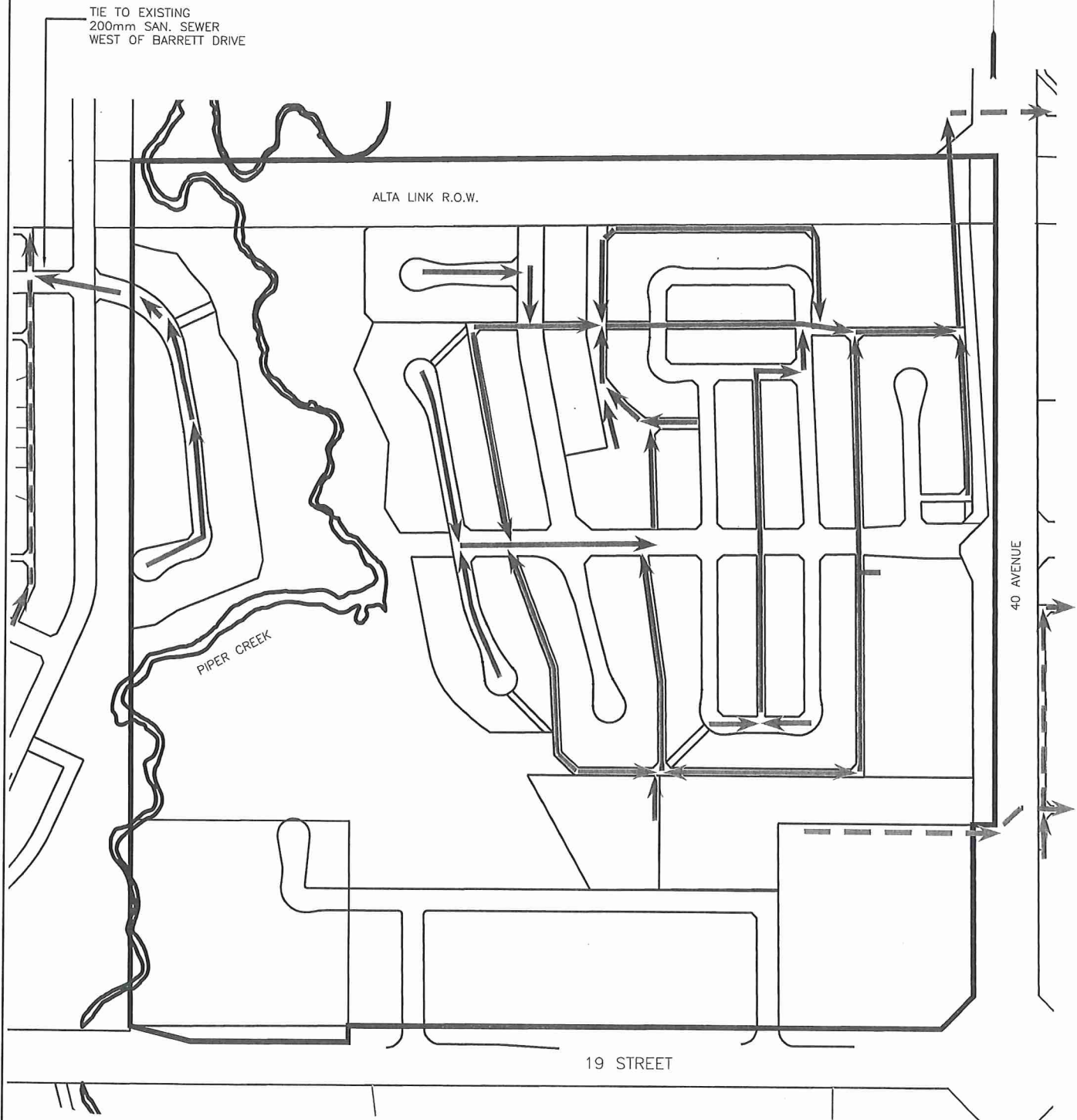


LEGEND:

- OUTLINE BOUNDARY
- STORM SEWER MAIN
- EXISTING SEWER MAIN

FIGURE 8
STORM SEWERS

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



Scale



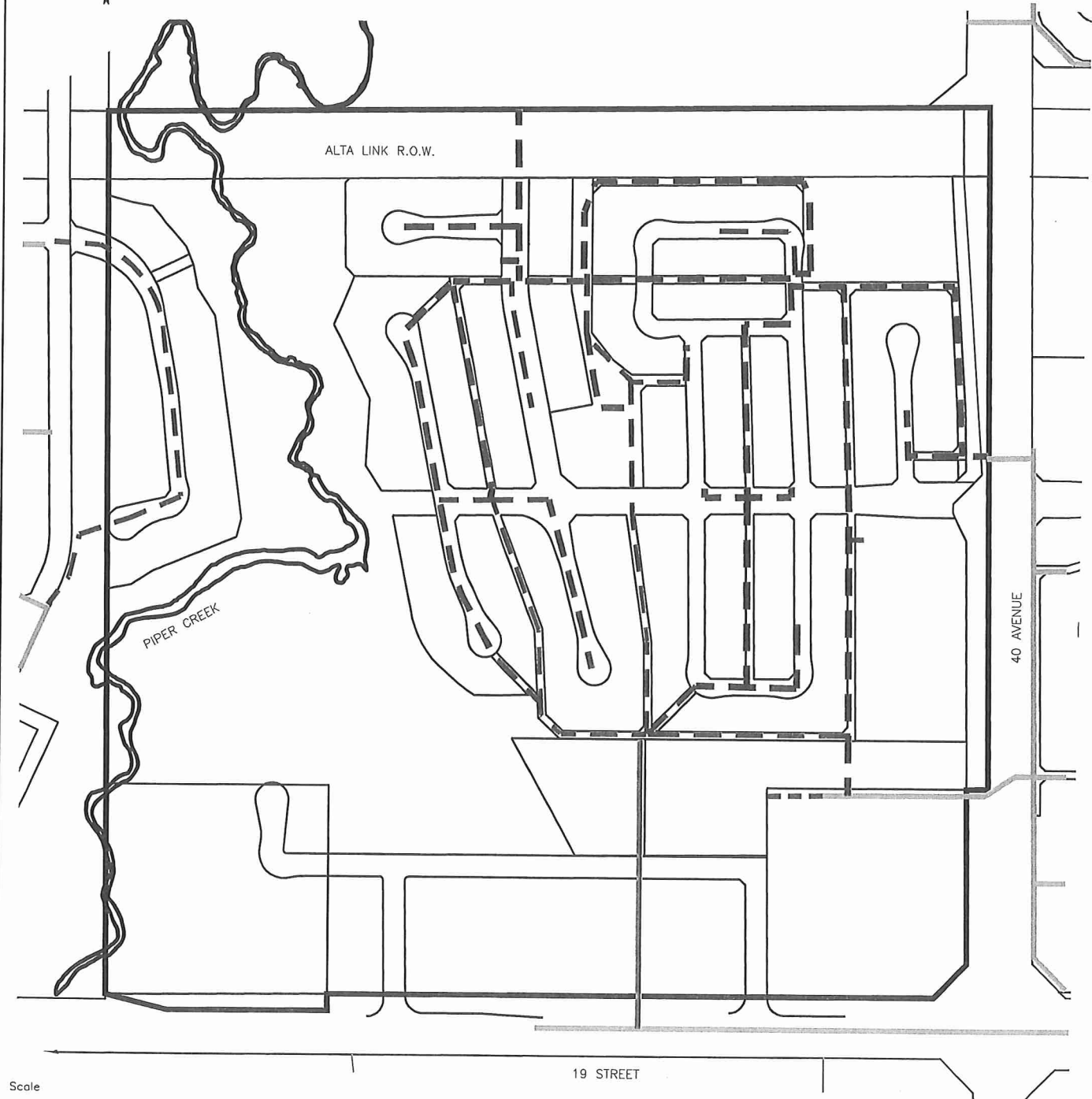
LEGEND:

- OUTLINE BOUNDARY
- SANITARY SEWER MAIN
- EXISTING SANITARY SEWER MAIN

**FIGURE 11
SANITARY
SEWERS**

DATE DRAWN: December 4, 2006
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MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN



Scale
0 20 50 100m

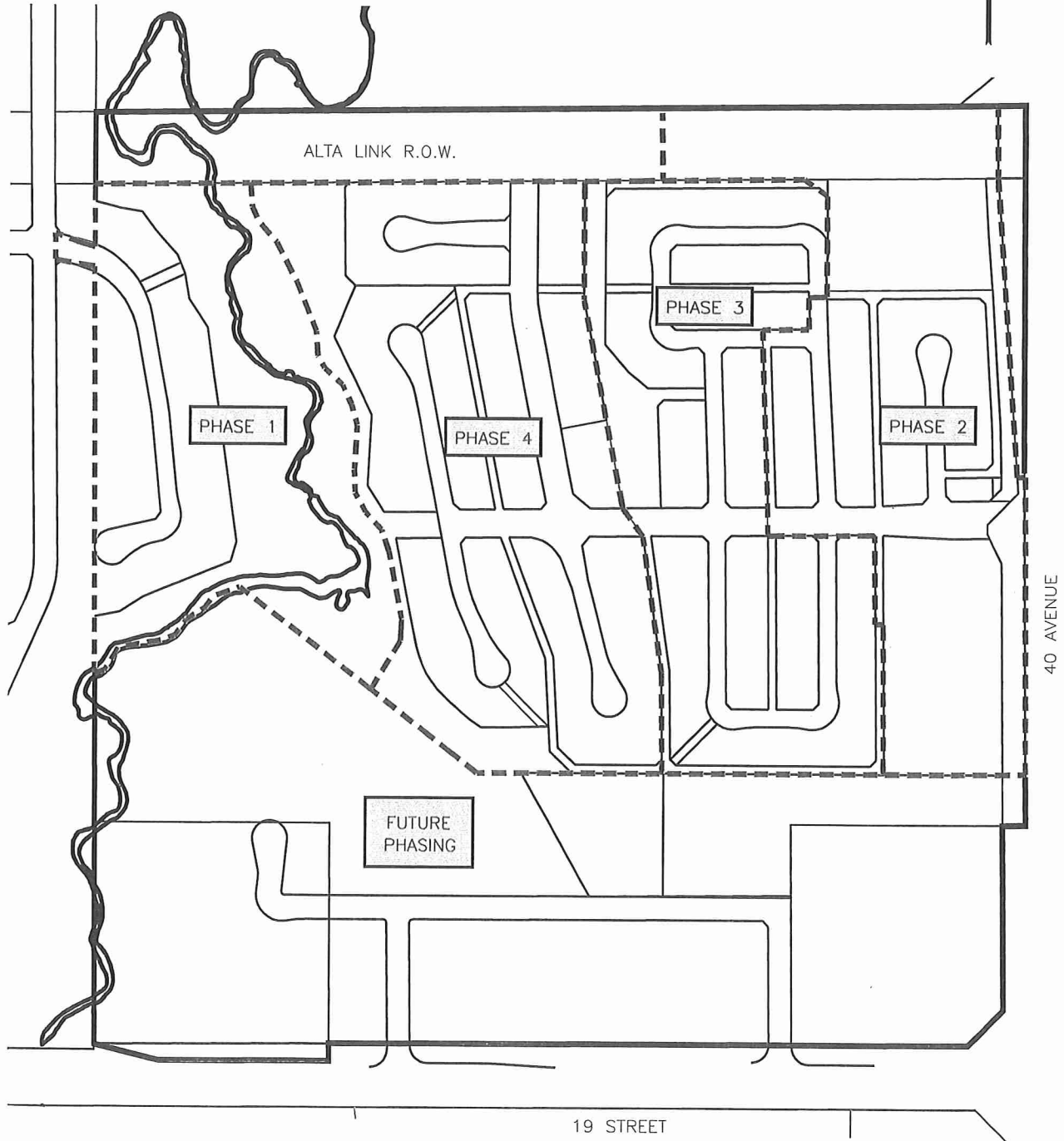
DATE DRAWN: December 4, 2006
DATE REVISED: June 18, 2010
DRAWN BY: WLT
SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 12 - WATER DISTRIBUTION.dwg

LEGEND:
— OUTLINE BOUNDARY
--- WATER MAIN
--- EXISTING WATER MAIN
— CONCEPTUAL ALIGNMENT

**FIGURE 12
WATER
DISTRIBUTION**

MELCOR DEVELOPMENTS LTD. NEIGHBOURHOOD AREA STRUCTURE PLAN

- N -



Scale

0 20 50 100m

DATE DRAWN: December 4, 2006
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SCALE: 1:5,000
LOCATION: \PROJECTS\262\2010 NASP\
FIGURE 13 - PHASING.dwg

LEGEND:

- OUTLINE BOUNDARY
- - - - PHASE BOUNDARY

FIGURE 13
PHASING CONCEPT



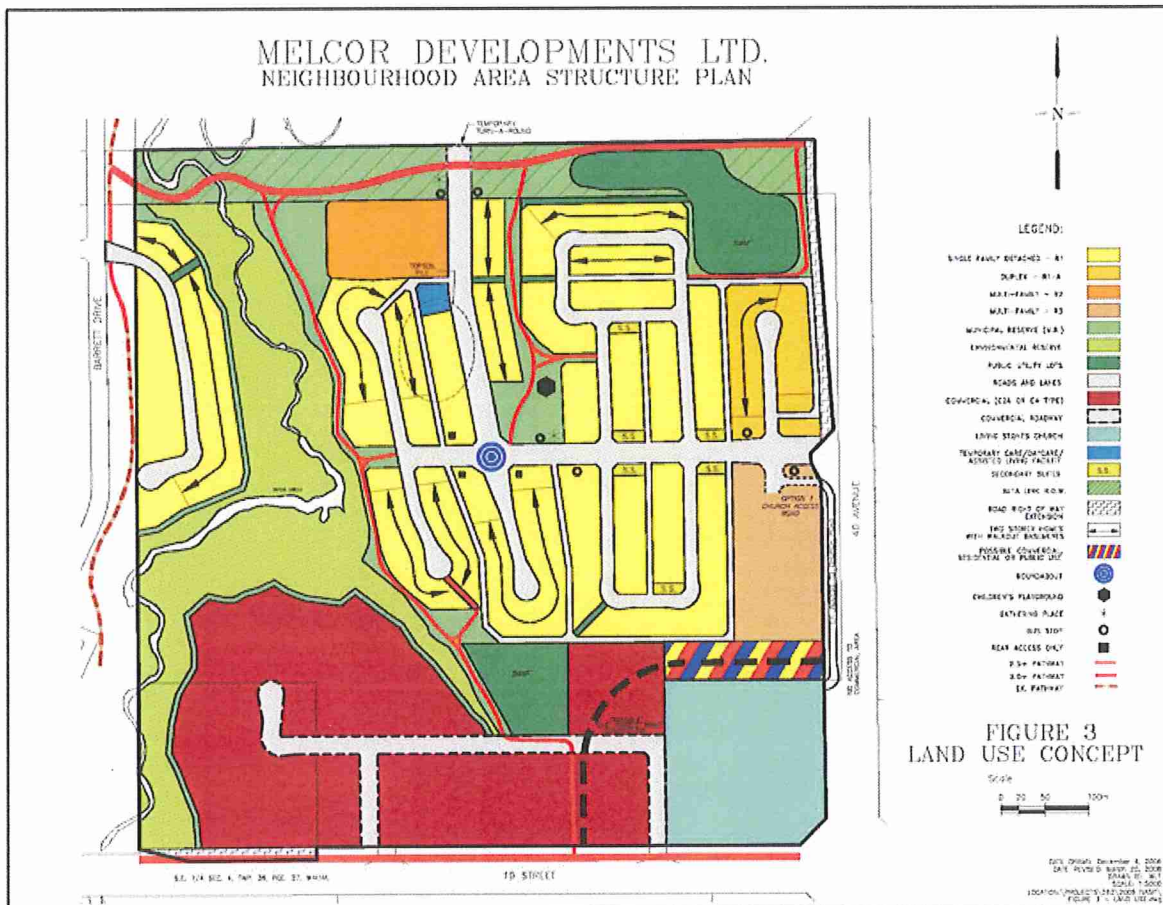
Suite 404, 4808 Ross Street
Red Deer, Alberta, T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
E-mail: pcps@pcpc.ab.ca

Map showing a residential area with streets including Silverberg Pl, Sisson Av, Sage Ln, Southbrook St, Soester Ct, Sinner Ct, and Stephenson St. The map also shows lot numbers and street names like Barrett Dr, Piper Ck, and Sage Ln.

1. Remove a lane and replace it with a Public Utility Lot (PUL) as shown in figure 3.
2. Add a public cul-de-sac to the R2 site as shown in figure 3.

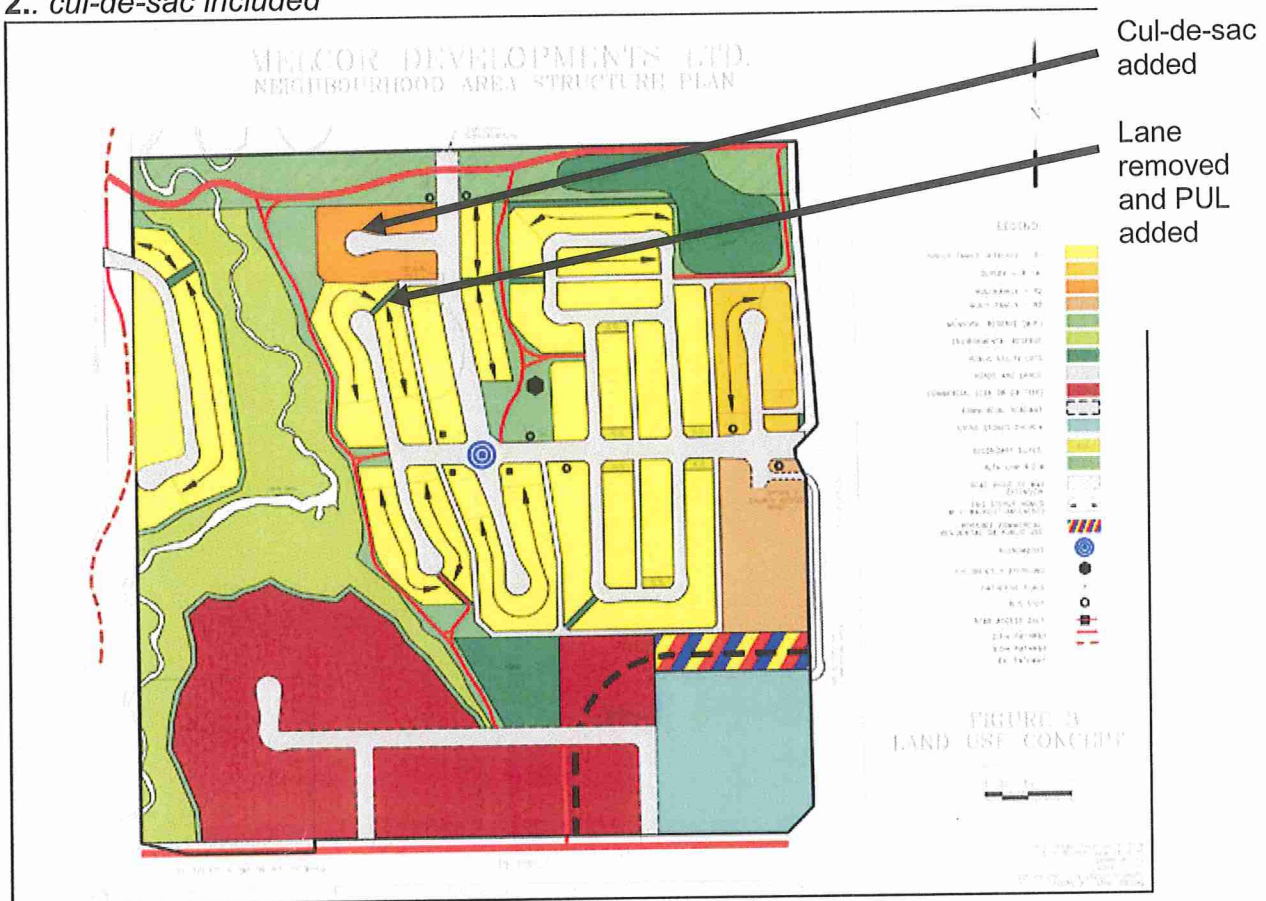
The second amendment, the addition of a cul-de-sac to the R2 site, is intended to allow for the development of semi-detached units. This form of development typically requires a public roadway.

Figure 2. Shows the existing NASP with the lane included and no cul-de-sac on the R2 site.



PROPOSED

Figure 3. Shows the proposed NASP with: 1. *the lane removed and a PUL added*, and 2.. *cul-de-sac included*



Please note that the existing NASP shows an assisted living facility that is left out of the proposed amendment. The developer advertised the sale of the site with no offers being received and therefore the use was removed from the proposed NASP. The proposed amendment reflects the current status site. The assisted living facility site was zoned R1 and it will remain zoned R1, therefore there is no amendment needed for the site.

Circulation Comments

Because adding a public road to an R2 site is considered a "Major" amendment, the proposed NASP amendment was circulated internally and to affected landowners in the neighbourhood.

The proposed amendment was circulated between July 12th and August 12th There were no outstanding issues or concerns regarding the proposed amendments and we have not received any comments or concerns from any members of the public.

Planning Analysis

Within the existing NASP there is potential for a private road of the same configuration. Although adding a cul-de-sac on the R2 site may have some affect on the potential structure of the site, it will not significantly change potential uses for the site, and will not alter the site negatively.

Although the addition of a cul-de-sac and the transfer of a lane to a PUL together constitute a "Major" NASP amendment according to the NPGS, these particular amendments have a minimal impact on the site.

The main implications of the proposed amendments will be that the public cul-de-sac will ultimately be the responsibility of the City to maintain.

Recommendation

Planning staff recommends that City Council proceed with first reading of Neighbourhood Area Structure Plan Amendment No. 3217/B-2010 to amend the *Sunnybrook South Neighbourhood Structure Plan*.



Brandon M. Silver
Planner / Urban Designer
Parkland Community Planning Services

cc. Paul Meyette, Director of Planning Services

Date: August 23, 2010
To: City Council
From: Municipal Planning Commission
Subject: Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407
Land Use Bylaw NASP Amendment 3217/B-2010

At the Monday, August 23, 2010 Municipal Planning Commission meeting, the commission considered a report from Parkland Community Planning Services, dated August 12, 2010, regarding the Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407 – Land Use Bylaw Amendment 3217/B-2010. Following discussion, the motion as set out below was introduced and passed.

“Resolved that the Municipal Planning Commission, having considered the report from Parkland Community Planning Services, dated August 12, 2010, regarding the Sunnybrook South NASP, Lot 1, Block 1, Plan 062 1407 – Land Use Bylaw Amendment 3217/B-2010, hereby, supports the proposed amendment to the Sunnybrook South Neighbourhood Area Structure Plan, Land Use Bylaw 3217/B-2010, and recommends that Council proceed with 2nd and 3rd readings.”

MOTION CARRIED

The Municipal Planning Commission noted that the proposed development should investigate the opportunity for front attached garages.

The above is submitted for Council's consideration.

Regards,



Mayor M. Flewwelling
Chair, Municipal Planning Commission

/sm

c. B. Silver, Parkland Community Planning Services

Backup

Christine Kenzie

BACK UP INFORMATION
~~NOT SUBMITTED TO COUNCIL~~

To: Paul Meyette
Cc: Frieda McDougall
Subject: FW: Sunnybrook South NASP Amendment - for First Reading on September 7th

Elaine has given her OK to proceed with Public Hearing for Sunnybrook NASP Amendment in 2 weeks time (September 20th).

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

From: Elaine Vincent
Sent: September 02, 2010 10:15 AM
To: Christine Kenzie
Subject: RE: Sunnybrook South NASP Amendment - for First Reading on September 7th

Okay with the plan as long as we can be in compliance with MGA...

Elaine Vincent

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

From: Christine Kenzie
Sent: Thursday, September 02, 2010 9:35 AM
To: Elaine Vincent; Frieda McDougall
Subject: Sunnybrook South NASP Amendment - for First Reading on September 7th
Importance: High

Paul Meyette called this morning asking if we could have the Public Hearing for the Sunnybrook South NASP amendment in two weeks time (September 20th) instead of 4 weeks time (October 4th). The developer, Melcor, is in a hurry to get his development permits to start work before the ground freezes. Paul mentioned this was a simple amendment and there should not be an issue with it

According to Section 606 of the MGA - Requirements for Advertising: (2) the notice of a bylaw, public hearing, must be advertised at least once a week for 2 consecutive weeks, and mailed to every residence in the area affected. (5) - A notice of meeting, public hearing or other thing must be advertised under section (2) at least 5 days before the meeting, public hearing or thing occurs.

We would have to have the ad ready to go into the advocate for Friday, September 10th and Friday, September 17th.

We have done this in the past ----- just want to make sure you are OK with this. The agenda for the September 7th council meeting is in the print room now.

Craig and Morris would need to be aware prior to the item coming for discussion at the September 7th Council meeting.

Let me know how you want to proceed --- will need to let Paul Meyette know.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator

Legislative & Governance Services | The City of Red Deer

D 403.356.8978 | F 403.346.6195

christine.kenzie@reddeer.ca

Christine Kenzie

To: Elaine Vincent; Frieda McDougall
Subject: Sunnybrook South NASP Amendment - for First Reading on September 7th
Importance: High

Paul Meyette called this morning asking if we could have the Public Hearing for the Sunnybrook South NASP amendment in two weeks time (September 20th) instead of 4 weeks time (October 4th). The developer, Melcor, is in a hurry to get his development permits to start work before the ground freezes. Paul mentioned this was a simple amendment and there should not be an issue with it

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Craig and Morris would need to be aware prior to the item coming for discussion at the September 7th Council meeting.

Let me know how you want to proceed --- will need to let Paul Meyette know.

Thanks.

Christine Kenzie | Corporate Meeting Coordinator
Legislative & Governance Services | The City of Red Deer
D 403.356.8978 | F 403.346.6195
christine.kenzie@reddeer.ca

FILE

Council Decision – September 7, 2010

DATE: September 8, 2010

TO: Paul Meyette, Director of Planning Services
Lorraine Poth, Director of Corporate Services
Tony Woods, GIS Supervisor

FROM: Elaine Vincent, Legislative & Governance Services Manager

SUBJECT: Notice of Motion Submitted by Councillor Frank Wong Re: Street Naming in Red Deer

Reference Report:

Notice of Motion submitted by Councillor Frank Wong on September 7, 2010

Resolutions:

Street Naming in Red Deer

WHEREAS in 1975 City Council of the City of Red Deer passed a resolution requiring that the Archives Department provide a list of historically significant names for consideration as street names for the City of Red Deer;

AND WHEREAS the Civic Address Bylaw 3125/95 establishes the Civic Addressing Committee to be comprised of a representative of the Fire Department, Parkland Community Planning Services, Assessment and Taxation and the Land and Economic Development Department;

AND WHEREAS the City of Red Deer is committed to ensuring that our history and past are connected to our future growth;

THEREFORE BE IT RESOLVED that the City of Red Deer amend its Civic Address Bylaw 3125/95 to ensure that Archives is given full membership at the Civic Addressing Committee;

AND FURTHER BE IT RESOLVED that Historically Significant Names be given priority in the determination of future street names within the City of Red Deer.

Report Back to Council: Yes

Comments/Further Action:

This Notice of Motion will be brought back for Council's consideration at the September 20, 2010 Council Meeting. If approved by Council, further direction will be provided to administration. Administration should be prepared to respond to questions regarding level of effort to support the changes and an anticipated timeline for the Notice of Motion to be acted on. This will be needed so the City Manager can include the level of support required and a timeframe in his comments to be included in the September 20, 2010 Council agenda.

A handwritten signature in black ink, appearing to read 'Elaine Vincent', with a stylized, cursive script.

Elaine Vincent
Legislative & Governance Services Manager

c

Councillor Frank Wong
ITS Services Manager
Corporate Meeting Coordinator
LGS File

Notice of Motion

Street Naming in Red Deer

Submitted by: Councillor Wong

WHEREAS in 1975 City Council of the City of Red Deer passed a resolution requiring that the Archives Department provide a list of historically significant names for consideration as street names for the City of Red Deer;

AND WHEREAS the Civic Address Bylaw 3125/95 establishes the Civic Addressing Committee to be comprised of a representative of the Fire Department, Parkland Community Planning Services, Assessment and Taxation and the Land and Economic Development Department;

AND WHEREAS the City of Red Deer is committed to ensuring that our history and past are connected to our future growth;

THEREFORE BE IT RESOLVED that the City of Red Deer amend its Civic Address Bylaw 3125/95 to ensure that Archives is given full membership at the Civic Addressing Committee;

AND FURTHER BE IT RESOLVED that Historically Significant Names be given priority in the determination of future street names within the City of Red Deer.

10/11/75
MR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

December 23, 1975

TO: RED DEER REGIONAL PLANNING COMMISSION ✓

RE: NAMING OF STREETS IN NEW SUBDIVISIONS

Following is a resolution passed by Council December 22, 1975 authorizing Red Deer Regional Planning Commission, the City Assessor and the City Engineer to name new streets in new subdivisions without the necessity of going before Council

"RESOLVED, that Council of the City of Red Deer authorize the Red Deer Regional Planning Commission the City Assessor and the City Engineer to select names for all future streets in the City of Red Deer without the necessity of going before City Council and provided that the policy of firstly approaching the Archives for list from which to select names is adhered to and as recommended to Council, December 22, 1975 by Mayor R. N. McGregor."

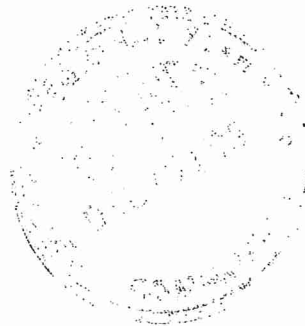
In addition to the above resolution Council have requested a report from the Red Deer Regional Planning Commission on policies regarding street naming v.s. numbering etc. I understand this report is currently being prepared and we will be available to Council at a future date.

Yours truly,


R. STOLLINGS
City Clerk

RS/mt

cc City Assessor
City Engineer



Being a bylaw to establish and maintain a civic address system.

¹DELETED

²WHEREAS the Council of The City desire to maintain a civic address system to identify properties and to assist emergency response vehicles in locating the appropriate address,

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

SHORT TITLE

1 This Bylaw shall be known as "The Civic Address Bylaw".

DEFINITIONS

2 In this Bylaw:

- (a) **"Address"** means the civic address designated by the City Land and Economic Development Department from time to time, which may including combination of numbers and/or words;
- (b)3 **"Authority"** means the Fire Chief and such employees in the said City Emergency Services Department which the Fire Chief deems necessary to carry out the functions of this Bylaw;
- (c) **"Civic Addressing Committee"** shall be a committee which includes the following persons:
 - (i) one representative from the Fire Department;
 - (ii)4 one representative from Parkland Community Planning Services;
 - (iii) one representative from the Assessment and Taxation Department; and
 - (iv) one representative from the Land and Economic Development Department.
- (d) **"Occupancy"** means every building or portion of a building or a sub-unit thereof identified in accordance with the classification designated in the Alberta Building Code, as determined by the City Land and Economic Development Department;
- (e) **"Owner"** means, with respect to a property, the person who is registered under the Land Titles Act as owner of the property;
- (f) **"Property"** means a parcel of land or a building situate thereon;

- 4 (1) The posting of civic addresses on occupancies will be controlled as follows:
- (a) when any development application requires an occupancy permit, the posting of the civic address will be a requirement of the occupancy permit;
 - (b) for buildings that only require a building permit, the posting of the civic address will be a condition of the building permit; or
 - (c) by notice in writing given to the owner of any property by the Authority.
- (2) Where a name is used at any time to supplement the address for the property, the owner of the property shall forthwith inform the Authority in writing of the name, including any revisions thereof.
- (3) Any person who requests a change of an existing address shall make application therefor to the City Land and Economic Development Department and shall pay the sum of \$50.00 for such change.
- 5 (1) The owner of a property shall continuously display the address at the principal entry for such property in a contrasting colour and in a position thereon which is visible from the street fronting on such property.
- (2) The owner of an occupancy shall continuously display the address for such occupancy in a contrasting colour on the exterior of the front door providing principal direct access thereto.
- (3) The owner shall use numerals or letters which are not less than 6 inches (15.14 cm) in height. A 1 inch (2.54 cm) stroke width, with a minimum of 3 inches (7.62 cm) in height for internal addressing.
- (4) No person shall display or permit the displaying of any address on a property other than the address currently assigned pursuant to this Bylaw.
- (5) The owner shall maintain the address in good condition and shall not cause, allow, or permit the visibility of the address from the street to be obscured.

OFFENCES AND PENALTIES

- 6 The Authority is hereby authorized to ensure the provisions of this Bylaw and to issue offence tickets in the form provided in the City's General Penalty Bylaw to any person it reasonably believes has contravened the provision of this Bylaw.
- 7 (1) Any person who contravenes any of the provisions of this Bylaw is guilty of an offence and is liable to a penalty of \$210.00.
- (2) Any person who, being guilty of a first breach of this Bylaw, contravenes any of the provisions of this Bylaw a second time with the same breach within sixty (60) days is guilty of an offence and is liable to a penalty of \$510.00.
- 8 The provisions of the General Penalty Bylaw shall apply to this Bylaw.
- 9 Bylaw No. 1337/47 and all amendments thereto are hereby repealed.
- 10 This Bylaw shall come into full force and effect upon the passage of third reading.

City Street Naming Policies

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

The origins of the current City policies and practices on the naming of subdivisions and streets go back to 1960-61 when new subdivisions were being developed on the north and south ends of the rapidly expanding city.

There was considerable public dissatisfaction with the traditional practice of naming subdivisions in Red Deer, "...view." Consequently, when SE1/4 S.9 TWP, 38 R.27 W of 4 was purchased from Mr. Charles Bower, City Council accepted Mr. Bower's suggestion that the name of the old family farm, Sunnybrook, be adopted for the new subdivision. In addition, the Red Deer Planning Commission recommended that the traditional grid pattern of streets not be used. This meant that a system of named rather than numbered streets would be more practical. The Planning Commission also recommended that all the streets start with the same letter as the subdivision. City Council accepted these recommendations at its meeting of November 6, 1961.

When the first new subdivision in North Red Deer was developed in 1962, City Council rejected the Planning Commission's suggestions of "The River" or "The Golf Course" as names for the area. Instead, a decision was made to revert to using the name "Fairview". However, Council also decided at its meeting of March 12, 1962 to continue the idea of having all the street names begin with the same letter as the subdivision (e.g. "F").

There was dissatisfaction by some members of the public and the City Engineering Department with the suggestions of the Planning Commission for street and subdivision names. The City Engineer recommended that the newest subdivision in North Red Deer be called "Maskepetoon" with all the streets having Indian names. City Council rejected that idea on December 17, 1962, although the name "Maskepetoon" was later used for a neighbouring park area.

Local author and naturalist Kerry Wood recommended to City Council that the subdivision be called "Oriole Park" with all the streets having the names of birds. On February 18, 1963, City Council agreed to the suggested subdivision name, but decided to continue the policy established with Sunnybrook and Fairview of having the new street names begin with the letter "O".

Several members of the public and such organizations as the Central Alberta Pioneers and Old Timers Association criticized the choices of street names as having no significance or meaning to the City. In February 1963, the C.A.P.O.T.A. suggested that pioneer family names be used in the new subdivisions.

In the spring of 1964, Alderman Ethel Taylor and the City Parks Committee recommended that pioneer and old-times names be used in the new subdivision of Morrisroe. A suggested list of names was also provided. On May 19, 1964, City Council accepted this recommendation, thereby establishing a new street naming policy.

The policy changed slightly in May 1969 when the new Morrisroe Extension subdivision was being developed. The City Parks board recommended that the City's Archives Committee be asked to prepare a list of 35 to 40 names of pioneers, old-timers, and prominent citizens starting with the same letter as the new subdivision. This list was then to be passed on to the Land Department and the Planning Commission for selection of names which were relatively easy to spell and which did not conflict with any existing street names in the City. This is the policy, which subsequently has been followed with the development of each new subdivision in Red Deer.



RED DEER
REGIONAL PLANNING COMMISSION

FILE COPY

2830 BREMNER AVENUE, RED DEER,
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BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

MEMORANDUM

TO: Charles Sevcik, City Clerk

DATE: July 22, 1993

FROM: Frank Wong, Planning Assistant

RE: LAEBON DEVELOPMENTS - KENTWOOD STREET NAMES

Laebon Developments Ltd. is proposing to develop an innovative or experimental housing project in the Kentwood Subdivision. They are naming the project "Kensington Grove" to reflect the stand of trees presently on the proposed site. They in turn wish to name the cul-de-sac of their development "Kensington Grove". The name "Kensington" is not included in the list of names submitted by the Archives Committee, thus contravening the City's policy on naming of streets.

The policy on naming of streets was created in 1975 when City Council passed the following resolution:

"RESOLVED that Council of the City of Red Deer authorize the Red Deer Regional Planning Commission, the City Assessor and the City Engineer, to select names for all future streets in the City of Red Deer without the necessity of going before City Council, and, provided that the policy of firstly approaching the archives for a list from which to select names is adhered to, and as recommended to Council; December 22, 1975, by Mayor R.N. McGregor."

Since then, when a new subdivision is being considered, this office contacts the Archives Committee and requests from them the submission of 20-30 names starting with the same letter as the name of the subdivision. These street names all have historical significance.

Upon receipt of this list of names from the Archives Committee, our naming committee (Fire Department [which replaced the Engineering Department a few years ago], Land Department and ourselves) get together and choose names for the new streets. Some of the criteria in choosing names are as follows:

- ease of spelling
- ease of pronunciation

MUNICIPALITIES WITHIN COMMISSION AREA

.../2

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

-
- avoiding names that sound the same but have a different spelling
 - avoiding names that have similar spelling but sound different
 - all names on the list are treated equally, regardless of the person's background

After the names are picked, we pass them to the surveyor to be placed on the legal surveys.

The above policy has worked quite well over the years. If Council were to grant Laebon's request of using a name with no significance to the heritage of the City, other developers may follow and we would be back to the days where Council may spend a significant amount of their valuable time in ruling on street names. The Archives Committee has indicated to us that they have a near inexhaustible list of names for most of the subdivisions.

Our recommendation would be to retain our present policy on street naming and avoid setting a precedent in allowing Laebon Developments Ltd. using a name not submitted by the City Archives. If Council decides to accommodate Laebon Developments Ltd., then perhaps Council should revise its "Street Naming Policy".

Sincerely,

Frank Wong
Planning Assistant

cc. Director of Community Services
City Assessor
Fire Chief

Christine Kenzie

~~BACK UP INFORMATION~~
NOT SUBMITTED TO COUNCIL

From: Elaine Vincent
Sent: September 08, 2010 8:25 AM
To: Christine Kenzie
Cc: Frieda McDougall
Subject: Notice of Motion

When we issue the directive from last nights Council meeting can you ensure it includes Lorraine as head of archives so she can be included in the preparation of the report back to Council for the next meeting.

Thanks,

Elaine

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

Christine Kenzie

From: Elaine Vincent
Sent: August 04, 2010 2:29 PM
To: Frieda McDougall; Christine Kenzie
Subject: FW: Notice of Motion for August 23 Council Meeting

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Follow Up Flag: Follow up
Flag Status: Red

Attachments: NOM Street naming.doc

Frank came to see me about this today....

He really feels passionately about the importance of having archives at the table and priority being given to historically significant names...

He has spoken to Leanne in GIS and Tony and although they have attempted to advise that his concerns will be taken care of in the draft they are working on, Frank feels this is important enough to pursue the notice of motion on. I have sent to him for his feedback and once received I will send to Paul Meyette for him to review. It would then likely be read into the agenda at the next council meeting on August 23.

Elaine Vincent

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

From: Elaine Vincent
Sent: Wednesday, August 04, 2010 2:19 PM
To: Frank Wong (Shaw)
Subject: Notice of Motion

Before I send this to anyone, I wanted to make sure it captured the intent of your wishes.

Let me know if you want any amendments and I will then send off to Paul M for his thoughts..



NOM Street
naming.doc (26 KB)

Elaine Vincent

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