

# **CITY COUNCIL**

## **AGENDA**

Monday, October 26, 2015 – Council Chambers, City Hall

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

### **1. MINUTES**

- 1.1. Confirmation of the Minutes of the Tuesday, October 13, 2015 Regular Council Meeting

(Agenda Pages 1 – 7)

### **2. POINTS OF INTEREST**

### **3. REPORTS**

- 3.1. Culture Fee for Service Program - Recommended Changes

(Agenda Pages 8 – 14)

- 3.2. Alberta Transportation - Highway 2/QEII Improvements - Highway 2 and Gaetz Avenue Interchange

(Agenda Pages 15 – 47)

### **4. BYLAWS**

- 4.1. Queens Business Park NE & SE 35-38-28-W4 Industrial Area Structure Plan  
Consideration of First Reading of the Bylaw

(Agenda Pages 48 – 99)

4.2. Safety Codes Permit Bylaw

(Agenda Pages 100 – 150)

4.2.a. Safety Codes Permit Bylaw 3551/2015

4.2.a.i. Consideration of Second Reading of the Bylaw

4.2.a.ii. Consideration of Third Reading of the Bylaw

4.2.b. Development Permit Fee Bylaw 3555/2015

4.2.b.i. Consideration of Second Reading of the Bylaw

4.2.b.ii. Consideration of Third Reading of the Bylaw

4.2.c. Motion to Repeal Council Policies 6103-C, 6104-C and 6117-C

**5. PUBLIC HEARINGS**

5.1. Land Use Bylaw Amendment 3357/Q-2015 - Amendments to Support Process Changes

(Agenda Pages 151 – 197)

5.1.a. Consideration of Second Reading of the Bylaw

5.1.b. Consideration of Third Reading of the Bylaw



- 5.2. Land Use Bylaw Amendment 3357/W-2015 - Amendment to remove all references to safety code related items

(Agenda Pages 198 – 200)

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

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

## **6. ADJOURNMENT**



## **UNAPPROVED - M I N U T E S**

**of the Red Deer City Council Regular Meeting  
held on ,Tuesday, October 13, 2015  
commenced at 2:34 P.M.**

**PRESENT:** Mayor Tara Veer  
Councillor Buck Buchanan  
Councillor Tanya Handley  
Councillor Ken Johnston  
Councillor Lawrence Lee  
Councillor Lynne Mulder  
Councillor Frank Wong  
Councillor Dianne Wyntjes

City Manager, Craig Curtis  
Director of Corporate Transformation, Lisa Perkins  
Director of Communications & Strategic Planning, Julia Harvie-Shemko  
Director of Community Services, Sarah Cockerill  
Acting Director of Corporate Services, Dan Newton  
Director of Development Services, Elaine Vincent  
Director of Human Resources, Kristy Svoboda  
Director of Planning Services, Tara Lodewyk  
City Clerk, Frieda McDougall  
Deputy City Clerk, Samantha Rodwell  
Corporate Meeting Coordinator, Louise Maher  
Senior Planner, Jolene Tejkl  
Inspections and Licensing Manager, Erin Stuart  
Associate City Solicitor, Natasha Wirtanen  
Senior Planner, Christi Fidek

**ABSENT:** Councillor Paul Harris (Leave of absence)



## **I. MINUTES**

### **1.1. Confirmation of the Minutes of the September 28, 2015 City Council Meeting**

Moved by Councillor Dianne Wyntjes, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby approves the Minutes of the September 28, 2015 Regular Council Meeting as transcribed.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

**MOTION CARRIED**

## **2. REPORTS**

### **2.1. Request Regarding Combative Sports Event**

Moved by Councillor Lawrence Lee, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer, having considered the report from the Legislative Services Department dated October 2, 2015 re: Request Regarding Combative Sport Event – December 3 & 4, 2015, hereby provides no objection to the Central Combative Sports Commission oversight of a Mixed Martial Arts (MMA) event in the city of Red Deer on December 3 & 4, 2015.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

**MOTION CARRIED**



### 3. BYLAWS

#### 3.1. Borrowing Bylaw 3552/2015 - Land Acquisition

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

SECOND READING: That Borrowing Bylaw 3552/2015, (a bylaw to finance land acquisition related to land development activities) be read a second time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

THIRD READING: That Borrowing Bylaw 3552/2015 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

#### 3.2. Bylaw 3357/Q-2015 - Land Use Bylaw Amendments to Support Process Changes

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

FIRST READING: That Bylaw 3357/Q-2015 (a Land Use Bylaw amendment to provide transparency and consistency in the Development Permit application process) be read a first time.



**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

**3.3. Consideration of First Reading of Safety Codes Permit Bylaw  
3551/2015**

Moved by Councillor Buck Buchanan, seconded by Councillor Lawrence Lee

**FIRST READING:** That Safety Codes Permit Bylaw 3551/2015 (a bylaw to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

**3.4. Consideration of First Reading of Land Use Bylaw Amendment  
3357/W-2015**

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan

**FIRST READING:** That Bylaw 3357/W-2015 (a Land Use Bylaw amendment to remove all references to safety codes related items, including all regulations specific to Occupancy Permits in the Land Use Bylaw) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya



Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

**3.5. Consideration of First Reading of Development Permit Fee Bylaw 3555/2015**

Moved by Councillor Lynne Mulder, seconded by Councillor Dianne Wyntjes

**FIRST READING:** That Development Permit Fee Bylaw 3555/2015, (a bylaw to capture the fees associated with land use related permits) be read a first time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

Councillor Dianne Wyntjes left Council Chambers at 3:46 p.m. and returned at 3:47 p.m.

**4. ADDITIONAL AGENDA**

**4.1. Citizen Advisory Groups as a Public Participation Tool**

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of the City of Red Deer having considered the report from the Development Services Directorate dated October 13, 2015 re: Citizen Advisory Groups as a Public Participation Tool hereby endorses the following recommendations:

1. Citizen Advisory Groups are an important form of public participation and will form a key role in the future;
2. Citizen Advisory Groups only be utilized when it has been determined that the



- issue lands within the engagement zone;
3. The additional criteria of council perspective, complexity, conflict and impact to determine if a Citizen Advisory Group is the appropriate tool for participation;
  4. Citizen Advisory Groups have an agreed to mandate and term;
  5. Council does not sit on the Citizen Advisory Group; and
  6. Administration explore and present options for processes for developing recommendations by the Citizen Advisory Groups that upholds the principles of consultation in the engagement zone of the dialogue toolbox;
  7. The phase 2 implementation report be brought back to Council by March 31, 2016.

**IN FAVOUR:**

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

Council recessed at 4:34 p.m. and reconvened at 6:00 p.m.

**5. PUBLIC HEARINGS****5.1. Land Use Bylaw Amendment 3357/T-2015  
Omnibus Amendments**

Mayor Tara Veer declared open the Public Hearing for Land Use Bylaw Amendment 3357/T-2015, a bylaw amendment to improve the efficiency and implementation of the Land Use Bylaw. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3357/T-2015 (a Land Use Bylaw amendment to improve the efficiency and implementation of the Land Use Bylaw) be read a second time.



**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

**THIRD READING:** That Land Use Bylaw Amendment 3357/T-2015 be read a third time.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

## 6. ADJOURNMENT

Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Tuesday, October 13, 2015 Regular Council Meeting of Red Deer City Council at 6:13 p.m.

**IN FAVOUR:** Mayor Tara Veer, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Lynne Mulder, Councillor Frank Wong, Councillor Dianne Wyntjes.

MOTION CARRIED

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MAYOR

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CITY CLERK





October 2, 2015

## Culture Fee for Service Program – Recommended Changes

RECREATION, PARKS & CULTURE

### Report Summary & Recommendation:

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The Culture Fee for Service program was initiated to provide financial support to not-for-profit organizations delivering arts, culture and heritage initiatives within Red Deer. Proposed changes to the program are based on the recommendations from the 2001 Red Deer Community Culture Master Plan, the 2008 Red Deer Community Culture Vision, the recently adopted Social Policy Framework and other examples from the international culture community.

It is recommended that Council approve the Guiding Principles for the administration of the Program as well as the Outcomes that will guide the approval of funding.

### City Manager Comments:

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I support the recommendation of Administration.

Craig Curtis  
City Manager

### Proposed Resolution

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Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks and Culture dated October 2, 2015 re: Culture Fee for Service Program – Recommended Changes, hereby approves the following Guiding Principles for the administration of the Culture Community Development Fund:

- |                           |  |
|---------------------------|--|
| <b>Effectiveness:</b>     | Involvement in culture has been shown to have a direct effect on individuals, families, neighbourhoods and the broader community. The program will introduce and link outcomes to culture initiatives. |
| <b>Responsiveness:</b>    | Quality culture services demand flexibility and responsiveness to ensure that opportunities are seized and the creative process is encouraged. The program will accommodate this characteristic.       |
| <b>Maximized funding:</b> | Culture service providers can strengthen partnerships, increase participation and provide more opportunities when available  |



funding is maximized. The program will encourage applicants to use the funding to leverage and seek additional support from other sources including sponsors, donors, other levels of government, as well as fund-raising and volunteer effort.

- Fairness:** Communities benefit from strong, trusting relationships which are built on the principle of fairness. Culture service providers will benefit from a clear and transparent application process, complete with an opportunity for appeal through an informed body associated with the program.
- Stability:** Service providers are positioned for greater success when they have the confidence and stability associated with multi-year funding. Planning is enhanced and grant-seeking time is reduced. The program will offer an opportunity for such stability.
- Accountability:** Due diligence is required to ensure program funds are invested wisely and consistently in high quality services. The program will have easily understood, periodic, and appropriate reporting requirements.
- Capacity Building:** Through the program, learning opportunities may be supported leading to enhancement of the talent and skill pool within the community.
- Respect:** The program will acknowledge and support the direction provided through community-based documents such as the 2008 Community Culture Vision and the 2001 Culture Master Plan.
- Clarity:** Affiliates to the program will have a clear sense of purpose for the grant, an understanding of the value of the program, and a comprehension of the important contribution culture makes within the community.

And further endorses the following Outcomes that will guide the approval of funding:

**Community Cohesion and Engagement:** cultural opportunities that encourage thriving and attractive neighbourhoods (including the downtown) where people gather to create strong personal, family, neighbourhood and community connections, a sense of belonging and high quality of life.

**Educational Opportunity and Attainment:** access to quality and diverse learning opportunities in culture (including visual, performing and the literary arts) throughout our lives.

**Equitable Services and Access:** fair and equitable access to neighbourhoods and community assets and services such as museums, art galleries, festivals and concerts.



**Health, Safety and Well-Being:** lead healthy and dignified lives with basic physical, mental, emotional, and spiritual needs consistently met through the offerings in culture and the value in bringing people together through culture opportunities. Due to this, we live, learn, work and play in a safe and secure community.

**Social and Cultural Diversity:** respect and celebrate the diverse perspectives and backgrounds of all. Culture activities are provided to a wide variety of people including those facing challenges such as isolated seniors, young people or families with lone parents.

**Heritage:** value heritage activities that celebrate our unique identities. Heritage includes honouring the traditions we keep, the languages we speak, the music we play, the books we read, the tools we use, and the buildings we live in and use.

**Economic Value:** support a creative economy that expands talent and leads us to more people gaining new skills through culture. This expansion builds attractive places to live, work and visit.

## Report Details

### Background:

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In 2000, the Culture Fee for Service program was initiated providing financial support to not-for-profit organizations delivering arts, culture and heritage initiatives within Red Deer. The intent of the program was to help organizations build their capacity to provide a service, manage an arts facility, act as the umbrella organization for other cultural organization, develop new programs and services for arts and heritage, or to produce a community based special event or festival.

Over the years, changes and improvements to application and adjudication procedures have occurred and the funding for the program has increased. In 2000, the program budget was \$97,400 equating to approximately \$1.33/capita. The current program budget is \$284,000 equating to \$2.84/capita. Applications for funding are adjudicated by the Red Deer and District Community Foundation with administrative support provided by the City's Recreation Parks and Culture department, Culture Services section.

### Discussion:

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In early 2015, the Culture Section began an administrative review of the Program based on the recommendations from the 2008 Culture Vision. This review included the formation of a review committee with representation from Culture, Recreation and Social Planning; research of best practices identifying outcomes related to arts, culture and heritage opportunities; evaluation of current processes and practices; and the review of program administration efficiencies.

The committee identified nine principles to guide the administration of the Program:



<b>Effectiveness:</b>	Involvement in culture has been shown to have a direct effect on individuals, families, neighbourhoods and the broader community. The program will introduce and link outcomes to culture initiatives.
<b>Responsiveness:</b>	Quality culture services demand flexibility and responsiveness to ensure that opportunities are seized and the creative process is encouraged. The program will accommodate this characteristic.
<b>Maximized funding:</b>	Culture service providers can strengthen partnerships, increase participation and provide more opportunities when available funding is maximized. The program will encourage applicants to use the funding to leverage and seek additional support from other sources including sponsors, donors, other levels of government, as well as fund-raising and volunteer effort.
<b>Fairness:</b>	Communities benefit from strong, trusting relationships which are built on the principle of fairness. Culture service providers will benefit from a clear and transparent application process, complete with an opportunity for appeal through an informed body associated with the program.
<b>Stability:</b>	Service providers are positioned for greater success when they have the confidence and stability associated with multi-year funding. Planning is enhanced and grant-seeking time is reduced. The program will offer an opportunity for such stability.
<b>Accountability:</b>	Due diligence is required to ensure program funds are invested wisely and consistently in high quality services. The program will have easily understood, periodic, and appropriate reporting requirements.
<b>Capacity Building:</b>	Through the program, learning opportunities may be supported leading to enhancement of the talent and skill pool within the community.
<b>Respect:</b>	The program will acknowledge and support the direction provided through community-based documents such as the 2008 Community Culture Vision and the 2001 Culture Master Plan.
<b>Clarity:</b>	Affiliates to the program will have a clear sense of purpose for the grant, an understanding of the value of the program, and a comprehension of the important contribution culture makes within the community.

Based on these guiding principles, the following changes will be implemented for the 2016 Program:



2. **Name change:** The name of the grant program will be changed from *Cultural Fee For Service to The City of Red Deer Community Culture Development Fund*.
3. **Categories:** The number of funding categories will be reduced to two:
  - i) **Culture Development** (up to 95% of the grant budget): includes applications for longer term projects that may occur with more predictability; multi-year funding for up to three years will be available within this category; and
  - ii) **Culture Opportunities** (up to 5% of the grant budget): includes shorter term projects, capacity building and purchase of culture-related equipment; this category has no deadline in that applicants can apply at any time (i.e. while funds remain available within the fiscal year).
4. **Outcomes:** Outcomes will be introduced. Applicants will be required to link their culture project to at least one of seven identified outcomes which have been extrapolated from the 2001 Red Deer Community Culture Master Plan, the 2008 Red Deer Community Culture Vision, the recently adopted Social Policy Framework and other examples from the international culture community.

These outcomes include:

- **Community Cohesion and Engagement:** We have cultural opportunities that encourage thriving and attractive neighbourhoods (including the downtown) where people gather to create strong personal, family, neighbourhood and community connections, a sense of belonging and high quality of life.
- **Educational Opportunity and Attainment:** We have access to quality and diverse learning opportunities in culture (including visual, performing and the literary arts) throughout our lives.
- **Equitable Services and Access:** We have fair and equitable access to neighbourhoods and community assets and services such as museums, art galleries, festivals and concerts.
- **Health, Safety and Well-Being:** We lead healthy and dignified lives with basic physical, mental, emotional, and spiritual needs consistently met through the offerings in culture and the value in bringing people together through culture opportunities. Due to this, we live, learn, work and play in a safe and secure community.
- **Social and Cultural Diversity:** We respect and celebrate the diverse perspectives and backgrounds of all. Culture activities are provided to a wide variety of people including those facing challenges such as isolated seniors, young people or families with lone parents.



- **Heritage:** We value heritage activities that celebrate our unique identities. Heritage includes honouring the traditions we keep, the languages we speak, the music we play, the books we read, the tools we use, and the buildings we live in and use.
  - **Economic Value:** We support a creative economy that expands talent and leads us to more people gaining new skills through culture. This expansion builds attractive places to live, work and visit.
5. **Administration:** Documents will be revised to enhance applicants understanding of the program and provide clear direction and appropriate information for both the applicant and the City.
- These forms will include:
- An Application Guide
  - Application and Budget Forms for each category
  - Adjudication Forms
  - Appeal Form
  - Funding Agreement or Letter of Understanding
  - Reporting Forms
6. **Adjudication:** Category i) Culture Development will continue to be adjudicated by the Red Deer and District Community Foundation. Due to the flexibility and responsiveness required in Category ii) Culture Opportunities, this category will be adjudicated by Culture Services staff reporting back to the department Manager.

## Analysis:

It is recommended that Council approve the following Guiding Principles for the administration of the Culture Community Development Fund:

- Effectiveness
- Responsiveness
- Maximized Funding
- Fairness
- Stability
- Accountability
- Capacity Building
- Respect
- Clarity

It is further recommended that Council approve the following Outcomes that will guide the approval of funding:

- Community Cohesion And Engagement
- Educational Opportunity And Attainment
- Equitable Services And Access



- Health, Safety and Wellbeing
- Social And Cultural Diversity
- Heritage
- Economic Value





**Council Decision – October 26, 2015**

**DATE:** October 29, 2015  
**TO:** Tara O'Donnell, Culture Superintendent  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Culture Fee for Service Program – Recommended Changes

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**Reference Report:**

Recreation, Parks & Culture, dated October 2, 2015

**Resolution:**

At the Monday October 26, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Recreation, Parks and Culture dated October 2, 2015 re: Culture Fee for Service Program – Recommended Changes, hereby approves the following Guiding Principles for the administration of the Culture Community Development Fund:

1. **Effectiveness:** Involvement in culture has been shown to have a direct effect on individuals, families, neighbourhoods and the broader community. The program will introduce and link outcomes to culture initiatives.
2. **Responsiveness:** Quality culture services demand flexibility and responsiveness to ensure that opportunities are seized and the creative process is encouraged. The program will accommodate this characteristic.
3. **Maximized funding:** Culture service providers can strengthen partnerships, increase participation and provide more opportunities when available funding is maximized. The program will encourage applicants to use the funding to leverage and seek additional support from other sources including sponsors, donors, other levels of government, as well as fund-raising and volunteer effort.



4. **Fairness:** Communities benefit from strong, trusting relationships which are built on the principle of fairness. Culture service providers will benefit from a clear and transparent application process, complete with an opportunity for appeal through an informed body associated with the program.
5. **Stability:** Service providers are positioned for greater success when they have the confidence and stability associated with multi-year funding. Planning is enhanced and grant-seeking time is reduced. The program will offer an opportunity for such stability.
6. **Accountability:** Due diligence is required to ensure program funds are invested wisely and consistently in high quality services. The program will have easily understood, periodic, and appropriate reporting requirements.
7. **Capacity Building:** Through the program, learning opportunities may be supported leading to enhancement of the talent and skill pool within the community.
8. **Respect:** The program will acknowledge and support the direction provided through community-based documents such as the 2008 Community Culture Vision and the 2001 Culture Master Plan.
9. **Clarity:** Affiliates to the program will have a clear sense of purpose for the grant, an understanding of the value of the program, and a comprehension of the important contribution culture makes within the community.

And further endorses the following Outcomes that will guide the approval of funding:

1. **Community Cohesion and Engagement:** cultural opportunities that encourage thriving and attractive neighbourhoods (including the downtown) where people gather to create strong personal, family, neighbourhood and community connections, a sense of belonging and high quality of life.
2. **Educational Opportunity and Attainment:** access to quality and diverse learning opportunities in culture (including visual, performing and the literary arts) throughout our lives.

3. **Equitable Services and Access:** fair and equitable access to neighbourhoods and community assets and services such as museums, art galleries, festivals and concerts.
4. **Health, Safety and Well-Being:** lead healthy and dignified lives with basic physical, mental, emotional, and spiritual needs consistently met through the offerings in culture and the value in bringing people together through culture opportunities. Due to this, we live, learn, work and play in a safe and secure community.
5. **Social and Cultural Diversity:** respect and celebrate the diverse perspectives and backgrounds of all. Culture activities are provided to a wide variety of people including those facing challenges such as isolated seniors, young people or families with lone parents.
6. **Heritage:** value heritage activities that celebrate our unique identities. Heritage includes honouring the traditions we keep, the languages we speak, the music we play, the books we read, the tools we use, and the buildings we live in and use.
7. **Economic Value:** support a creative economy that expands talent and leads us to more people gaining new skills through culture. This expansion builds attractive places to live, work and visit.

**Report back to Council: No**



Frieda McDougall  
Manager

- c. Director of Community Services  
Recreation, Parks & Culture Manager



October 13, 2015

## **Alberta Transportation (AT) - Highway 2/QEII Improvements – Highway 2 and Gaetz Avenue Interchange**

Engineering Services

### **Report Summary & Recommendation:**

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This report outlines an update on the Alberta Transportation Highway 2/QEII improvements and recommendations focusing on the Highway 2 and Gaetz Avenue interchange upgrade in Red Deer. Previous Councils provided direction on issues that needed to be integrated into the proposed design; as the Province is considering investments and priorities in capital requirements, Alberta Transportation has requested approval to move this project forward. As such, Council's quick response is requested.

This new proposal from Alberta Transportation is proposing a single lane exit option that ultimately provides 3 lanes into the city of Red Deer; two lanes onto Gaetz Avenue and one lane to 19 Street and Taylor Drive (C-D Loop road).

A two lane exit is not required from an overall capacity perspective as well as it provides significant operational and weaving concerns. The two lane exit option would likely eliminate the lane access to 19 Street and Taylor Drive. This option would also require closure of approximately 800 metres of east side service road south of the City limits. Closure of the service road would direct traffic flow specifically to 49 Avenue (Westerner access) creating significant impact to traffic operations and adjacent businesses.

It is determined that a single lane exit with the eventual 2 lanes onto Gaetz and the addition of the C-D loop road providing additional access to Taylor Drive offers better traffic flow and access to current and future developments in South Red Deer.

Administration recommends support of the following:

1. Accepts the improvements shown in Figures 1 and 2 to be constructed by the Province; additional details and background are outlined in the discussion 'Appendix A' (attached).

And subject to the following conditions for Alberta Transportation:

1. Space allocation for an entry sign. The Province has indicated a collaborative design approach is acceptable and that costs for the entrance feature would be included in the project.
2. Alberta Transportation is to provide enhanced advanced signage along the corridor indicating entry points into the city of Red Deer.
3. Alberta Transportation to resolve any lane exit functionality issues.
4. Alberta Transportation to be responsible for public consultation processes to include: pre-construction and construction process, communication with affected parties and communication with the community at large.



## City Manager Comments:

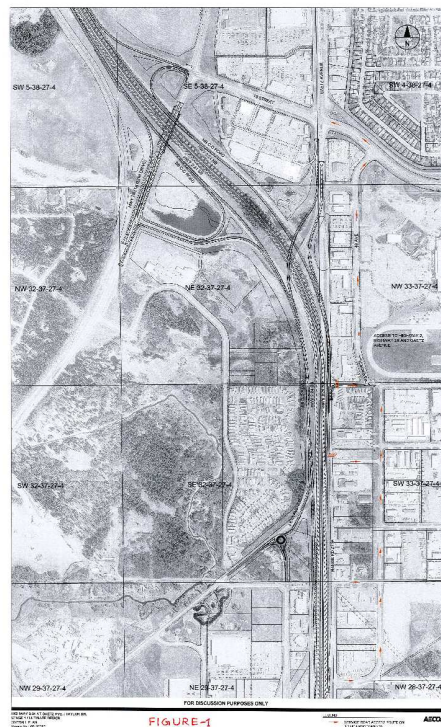
I support the recommendation of Administration.

Craig Curtis  
City Manager

## Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated October 13, 2015 re: Alberta Transportation (AT) – Highway 2/QEII Improvements – Highway 2 and Gaetz Avenue Interchange, hereby endorses Figure 1 and Figure 2 as set out below and is subject to the following conditions:

1. Space allocation for an entry sign. The Province has indicated a collaborative design approach is acceptable and that costs for the entrance feature would be included in the project.
2. Alberta Transportation is to provide enhanced advanced signage along the corridor indicating entry points into the city of Red Deer.
3. Alberta Transportation to resolve any lane exit functionality issues.
4. Alberta Transportation to be responsible for public consultation processes to include: pre-construction and construction process, communication with affected parties and communication with the community at large.







## **Report Details:**

### **Background:**

To provide the background, the following resolutions were previously approved by Council:

1. “Resolved that Council of The City of Red Deer having considered the report from the Engineering Services Manager, dated January 17, 2011 re: Alberta Transportation – Highway 2/QE II Functional Planning Study, hereby directs Administration to:
  1. Arrange a joint City/Red Deer County meeting to review the project with Alberta Transportation to address concerns, communicate plans for detailed design and construction phases before mid-February 2011.
  2. Continue political advocacy with the Province as it relates to High Speed Rail and equity of the Urban/Rural Interface.
  3. Ensure City Council’s concerns are adequately addressed at the detailed design stage of the project.
  4. Reinforce the need with Alberta Transportation for the Province to include the trail system and Taylor Drive/19 Street as Alberta Transportation ties into key components of Municipal Infrastructure”.
2. “Resolved that Council of The City of Red Deer having considered the report from the Corporate Strategist dated May 24, 2011 hereby agrees to endorse the principles contained in the letter to the Deputy Minister of Transportation and forward those principles to the Minister of Transportation”.
3. “Resolved that Council of the City of Red Deer having considered the report from the Transportation Engineer and the Engineering Services Manager, dated June 30, 2011 re: Alberta Transportation Functional Study – Highway 11, hereby directs that this item be referred to the Advocacy Committee for further review and that a letter be sent to the Minister of Transportation by the Mayor outlining Council’s concerns, as follows:
  1. The need for integrated transportation movement planning including vehicular, mass transit and high speed rail.
  2. The importance of continuing to work with both municipal governments (the City of Red Deer and Red Deer County) as the Intermunicipal Development Plan identifies for joint planning that will be impacted by Alberta Transportation’s decision.
  3. The importance of timing with the proposed Highway 11A interchange.



4. The sustainability of such large infrastructure.
5. Concerns with the level of dialogue with those impacted.
6. Connectivity to city trails and accommodation of wild life corridors.
7. The potential for roundabouts.
8. Consideration of twinning Highway 11A prior to upgrading Highway 11.
9. Future access to Burnt Lake Industrial Park and the modifications needed to the existing road network in that area.
10. The assumption that the transition from 67 Street will be a stop and start connection.
11. Rural/urban interface and the assignment of cost, and
12. Any other issues being brought to the attention of the Advocacy committee.

Alberta Transportation retained Engineering Consultants to conduct a Functional Planning Study for the Highway 2/QEII corridor in 2009. The study determined short term and long term improvements needed for the Highway 2/QEII corridor, including the interchange upgrade at Highway 2 and Gaetz Avenue. Among others, the plan for Highway 2 is to be initially widened to six lanes of traffic with the option of eight lanes in the ultimate.

The City has been working with the Province to address concerns raised by Red Deer City Council. The following provides key communications that have occurred to date between The City of Red Deer and AT (see Appendix A for details):

- On December 13, 2010, CastleGlenn Consultants Inc. presented the Highway 2/QEII corridor plans to City Council on behalf of AT.
- On December 22, 2010 the City forwarded comments to AT's Engineering Consultant, see attached (pages 1-3).
- On January 10, 2011, CastleGlenn Consultants Inc. responded to City's comments outlining progress at that time; see attached (pages 4-8).
- Engineering reviewed the above responses from CastleGlenn Consultants Inc. and presented report at the January 24, 2011 Council, see attached Engineering Report and Council Resolution (pages 9-12).
- On May 14, 2011, the City Manager wrote a letter to the Minister /Deputy Minister of Alberta Transportation outlining City's concerns, see attached (pages 13-14).
- On June 7, 2011, the Deputy Minister responded to City's concerns, see attached (pages 15-16).



- On July 2, 2013, a briefing note was prepared for the City Manager's briefing meeting; see attached (pages 17-19).
- On September 3, 2013, the Mayor, the members of City Council and Directors of Development Services and Corporate Transformation met with the Minister of Transportation.

## Discussion:

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Engineering Services has been working with Alberta Transportation to address comments from City Council. Attached are the latest plans (Figures 1 and 2) received from AT. Key features of the plans to the area include:

- A. Figure 1- Overall Plan, Stage I/Ultimate Design – Single Northbound Entrance (C-D Road Exit) into the City from the QEII
  1. Northbound Lane Assignment:
    - A single lane access exiting the QEII immediately splits into two lanes on-ramp. The on-ramp further splits - of which two lanes exit to the Gaetz Avenue and one lane exits to the Taylor Drive at 19 Street.
    - The design allows traffic on the east side service road to connect directly onto QEII via the Collector-Distribution (C-D) road, bypassing the intersections at Gaetz Avenue and Taylor Drive.
    - One lane entrance maintains the existing traffic flow on the east side service road including the 49 Avenue access at 19 Street (Westerner access). Elimination of the right turn at Spruce Street (City Limits) and C-D Road will require traffic to flow south approximately 300m, utilizing Poplar Street to access the C-D Road
  2. Southbound Lane Assignment:
    - A new Gaetz Avenue flyover structure that would connect directly to the Gasoline Alley West (rather than the inside QEII lanes) without having to accelerate and weave through freeway QEII traffic.
    - A single lane access exiting Gaetz Avenue immediately splits into two lanes on-ramp. The on-ramp further splits - of which one lane exits to the Gasoline Alley west and two lanes to the QEII southbound.
  3. Other Modes of Transportation:
    - Space for future trail connections underneath the flyovers on Highway 2A (Taylor Drive) is being allowed to accommodate alternative forms of transportation.
    - The City will be required to connect a trail from the intersection of Taylor Drive/19 Street to the QEII rights-of-way.
  4. Aesthetics:
    - Space set aside to provide drivers with a visual cue approaching an urban environment and allows an opportunity to create an entrance feature. The Province has indicated a collaborative design approach is acceptable and that



costs for the entrance feature would be included in the project.

As part of the Southpointe Junction Development, The City retained the consulting services of Stantec Consulting to design the Taylor Drive Corridor from 19 Street to 28 Street. The design incorporated an all directional C-D loop ramp access at Taylor Drive /19 Street intersection. This provides an added benefit to the highway network with access to Highway 2A southbound, Taylor Drive northbound and Delburne Road eastbound. AT has been consulted during the concept design. A formal request for AT's position on this matter was made by The City; Alberta Transportation's March 26, 2013 response letter is attached, see Appendix A.

B. Figure 2- Overall Plan, Stage I/Ultimate Design – Dual Northbound Entrance (C-D Road Exit) into the City from the QEII

1. Northbound Lane Assignment:

- The ultimate design allows for future expansion to two lanes as traffic volumes increase, but is not anticipated until 2034. This would be at the expense of the Province, see the attached May 24, 2011 report from Engineering Manager to the City Manager (Appendix A, pages 22-23).
- AT does not support advancing the construction of a two lane entrance at this time.
- Reasons include- over building the entrance that would create operational concerns and unsafe weaving condition; require closure of the east side service road accessing directly onto the C-D road; and diverting traffic through 49 Avenue (Westerner access). This would have an immediate impact to adjacent businesses. Co-ordination between The City and County for mitigation measures will be required.
- It would operationally impact the proposed C-D loop road that provides connection at the Taylor Drive/19 Street.

2. Southbound Lane Assignment:

- AT does not support constructing a second lane access exiting Gaetz Avenue at this time due to low traffic volumes.
- The Gaetz Avenue flyover structure being proposed will allow for future widening to second lane access exiting Gaetz Avenue. This would be at the expense of the Province, see the attached May 24, 2011 report from Engineering Manager to the City Manager (Appendix A, pages 22-23).

## Analysis:

Administration recommends that City Council endorses the following:

1. Figures 1 and 2 incorporating the QEII Highway improvements for access into Red Deer.
2. Space allocation for an entry sign. The Province has indicated a collaborative design approach is acceptable and that costs for the entrance feature would be included in the project.





3. Alberta Transportation is to provide enhanced advanced signage along the corridor indicating entry points into the city of Red Deer.
4. Alberta Transportation to resolve any lane exit functionality issues.
5. Alberta Transportation to be responsible for public consultation processes to include: pre-construction and construction process, communication with affected parties and communication with the community at large.





FOR DISCUSSION PURPOSES ONLY

HIGHWAY 2.24 AT GAETZ AVE / TAYLOR DR.  
STAGE 1 / ULTIMATE DESIGN  
OVERALL PLAN  
Project No.: 60190286

FIGURE-1

LEGEND  
→ SERVICE ROAD ACCESS ROUTE ON  
TO HIGHWAY 2 AND 2A

AECOM





FOR DISCUSSION PURPOSES ONLY

HIGHWAY 224 AT GAETZ AVE./TAYLOR DR.  
STAGE 1/ULTIMATE DESIGN  
OVERALL PLAN  
Project No.: 5019285

FIGURE-2



Alberta Transportation (AT) - Highway 2/QEII Improvements –  
Highway 2 and Gaetz Avenue Interchange

## **Appendix A**



FILE COPY

## LEGISLATIVE &amp; GOVERNANCE SERVICES

December 22, 2010

Arthur Gordon  
 CastleGlenn Consultants  
 222 58th Avenue SW, Suite 400  
 Calgary, Alberta T2H 2S3

Sent Via Fax: 1-403-252-9331  
 (hard copy to follow via regular mail)

Dear Mr. Gordon:

Re: Highway 2 / QEII Functional Planning Study

Thank you for your recent presentation to Red Deer City Council with respect to the Highway 2 / QEII Functional Planning Study. As you are aware, Council received your report as information but requested that further information be provided in a number of areas. Following is a summary of the outstanding questions:

## North Highway Connector:

- Have plans for this Interchange or future work of Alberta Transportation along the QEII or other corridors adjacent to the City of Red Deer taken into consideration the City of Red Deer's plans for the North Highway Connector? The City is currently acquiring rights-of-way for a future North Highway Connection and is under consideration for provincial funding. This North/South ring road on the Eastern perimeter of our community will deflect much industrial, commercial and residential traffic from the QEII, which in essence functions as a ring road in the absence of the North Highway Connector. The impact of vehicular traffic on current and projected provincial highway traffic counts & projections must be considered in the context of the approved City of Red Deer concept plans for this ring road.

## Access to Gaetz Avenue

- The proposed 2<sup>nd</sup> Northbound Off-Ramp from the QEII corridor leading to the East Collector is a single lane that leads to the Gaetz Avenue/19<sup>th</sup> Street Intersection, the Taylor Drive/19<sup>th</sup> Street Intersection and back on to the QEII northbound lanes. Does the single lane exit mean an actual reduction in capacity entering Red Deer? Is there an opportunity to twin this access and provide enhanced access to the south side of Gaetz Avenue as required. If so, how?

## High Speed Rail:

- What consideration has been made with respect to plans for this Interchange or future work of Alberta Transportation along the QEII or other corridors adjacent to the City of Red Deer with respect to: 1) the right-of-ways and 2) the impact on vehicular traffic projections and 3) potential stop locations of provincial high speed rail?



Highway 2 / QEII Functional Planning Study  
December 22, 2010  
Page 2

Active Transportation/Trails:

- The proposed safety & traffic upgrades to this interchange need to make provision for various modes of more active transportation and accommodate the interests of pedestrians and cyclists in particular. The City of Red Deer has made significant investment on this front within our community, and this link with the County Development at Gasoline Alley is critical for the safety of our citizens and to ensure that our communities develop contiguously. Have alternative transportation users such as the Better Bicycling group been consulted with? How does the proposed study accommodate alternative modes of transportation?

Linkages to Local Trail System

- The City of Red Deer recognizes a desire to develop Hwy 2A as the path/trail/cycling corridor that would connect the Red Deer community to Gasoline Alley West for non-motor-vehicular modes of travel. The need for the plan to integrate with the multi-modal objectives of the City was highlighted. Are there plans to widen Hwy 2A and if so, has thought been given to extending the pathway/trail system along the entire length of Hwy 2A corridor to assure pedestrian safety as part of the pathway system?

Innovative Traffic Engineering:

- Red Deer City Council recently approved the Terms of Reference for a transportation "Movement Study" to plan for our community transportation holistically (i.e. to ensure that all our transportation options inform one another & integrate as seamlessly as possible), review our philosophy on transportation planning (i.e. to ensure we are incorporating innovative & best practices), and to incorporate all transportation modes & perspectives (please refer to general stakeholder list named under "public consultation" section). It is our hope that Alberta Transportation would plan this interchange and other provincial transportation corridors adjacent to the City of Red Deer by incorporating a similar philosophy and respect for all users of the road and demonstrate innovative traffic planning solutions and principles. Please comment to the Study's demonstration of innovative traffic planning solutions and principles.

Safety:

- It is imperative that the Interchange design address safety concerns for all users of the road beyond highway traffic only. Many of our citizen's walk, cycle, ride the bus and drive to Gasoline Alley. We are deeply concerned about the current weaving required for urban traffic to access Gasoline Alley as well as the lack of allocation/provision for pedestrians & cyclists who travel to and from Gasoline Alley regularly. Please comment to the proposed solutions to this issue.

Highway 2 / QEII Functional Planning Study  
December 22, 2010  
Page 3

Urban/Rural Interface:

- There is some concern that the premise of the proposed transportation design is based on a plan/vision for Gasoline Alley that has not yet been adopted by the Red Deer County and that while their intentions for the area have been outlined to Alberta Transportation, they have not formalized these through statutory legislation. Also, while we recognize the following as a broader policy conversation, the City of Red Deer has some concern of the equity of an interchange being fully paid through provincial funds because it is located between two municipalities. As an urban municipality we have some question with the equity of the City of Red Deer being expected to fund a similar interchange if it resided only within our borders. Having said that, as we currently have development immediately abutting urban borders, it is critical that the design integrate transitions between our communities as cohesively as possible. Please comment on the issue of equity and as to how transitions between Red Deer County and The City of Red Deer will be addressed.

Public Consultation

- It is critical that all stakeholders are actively engaged in the public consultation at the outset. Key stakeholders currently identified are: City, County and Gasoline Alley businesses which is appreciated, but there is a need to proactively seek out thoughts and concerns from other stakeholders such as the Westerner (large events such as 'agri-trade' result in significant queuing at all adjacent intersections and entrances/exits), public transit (planners and users), pedestrians, cyclists (recreational and commuter), Gasoline Alley business owners, business owners impacted by traffic queuing and patterns in South Red Deer, and the general motoring public that are common users of this interchange (both QEII travelers & Red Deer citizens who travel to Gasoline Alley for work, retail or entertainment purposes). Please outline how and if a broader based public consultation will be undertaken.

As Indicated by Council, these questions are reflective of general concerns with the Study as presented. We would appreciate your earliest response.

Sincerely,



Elaine Vincent  
Manager



**CastleGlenn Consultants Inc.**  
Engineers, Project Managers & Planners



January 10, 2011

**Ms. Elaine Vincent,**  
Manager  
Legislative and Government Services  
**The City of Red Deer**  
11411 - 163 Street,  
P.O. Box 5008  
Red Deer, AB, Canada  
T4N 3T4  
[Tel: (403) 342-8132 Fax: (403) 346-6195 Email: [legislativeservices@reddeer.ca](mailto:legislativeservices@reddeer.ca)]

Dear Madam:

**Re: Highway 2 / QE-II Functional Planning Study**  
**Our File: 1001044**

Thank you for your letter of December 22<sup>nd</sup>, 2011. It was indeed our pleasure to provide Red Deer City Council with an update of the Highway 2 / QE-II project on December 13<sup>th</sup>, 2010.

Your letter indicated that Council has received our report as information but has requested that further information be provided in the following areas:

- A) *North Highway Connector*: Planning for the QE-II corridor has been developed over a number of years. A past planning effort assumed a population base of 160,000 persons and was based upon the assumptions detailed within the "City of Red Deer's 2004 Growth Study". For the purpose of this study, development along the future North/South Ring Road leading to the MacKenzie/Hwy 2 interchange was assumed and the population threshold was modified to a 188,000 population base. As mentioned earlier, we feel we are ok with the single exit. Estimates are currently showing it may just start to breach around the 188,000 population base. Council is assured that the impacts of the vehicular traffic on

1710 Radisson Drive, Suite 110, T2A 7E9



current and projected QE-II freeway traffic volumes was considered in the context of plans for the future City of Red Deer North/South ring road.

- B) Access to Gaetz Avenue:* Council correctly noted during our presentation that the proposed 2<sup>nd</sup> Northbound off-ramp from the QE-II corridor leading to the East Collector is a single lane that leads to the Gaetz Avenue/19<sup>th</sup> Street intersection, the Taylor Drive/19<sup>th</sup> Street intersection and back onto the QE-II northbound lanes. Council noted that the proposed single lane arrangement differs from the current configuration which provides for a two-lane exit ramp from the northbound freeway lanes. Current (2009) peak hour traffic volume information indicates that 620 vph (vehicles-per-hour) during the morning peak hour and 500 vph during the afternoon peak hour of travel demand make use of the existing exit ramp arrangement. However, the service volume capacity of a single lane exit ramp provides for a theoretical capacity of 1,000 vph, hence a single lane configuration is anticipated to meet current travel demand. This being said Council can be assured that provisions are provided to twin this exit at a future date when traffic volumes warrant the additional capacity. Traffic on the exit ramp would likely be required to increase by 50% over current levels prior to the twinning of the ramp being warranted.
- C) High Speed Rail:* Council inquired as to the role of High Speed Rail and provisions for such along the QE-II corridor. The position of the Province as regards high speed rail was summarized by the Minister of Transportation in July 2009 subsequent to the release of reports addressing economic benefits and market assessment. The Minister indicated that “...we will continue to investigate various transportation solutions,” and “we have not made a decision on a high-speed rail project ... we will continue to look at all options in order to support Albertans and the province’s economic future.” At the time of writing, a decision has yet to be reached regarding high speed rail alignments in the vicinity of Red Deer and hence planning for such details as right-of-way and potential rail stop locations could not easily be considered in the design process of the Taylor Drive interchange.
- D) Active Transportation/Traffic:* Council raised concerns regarding the provision for pedestrians and cyclists within the plans and inquired if the Better Bicycling group has been contacted and wished to know how the plan accommodates alternate travel modes. Council can be assured that AT has directed its consultants to contact the Better Bicycling group regarding their opinions and concerns associated with the QE-II project.
- E) Linkages to the Local Trail System:* Council indicated their desire to develop the Highway 2A corridor as the path/trail/cycling corridor that would connect to Red Deer to the Gasoline Alley West community to accommodate non-motor



vehicular modes of travel. Council inquired as to future plans along the Hwy 2A corridor to accommodate pedestrians/cyclists. The plans for the current QE-II project focus on the area of the Taylor Drive interchange and include provision for a wider span of the four structures over Taylor Drive/Highway 2A corridor. This additional span is intended to provide for integration with the current sidewalk and trail system along the south-east side of the Highway 2A corridor. The trail system in the vicinity of the interchange would be designed to provide for a direct linkage to 19<sup>th</sup> Street and the Highway 2A ramp terminal. This particular project does not extend south of the Highway 2A ramp terminal.

- F) *Innovative Traffic Engineering*: Council noted a desire to proceed with an "Integrated Transportation Movement Study" which seeks to holistically accommodate all transportation modes and perspectives into the planning process. Council requested comment concerning how the planning process for the QE-II corridor demonstrated innovative traffic planning and solutions and principles within its design process that respected all users of the facility. Council can rest assured that significant efforts were undertaken to incorporate the multi-modal requirements of the municipality. This was achieved throughout the design process by assuring consultation with municipal officials throughout the value engineering, functional planning stages and public involvement components of the project. In addition, AT has initiated a consultation process directly involving the effected businesses/establishments to obtain concerns and feedback that could result in further improvements. Particular aspects of the project such as the goal of separating freeway traffic from local traffic, the removal of speed differential weaving concerns, and the transitions into the local multi-modal infrastructure all required the development of innovative, made in Red Deer, solutions.
- G) *Safety*: Council requested that comments be provided on those solutions offered to accommodate each travel mode within the proposed QE-II improvements:
- *Trails/Cycling/Walking*: Pedestrians and cyclists are prohibited from crossing all Provincial freeways or being within the freeway right-of-way (inclusive of the centre median area) for obvious safety reasons. The only acceptable crossing points along freeway corridors for non-motorized travel modes are at designated interchanges. The proposed QE-II improvement plans include provision for a wider span beneath all four structures of the proposed Taylor Drive interchange. The additional span (width) of the structures is intended to provide for integration with the sidewalk and trail system on the south side of the Highway 2A corridor. AT remains committed to consulting further with City officials regarding trail/cycling infrastructure that would further enhance the safety related aspects of the project and assuring the project integrates with City initiatives.



- **Transit:** Currently Red Deer Transit provides service to the Gasoline Alley community via Routes 12 and 12A (which together forms a loop using 19<sup>th</sup> Street, 49<sup>th</sup> Avenue, East Service Road, MacKenzie Road, to Leva Avenue, Lantern Street, Highway 2A, Taylor Drive/19<sup>th</sup> Street) With the advent of the proposed QE-II improvements the Gaetz Avenue structure would be relocated and positioned over both northbound and southbound lanes of the QE-II corridor to link with a local West Collector Roadway which would in turn transition directly to the Leva Avenue/Lantern Street intersection. This new piece of infrastructure represents an entirely new access corridor which (as opposed to the existing Gaetz Avenue structure which transition directly onto the QE-II freeway corridor) is consistent with transit vehicle routing requirements of the City. In short, the new Gaetz Avenue structure provides transit patrons with a new faster and more direct transit route directly into the heart of the Gasoline Alley West community.
- **Motor-Vehicle:** The proposed improvements:
  - address the weaving and the speed transition concerns associated with the existing Gaetz Avenue structure. By realigning the Gaetz Avenue structure over both northbound and southbound lanes of the QE-II corridor to transition into a local West Collector Roadway traffic no longer has to transition to freeway speeds and remains on a local roadway network.
  - provide additional flexibility for vehicle traffic in that northbound vehicles can now directly connect to not only the Gaetz Avenue/19<sup>th</sup> Street intersection but also the Taylor Drive/19<sup>th</sup> Street intersection via a new local loop ramp from the East Collector roadway, thereby improving intersection operations by distributing traffic through two intersections rather than concentrating traffic at a single intersection.
  - provide for the connection of the West Collector Roadway to the northerly extension of Leva Avenue. This is anticipated to further encourage development within the Gasoline Alley West community.
  - The East Collector Roadway provides convenient access for those northbound QE-II motorists who wish to stop at the east side businesses and then return to the QE-II northbound without impacting Gaetz Avenue/19<sup>th</sup> Street/Taylor Drive intersections.

**H) Urban/Rural Interface:** Council has requested that CastleGlenn provide comment regarding issues concerning equity when comparing the funding of the QE-II project to other projects which may lie completely within the City's municipal boundaries. As indicated to Council during the presentation, CastleGlenn is not prepared, nor is in a position, to offer a professional comment concerning the equity of infrastructure funding.

- I) *Public Consultation:* Council has requested that the public involvement process be expanded to include such specific stakeholders as the Westerner, public transit, pedestrians and cyclists, emergency services etc. This outreach process has already begun. Council had also requested that a broader-based public consultation process be developed that would include all QE-II travelers and all Red Deer citizens. Council was informed that this project represents a detailed design assignment. Earlier functional planning initiatives had incorporated such a broad-based public consultation effort and general comments have been received and evaluated by AT, City and County representatives as part of the earlier studies.

We wish to thank City Council for the opportunity that was provided to brief Council concerning the QE-II project and look forward to a time when the improvements can be implemented to the benefit of the community.

Once again, thank you for your involvement in this project.



Arthur E. Gordon, B.A., P.Eng.  
Principal  
CastleGlenn Consultants Inc.

cc. Mr. Brian Reid, Alberta Transportation, Central Region, Infrastructure Manager (By Email)  
cc. Mr. Mike Damberger, Alberta Transportation, Central Region, Construction Manager (By Email)  
cc. Mr. Frank Colosimo, City of Red Deer, Engineering Services Manager (By Email)





**Date:** January 17, 2011  
**To:** City Manager  
**From:** Engineering Services Manager  
**Re:** Alberta Transportation – Highway 2/QE II Functional Planning Study

Engineering Services has reviewed the responses received from CastleGlenn Consultants Inc. (CCI) to Council's concerns regarding Alberta Transportation's (AT) plans to upgrade the Highway 2 / QE II corridor. Copies of the correspondence are attached. While the information provided by CCI adequately addresses most of the issues raised, there are several items that will require ongoing discussion, evaluation and advocacy efforts to ensure The City's interests and expectations are considered.

Questions regarding the North Highway Connector (NHC), Linkages to Local Trail System, Innovative Traffic Engineering, Safety, Urban / Rural Interface and Public Consultation all appear to have been dealt with satisfactorily given CCI's scope. However, their significance to both this project and other wider ranging issues within our community will mean we must ensure they are being addressed appropriately as the project progresses.

Beyond this, we do feel there are a few items that may require specific attention:

- Access to Gaetz Avenue: The City may wish to lobby for twinning of the northbound exit lane to be undertaken immediately. Currently AT's plans allow for future twinning at the 188,000 population only.
- High Speed Rail: this should remain a key City of Red Deer advocacy item so that our interests are taken into account from the outset of any decisions made by the Province. Currently, AT's plans do not consider any impacts of this initiative.
- Active Transportation / Trails: we must ensure alternate transportation modes are considered for this project and integrated with The City's overall plans, including connectivity of the trail system along Taylor Drive and east side QEII.
- Urban/Rural Interface: The City may wish to pursue advocacy regarding equitable treatment of provincial funding invested to support urban development similar to that of rural development.

### **Recommended Next Steps**

Engineering respectfully seeks confirmation of the following next steps:

- 1) AT would like to arrange a joint City / County meeting, hopefully before mid-February, to review the project, address concerns, and communicate plans for detailed design and construction phases. This would be an opportunity to develop an agreement upon a trail linkage plan, active transportation provision plan, and further the twinning of the northbound access to Gaetz Avenue if desired. This could be arranged by Engineering and Legislative and Governance Services.

City Manager  
January 17, 2011  
Page 2

- 2) That City Council continues political advocacy with the Province as it relates to High Speed Rail and equity of the Urban/Rural Interface.
- 3) It is AT's intent to move this project to detailed design. Engineering will be provided the opportunity to comment upon detailed drawings and will ensure that City Council concerns are adequately addressed.
- 4) AT will tie into key components of Municipal Infrastructure. Some of these components include the trail system and Taylor Drive / 19 Street Improvements. It will be critical to reinforce the need for the province to include these infrastructure developments in their plans.



Frank Colosimo, P.Eng.  
Engineering Services Manager

FC/ldr  
Attach.



Copy  
AlsoPAGE 11 OF 23  
1/27/2011

Council Decision – January 24, 2011

**DATE:** January 25, 2011

**TO:** Frank Colosimo, Engineering Services Manager

**FROM:** Elaine Vincent, Legislative & Governance Services Manager

**SUBJECT:** Alberta Transportation (AT) – Highway 2/QE II Functional Planning Study

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**Reference Report:**

Engineering Services Manager, dated January 17, 2011.

**Resolution:**

The following resolution was passed during the Regular Council Meeting held on Monday, January 24, 2011:

**"Resolved** that Council of The City of Red Deer having considered the report from the Engineering Services Manager, dated January 17, 2011 re: Alberta Transportation – Highway 2/QE II Functional Planning Study, hereby directs Administration to:

1. Arrange a joint City/Red Deer County Meeting to review the project with Alberta Transportation to address concerns, communicate plans for detailed design and construction phases before mid-February, 2011.
2. Continue political advocacy with the Province as it relates to High Speed Rail and equity of the Urban/Rural Interface.
3. Ensure City Council's concerns are adequately addressed at the detailed design stage of the project.

Council Decision – January 24, 2011  
Alberta Transportation (AT) - Highway 2/QE II Functional Planning Study  
Page 2

4. Reinforce the need with Alberta Transportation for the Province to include the trail system and Taylor Drive/19 Street as Alberta Transportation ties into key components of Municipal Infrastructure."

**Report Back to Council:** No

**Comments/Further Action:**

This office has arranged for the joint City/Red Deer County Council Meeting for Tuesday, February 15, 2011 at 3:00 p.m. at the Red Deer County offices.



Elaine Vincent  
Legislative & Governance Services Manager

- c Craig Curtis, City Manager  
~~Paul Goranson, Director of Development Services~~  
Paul Meyette, Director of Planning Services  
Lisa Perkins, Corporate Strategist  
Corporate Meeting Coordinator





Frank  
Mike W.

OFFICE OF THE CITY MANAGER

May 24, 2011

Mr. Gary Boddez  
Deputy Minister, Alberta Transportation  
2nd Floor, Twin Atria Building  
4999 - 98 Avenue  
Edmonton, AB T6B 2X3

Dear Mr. Boddez:

**Re: Alberta Transportation – Highway 2/QE II Functional Planning Study**

Thank you for the opportunity to provide feedback on the Highway 2/QE II Functional Planning Study. The City understands the necessity of upgrades to Highway 2 between MacKenzie Road and 32 Street to ensure motorist safety and traffic flow through the area, and we are in support of many of the proposed changes.

On February 6, 2011, CastleGlenn Consultants Inc., on behalf of Alberta Transportation (AT), made a presentation of the study findings at a joint City/County meeting. This meeting provided an opportunity to discuss the proposed changes to Highway 2.

Subsequently, The City has been in communication with Alberta Transportation regarding our most significant concerns, which are related to the number of lanes shown in the Functional Plan entering and exiting the city at the Gaetz Avenue interchange. The following summarizes the major comments that we would like considered as the Alberta Transportation study moves into the next phases, as well as any discussion that we may have had related to these items:

1. City Council believes it to be very important for our community that the existing two lane northbound entrance into the city from Highway 2 be maintained. The Functional Plan shows only a single northbound lane entering the city from Highway 2 at Gaetz Avenue, although the plan allows for future expansion to two lanes as traffic volumes increase. This is a critical transportation connection into the city, and it is important that the two lane entry into the city be constructed as part of the initial highway upgrades and not as a future consideration.
2. City Council is concerned that the Functional Plan shows only a single southbound lane exiting the city from Gaetz Avenue. AT has indicated that the single southbound ramp exiting the city will need to be widened to two lanes at some point in the future. It is understood that only one southbound lane will be constructed at this time; however, the flyover being constructed for this lane will allow for future widening. This is acceptable to The City with the understanding that when an additional lane is required, the Alberta government will pay for the additional lane to maintain the safe and efficient operation of the highway network.

May 24, 2011  
Page 2

3. City Council requests that other modes of transportation (transit, pedestrian and other active modes of transportation) continue to be considered in AT's planning of the area. City Council is pleased that space for future trail connections underneath the flyovers have been considered in the AT plan.
4. City Council requests that AT consider the future high speed rail corridor and a potential stop in Red Deer as part of its transportation planning for the area.

The City of Red Deer appreciates the consideration of our comments in your planning process. Transportation corridors, modes and connections to the city are vital to the development and growth of our city and, as such, these issues are important to our citizens and community.

Thank you again for your consideration of these comments, and we look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Curtis', with a long horizontal line extending to the right.

Craig Curtis  
City Manager

- c Brian Reid, Infrastructure Manager, Alberta Transportation Central Region  
Director Development Services  
Engineering Services Manager  
Corporate Strategist





**Date:** May 24, 2011  
**To:** City Manager  
**From:** Engineering Services Manager  
**Re:** Alberta Transportation - Highway 2 / QE-II Functional Planning Study

Engineering Services has been working with Alberta Transportation (AT) to address comments from City Council regarding the Highway 2/QE-II Functional Planning Study. Comments were provided in the form of written comments in December 2010 and at a joint County/City Council Meeting of February 2011. The following is a summary of the issues and AT responses to date.

1. The two lane northbound entrance into the city from QE-II be maintained.
  - The Functional Plan shows only a single northbound lane entering the City from Highway 2 at Gaetz Avenue. The ultimate plan will allow for future expansion to two lanes as traffic volumes increase.
  - Acknowledges this as a future responsibility of the Province.
  - AT does not support advancing the construction of the two lane entrance to Gaetz Avenue. Reasons cited include the following: over building the entrance at this time will lead to operational concerns, and construction of the second access is not possible until the County undertakes improvements to its service road on the east side of Gasoline Alley.
2. Functional Plan shows a single southbound lane exiting the City from Gaetz Avenue to QE-II.
  - AT does not support constructing a second access exiting Gaetz Avenue at this time due to low traffic volumes. Currently there is only a single access.
  - AT acknowledges that the single southbound ramp exiting the City will need to be widened to two lanes at some point in the future. The flyover structure being proposed for construction will allow for future widening.
  - This will be at the expense of the Province.

3. Other modes of transportation (transit, pedestrian and other active modes of transportation) should be continued to be considered in AT's planning of the area.
  - Space for future trail connections underneath the flyovers on Highway 2A (Taylor Drive) is being allowed to accommodate alternative forms of transportation.
  - The City will be required to connect a trail from the intersection of Taylor Drive/19 Street to QE-II rights-of-way.
  - No other allowances are made on the plan as AT does not permit these other utilizations of the QE-II rights-of-way.
4. The future high speed rail corridor and a potential stop in Red Deer be considered as part of its transportation planning for the area.
  - No consideration of this is being made by AT at this time.

#### **Recommendation**

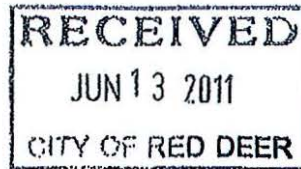
At this time, Engineering Services has explored all avenues available. It is recommended that if these items are not to Council's satisfaction, they be further reviewed as an advocacy item and be pursued on that level.



Frank Colosimo, P.Eng.  
Engineering Services Manager



Government of Alberta  
Transportation



Deputy Minister  
2nd Floor, Twin Atria Building  
4999 - 98 Avenue  
Edmonton, Alberta T6B 2X3  
Canada  
Telephone 780-427-6912  
Fax 780-422-6515  
www.transportation.alberta.ca

AR48836

June 7, 2011

*cc. Paul Gorman  
Lisa Peilhus  
Frank C...  
City Council*

Mr. Craig Curtis  
City Manager  
City of Red Deer  
4914 - 48 Avenue  
Red Deer, AB T4N 3T4

Dear Mr. Curtis:

Thank you for your letter of May 24, 2011 providing feedback on the Queen Elizabeth II Highway (QEII) and Gaetz Avenue interchange project. I appreciate your comments on the project and would like to provide you with the following information.

The design for the northbound entrance into Red Deer from QEII has a single-lane ramp from QEII (northbound) onto a collector/distributor (C/D) road that connects to both Gaetz Avenue and Taylor Drive. This design will allow traffic on the east-side service road to connect directly onto QEII, via the C/D road, bypassing the intersections at Gaetz Avenue and Taylor Drive. The ramp design will safely transition traffic speeds as traffic approaches the Gaetz Avenue and 19 Street intersection.

The current design allows for a future two-lane ramp; however, the inclusion of a two-lane ramp at this time would create an unsafe weaving condition. The closure of the east-side service road, accessing directly onto the C/D road, would be required to mitigate this situation. The ultimate plan includes the construction of a two-lane ramp, which will require co-ordination with the future development of 49 Avenue from 19 Street to McKenzie Drive. This will allow the removal of the east-side service road access onto the C/D road and the ultimate construction of a two-lane ramp.

Based on traffic volume projections, a two-lane ramp will not be required until approximately 2034. The current two-lane ramp into Gaetz Avenue only exists as it was part of the original Highway 2 design and was never removed. To demonstrate the high level of service that is expected with a single-lane exit ramp at this location, please consider that the three other interchange accesses to Red Deer from QEII all have single-lane exit ramps.

.../2

*Alberta*

Mr. Craig Curtis  
Page Two

Alberta Transportation staff will be discussing opportunities with city administration for a gateway entrance, which could be provided at this ramp to provide drivers with a visual cue of the upcoming urban environment and also allow the city an opportunity to create an entrance feature for incoming traffic.

The current design also indicates a single southbound lane exiting Red Deer from Gaetz Avenue. When traffic volumes warrant, this will require conversion to a two-lane facility. Alberta Transportation remains committed to maintaining safe and efficient highway operations and commits that improvements under our responsibility will be completed as budgets and priorities allow.

Consideration for other modes of transportation was taken into account by the department during the design of this project, and the plan has provided for a connection to a future municipal multi-use trail along Taylor Drive under QEII. As well, the design allows for transit buses to travel from Red Deer to the county (Gasoline Alley) without the need to access QEII.

The Government of Alberta has not yet made a decision to proceed with a high-speed rail project; therefore, planning details for a potential rail stop location in Red Deer were not specifically addressed with this project. As always, the department is committed to include consultation on any planning undertaken with this endeavour.

Thank you for taking the time to write to share your important concerns.

Yours truly,



Gary G. Boddez  
Deputy Minister





## APPENDIX A

Office of the Infrastructure Manager  
Central Region

401,4920-51 Street  
Red Deer, Alberta  
Canada T4N 6K8

Telephone 403/340-5166  
Fax 403/340-4810

File: 2600-2:24-CN

March 26, 2013

Mr. Frank Colosimo, P.Eng.  
Engineering Services Manager  
The City of Red Deer  
Engineering Services  
4914 – 48 Ave  
Red Deer, T4N 3T3

Dear Mr. Colosimo:

**RE: Taylor Drive Traffic Evaluation (19 Street to 28 Street)**

Thank you for your letters of February 21, 2013 regarding the Highway 2 C-D loop ramp connection to Taylor Drive.

The Highway 2 and Gaetz avenue interchange upgrade design has evolved through many configurations:

- The original design upgrade for the Highway 2/Gaetz avenue interchange compiled by Alberta Transportation in 1994 recommended the provision of a northbound directional ramp connecting to Taylor Drive from the reconfigured exit ramp from Highway 2 to Gaetz Avenue.
- In 2007 ISL completed a functional planning study to review the 1994 interchange plans and recommended several improvements, one of which was the inclusion of an all-directional loop ramp access to Highway 2A/Taylor Drive/Delburne Rd, with the provision for a northbound directional ramp connection to Taylor Drive as an additional link, based on future traffic volumes warrants.
- In 2009 AECOM conducted the detailed design for the interchange upgrade. The detailed design process included an initial Value Engineering session to review the ISL functional planning study. Through the Value Engineering and detailed design process a further iteration of the recommended interchange configuration was recommended. The current interchange design has retained a revised version of the all-directional loop ramp access to the Highway 2A/Taylor Drive/Delburne Rd intersection via a C-D road, with no northbound directional ramp connection to Taylor Drive.





## Transportation

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There is currently no direct access to Highway 2A/Taylor Drive from the Highway 2/Gaetz avenue exit ramp. The proposed C-D road loop ramp link to the existing Highway 2A/Taylor Drive intersection provides added benefit to the highway network, with access to Highway 2A southbound, Taylor Drive northbound, and Delburne Rd eastbound. A directional northbound ramp to Taylor Drive will only provide additional access in the northbound direction resulting in a reduced benefit to the surrounding highway network.

As well as the reduced benefit to the highway network, there will be a significant increased cost associated with the directional ramp, with a flyover structure required over a 9-lane ultimate stage Delburne Rd. As such, Alberta Transportation will maintain the current C-D road loop ramp design for the Highway 2A/Taylor Drive/Delburne Rd connection. The provision for a future northbound directional ramp connection to Taylor Drive remains, however it should be situated in such a manner that is consistent with the alignment of the C-D road. If the development occurs prior to the interchange project, this may not be feasible and could add significant throw away costs related to the flyover structure.

Regarding the traffic modelling and operation analysis completed by Stantec, the Department acknowledges that, with the current and short term traffic volumes, the AECOM design requires some modification, as noted in your letter. This modification will accommodate a left, through and right turn bay at the intersection, from the single lane off-ramp and a two lane on-ramp from Taylor Drive to Highway 2. This analysis should be revisited, once the Hwy 2/Gaetz Avenue project is on the 3-Year Construction Program.

If you have any queries or concerns regarding the above please do not hesitate to contact me at (403) 340-4333 or by e-mail at [russell.watts@gov.ab.ca](mailto:russell.watts@gov.ab.ca)

Sincerely,

A handwritten signature in blue ink, appearing to read "Russ Watts".

Russ Watts, P. Tech. (Eng.), P.L. (Eng.)  
Infrastructure Manager

Created: July 2, 2013

**City Manager's Office  
Briefing Note  
Highway 2 Re-alignment**

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**PURPOSE**

To provide an update on activities and correspondence related to QEII Changes between The City of Red Deer and Alberta Transportation, with particular attention to the entry way (Gaetz Avenue and Highway 2), and realignment around Maskepetoon Park.

**BACKGROUND**

A briefing note was prepared and submitted on July 12, 2012 detailing activities and correspondence, particularly related to three areas of focus: Highway 2 and Gaetz Avenue; Highway 2 and Highway 11; Mackenzie Road to 32<sup>nd</sup> Ave/Maskepetoon. This briefing note – and its related documents – is attached as additional information (Appendix B).

**DISCUSSION**

Since July 12, 2012, the following activities have occurred:

**Value Engineering Study of Highway 2: Red Deer River Bridge (a.k.a. Maskepetoon Park)**

- Alberta Transportation (AT) has completed a value engineering study for this project.
- AT attended the November 14<sup>th</sup>, 2012 Development Review Committee meeting to discuss the study and answer any questions.
- Final comments on the study were to be forwarded to Engineering by November 21, 2012; one comment was received from Planning.
- Comments were to be presented to Council early 2013 before being sent to AT. **(We do not think this occurred)**
- We understand it is The City's expectation that AT do a presentation to Council on this project.

**Highway 2 / Gaetz Avenue Interchange**

- The City met with AT on May 8, 2012 and September 4, 2012 specifically regarding the interchange.
- Key items discussed at the May 8, 2012 meeting were related to the aesthetics of the project, specifically:



- Allowance for an entry feature sign(s), enhance street lighting (e.g. black powder coat), consideration of textures / patterns in the design of bridge abutments, landscaping.
- The City indicated they would like to engage a landscape architect to design the landscaping for the area. AT suggested that they may be able to cover the construction costs related to this, but The City would have to bear the engineering costs. At this time there is not an identified funding source for the engagement of a landscape architect.
- AT was to provide a large size drawing of the area and improvements for The City's ease of reference (**not received, to our knowledge**)
- AT indicated they would like all City input by September 2012 so that the plans can be finalized. (**this has not occurred**)
- Key items discussed at the September 4, 2012 meeting:
  - AT would like a formal request from The City regarding any implementation needs (e.g. aesthetics, technical findings re: Taylor / 19). **To our knowledge, a formal request has not been sent related to the aesthetic desires of The City, however there has been a formal communication related to Taylor / 19 (see last bullet).**
  - Compensation related to the modification of existing wetlands in the project area will be directed elsewhere (e.g. on the County side of Highway 2), however AT would like to work with The City to provide environmental improvements in the project area to replace a portion of the man-made pond south of Highway 2. AT would like to discuss the wetland compensation issue together with the aesthetics discussion.
  - AT indicated that they feel confident an agreement can be reached with The City related to landscaping of the project.
- On December 12, 2012 The City met with AT to discuss the impacts of the new C-D ramp on the intersection of Taylor Drive / 19 Street and to discuss the conceptual design of Taylor Drive as prepared by The City's engineering consultant (Stantec). A formal request for AT's position on this matter was made by The City and AT's response letter is attached (Appendix A). Potential cost sharing related to the Taylor Drive / 19 Street intersection needs to be discussed further with AT.

**Highway 2A North Of Highway 11A**

- Internal comments have been prepared incorporating input from all affected departments.
- The remaining component to add to comments is related to the Gaetz Avenue visioning concept and ensuring AT design can accommodate cross-sectional elements envisioned. The Gaetz Avenue Vision is going to Council for approval on July 8<sup>th</sup>, 2013.
- City comments on AT design will be finalized after July 8<sup>th</sup> Council meeting.
- City Manager previously directed that Administration's comments on AT projects must go to Council before being formally communicated to AT.
- AT would like to have all City input as soon as possible so the project can be finalized.

**FOR FURTHER INFORMATION:**

**Frank Colosimo**  
Engineering Services Manager  
403-342-8168

**Michael Williston**  
Transportation Engineer  
403-342-8379





**Council Decision – October 26, 2015**

**DATE:** October 29, 2015

**TO:** Wayne Gustafson, Engineering Services Manager

**FROM:** Frieda McDougall, Legislative Services Manager

**SUBJECT:** Alberta Transportation (AT) – Highway 2/QEII  
Improvements – Highway 2 and Gaetz Avenue Interchange

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**Reference Report:**

Engineering Services, dated October 13, 2015

**Resolution:**

At the Monday October 26, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Engineering Services dated October 13, 2015 re: Alberta Transportation (AT) – Highway 2/QEII Improvements – Highway 2 and Gaetz Avenue Interchange, hereby endorses Figure 1 and Figure 2 as set out below and is subject to the following conditions:

1. Space allocation for an entry sign. The Province has indicated a collaborative design approach is acceptable and that costs for the entrance feature would be included in the project.
2. Alberta Transportation is to provide enhanced advanced signage along the corridor indicating entry points into the city of Red Deer at different points.
3. Alberta Transportation to resolve any lane exit functionality issues which may arise in the future.
4. Alberta Transportation to be responsible for public consultation processes to include: pre-construction and construction process, communication with affected parties and communication with the community at large.
5. That Alberta Transportation confirm that the plans for the interchange include provision for a wide span over Taylor Drive/Highway 2A corridor which would provide for integration with the current sidewalk and trail system.

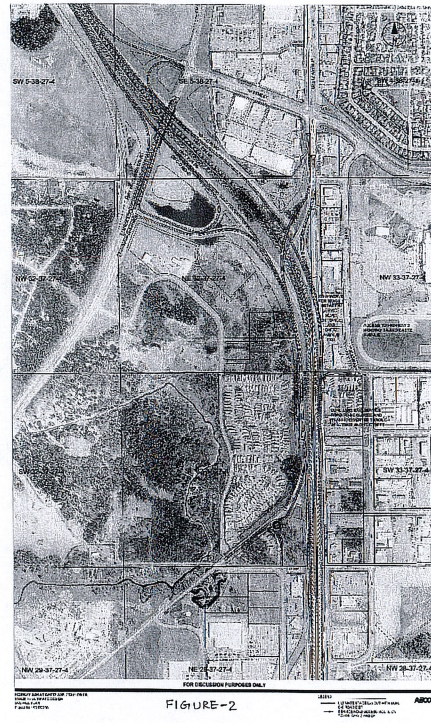
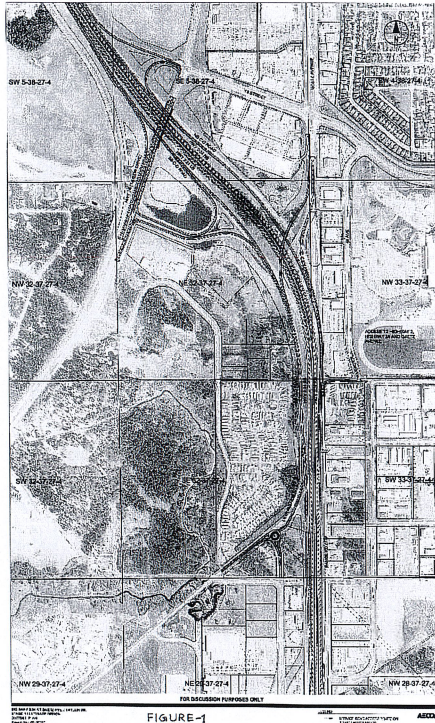


October 26, 2015

Alberta Transportation (AT)- Highway 2/QEII Improvements

Highway 2 Gaetz Avenue Interchange

Page 2



**Report back to Council:** No. Please advise Alberta Transportation of the conditions Council adopted in this regard.

Frieda McDougall  
Manager

c. Director of Development Services



October 9, 2015

## Queens Business Park NE 35 & SE 35

## Industrial Area Structure Plan – Bylaw 3540/2015

Planning Department

### **Report Summary & Recommendation:**

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The Planning Department has received the submission of the Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan. The plan area encompasses two quarter sections in the West QEII Major Area Structure Plan (MASP). The applicant is WSP Canada Inc. on behalf of the landowner.

City administration supports the Queens Business Park NE 35 & SE 35 IASP and recommends City Council proceed with first reading of the proposed Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan by Bylaw 3540/2015.

### **City Manager Comments:**

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I support the recommendation of Administration. If first reading of Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan Bylaw 3540/2015 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on Monday, November 23, 2015 at 6:00 pm during Council's regular meeting.

Craig Curtis  
City Manager

### **Proposed Resolution**

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That Bylaw 3540/2015, a proposed Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan, be read a first time.





## Report Details

### Background:

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The majority of the plan proposes light industrial uses (II) with the consideration for an eco-industrial park in the NE 35 quarter. An eco-industrial park is where businesses cooperate with one another and the local community in an attempt to reduce waste, efficiently share resources, and produce sustainable development, with the intention of increasing economic gains and improving environmental quality. The plan also encompasses several municipal reserve (MR) parcels and a large environmental reserve (ER) parcel surrounding the existing wetland in the NE 35 quarter. The following is a summary of key aspects of the IASP:

### Introduction

- The plan area encompasses 2 quarter sections of land, totaling 125.67 hectares.
- The plan area is located on the West side of the Queen Elizabeth II Highway and South of Highway 11A, within NE 35-38-28-W4 and SE 35-38-28-W4, on the West end of Red Deer.
- Guiding statutory plans for this area include the Municipal Development Plan (MDP) and the West QEII Major Area Structure Plan (MASP). Both of these plans identify the subject area as suitable for industrial development.

### Existing Site Characteristics

- The majority of the site consists of agriculture land and a large natural wetland.
- There is an existing tree stand along the west boundary of the NE 35 quarter.
- There is one existing residential acreage in the northeast corner of NE 35.
- The West QEII MASP indicates there are areas to be preserved as municipal and environmental reserve. These include a tree stand and a wetland.
- A Phase I Environmental Site Assessment has been completed for the subject lands.
- There are two abandoned wells within the subject lands. These wells require a 5 m setback.
- A Phase II Environmental Site Assessment is recommended and will determine if any contamination has occurred.
- There are four active pipelines within the subject lands and two abandoned pipelines. No development is allowed on a pipeline right-of-way.

### Development Concept

- The majority of the land is proposed to be developed as light industrial along with an eco-industrial park.
- The collector road layout accommodates the existing oil and gas constraints.
- Trails, sidewalks and transit will be provided in accordance with the West QEII MASP.



- Municipal reserve (MR) dedication is being provided as per the Municipal Government Act (s666). The IASP is dedicating 8.61 ha (8.5%) towards MR. The remainder will be paid as cash in lieu.
- In accordance with the MGA and the MASP, there are environmental features which qualify as environmental reserve. This includes the existing wetland in the NE 35 quarter.
- The lots along the northern boundary of NE 35 will be designated as a Major Entry Area. These lots will be subject to additional building, landscaping, and signage requirements as outlined in section 3.12 of the Land Use Bylaw.

### **Servicing**

- The natural wetland will be incorporated into the overall storm water management system while maintaining the integrity of the wetland.
- All sanitary servicing will be required to tie into the City's sanitary services. Sanitary will be provided through mains running along 79 Street.
- All water servicing will be required to tie into the City's water services. Water will be provided through existing and future water mains running along 79 Street.
- The power distribution will consist of an underground electric distribution network which will be extended to the plan area via planned road right-of-ways and easements.
- ATCO Gas will service the plan area.
- High capacity, high speed telecommunication infrastructure, such as fiber optics, will be encouraged in the plan area.

### **Safety**

- The plan area will be serviced by Emergency Station No. 5 within Johnstone crossing.
- The plan recognizes the importance of considering the principles of Crime Prevention Through Environmental Design (CPTED) and CPTED may be further reviewed at the time of a development permit application.

### **Implementation**

- Development is anticipated to proceed in two phases, generally north to south.
- Future amendments to the plan shall be in accordance with the MGA, the West QEII MASP, and Appendix A of the *Industrial Areas Planning Guidelines and Standards*.
- Minor adjustments to proposed land uses, boundaries, roadways, or servicing may be incorporated where necessary without a plan amendment
- As development proceeds, access from Hwy 11A to the country residential property will be closed. An alternate access will be provided off the cul de sac in the northeast corner of the plan. The property will be in transition as development occurs.



## **Discussion:**

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### **Strategic Direction**

The proposed Queens Business Park NE 35 & SE 35 IASP is consistent with The City's strategic direction regarding economic development in that it provides for more development of economic opportunities and activity within Red Deer.

### **Municipal Development Plan**

The Municipal Development Plan (MDP) identifies the Queens area as suitable for industrial development. The proposed IASP is consistent with the MDP's goal of ensuring that there is, *"sufficient, suitably located and serviced industrial land available to attract and facilitate a wide range of industrial development in the future."*

### **West QEII MASP**

The proposed Queens Business Park NE 35 & SE 35 IASP is consistent with the West QEII MASP with the exception of the collector road layout. Adjustments were made to the road layout due to existing oil and gas constraints.

### **Administration Consultation**

Administration has no concerns with the plan.

### **Environmental Advisory Committee**

In January 2015, a memo was sent to the Environmental Advisory Committee outlining that additional eco-industrial land would be available for future development.

In October 2015, the Queens Business Park NE 35 & SE 35 IASP will be formally considered by the Environmental Advisory Committee. The Committee's resolution will be forwarded to Council.

### **Municipal Planning Commission**

The Municipal Planning Commission reviewed the Queens Business Park NE 35 & SE 35 IASP on September 30, 2015. At the Municipal Planning Commission meeting, a question was raised as to whether or not noise attenuation had been considered for the northern plan boundary, south of Highway 11A. It was MPCs concern that noise generated from the industrial land would impact future land uses north of highway 11A, particularly if the future land use become residential.

Administration has reviewed a traffic noise study completed as part of the West QE2 MASP, the Engineering Design Guideline requirements, the proposed light industrial land uses within Queens Business Park NE 35 & SE 35 IASP, and business desire for highway visibility. Administration considers that noise attenuation for the Queens Business Park NE 35 & SE 35 IASP has been addressed because:



1. The proposed Queens Business Park NE 35 & SE 35 IASP complies with the West QE2 MASP and the traffic noise study,
2. The type of industrial proposed is I1 – Industrial (Business Service) District which cannot create or emit noises, dust, fumes, or other factors regarded as nuisances,
3. Any residential development to the north of Highway 11A will require noise attenuation due to the highway, and
4. Businesses along a highway desire visibility for advertising potential.

The Queens Business Park NE 35 & SE 35 IASP will be reconsidered by the Municipal Planning Commission on October 14, 2015. MPCs recommendation will be included in the presentation to Council when considering first reading.

#### **External Stakeholder Consultation**

No objections were received; however, additional discussions are required with ATCO Pipelines, AltaGas Ltd., and Trans-Northern Pipelines Inc. at the servicing study and detailed design stage. Discussions will review right-of-way realignment, relocation, and pipeline depth as well as design changes to the wetland.

#### **Public Consultation**

A public open house was held on January 27<sup>th</sup>, 2015 at the G.H. Dawe Community Centre. Notice of the open house was mailed to the 12 landowners within a 100 m of the plan area.

Two comment sheets were submitted (attached as part of the MPC report). One comment asked about intersection timing and access into the plan area. This comment was addressed through additional correspondence. The second comment received expressed a concern with the proposed top soil stripping and the maintenance of the land until it was developed (dust, weed, and erosion control). Although this issue is not related to the IASP, the developer has reduced the top soil stripping area so that it is approximately 500 meters away from the landowner's property and mowed a portion of the plan area adjacent to landowner's property to address weed control.

The Planning department has also received a letter from the existing country residential owner within the plan area stating they have no objection to the proposed plan as it relates to their property.

#### **Analysis:**

The Planning department supports adoption of the Queens Business Park NE 35 & SE 35 IASP as it aligns with the applicable statutory plans (Municipal Development Plan and the West QEII MASP) and will provide additional land for industrial development.



## APPENDIX

## West QE2 Major Area Structure Plan Land Use Concept



## Various Industrial Area Structure Plan Land Use Concepts



**Public Comments Received for the  
Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan**

**Dayna Facca**

---

**From:** James Farquhar  
**Sent:** February 02, 2015 1:03 PM  
**To:** Dayna Facca  
**Subject:** RE: Proposed Queens Business Park NE 35 & SE 35 Industrial Plan

Dayna,

Thanks for taking the time to respond, if I have any further questions I will be in touch.

Regards,

**James Farquhar**  
Manager, Fleet and Facilities



A Western Co.

Direct:

Cell:

Email:

***Our Key to Success is: Planning – Teaching – Learning – Caring***

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Western Field Services |

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**From:** Dayna Facca [<mailto:Dayna.Facca@reddeer.ca>]  
**Sent:** February-02-15 12:16 PM  
**To:** James Farquhar  
**Subject:** Proposed Queens Business Park NE 35 & SE 35 Industrial Plan

Hi James,

You had provided comments to The City of Red Deer Planning Department on the proposed Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan. I would like to thank you for taking the time to review the plan and submit comments.

In regards to your question about intersection timing and access into the plan area, I've listed the approximate timelines below:

1. Right In/Right Out off of Hwy 11A onto Quinton Drive – estimated to be developed in 2015.

2. Signalized Intersection off Hwy 11A onto Divided Arterial – estimated to be developed as part of phase one (approximately 2016).
3. Extension of 79<sup>th</sup> Street into the plan area – estimated to be developed as part of phase one (approximately 2016).

I hope this information is satisfactory. Please let me know if you require anything further.

Thank you,

Dayna Facca, Planner  
City of Red Deer  
Ph. 403.406.8703  
Email [dayna.facca@reddeer.ca](mailto:dayna.facca@reddeer.ca)

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THE CITY OF  
**Red Deer**

**CORPORATE ADMINISTRATIVE POLICY**  
**7017-CA**

**Disclosing Public Comments &  
Personal Information**

Date: January 27<sup>th</sup>, 2015

Re: Proposed Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan

Comments Due: February 10<sup>th</sup>, 2015

**Comment Return Options:**

- Return, by mail to: City of Red Deer Planning Department, Box 5008, Red Deer, Alberta, T4N 3T4; or
- Drop off comments at the Planning Department counter on the 3rd floor of City Hall at 4914 - 48 Avenue; or
- Fax comments to the Planning Department at 403.342.8200; or
- Scan and email the comments to the undersigned; or
- Email the undersigned and request a digital copy of a comment sheet which you can fill out and then return by email.

---

**Your comments are important.**

***Collection & Release of Your Information:***

The City is collecting your information to help make decisions on proposed programs, services, and/or plans in/for the city of Red Deer.

The personal information on this form is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. An individual choosing to provide a comment to a member of Council, to a member of a committee and/or to City of Red Deer administration must understand that comments, including personal information, could be publicly disclosed. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Legislative Services Manager at The City of Red Deer, 4914-48 Ave, Red Deer, AB 403-342-8132.

***Contact Information***

Your contact information allows administration to respond as needed. When disclosing public comments, The City will endeavour to disclose only the author's name, unless there is a legislative, privacy or public interest reason to disclose more or less information.

Name: James Feirgshar

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone #: \_\_\_\_\_ E-mail Address: \_\_\_\_\_



THE CITY OF

Red Deer

CORPORATE ADMINISTRATIVE POLICY

7017-CA

Disclosing Public Comments &  
Personal Information

General comments on the proposed Queens Business Park NE 35 & SE 35  
Industrial Area Structure Plan?

I have no comments as to the design of the park but to the proposed entrance and exits.

As we are operating an oilfield service and rental company that would mean large tractor trailer units plus service rigs not to mention an approx number of 30+ employee vehicles coming and going throughout the day that the system will be able to handle the increase in traffic as it gets developed.

If as explained the new intersection to the west on H.A. plus a possibility of a right in and right out at RR 281 in addition to road extension down to Hwy 11 come to be then I would believe that to be sufficient.

My concern is the commitment from the province to provide those highway access, not that they will not but when!

Thank you.



**Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan**  
**Submit By: February 17, 2015**

Administration may use this information to contact you with updates and information related to the project.

PLEASE SEE ATTACHED.



To the City of Red Deer in Regards to:

Feb 6 / 2015

Proposed Queens Business Park NE 35 & SE 35 IASP

We are located directly south of the development site and share a property line. Our Address is . We will be the most affected residents in the area. Our home is ' from the development.

We have no criticism as to the development, only logistics and timing of such.

We understand that the development will start from the north and move south in what is called Phase 1 and Phase 2. Although development is referred to as phase 1 and 2 , it is understood that stripping of the soil will be down on the entire project immediately .

Our concern is the maintenance of the stripped property immediately north of our home.

Stripped land is prone to erosion from wind and rain. Wind is our concern as drifted soil will come our way. Weed control will also be difficult if not impossible.

Our only request is that Phase 2 remain in farm land condition until such time that phase 2 is required for development. There is no easier way to care for un-needed land than to have it farmed .

Talking to one city gentleman, he stated that all was to be stripped for cost effectiveness.

We feel this idea is bogus as the stripping in 2 separate pieces would still be large enough to attract favourable costs. Especially if cost of carry is considered and the cost of maintenance. Many sectors also concerned about urban sprawl would consider the destruction of farm land before necessary, a crime.

In respect to fairness of competition, if a private developer was to strip land ahead of requirements, industrial tax assessment would apply further adding to the cost burden of development. The City of coarse is immune to these expenses. This should be considered. The City does need the private developers that are willing to spend and develop to grow the city. Fair is fair. The idea of whether or not the city should even be in the development business is a topic for another time.

It was also stated that if drifting soil was an imposition to us, the city would have to make it right with us.

In our opinion, and with conviction, when the farm land is stripped, and the wind blows, and the soil drifts, THERE WILL BE NO WAY TO MAKE THINGS RIGHT.

When comment was made as to the possible time line of 10, or 15 years to complete development of the area, and that the erosion problem would remain until then, the same gentleman scoffed at the idea stating a time line of 2 years, quickly adding that he did not have a crystal ball. Nor do I. However, if I was a betting man, and I am, my time line will be closer than his.

If it is prudent to develop in 2 phases, why would it not be the same for stripping? The engineer at the meeting implied that it may not be a big deal to service the project in 2 phases.

It is indicated that a berm is to be built to the north of our house and that would be appreciated if it is a maintained area.

In closing, we state again that we have no objection to the development. We only have these requests:

-If a berm is to be built north of our house, please have it maintained

-please strip Phase 2 when Phase 2 is required for development.

I have been raised in the community and have watched development for many years and have even participated in some development.

I have seen de-nuded land east of Hwy2 sit undeveloped for many years from the late 70's to the early 2000's. Today, there is still undeveloped land in this area.

Queens Business Park Stripped in maybe 2008 sat several years with economic downturn.

All development is started with great anticipation of quick sales. However, changes of economic conditions have and will continue to dash many a hopes of quick sale.

Thank you for the opportunity to comment. We would be more than happy to chat again.

Sincerely,

Dan & Melodie Belich

In an added note, I would like to comment on the public hearing process.

Because of our proximity to the city and all the major transportation corridors in the area, I have been to perhaps more than my fair share of public meetings.

There is one thing consistent with all of these meetings. Myself and my neighbours.

The other constant is the feeling of I don't give a damn, from not usually the engineering side of the meeting, but mostly from the projects representative.

Again was the case at this meeting.

I say this out of frustration and if at any time in this meeting I was rude or offensive, I would take this opportunity to apologize.

I have never professed to be the sharpest knife in the drawer, but when I am asked for an opinion, I expect to have the courtesy of being heard, right or wrong.

I make these comments in hopes of a constructive attitude in future meetings. I know it is hard when a person is working on a pet project to hear some perhaps negative comments, but this is the process.

And who is to say that we in the community may not be right from time to time.



March 13, 2015

Dan & Melodie Belich

Dear Mr. & Mrs. Belich:

Thank you for taking the time to attend the public open house on January 27, 2015 for the proposed Queens Business Park NE 35 and SE 35 Industrial Area Structure Plan and for providing comments to administration. Your comments are greatly appreciated.

It is understood that your concern is in regards to the proposal to strip the entire plan area (phase one and two) and the maintenance (i.e. weed and dust control) of the land until the area is fully developed. The City appreciates your concern and will work with the consultants and the developer to address it. In your comments you've requested that the developer consider not stripping phase two until it is required for development. Planning administration has contacted the consultant and conveyed your concerns and request to them. You will be notified once a decision has been made. Your comments will also be included in the agenda package provided to Council so that Council is aware of your concerns, or alternatively, your satisfaction with the proposed solution.

In regards to your comment about the project representative's lack of consideration, note that a public open house is the opportunity for individuals to review the proposed plan, ask questions, and submit comments. It is not the venue for detailed discussions, agreements, or decisions. With that in mind, the developer, consultant, and City administration were unable to provide a response to your comments at the meeting. We apologize that you felt your opinion wasn't being heard but we assure you that your comments and concerns are being considered. Dayna Facca, Senior Planner, Planning Department at 403-406-8703 will be contacting you directly when an update is available.

Thank you.

Sincerely,

Frieda McDougall  
Manager



Dan Belich  
Sept. 28, 2015

Dear Dayna

Thank you for once again having an opportunity for comment on the development of E½ 35 38 28 W4, Queens business park Phase 2.

Our property is directly adjacent to this property sharing a property line and our house is inside the boundary. As such, we are perhaps the most affected residents of this project. As stated in a previous letter dated Feb 6 2015, we have no objection to the proposed development only logistics and timing of such.

A lot has changed since the open house back last November when we were told of a 2 year time line to complete development on the entire ½ section. Now here we are only at MPC stage.

Fifty dollar oil, leading to huge layoffs and significant corporate restructuring in the oil field sector along with a NDP Government in Alberta which appears to be less than oil friendly, certainly has had an effect on our local economy.

As recently as last week, a report put out by Soderquist Appraisals states that vacancy of developed commercial and industrial spaces are at very high levels.

With all these new and developing situations, one must also ponder our Alberta situation if in fact a new party forms government in Ottawa.

In being consistent with our previous comments of Feb 6 2015 (ATTACHED) we have no objection to this development. However, recent events have been pointing to perhaps the extended time line referred to in that letter.

Also, with one summer past us, it has been demonstrated the unwillingness of people in charge of this development to do a reasonable job of controlling the unsightly and noxious mess of wild growth on the property. Developed or not, this mess will remain with us until an end use has controlled the situation. In our view again, this could be quite some time and we feel that even one year at a time is an unacceptable show of stewardship of the land and disrespectful to the neighbours.

Our request remains the same

- If a berm is to be built north of our house, please have it maintained.
- Strip land only when needed in a timely fashion for development for control of wind and water erosion.
- Control the wild growth of weeds. This is not only required by provincial weed act, but also by the Cities own bylaws.

Once again thank you for the opportunity to comment on this project.

Yours truly

Dan Belich



*Craig Suchy*

RECEIVED

MAR 20 2015

March 11, 2015

City of Red Deer

**Subject: Queens Business Park (NE & SE 35-38-28 W4) IASP**

I (we) JILL EDGAR.

of Lot 1 Plan 072 2357, in the City of Red Deer have reviewed the Queens  
Business Park (NE & SE 35-38-28 W4) Industrial Area Structure Plan  
document, dated Dec. 17, 2014, and have no objections to it.

Sincerely,

*Jill Edgar*  
Signature

Print Name JILL EDGAR.

\_\_\_\_\_  
Signature

Print Name \_\_\_\_\_

March 11, 2015

City of Red Deer

**Subject: Queens Business Park (NE & SE 35-38-28 W4) IASP**

I (we) Jim Edgar

of Lot 1 Plan 072 2357, in the City of Red Deer have reviewed the Queens Business Park (NE & SE 35-38-28 W4) Industrial Area Structure Plan document, dated Dec. 17, 2014, and have no objections to it.

Sincerely,

  
\_\_\_\_\_  
Signature

Print Name James Edgar

\_\_\_\_\_  
Signature

Print Name \_\_\_\_\_



**BYLAW NO. 3540/2015**

Being a bylaw adopting the Queens Business Park (NE & SE 35-38-28 W4) Industrial Area Structure Plan as a bylaw of the City of Red Deer.

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

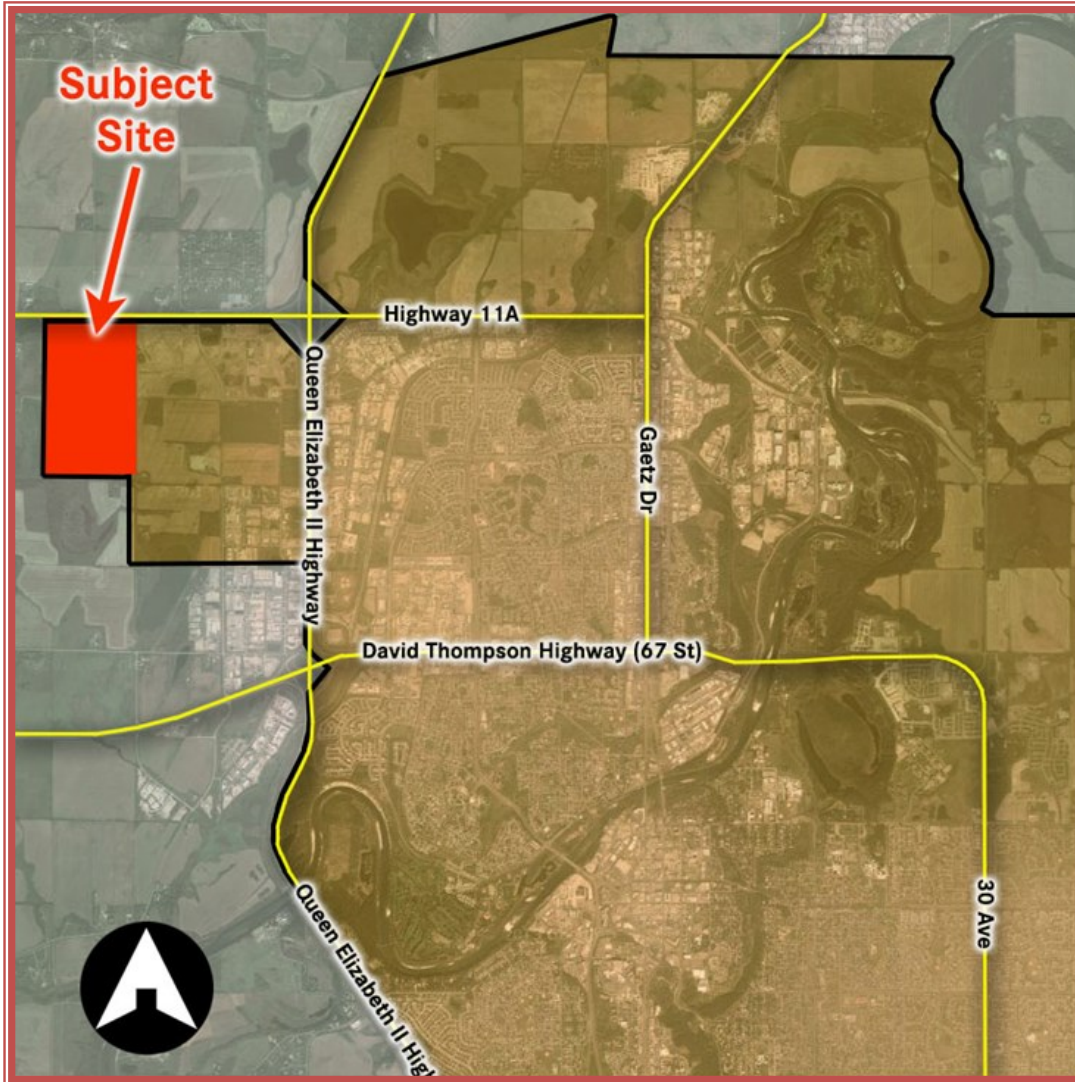
That Bylaw No. 3540/2015 is hereby adopted:

- I. By including the attached text and maps of the “Queens Business Park (NE & SE 35-38-28 W4) Industrial Area Structure Plan”.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2015.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2015.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2015.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK



# Queens Business Park NE 35 & SE 35 Industrial Area Structure Plan

Bylaw 3540/2015

Adopted \_\_\_\_\_, 2015



*This document was prepared by WSP Canada Inc.*



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Figure 7 – Typical Road Sections

## 1. INTRODUCTION

### 1.1 Purpose

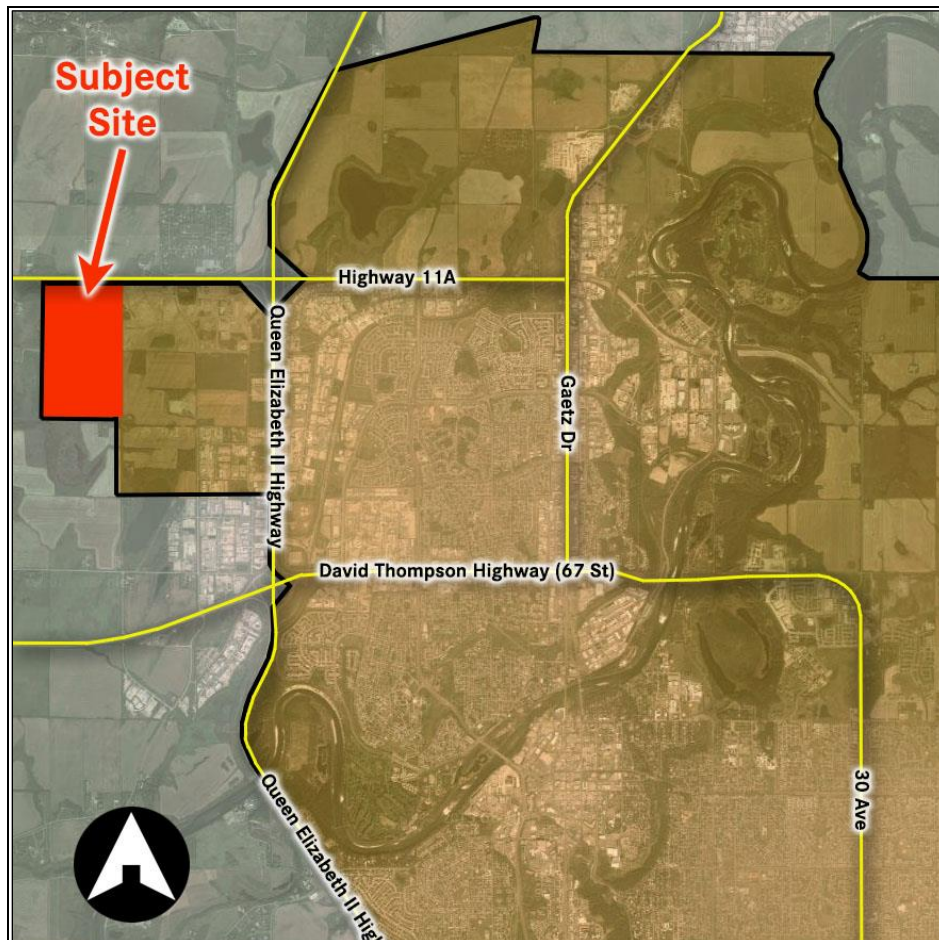
The plan is intended as an Industrial Area Structure Plan (IASP) for NE & SE 35-38-28-W4, located within the **West QE2 Major Area Structure Plan**. IASPs for industrial subdivisions, generally covering one (1) or more quarter section of development, are prepared by developers to demonstrate the proposed application of the Major Area Structure Plan (MASP), Council policy, and Municipal and Intermunicipal Development Plans.

This plan describes the sequence of development, industrial land uses and location of transportation routes and utilities within the plan area, guided by the **West QE2 Major Area Structure Plan**.

### 1.2 Area Location

As illustrated in Image 1, the plan area is comprised of two (2) quarter sections of land totalling 125.78 hectares (310.8 acres). It is located west of the Queen Elizabeth II Highway and south of Highway 11A, within NE 35-38-28-W4 and SE 35-38-28-W4, along the western boundary of the City of Red Deer. The subject lands are presently owned by the City of Red Deer.

Image 1: Site Location

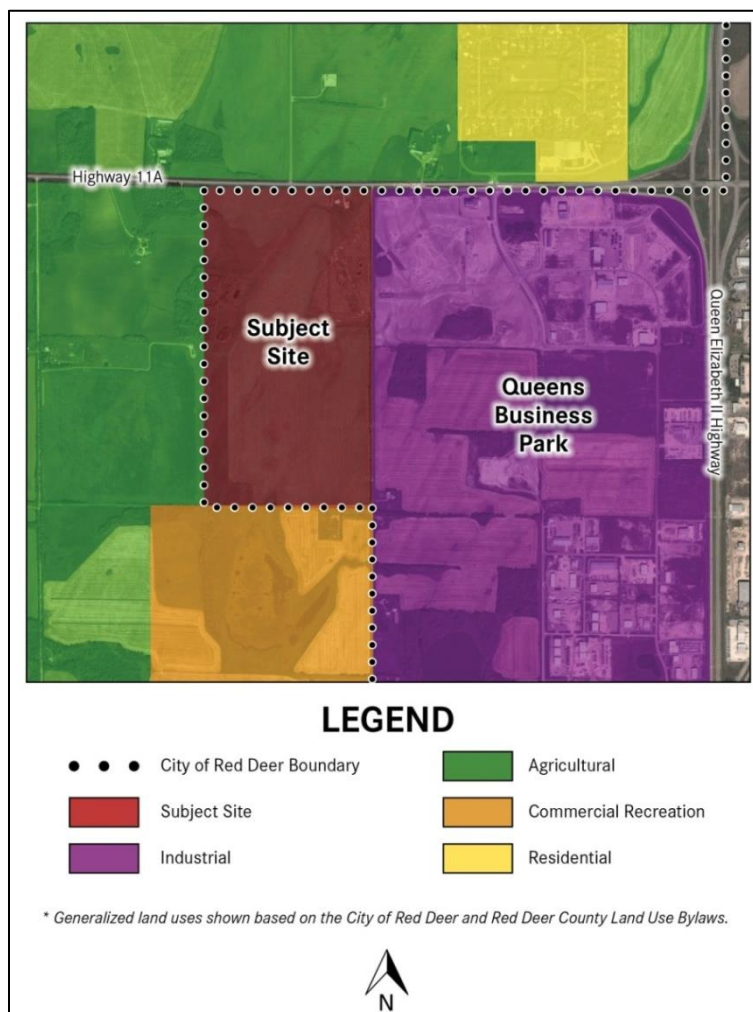




### 1.3 Surrounding Land Uses

The property is currently used for agricultural purposes and features an existing homestead in the northeast corner. Immediately south of the homestead is a natural wetland measuring approximately 13.1 hectares (32.3 acres) in area. The property is bounded to the east by previously approved phases of Queens Business Park. Abutting properties to the north, south and west of the subject site are currently within Red Deer County but located in the City's intended Growth Boundary. This means they are planned to be annexed by the City at some point in the future. These adjacent properties are currently designated by the County for Agricultural and Commercial Recreation uses, though the City may change the designation upon annexing them. A 2.5 metre high berm with landscaping and/or a sound wall has been included as part of the street cross section for the undivided arterial road along the southern boundary. As part of the servicing study, a noise analysis will be conducted and submitted by the Developer to determine the extent of required sound attenuation. Image 2 highlights the land uses surrounding the subject property based on the Land Use Bylaws of both the City and County.

**Image 2:** Surrounding Land Uses



## **1.4 Planning Framework**

The Queens Business Park (NE & SE 35-38-28 W4) Industrial Area Structure Plan (IASP) will be adopted by the City as a statutory plan in accordance with Section 633 of the ***Municipal Government Act (MGA)***. This Section of the *MGA* describes Area Structure Plans (ASP) as providing the framework for the subsequent subdivision and development of an area of land. Additionally, the *MGA* stipulates that ASPs must describe the sequence of development, land uses and location of transportation routes and utilities for the proposed area.

The Queens Business Park (NE & SE 35-38-28 W4)) IASP implements the scope and intent of the City of Red Deer's ***West QE2 Major Area Structure Plan, Industrial Planning Guidelines & Standards***, and the ***Regional Ecological Profile – Proposed Industrial Lands and Associated Natural Areas (2005/2007)***.

The ***West QE2 Major Area Structure Plan*** indicates that Queens Business Park should be a primarily industrial area. The Queens Business Park (NE & SE 35-38-28 W4) IASP proposed land uses for the plan area generally conform to those included in the ***West QE2 Major Area Structure Plan***.

The ***Regional Ecological Profile – Proposed Industrial Lands and Associated Natural Areas (2005/2007)*** provides a detailed overview of the natural environmental features within the plan area along with recommendations for their preservation. In addition, the City of Red Deer's ***Industrial Planning Guidelines & Standards*** provides guidelines and standards based on Smart Growth principles for the planning and design of industrial areas, including the natural environment, land use, roadways, servicing, heritage, and safety. This document provides the requirements for IASPs and the subdivision approval process.

## 2. EXISTING SITE CHARACTERISTICS

### 2.1 *Site Description*

The majority of the site consists of agricultural land and a large natural wetland, along with an existing tree stand located along the west boundary in NE 35. An existing residential acreage is located in the northeast corner of NE 35. The site elevation ranges from 923m in the northeast corner of NE35, down to 917m at the existing wetland, and 916m in the southwest corner of SE 35. The majority of the site drains to the existing wetland along the east side of NE 35, while the southwest corner of SE 35 drains southwards to a natural wetland located in NE 26.

### 2.2 *Soils*

A desktop soils review was undertaken for the subject properties. This assessment was based on data gathered as part of previously drilled wells on the subject and adjacent properties. Soils are generally luvisolic material with the surface ranging from mineral to isolated but [there is a](#) significant site with organic soils. Well drill lithology for water wells indicates the underlying strata to be a till or clay till material for the upper 5 m to 15 m with shale layers developing with depth. Shale is encountered in the 20 m to 30 m range with layering evident. The shale is intermixed with till and clay based soils.

No evidence of shallow aquifers was noted in the data gathered as part of previous wells. Saturated surface conditions do occur in the areas indicated as wetlands in the *Regional Ecological Profile - Proposed Industrial Lands & Associated Natural Areas (2005/2007)*. There have been several developments on adjacent lands which should have been categorized in the updates to this same document. The version made available to WSP for reference does not indicate these changes.

There are no surface indications of soil instability from slides or slumps in the area. Surface saturated sites do exist and these areas are typically highly organic in the surface horizons. As such, any area indicated as wetland soils should be investigated for suitability for footings prior to any construction activity. Mineral soils have a varied texture and although no indications of issues are present, a footing design should be carried out to assure that there are no subsurface soils issues which may affect footing or piling designs and bearing capacity after leveling and contouring have occurred.

In summary, areas previously shown as wetland should be investigated for remnant organics after grading has occurred and for the presence of a perched water table from imperfect drainage or impounded water released from the subsurface pores. Mineral soils will be altered during construction and a footing investigation is recommended to assure the compaction measures were successful in the lands for development during the grading of the site.



## **2.3      *Tree Stands and Wetlands***

In preparing this plan, the *West QE2 Major Area Structure Plan* (MASP) and the *Regional Ecological Profile - Proposed Industrial Lands & Associated Natural Areas (2005/2007)* were consulted. Appendix 1 of the MASP identifies key natural features within the Queens Business Park which must be preserved and incorporated into the individual IASPs. With respect to the Queens Business Park (NE & SE 35-38-28 W4) IASP, two natural features were identified within the MASP. These include a natural wetland in the northeast corner measuring approximately 13.1 hectares (32.3 acres) and a tree stand along the western boundary measuring 3.3 hectares (8.2 acres) in size. Figure 1 illustrates the location of natural features which have been incorporated into the development concept.

## **2.4      *Resource Extraction***

The subject properties include a number of active pipelines, abandoned pipelines and abandoned wells as illustrated in Figure 1. In preparing the Queens Business Park (NE & SE 35-38-28 W4) IASP, a Phase 1 Environmental Site Assessment for Queens Business Park (Phases 4-9) NE & SE 35-038-28 W4M was prepared by WSP, dated March 2014. The findings of this initial assessment revealed no evidence of spills or impact from contaminants of potential concern on the property.

A Supplemental Phase 1 Environmental Site Assessment, amended with pipeline information, for the Queens Business Park Oil and Gas Wells NE & SE 35-038-28 W4M, was prepared by WSP in August 2015 to provide more detail on the well sites and abandoned pipelines. The follow-up report recommended Phase II ESA's for the 2 abandoned well sites within NE35/SE35 and monitoring wells be installed adjacent to the offsite well locations, to determine if any contamination has occurred. A Phase 2 Environmental Site Assessment shall be completed prior to issuance of a grading permit and subdivision approval. Regarding the abandoned pipelines, an information review indicated no abandonment concerns and as such no associated Phase II investigation is required.

Table 1 provides information on the individual oil & gas facilities on the property. Based on previous experience, the required setback for pipelines is considered to be the right-of-way, although proximity approvals are required for any work within 30m of the pipeline. The setback distance for abandoned well sites is considered to be a 5m radius around the well site. This information will be confirmed during detailed discussions with the associated companies, as well as in accordance with Alberta Energy Regulator (AER) guidelines, and adjusted accordingly during the Servicing Study and Detailed Design stages of development.

*Table 1: Oil & Gas Facilities*

Facility Information	Type	Status
Alberta Products Pipe Line Ltd. (# 7634-106)	Hydrocarbon Pipeline	Operating
Atco Gas and Pipelines Ltd. (# 5754-1)	Natural Gas Pipeline	Operating
Westridge Petroleum Corp. (# 22045-23)	Natural Gas Pipeline	Abandoned
Westridge Petroleum Corp. (# 22045-24)	Natural Gas Pipeline	Abandoned
ALTAGAS Ltd. (# 37029-2)	Natural Gas Pipeline	Operating
Atco Gas and Pipelines Ltd. (# 2595-13)	Natural Gas Pipeline	Operating
Rimbey Hydrocarbons Inc. (#0112547)	Crude Oil Well	Abandoned
Rimbey Hydrocarbons Inc. (#0121870)	Crude Oil Well	Abandoned

In accordance with City of Red Deer guidelines for developments, the requirements for Directive 079 must be met prior to any development approval. Directive 079 will be completed as part of the Detailed Design stage of development.

#### 2.4.1 ATCO Pipelines

ATCO Pipelines objected to the configurations of the Divided and Undivided arterial roadways, as no part of their utility ROW is to fall within a road ROW except at perpendicular crossings.

The alignment of the undivided arterial road was adjusted to place their utility ROW outside the road ROW. But the divided arterial roadway could not be realigned to remove their pipeline from the road ROW. As such, follow-up discussions with ATCO Pipelines led to the decision to realign their pipeline to create a perpendicular crossing. Detailed discussions on this realignment, and the associated costs, will be completed during the Detailed Design stage of development.

#### 2.4.2 AltaGas Ltd.

AltaGas initially provided a list of conditions regarding their utility ROW. Initially, the divided arterial road alignment was modified to remove a “corner cut” of AltaGas’ utility ROW from the road ROW. During follow-up conversations with AltaGas to clarify their comments, they indicated that their utility ROW was to be fenced off from all public access, and they would not accept their utility ROW being sold as part of a lot.

Alternatives for their utility ROW that were discussed included: lowering of their line to allow for additional earthworks; maintaining their line as-is; relocation of their line. Further discussions with AltaGas will be held during the Servicing Study and Detailed Design stages of development. Currently, the AltaGas utility ROW is shown as PUL on Figure 2 Land Uses and the land use table in Section 3.3 reflects this. This land designation is subject to change based on future discussions with AltaGas. If the PUL designation for the AltaGas ROW is removed, an amendment to the IASP will not be required.

#### **2.4.3 Trans-Northern Pipelines Inc.**

Trans-Northern operates the Alberta Products pipelines that run north-south through the development. Trans-Northern submitted comments in April 2015 on the IASP. It was also noted that the City of Red Deer and Trans-Northern had completed some initial conversations about possible relocation of the pipeline due to the City growth.

During a follow-up meeting with Trans-Northern, it was agreed that their initial comments had assumed that a brand new pond was proposed for construction, whereas the intent was to enhance the existing wetland located within NE35. During follow-up conversations with Trans-Northern, they expressed some concerns with the potential water levels, and therefore weight of water, that may impact the pipeline. Not enough information was known at IASP stage to adequately respond to their concerns. It was agreed to follow up with Trans-Northern during the Servicing Study and Detailed Design stages, to provide detailed information on the design changes to the wetland, and Trans-Northern would be better able to determine potential impacts on their pipeline currently running under the existing wetland.

Trans-Northern also noted that any potential line relocation would be a number of years away, depending on project priorities along the entire pipeline.



### 3. DEVELOPMENT CONCEPT

#### 3.1 Vision

The vision of Queens Business Park is to create a business/industrial park which supports a high-quality built and natural environment encouraging sustainable economic growth through increased economic opportunities and principles of industrial ecology, which fosters vibrancy within the community.

#### 3.2 Objectives

Key objectives for the Queens Business Park (NE & SE 35-38-28 W4) IASP are as follows:

- (1) To facilitate the establishment of highly desirable businesses and employment area by providing infrastructure and a planning framework to support a high quality industrial subdivision.
- (2) To support the development of an eco-industrial park in the northeast portion of the plan area through incorporating principles of industrial ecology and environmental sustainability into the design concept.
- (3) To protect and preserve natural features of high ecological value which have been identified in the plan area.
- (4) To support the intent, goal and objectives of the *West QE2 Major Area Structure Plan*.

In pursuing these objectives, the plan complies with the City of Red Deer's *Industrial Area Planning Guidelines & Standards*.

#### 3.3 Land Use

The land use concept for the IASP is presented in Figure 2. The focus of the plan is the supply of lands for business/industrial uses. The overall layout has been based on the previously approved *West QE2 Major Area Structure Plan* with adjustments required due to existing oil & gas facilities, which present significant constraints on the property, thereby limiting the flexibility in road layout. Through provisions of the Land Use Bylaw and through developer controlled guidelines, a high quality built and natural environment will be achieved. The following tables outline key land use statistics for each quarter section.

**Table 2: Net Developable Area**

Land Use Category / Component	AREA AND PERCENTAGE OF PLAN AREA (+/-)		
	NE 35-38-28-4	SE 35-38-28-4	Total
<b>Plan Area (total)</b>	61.37 ha (100%)	64.41 ha (100%)	<b>125.78 ha (100%)</b>
Environmental Reserve	13.10 ha (21.3%)	0 ha (0%)	13.10 ha (10.4%)
Addition to Alberta Transportation Service Road	2.84 ha (4.6%)	0 ha (0%)	2.84 ha (2.3%)
Arterial Roadway	3.27 ha (5.3%)	6.77 ha (10.5%)	10.04 ha (8.0%)
<b>Net Developable Area</b>	<b>42.16 ha (68.7%)</b>	<b>57.64 ha (89.5 %)</b>	<b>99.80 ha (79.3%)</b>

**Table 3: Land Use Statistics**

Land Use Category / Component	AREA AND PERCENTAGE OF PLAN AREA (+/-)		
	NE 35-38-28-4	SE 35-38-28-4	Total
<b>Net Developable Area (total)</b>	<b>42.91 ha</b>	<b>57.94 ha</b>	<b>100.85 ha</b>
Industrial and Business Services	22.52 ha (53.4%)	47.98 ha (83.2%)	70.50 ha (70.6%)
Eco-Industrial	8.19 ha (19.4%)	0.99 ha (1.7%)	9.18 ha (9.2%)
Collector and Local Road ROW's	3.85 ha (9.1%)	5.02 ha (8.7%)	8.87 ha (8.9%)
Municipal Reserve	7.16 ha (17.0%)	1.37 ha (2.4%)	8.53 ha (8.5%)
Municipal Reserve w/active pipeline ROWs	0.44 ha (1.0%)	0.03 ha (0.1%)	0.47 ha (0.5%)
Public Utilities*	0 ha (0%)	2.25 ha (3.9%)	2.25 ha (2.3%)

\* The final location and number of public utility lots will be determined as part of the engineering detailed design and subdivision of the property.

### 3.3.1 Industrial and Business

The majority of the plan area will be subdivided into lots of varying size and developed for the purposes of a range of industrial and business uses. This could include light industrial, warehousing, storage and industrial support services. It is anticipated that uses will have a low nuisance factor given the industrial development on adjacent properties or use of buffers along the western boundary. The lot configuration will respect the illustrated road layout and feature a range of lot sizes based on market demand. Some potential lots range between 230 and 255 metres in depth. While lots will front onto both the divided arterial and collector, it is the intent for services to the individual lots to come from the collector roads. Based on a preliminary review, each of these deeper lots will meet the City requirements related to the sanitary servicing. Following a confirmation of the servicing during the Servicing Study stage, the Developer will be responsible for addressing any areas of non-conformance as needed.

### 3.3.2 Eco-Industrial Park

As shown in Figure 2, 9.2 hectares of land along the eastern boundary of the site has been designated as Eco-Industrial Park. The intent of this area is to accommodate industries with enhanced green building designs and practices while encouraging the collaboration between industries through by-product exchange, shared resources, co-energy generation and other synergies. Development proposals for the lands which are identified as eco-industrial within the Queens Business Park (NE & SE 35-38-28 W4) IASP will be presented in a manner which exemplifies the intent of the City of Red Deer's Eco Industrial Park Overlay District. The City of Red Deer's "Eco Industrial Park Information Package" provides a wealth of information, including details on the application process, requirements for development of an eco-industrial lot, and benefits to businesses for developing eco-industrial lots.

In 2011, the City adopted an *Environmental Master Plan* that sets out goals and targets for protecting air quality, water resources, soil resources and promotes reduced waste, in addition to striving to meet greenhouse gas (ghg) targets. The development of an eco-industrial park is seen as one method that can be utilized to work towards meeting these goals.

The *Environmental Master Plan* has a set of guiding principles that are being used by the City to pursue an environmental vision. Some key linkages to this IASP are the development of a walkable, bike friendly and transit orientated community, the protection of green spaces, parks and trails as well as the creation of the eco-industrial park that is likely to adopt low impact development initiatives. To that end, the eco-industrial lands have been located adjacent to the existing wetland, and adjacent to the proposed asphalt trail along the Divided Arterial Roadway, to facilitate implementation of the Environmental Master Plan.



### 3.3.3 Municipal Reserve / Public Utility Lots

Based on the requirements of the *Municipal Government Act*, the subject lands within the IASP are required to provide ten percent (10%) municipal reserve allocation at the time of subdivision or as cash-in-lieu of land, or a combination of the two. As shown in Figure 2, the development sets aside 8.5% (8.5 hectares) of the net developable area for municipal reserve. These areas will include:

- The existing tree stand along the western boundary;
- A 20 metre wide buffer along the entire western boundary;
- Additional space along the western edge for the existing wetland to allow for some green space and potential seating areas;
- A buffer along the eastern boundary of the property, just south of the ER, encompassing two active pipelines; and

It is important to note that the area of any active pipeline within the MR has not been included in the 10% calculation. As indicated on Figure 2, the AltaGas ROW, as well as lands encompassing the ATCO Pipelines ROW along the south boundary has been shown as PULs. Should any additional PULs become necessary, they will be determined as part of the engineering detailed design and subsequent subdivision.

### 3.3.4 Environmental Reserve

In accordance with the *Municipal Government Act* and *West QE2 Major Area Structure Plan* (MASP), and as outlined on Figure 1, there are environmental features which qualify for environmental reserve dedication, as shown on Figure 2. Specifically, the existing natural wetland was noted in the MASP for environmental reserve dedication, as well as for use as a stormwater management facility. Section 677 of the *Municipal Government Act* allows the use of reserve land for public utilities if the interests of the public will not be adversely affected.

As discussed in Section 4.1 (Stormwater and Drainage), the existing wetland will be utilized as a stormwater management facility, as per reports prepared by Westhoff Engineering in conjunction with the MASP, including *Wetland Ecological Assessment (2005)*, *Wetland Assessment for the Queens Industrial Business Park (NE 1/4 Sec 35-38-28-W4M and NW 1/4 Sec 36-38-28-W4M) (2007)*, and *Master Drainage Plan for Queens Business Park (2007)*. Enhancements will be incorporated to the periphery of the wetland, and Best Management Practices will be followed to maintain the integrity of the wetland as much as possible during and after construction. The current outlet pipe located underneath Range Road 281 (and tied to the storm trunk system running through Queens Business Park NW and NE 36-38-28-4) was set to closely match the old existing culvert, thereby maintaining the historical normal water level for the area. Water Act approvals will be required from Alberta Environment and Parks prior to constructing a stormwater management facility within the existing wetland. An analysis to determine the classification of the wetland shall be completed prior to subdivision approval.

### **3.4 Pedestrian and Vehicular Circulation**

The IASP area is primarily planned for industrial and business service land uses (I1). In order to accommodate the motorized and non-motorized traffic flows associated with this type of land use, a planned system of roadways, transit routes and trails will effectively manage circulation within the plan area and connect to the external arterial / highway system.

A traffic impact assessment (TIA) entitled ***West QE2 MASP Update Traffic Impact Assessment Final Report (2009)*** was prepared by Bunt & Associates Engineering (Alberta) Ltd. as part of the ***West QE2 Major Area Structure Plan***. Specifically relating to this IASP area, the TIA report recommended a north/south four-lane divided arterial roadway connecting with Highway 11A to the north, and a four-lane undivided arterial roadway running east/west along the south side of the IASP area. The major vehicular access to the IASP area will be obtained via the north/south four-lane divided arterial.

In order to create a fully integrated, efficient and safe circulation system, all planned vehicular and pedestrian circulation routes shall be constructed according to the City of Red Deer's ***Engineering Design Guidelines*** and ***Industrial Area Planning Guidelines & Standards***.

#### **3.4.1 Roadways**

The development concept illustrated in Figure 2 identifies the IASP roadways in accordance with the major road network determined in the ***West QE2 Major Area Structure Plan***. Typical roadway cross sections are illustrated in Figure 7. Proposed Local and Collector roads are identified in Figure 2; their alignments are largely dictated by the constraints presented by the oil and gas pipelines located throughout the property. The local roads may not be ultimately constructed as illustrated in the development concept as the construction of local roads is heavily dependent on market trends and needs (for example, large lot development compared to smaller lot development).

Where a local road is deemed unwarranted it will not be constructed. In the event that a local road or portion thereof is to be developed, it is to be constructed within the roadway boundaries and access locations as shown in the development concept (Figure 2). The elimination or addition of any public road, or reclassification of a road, will require an amendment to the IASP. The type of amendment will be determined at the time of application. In the event that the complete local roadway network is not constructed, rights-of-way and easements may be required to accommodate future roads, public utility lots and municipal services. All lot sales will be such that any proposed lot will have direct access to a local or collector roadway with the exception of a single proposed lot located in the southeast corner of the site. Due to the AltaGas request to be fenced off from all public accessibility and to not have their ROW sold as an easement within a lot (thereby shown as a PUL in this IASP), this has created a section of land that is only accessible from the divided and undivided arterial roads. Acceptable access to and from this lot will be discussed further during the Servicing

Study and Detailed Design stages of development, as well as during further discussions with AltaGas regarding their pipeline ROW.

### 3.4.2 Highway 11A

The Future Highway 11A Widening, as shown on Figure 2, has been determined in consultation with Alberta Transportation. The intent of the widening is to reach a highway ROW width of 90m at the boundary of NE35 & SE35, as per the *Highway 11A Planning Study, Highway 20 – Highway 2, Final Functional Planning Report* prepared by MMM Group Limited in April 2011. The widening as shown may be impacted by the detailed highway widening design, specifically the ditch design along the south side of the new eastbound lanes.

The proposed intersection treatment for the Divided Arterial/RR280 and Highway 11A intersection is anticipated to be similar to the existing 75 Avenue/Highway 11A signalized intersection, consisting of dual-left turn lanes for westbound-to-southbound movements and dedicated left turn lanes for all other movements, as well as incorporating twinning of Highway 11A.

During discussions with Alberta Transportation, it was requested that a Roundabout investigation be completed for the new arterial road intersection with Highway 11A. This will be completed as part of the Servicing Study preparation.

### 3.4.3 Trail System

Trails and other multi-use corridors were established as part of the ***West QE2 Major Area Structure Plan***. In accordance with the MASP, a 3.0 meter paved trail will be located adjacent to the arterial roadways. In addition to trails, 1.5 meter wide monolithic sidewalks will be provided along one side of all collector and local roadways within the plan area. Pedestrian crossings should be provided on arterials and collectors. Properly designed pavement markings and signs should be provided to minimize collision risks.

### 3.4.4 Transit

The arterial and collector roadway structures will suitably accommodate transit. In general, the feasibility and viability of transit service within the plan area will be dependent on demand/use projections and may also be dependent on partnerships with area businesses. Proposed transit stops will be located along one side of collector roadways and proposed locations are identified on Figure 2. These stop locations are subject to change during preparation of the servicing study.

## 3.5 Major Entry Area Designation

Lots along the northern boundary of NE 35-38-28-4 are designated as a 'Major Entry Area' under the Land Use Bylaw. Any development on these lots will be subject to additional building, landscaping and signage requirements as outlined in subsection 3.12 of the Land Use Bylaw.



## 4. SERVICING CONCEPT

The general servicing requirements for this IASP are described below. Details regarding servicing will be addressed at the servicing study stage. Along the Divided Arterial roadway, the storm and water mains are shown on the east side of the roadway due to parallel portion of the AltaGas Ltd. ROW located in SE35 on the west side of the roadway, as well as to follow the general water main alignment approved in the SW36-NW25 IASP. The final alignments for deep utilities along the divided arterial will be reviewed during the Servicing Study and Detailed Design stages of development.

### 4.1 *Stormwater and Drainage*

The majority of the subject lands generally drain east and north, and pre-development run-off generally flows towards the natural wetland. As noted earlier, a portion of SE 35 naturally flows southward. The post-development drainage plan (Figure 3) anticipates re-grading the site so all lands within the plan boundary will flow towards the natural wetland.

The natural wetland will be incorporated into the overall system as a stormwater management facility, with enhancements as needed to provide functionality -- such as berming to the desired high water level, installation of the outlet control structure and installation of oil/grit separator(s) at the inlet -- as well as maintaining as much as possible the natural existing vegetation. The outlet will tie to the existing storm trunk system already constructed eastward through previous phases of Queens Business Park, with the discharge rate held to pre-development rates or to levels defined by the City of Red Deer. The specific details of how the natural wetland will become a Stormwater management facility, while maintaining the integrity of the wetland, will be determined at the Servicing Study stage. Given the limited disturbance to the wetland, the impact on the existing Alberta Products Ltd. Pipeline running underneath the wetland will be minimal. This is the only stormwater management facility proposed for these two phases. In reviewing the potential lot grading for NE 35-38-28-4, every attempt will be made to keep the grades adjacent to the wetland at or above the required freeboard level. All building footings will be built above the high water level.

In accordance with the Eco Industrial Park Overlay District guidelines, it is anticipated that Low Impact Development techniques will be adopted by eco-industrial lots to reduce runoff from the site, enabling natural recharge and to allow for the utilization of stormwater within the properties (e.g. irrigation of landscaped areas).

Figure 3 is intended to outline the generalized drainage direction for the plan area as a whole. Detailed overland drainage for individual lots will be determined at the Servicing Study stage. Stormwater will not be allowed to drain overland through other lots.

## **4.2 Sanitary Sewer**

All sanitary servicing for the development will be required to tie into the City of Red Deer sewer services, and new private servicing will not be permitted. As shown in Figure 4, servicing for the entire site will tie to an existing 375mm main located along 79 Street. The proposed sanitary system is not contingent on future development around the site.

The sanitary system has been designed in accordance with the report *Queens Industrial Park & Future Industrial Lands Sanitary Sewer and Storm Sewer Trunks Project*, prepared by Al-Terra Engineering Ltd., dated May 2007. In this report, it is discussed that the flows for the entire West QE2 MASP area would utilize excess capacity at 3 existing tie-ins: North Edgar, South Edgar and Gaetz/11A. The flows for this development (64 L/s) were to utilize the excess capacity in the Gaetz/11A tie-in; as such, a trunk main extension along Highway 11A is required to service the site. Currently, the sanitary trunk main servicing Queens Business Park NE & NW 36-38-28-W4 ties to the North Edgar Industrial sanitary system.

From the report, the capacity in the North Edgar tie-in was assumed to be used by Queens NE 36-38-28-W4, Queens NW 36-38-28-W4 and Queens SW 36-38-28-W4 (Jeffries IASP). Depending on the timing of the development of Queens SW 36-38-28-W4 (Jeffries IASP), Queens NE 35-38-28-W4 may be able to proceed prior to construction of the trunk extension to Gaetz Avenue. The City of Red Deer is currently reviewing the timeline to construct the trunk extension.

## **4.3 Water Distribution**

All water servicing for the development will be required to tie into the City of Red Deer water services, and new private servicing will not be permitted. As shown in Figure 5, water servicing will be provided to this area through existing and future water mains running along 79 Street, across from Quinton drive, via a PUL located in SW 36-38-28-W4 and along the undivided arterial roadway.

Alternate or interim alignment/connections based on the surrounding development areas not being available will be addressed at the servicing study stage. Servicing stubs have been shown to the south for future development. As per the current water model study (*Queens Business Park Water Distribution System*, GENIVAR, Feb 2013), all lands to the west are not to be serviced by this system.

## **4.4 Shallow Utilities**

General shallow utility alignments' are shown in Figure 7 with the location of these being generally based on the previously approved phases of the Queen's Business Park.

#### 4.4.1 Power Distribution

The power distribution will consist of an underground electric distribution network which will be extended to the plan area. Power for these two quarters of land will be distributed along planned road right-of-ways and easements. The owner/developer will contact EL&P for their electrical servicing needs. The developer will be required to have whoever is responsible for planning the Boulevard landscaping in the study area to contact EL&P to coordinate their efforts and to help avoid clearance and alignment issues with planned electrical facilities.

The service will be extended from the bordering Queens Business Park. The details of tie-in locations and required easements will be determined at the subdivision approval phase.

#### 4.4.2 Natural Gas Distribution

ATCO Gas will service the plan area. The details of tie-in locations and required easements will be determined at the subdivision approval stage.

#### 4.4.3 Telecommunications

High capacity, high speed telecommunication infrastructure such as fibre optics will be encouraged in the plan area to maximize communication efficiencies and economic opportunities for businesses located within the subject lands.

Telus and Shaw have provided telecommunications service for Queens Business Park NE and NW 36-38-28-4, and it is anticipated this will continue into NE and SE 35-38-28-4. Coordination by Telus and Shaw is required in order to obtain the joint use of the trench with EL&P. Locations of tie-ins and required easements will be determined during the subdivision approval stage.



## 5. SAFETY

### 5.1 *Emergency Services*

The plan area will be serviced by Emergency Service Station No. 5 within the Johnstone Crossing neighbourhood. This Emergency Service Station is in close proximity to the plan area enabling a four (4) to five (5) minute response time, falling within the City's planning guideline for a four (4) minute travel time to a fire of medical emergency. The station also has a full-staffed vehicle ninety percent (90%) of the time.

### 5.2 *CPTED*

Crime Prevention through Environmental Design (CPTED) is a comprehensive approach to design of the built environmental that can lead to reduced opportunities for crime. CPTED principles incorporate modifications to the physical environment during the planning and building phase of development and may include:

- Providing unobstructed views from buildings of the surrounding area to increase natural surveillance;
- Provide appropriate lightening for streets, trails and parks;
- Avoid landscaping that may conceal offenders;
- Encouraging use of public space by legitimate users, and avoid placing dark, and or hidden areas, near activity nodes;
- Identifying ownership by delineating private from public space through real or symbolic boundaries (e.g. low shrubbery, alternative paving stone colour and changes in grade); and
- Using physical barriers, security devices and tamper resistant materials to restrict entrance.

In addition to modifying the physical environment, CPTED also considers behavioural elements as part of a comprehensive approach to crime prevention. Fostering interactions between business to promote vigilance and control over the area, ensuring an area is being maintained and kept free of graffiti, and establishing a Block Watch programme, are all examples of community-based behaviours which complement CPTED design principles.

Queens Business Park recognizes the importance of considering principles of CPTED in its design. In order to incorporate CPTED principles at an appropriate scale, and in an effective way, such design considerations will take place at the sub-division phase. Where possible and appropriate, development within Queens Business Park will incorporate CPTED design elements

## **6. IMPLEMENTATION**

### **6.1 *Development Phasing***

The stages of development within Queens Business Park (NE & SE 35-38-28 W4) will occur in accordance with the development phasing plan illustrated in Figure 6. However, development phasing may vary in order to more efficiently accommodate municipal servicing needs or to accommodate changing market and development trends.

As the plan area develops, the existing access from Highway 11A to the country residential property in the northeast corner will be closed. As shown in Figure 2, a 12 metre wide alternate access will be provided off the cul-de-sac in the northeast corner of the subdivision. The country residential property will be in transition as development occurs.

### **6.2 *Amendments to This Plan***

All amendments to this IASP shall be prepared in accordance with procedures as outlined in *Section 63 and 64 of the Municipal Government Act* and *Appendix “A” of the City’s Industrial Areas Planning Guidelines & Standards*.

Provided the intent of the IASP is maintained, minor plan adjustments to the proposed land use, boundaries or road or servicing alignments, or land use boundaries, may be incorporated where necessary without a plan amendment.



## **FIGURES:**

**Figure 1 - Existing Conditions**

**Figure 2 - Proposed Land Use & Roads**

**Figure 3 - Stormwater Servicing**

**Figure 4 - Sanitary Servicing**

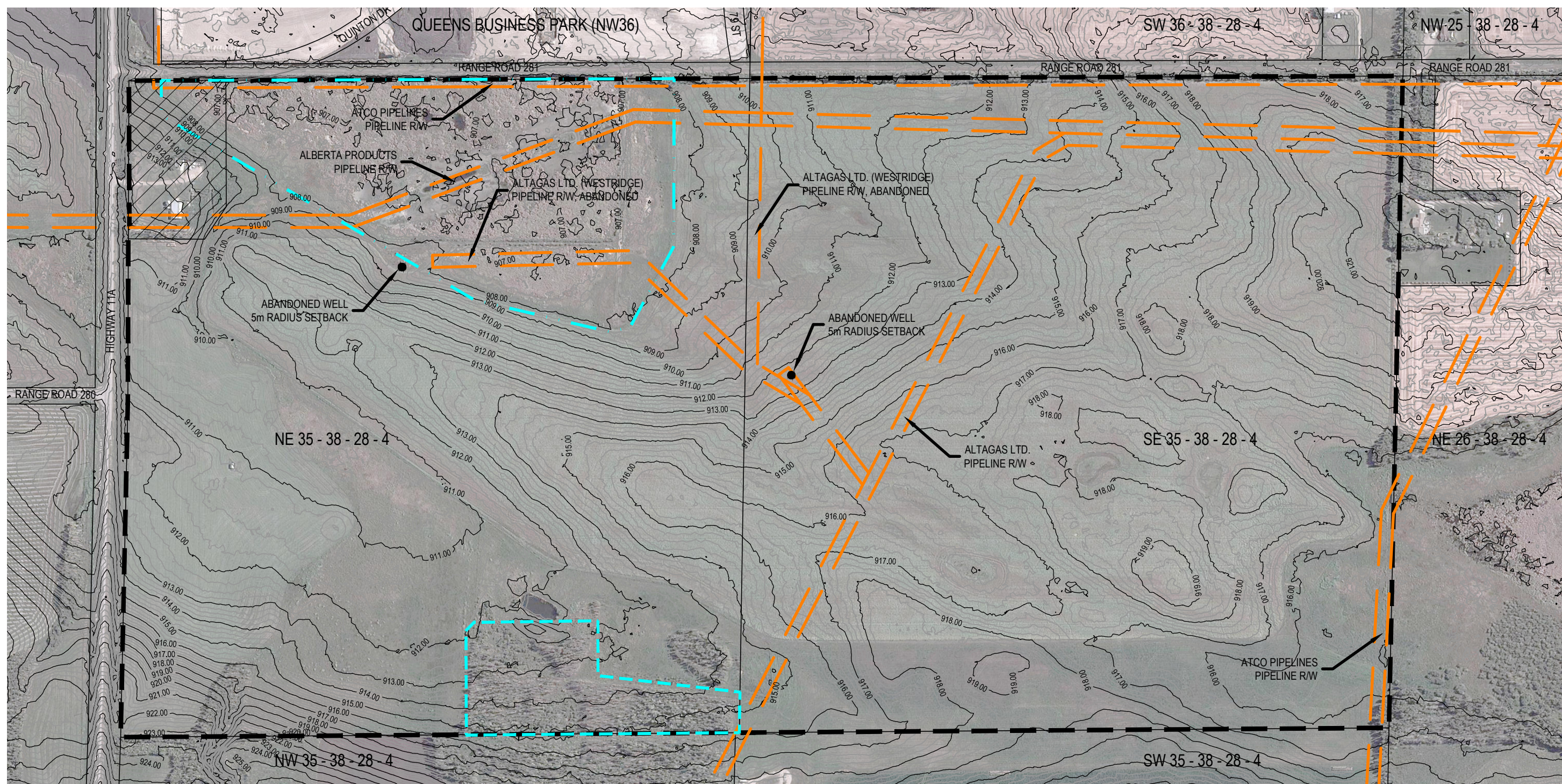
**Figure 5 - Water Servicing**

**Figure 6 - Proposed Phasing**

**Figure 7 - Typical Road Sections**





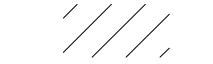




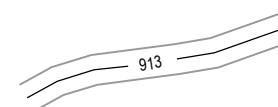


*The City of Red Deer*

**QUEENS BUSINESS PARK NE35/SE35  
INDUSTRIAL AREA STRUCTURE PLAN**

FIGURE 1 - EXISTING CONDITIONS

-  PLAN BOUNDARY
-  EXISTING PIPELINE R/W
-  EXISTING COUNTRY RESIDENTIAL LOT
-  TREES TO REMAIN AS MUNICIPAL RESERVE
-  WETLAND TO REMAIN AS ENVIRONMENTAL RESERVE AND STORMWATER FACILITY

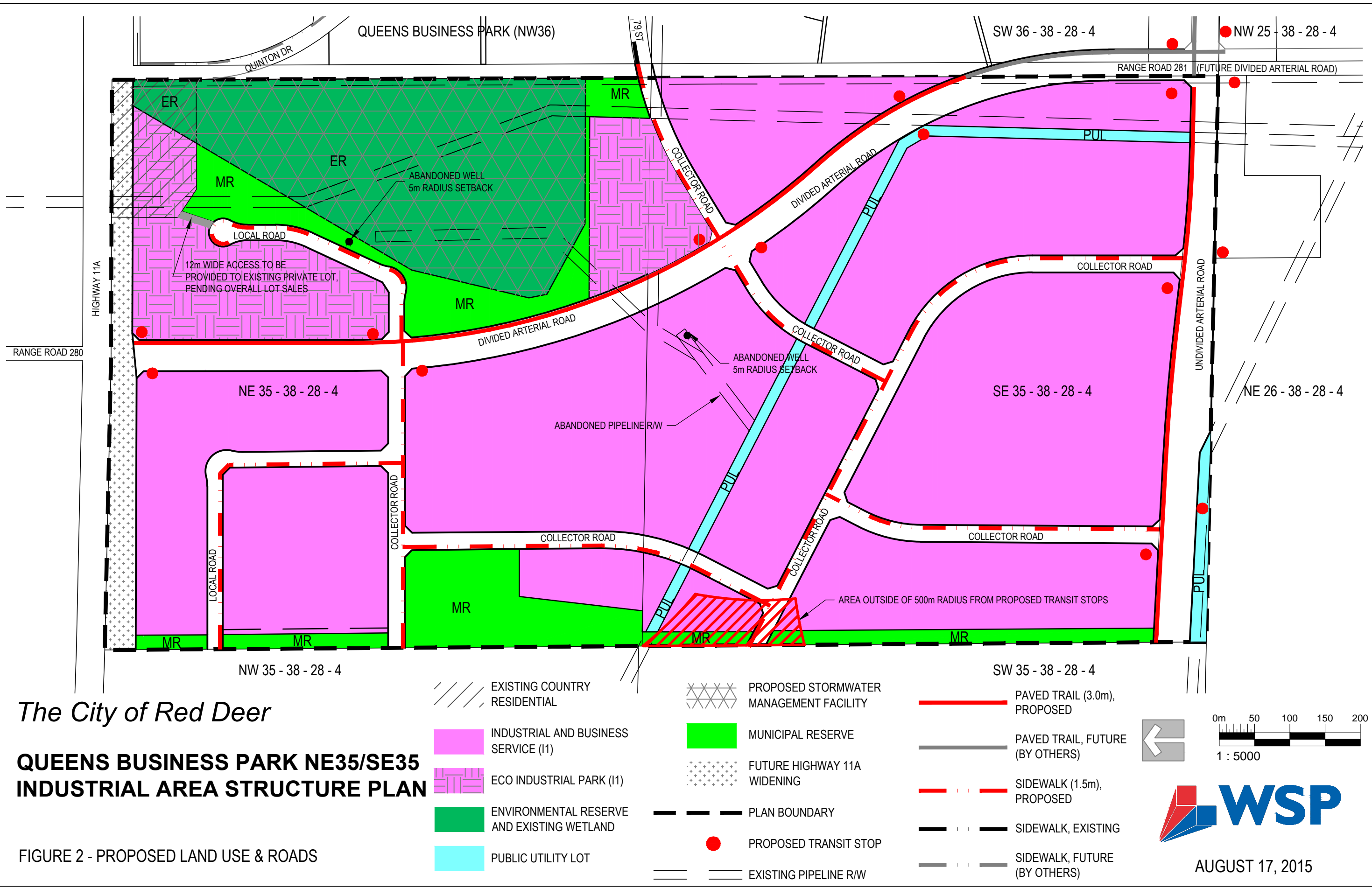


EXISTING GROUND CONTOURS,  
0.25m INTERVAL  
(2009 LIDAR SURVEY DATA)



AUGUST 17, 2015





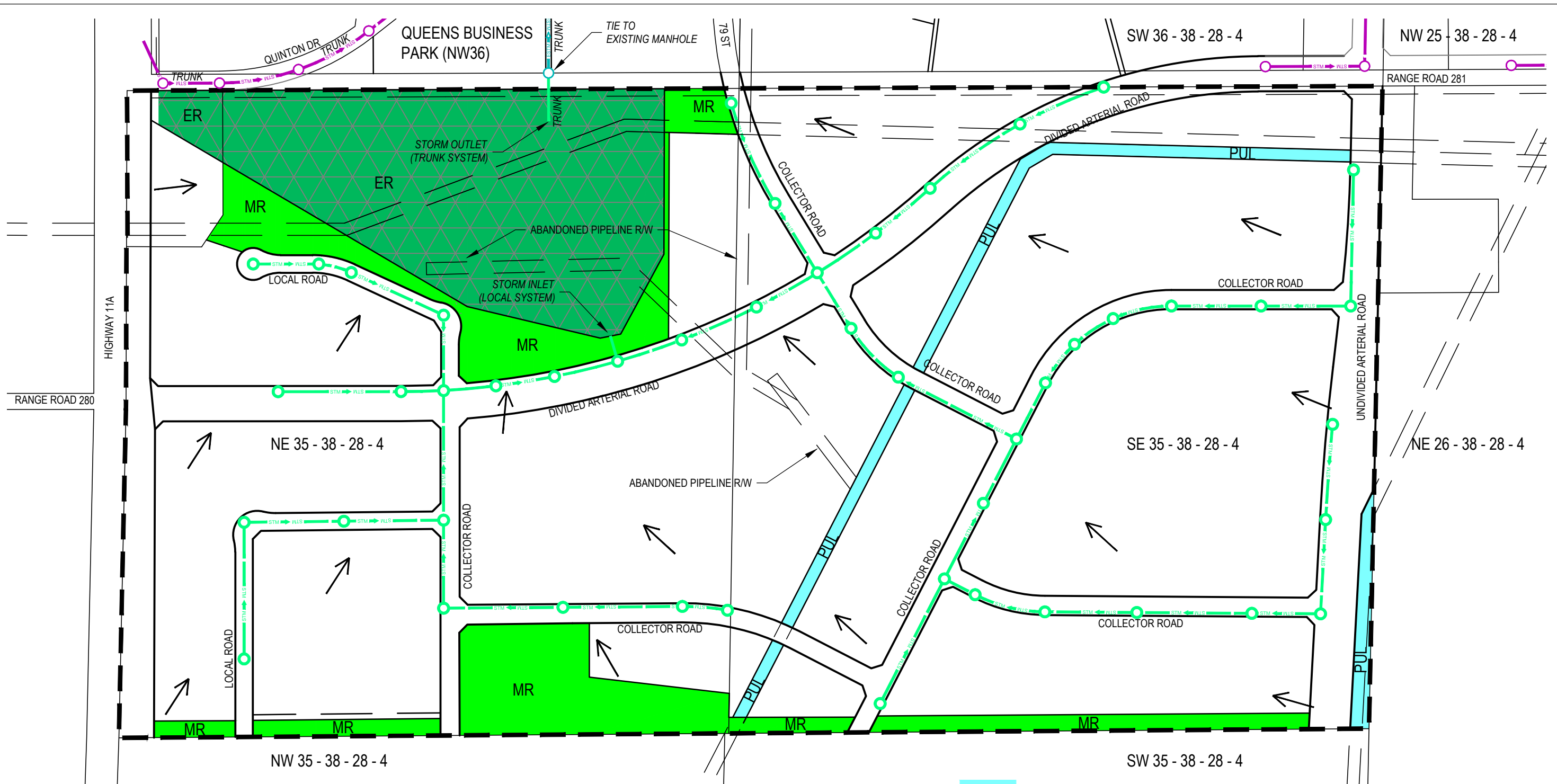
The City of Red Deer

## QUEENS BUSINESS PARK NE35/SE35 INDUSTRIAL AREA STRUCTURE PLAN

FIGURE 2 - PROPOSED LAND USE & ROADS



AUGUST 17, 2015



*The City of Red Deer*

**QUEENS BUSINESS PARK NE35/SE35  
INDUSTRIAL AREA STRUCTURE PLAN**

FIGURE 3 -STORMWATER SERVICING

PLAN BOUNDARY

PROPOSED STORM MAIN, MANHOLE AND FLOW DIRECTION

EXISTING STORM MAIN, MANHOLE AND FLOW DIRECTION

FUTURE STORM MAIN, MANHOLE AND FLOW DIRECTION (BY OTHERS)

PUBLIC UTILITY LOT

ENVIRONMENTAL RESERVE AND EXISTING WETLAND

MUNICIPAL RESERVE

PROPOSED STORMWATER MANAGEMENT FACILITY

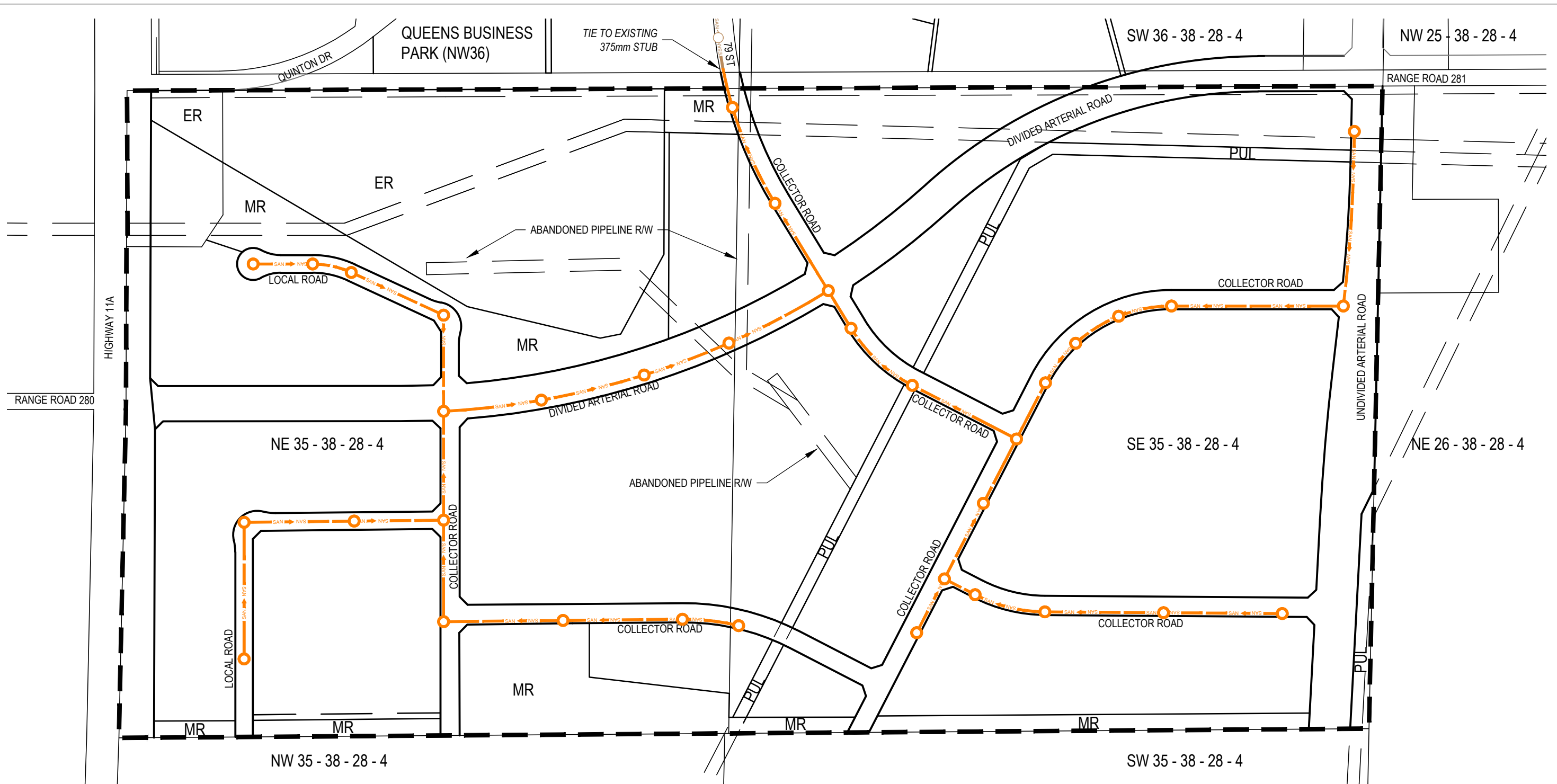
GENERAL STORMWATER FLOW DIRECTION

0m 50 100 150 200  
1 : 5000

**WSP**

AUGUST 17, 2015

AUGUST 17, 2015



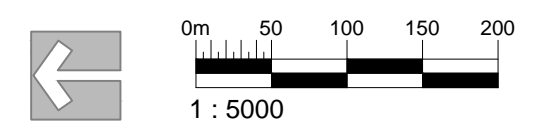
*The City of Red Deer*

**QUEENS BUSINESS PARK NE35/SE35  
INDUSTRIAL AREA STRUCTURE PLAN**

FIGURE 4 -SANITARY SERVICING

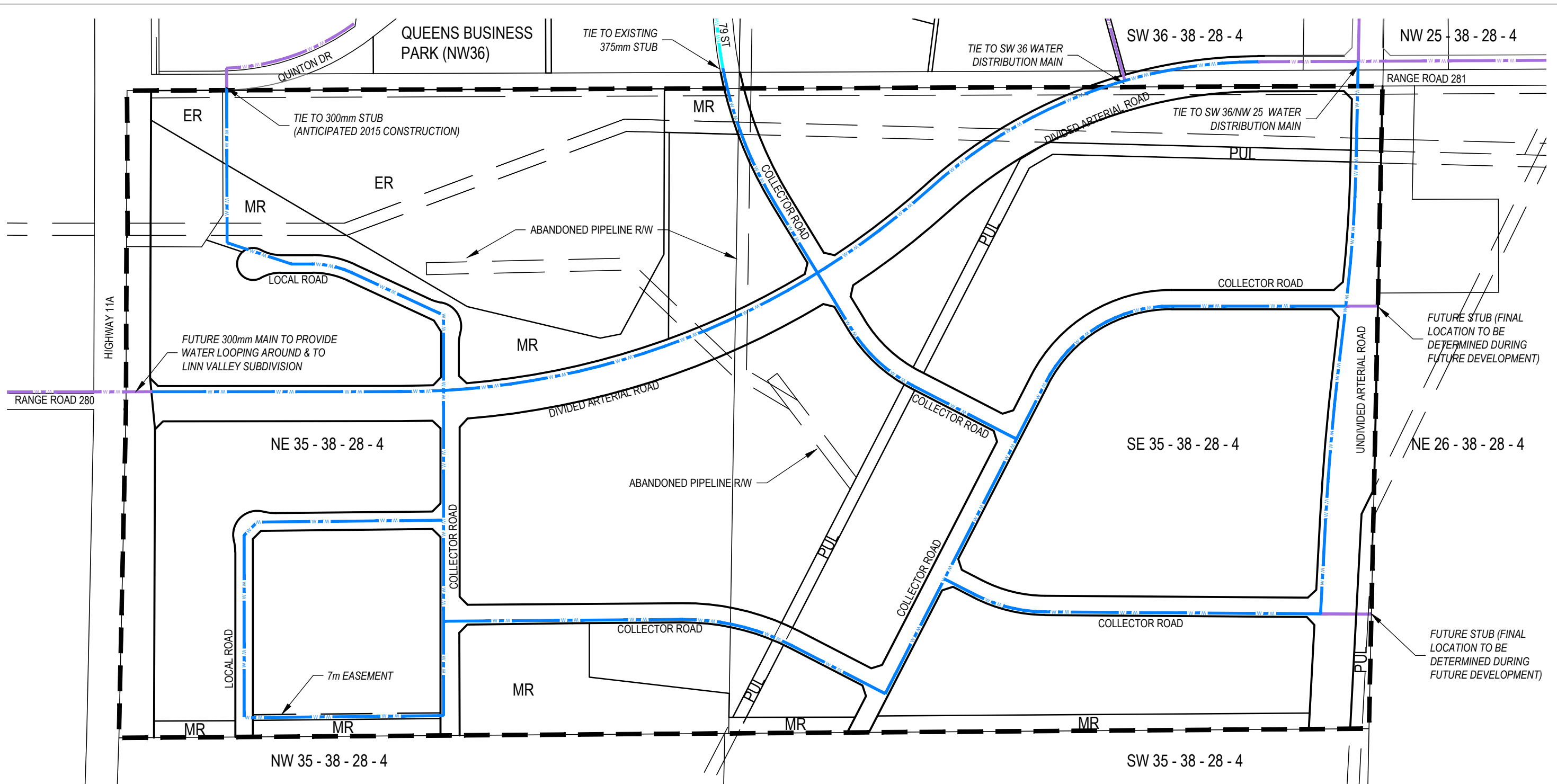
- PLAN BOUNDARY
- SANNYS PROPOSED SANITARY MAIN, MANHOLE AND FLOW DIRECTION
- ESANENYS EXISTING SANITARY MAIN, MANHOLE AND FLOW DIRECTION

NOTE: PRIOR TO FULL BUILDOUT OF THE WEST QEII MASP AREA, THE SANITARY SYSTEM WILL REQUIRE UPGRADES TO AND/OR CONSTRUCTION OF THE TRUNK LINE ALONG HIGHWAY 11A UP TO GAETZ AVENUE.



AUGUST 17, 2015



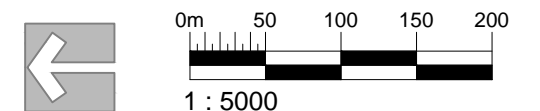


The City of Red Deer

# QUEENS BUSINESS PARK NE35/SE35 INDUSTRIAL AREA STRUCTURE PLAN

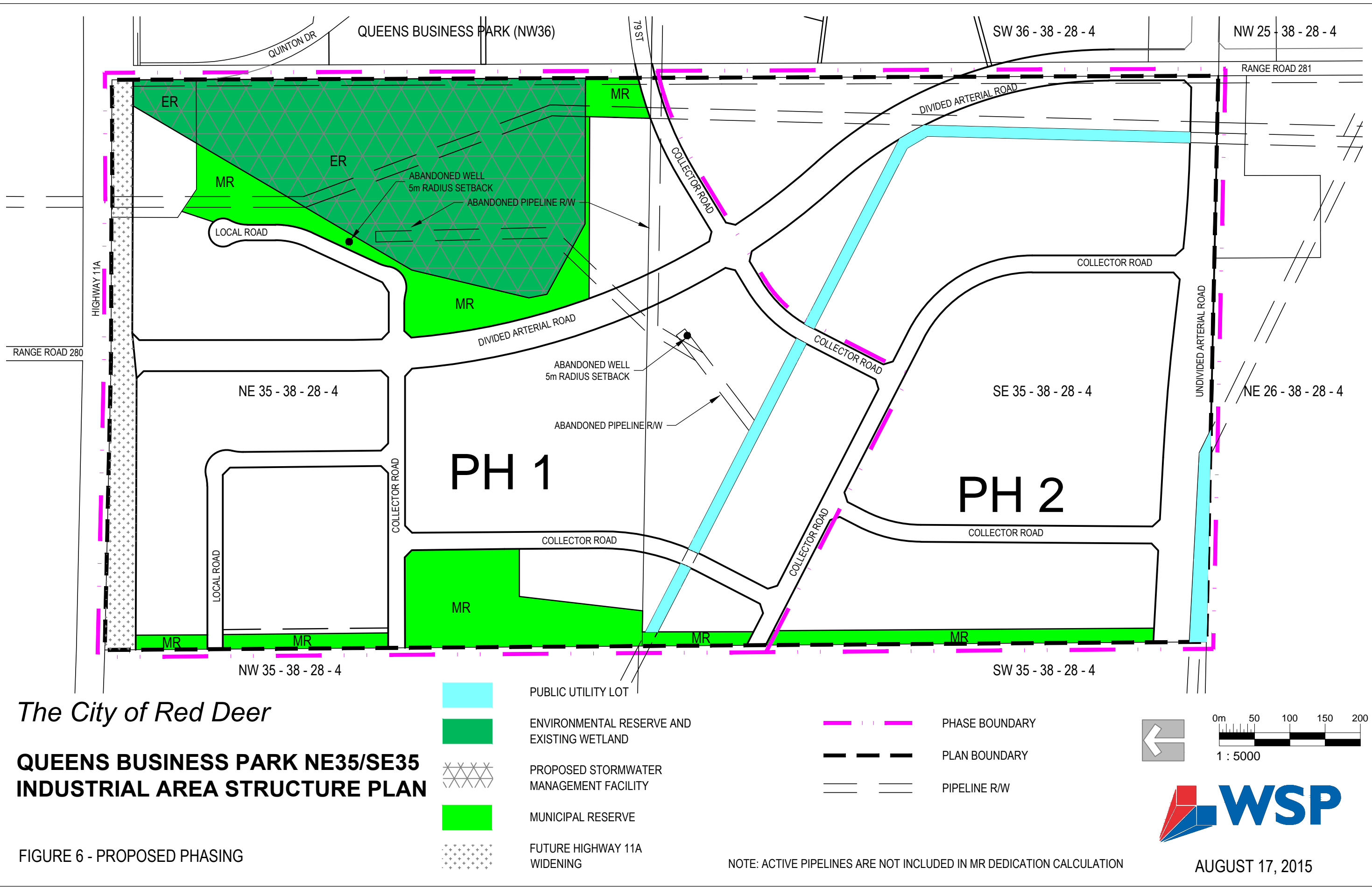
FIGURE 5 -WATER SERVICING

- PLAN BOUNDARY
- PROPOSED WATERMAIN
- EXISTING WATERMAIN
- FUTURE WATERMAIN (BY OTHERS)



AUGUST 17, 2015

NOTE: WATER MODEL LIMITS END AT EAST BOUNDARY, THEREFORE NO STUBS ARE SHOWN FOR FUTURE DEVELOPMENT.



*The City of Red Deer*

**QUEENS BUSINESS PARK NE35/SE35  
INDUSTRIAL AREA STRUCTURE PLAN**

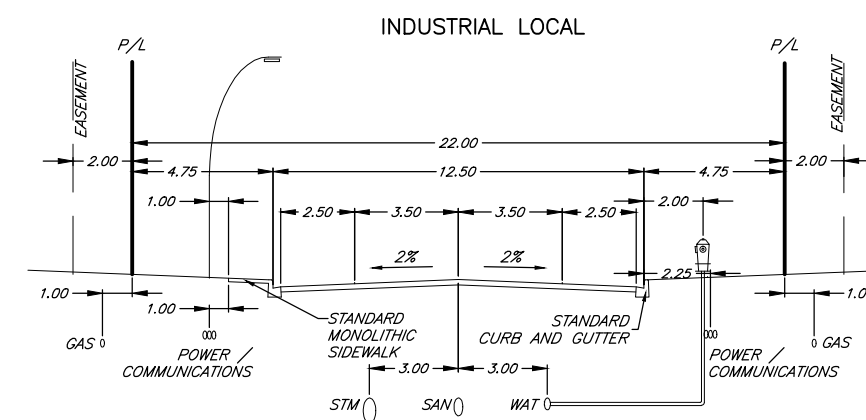
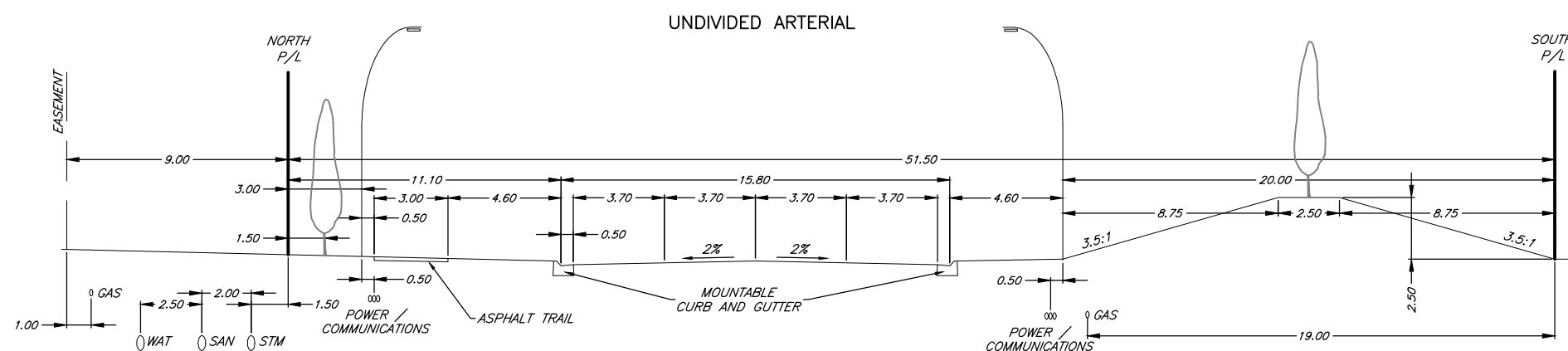
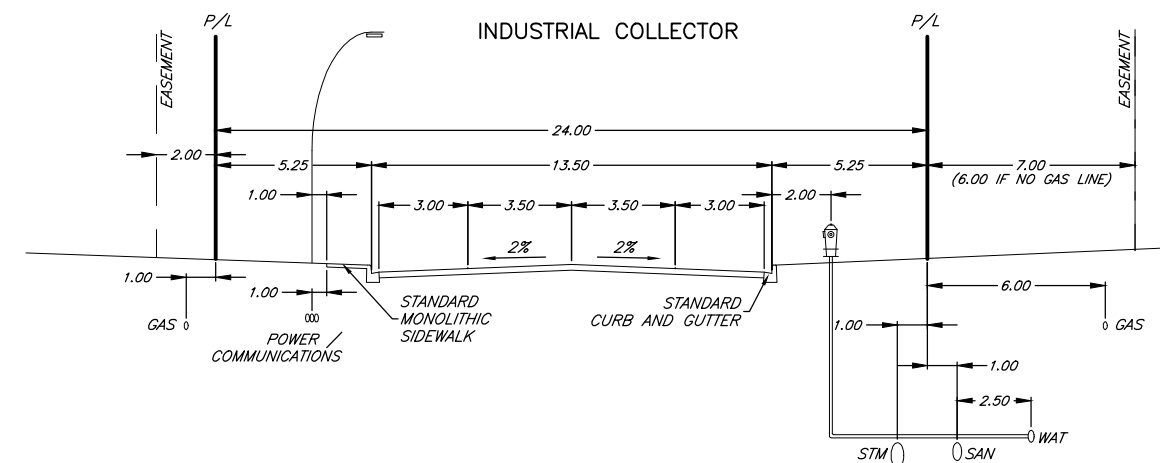
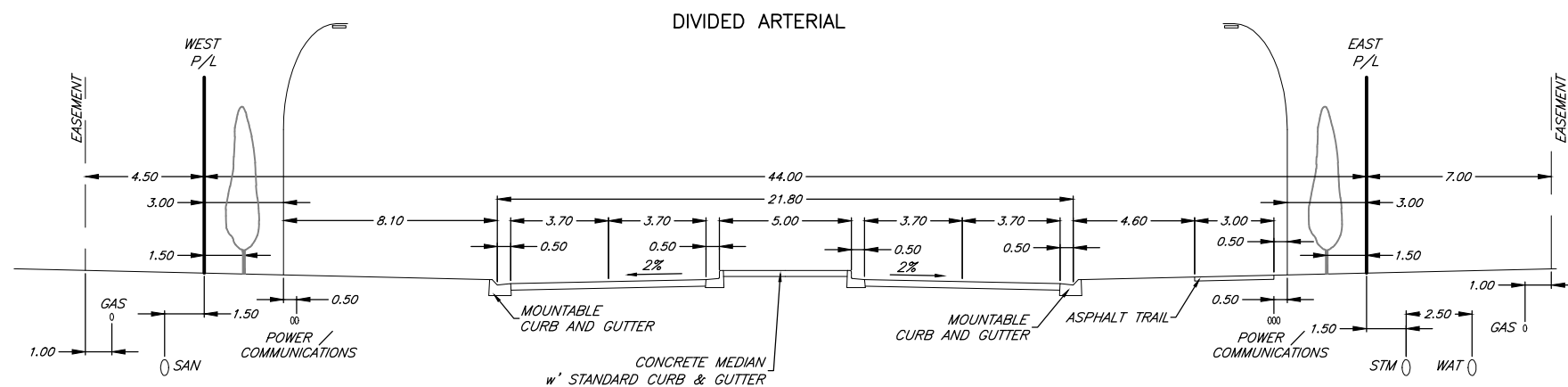
FIGURE 6 - PROPOSED PHASING

NOTE: ACTIVE PIPELINES ARE NOT INCLUDED IN MR DEDICATION CALCULATION

0m 50 100 150 200  
1 : 5000

**WSP**

AUGUST 17, 2015



## *The City of Red Deer*

# QUEENS BUSINESS PARK NE35/SE35 INDUSTRIAL AREA STRUCTURE PLAN

FIGURE 7 - TYPICAL SECTIONS



AUGUST 17, 2015



## Development Checklist

### General Purpose

*The purpose of the Development Checklist is to highlight conditions associated with future stages of development. The checklist is an internal administrative tool created to assist City staff when reviewing the various applications within the plan area. The checklist does not form part of bylaw for the approved area structure plan.*

*The development conditions listed below will be incorporated into the City of Red Deer's GIS (Web Map) system.*

### Servicing Study

- A noise analysis is to be completed by the developer to determine the extent of sound attenuation required along the undivided arterial (pg. 2).
- The setback distance for an abandoned well site is a 5 m radius around the well site. Access to the abandoned well is also required. (pg. 5).
- Ensure developer satisfies the requirements of Directive 079 (pg. 6).
- Developer to resolve ATCO Pipelines concern regarding their pipeline right-of-way within the divided arterial road right-of-way. (pg. 6).
- Developer to resolve AltaGas Ltd.'s concern regarding their utility right-of-way (pg. 6).
- Developer to resolve Trans-Northern's concerns regarding the storm water management facility and its impact on their pipeline (pg. 7).
- Some lots range between 230 and 255 m in depth. The developer is required to ensure that the sanitary servicing will meet City standards (pg. 9).
- Water Act approvals will be required from Alberta Environment and Parks prior to constructing a stormwater management facility within the existing wetland (pg. 11).
- Determine if additional public utility lots are required within the plan area (pg. 11).
- In the event that the complete local roadway network is not constructed, rights-of-way and easements will be required to accommodate future roads, public utility lots and municipal services (pg. 11).
- The existing wetland will be utilized as a stormwater management facility. Ensure that the integrity of the wetland is maintained (pg. 11).
- Any proposed lot must have direct access to a local or collector roadway. No direct access will be allowed onto the divided and undivided arterial roads (pg. 12).
- Ensure that lot located in the southeast corner has access (pg. 12).
- Investigate if a roundabout is a potential intersection treatment for the Divided Arterial/RR280 and Highway 11A intersection (pg. 13).
- Confirm transit stop locations (pg. 13).
- Attempt to keep the grades adjacent to the wetland at or above the required freeboard level (pg. 14).
- Ensure that the country residential property in the northeast corner has been provided a 12 m access through the subdivision (pg. 18).

### Stripping and Grading

- A completed and accepted Phase Two Environmental Site Assessment is required prior to the issuance of a grading permit.

- Developer to obtain appropriate crossing agreements.
- Contact well and pipeline owners to notify them of the upcoming activity.
- Approvals are required for any work within 30 m of a pipeline right-of-way (pg. 5).

#### Redistricting

- Apply the Eco Industrial Park Overlay District to the northeast corner of the plan area as per Figure 2 (pg. 10).
- Lots along the northern boundary of NE 35-38-28-4 are to be designated as a 'Major Entry Area' under the Land Use Bylaw (pg. 13).

#### Subdivision

- A completed and accepted Phase Two Environmental Site Assessment is required, if not already completed.
- The setback distance for an abandoned well site is a 5 m radius around the well site. Access to the abandoned well is also required. (pg. 5).
- Developer to resolve AltaGas Ltd.'s concern regarding their utility right-of-way (pg. 6).
- Ensure developer satisfies the requirements of Directive 079 (pg. 6).
- Ensure that pipeline right-of-ways, particularly the AltaGas Ltd. pipeline crossing SE 35-38-28-4, does not intersect any industrial lots in such a way that it creates lots that are undevelopable for the intended use.
- An analysis to determine the classification of the wetland shall be completed prior to subdivision approval (pg. 11)
- Ensure that the country residential property in the northeast corner has been provided a 12 m access through the subdivision (pg. 18).
- The plan is designating 8.5% (8.61 hectares) of the net developable area for municipal reserve. The

remaining 1.5% municipal reserve allocation will come in the form of cash-in-lieu (pg. 11).

- In the event that the complete local roadway network is not constructed, rights-of-way and easements will be required to accommodate future roads, public utility lots and municipal services (pg. 11).
- All lots will have direct access to a local or collector roadway. Individual lot access will not be granted from an arterial road (pg. 12).
- Arterial access may be considered for lot in southeast corner (pg. 12).
- If pipeline replacement, relocation, or removal is necessary because of the subdivision proposal, temporary work room shall be granted from AltaGas Ltd. and will be adjacent to the existing easement. The cost of pipe replacement, relocation, or removal will be incurred by the developer.
- Consult Alberta Transportation to ensure the future widening setback for Highway 11A is appropriate.

#### Development

- Any area indicated as wetland soils should be investigated for suitability for footings prior to any construction activity (pg. 4).
- The setback distance for an abandoned well site is a 5 m radius around the well site. Access to the abandoned well for maintenance is also required. (pg. 5).
- No development can occur over a right-of-way.
- Consult AltaGas Ltd. regarding parking, landscaping, or storage on right-of-way, or fencing the right-of-way, and the setback from right-of-way.
- Ensure permit applications within the Eco Industrial Park Overlay District meet the applicable standards and application documentation (pg. 10).

- Ensure the permit applications along the northern boundary of NE 35-38-28-4 meet the Major Entry Area' requirements of the Land Use Bylaw (pg. 13).
- A compliance brief, done by a qualified firm, showing how a project meets the CPTED principles shall be submitted as part of the development application (pg. 17).
- All building footings will be built above the high water level (pg. 14).

#### Plan Amendments

- If the PUL designation for the AltaGas ROW is removed, an amendment to the IASP will not be required (pg. 7).
- The elimination or addition of any public road, or reclassification of a road, will require an amendment to the IASP (pg. 12)
- Provided the intent of the IASP is maintained, minor adjustments to the proposed road or servicing alignments, or land use boundaries, may be incorporated where necessary without a plan amendment. (pg. 18).





**Council Decision – October 26, 2015**

**DATE:** October 29, 2015  
**TO:** Dayna Facca, Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Queens Business Park NE & SE 35-38-28-W4  
Industrial Area Structure Plan

---

**Reference Report:**

Planning Department, dated October 9, 2015.

**Bylaw Readings:**

At the Monday October 26, 2015 Regular Council Meeting, Council gave first reading to Bylaw 3540/2015 – an Industrial Area Structure Plan (IASP) for NE & SE 35-38-28-W4, located within the West QE2 Major Area Structure Plan.

**Report back to Council:** Yes

**Comments/Further Action:**

This office will advertise for a Public Hearing to be held on Monday, November 23, 2015 at 6:00 p.m. during Council's regular meeting.

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

Frieda McDougall  
Manager

- c. Director of Planning Services  
Planning Services Manager  
Corporate Meeting Coordinator



October 19, 2015

## Safety Code Permit Bylaw

### Consideration of Second & Third Reading

Legislative Services

#### **Report Summary & Recommendation:**

---

The attached report is being brought forward from the Tuesday, October 13, 2015 Council meeting.

#### **Recommendation:**

---

That Council hold a Public Hearing following which Council may consider Land Use Bylaw Amendment 3357/W-2015. Following the Public Hearing Council consider giving second and third readings to Safety Codes Permit Bylaw 3551/2015, the Development Permit Fee Bylaw 3555/2015 and

Following second and third readings of all three bylaws it is recommended that Council repeal the following policies:

1. Council Policy No. 6103 – C (Inspections of Single Family Dwellings Duplexes and Multifamily Buildings);
2. Council Policy No. 6104 – C (Propane Installations); and
3. Council Policy No. 6117 – C (Permit Fees).

#### **Proposed Resolution:**

---

Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated September 15, 2015 re: Safety Codes Permit Bylaw hereby repeals the following council policies:

1. Council Policy No. 6103 – C (Inspections of Single Family Dwellings Duplexes and Multifamily Buildings);
2. Council Policy No. 6104 – C (Propane Installations); and
3. Council Policy No. 6117 – C (Permit Fees).



## Report Details

### **Background:**

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At the Tuesday, October 13 2015 Council Meeting, Council gave first reading to:

1. Safety Codes Permit Bylaw 3551/2015, a bylaw to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act;
2. Development Permit Fee Bylaw 3555/2015, a bylaw to capture the fees associated with land use related permits; and
3. Land Use Bylaw Amendment 3357/W-2015, an amendment to remove all references to safety code related items including all regulations specific to Occupancy Permits in the Land Use Bylaw.





September 15, 2015

Original Report Submitted to  
the Tuesday, October 13,  
2015 Meeting of City Council.

## Safety Codes Permit Bylaw

Inspections and Licensing

### Report Summary & Recommendation:

Administration has developed the *Safety Codes Permit Bylaw* to consolidate a number of safety codes related items within one public document, rather than in multiple sources. This new bylaw is intended to provide clarity, as well as consistency. The general purpose of the proposed bylaw is to “establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act, the Regulations and this bylaw”.

Subsequently, the adoption of this proposed bylaw triggers the need for amendments to the *Land Use Bylaw* to remove all references to safety codes related items, including all regulations specific to Occupancy Permits.

Included within the new *Safety Codes Permit Bylaw* are all safety codes permit fees. Administration recommends that the existing *Permit Fee Bylaw* be rescinded due to the removal of all references to safety codes related items, and the new *Development Permit Fee Bylaw* be adopted in its place. This new bylaw will only capture the fees associated with land use related permits. There are no proposed changes to the fee structure or any of the fees at this time.

Finally, there are three existing Council Policies that are required to be repealed, triggered by the adoption of the bylaws and amendments identified.

Administration recommends that Council give:

- First reading to *Safety Codes Permit Bylaw* No. 3551/2015;
- First reading to *Land Use Bylaw* Amendment No. 3357/W-2015; and
- First reading to *Development Permit Fee Bylaw* No. 3555/2015.

And further, at the Council meeting on October 26, that Council:

- Give second and third reading to *Safety Codes Permit Bylaw* No. 3551/2015;
- Give second and third reading to *Land Use Bylaw* Amendment No. 3357/W-2015, following the public hearing;
- Give second and third readings to *Development Permit Fee Bylaw* No. 3555/2015;
- Rescind *Permit Fee Bylaw* No. 3149/95;
- Repeal Council Policy No. 6103 – C (Inspections: of Single Family Dwellings Duplexes and Multifamily Buildings);
- Repeal Council Policy No. 6104 – C (Propane Installations); and
- Repeal Council Policy No. 6117 – C (Permit Fees).



### **City Manager Comments:**

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I support the recommendation of Administration. If first reading of Safety Codes Permit Bylaw 3551/2015 and Development Permit Fee Bylaw 3555/2015 is given, these bylaws will come for second and third reading at the Monday, October 26, 2015 Council meeting. If first reading of Land Use Bylaw Amendment 3357/W-2015 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on Monday, October 26, 2015 at 6:00 pm during Council's regular meeting.

Craig Curtis  
City Manager

### **Proposed Resolution**

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That Safety Codes Permit Bylaw 3551/2015, a bylaw to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act, be read a first time.

That Bylaw 3357/W-2015 (a Land Use Bylaw amendment to remove all references to safety codes related items, including all regulations specific to Occupancy Permits in the Land Use Bylaw) be read a first time.

That Development Permit Fee Bylaw 3555/2015, a bylaw to capture the fees associated with land use related permits, be read a first time.



## Report Details

### Background:

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The Inspections & Licensing Department processes both land use related items, such as Development Permits, as well as safety codes related items, including Building, Gas, Plumbing and Electrical Permits. Although closely related, these two areas are governed by different legislation, and are intended to be processed separate of one another. The *Municipal Government Act* governs land use, and the *Safety Codes Act* regulates safety codes, which is enforced through Safety Codes Officers.

There are existing references to safety codes permits and Safety Codes Officers that are included within the *Land Use Bylaw* No. 3357/2006. The majority would be considered minor, with the exception of the regulations specific to Occupancy Permits. Occupancy Permits are related specifically to safety codes and are the final permit to be issued by the Inspections & Licensing Department. In essence, this permit grants approval to a property owner or tenant to occupy a space, and denotes that there are no safety concerns and all safety codes permits have received final inspection and have been closed.

There are also a number of existing Council policies, departmental policies and procedures, as well as legislation that all relate to the regulation of safety codes and associated inspections.

The proposed *Safety Codes Permit Bylaw* is very similar to that of The City of Edmonton's, with a significant amount of review and internal circulation that has taken place, to ensure that the bylaw meets our municipality's needs and includes existing policies and procedures that are currently in place.

### Discussion:

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The general purpose of the proposed *Safety Codes Permit Bylaw* is to "establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act, the Regulations and this bylaw".

Currently, there are several Council policies, and departmental policies and procedures which contain statements related to safety codes permits and inspections. These include Council Policies #6103 and 6014, dealing with inspections and propane installations, respectively. The final Council Policy #6117 includes all of the associated permit fees for both safety codes permits and land use permits.

In addition, many of the regulations captured within the new bylaw relate directly to approved policy contained within The City's *Quality Management Plan*. The *Quality Management Plan* is a legislated document approved by the Safety Codes Council and City Council, describing the disciplines and extent of safety services that Inspections & Licensing intends to provide, and is required in order for the municipality to be accredited through





the Province. Although the document can be disclosed to the public, there is legislation requiring that anyone that holds the document is responsible to ensure that it is up-to-date. A bylaw is certainly more readily available to the public, and ensures that the public has access to current information at any given time.

Further, inclusion of provisions specific to Occupancy Permits within the *Safety Codes Permit Bylaw* ensures that Occupancy Permits, and the subsequent associated penalties, are regulated appropriately and completely separate from the *Land Use Bylaw*.

The proposed recommendations, including the adoption of the new *Safety Codes Permit Bylaw* contains existing City policy and procedures, and would benefit stakeholders and staff, as it simply capturing those existing policies in one, publically available document.

It is recommended the existing *Permit Fee Bylaw* No. 3149/1996 be rescinded and the new *Development Permit Fee Bylaw* No. 3555/2015 be adopted in its place. The name would better reflect the context since all safety codes permit fees are removed. There are no proposed changes to the fee structure or any of the fees at this time. The existing fees are simply being moved from one location to another, and were adopted with the 2015 Operational Budget.

An amendment to the *Land Use Bylaw* is required to remove all references to safety codes and Safety Codes Officers, including the regulations for Occupancy Permits, as they are included within the new *Safety Codes Permit Bylaw*.

### **Consultation**

The Inspections & Licensing Department consulted with both the Central Alberta Home Builders Association (CHBA), through their builder counsel group, in June and September 2015. The CHBA membership is made up of businesses involved directly in the home building process.

Consultation also occurred with the Red Deer Construction Association (RDCA) in July and September 2015. The RDCA membership represents more of the commercial and industrial industry members.

Both of these groups received a Q&A Backgrounder (attached for Council's review) to forward out to their membership. The intent of the background document was to reiterate the information that Inspections & Licensing presented to each of those groups related to the bylaw and process changes, and the potential impacts that may have on the industry.

There were no concerns related to the proposed adoption of the *Safety Codes Bylaw*.

**Analysis:**

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Administration recommends that with the adoption of the *Safety Codes Permit Bylaw*, all three existing Council policies be repealed, that all safety codes permit fees be included within the *Safety Codes Permit Bylaw*, and that the *Development Permit Fee Bylaw* contain the fees related to land use. The proposed changes do not modify the context of existing policies.

These changes will:

1. Separate land use and safety code regulations.
2. Provide ease of use for the public and for staff.
3. Ensures that the appropriate fees are captured within the appropriate bylaw.
4. Addresses concerns related to the public.

**Purpose:**

The purpose of this policy is to provide general regulations and guidelines pertaining to inspections of single family dwellings, duplexes, and multiple family buildings.

**Policy Statement(s):**

1. On a final inspection of a single family dwelling/duplex/multiple family building, the attic space and the roof are not inspected.
2. An inspection of a sewer and/or water line is a visual inspection done at grade level.
3. If some portion of a construction is covered over (e.g. plumbing), the Inspections and Licensing Manager may waive having the work uncovered, subject to:
  - a. a letter from the installer or contractor indicating the work was done in accordance with the applicable code; and
  - b. and a letter from the property owner stating he is aware of and accepts the situation.
4. If an inspector is not available for an inspection, then the Inspections and Licensing Manager may, at his discretion, waive the inspection.
5. When an *Unsatisfactory Condition Notice* related to the heating system has been sent to the property owner, a telephone confirmation from the installer that the condition has been rectified, is acceptable.
6. The Inspections and Licensing Manager may allow construction to proceed to grade without a permit, subject to such conditions as he sees fit.
7. The City endorsement on a real property report applies only to the location of permanent buildings on a site. Temporary buildings, retaining walls, moveable sheds and fences are not included in the endorsements.



**References/Links:**

- Safety Codes Act

**Authority/Responsibility to Implement:**

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

**Document History:**

Approved: September 9, 1996
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**Administrative Revisions:**

Date:	Revision:
March 9, 2010	New template
May 14, 2010	Policy number changed from 4403 to 6103

**Purpose:**

The purpose of this policy is to provide responsibility for propane installations and propane dispensing facilities within the city limits (excluding automobile conversions).

**Policy Statement(s):**

1. Propane installations within City limits which are limited to temporary heat at construction sites, will not be inspected or authorized by permit.
2. Propane distributions centres are required to obtain necessary permits and inspections. The permit fee is set out in the City's Permit Fee Bylaw.

**Authority/Responsibility to Implement:**

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

**References/Links:**

- Safety Codes Act

**Document History:**

Approved:	September 9, 1996
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**Administrative Revisions:**

Date:	Revision:
March 9, 2010	New template
May 14, 2010	Policy number changed from 4404 to 6104

**Purpose:**

1. To establish the process of calculating annual permit fees.
2. To provide annual permit fees.

**Policy Statements:**Permit Fee Calculation

In accordance with the Permit Fee Bylaw, the fees for permits are set out in this policy. The fees are adjusted annually on April 30 of each year, commencing in the year 2014, by the change in the Alberta average Consumer Price Index with the exception of those fees marked by an asterisk (\*) which shall remain constant.

Permit Fees

The permit fees are as follows, effective May 1, 2013:

<b>Safety Codes Act Permits</b>	
<b>General</b>	<b>Fee</b>
For any work commenced without obtaining the required permit	Double permit fee (minimum \$237.90)
Requested additional inspection	\$65.00
Re-inspection fee	\$130.85
<b>Plumbing Permits</b>	<b>Fee</b>
For each fixture, discharge device, or weeping tile	\$9.15 (minimum \$65.00)
Installation of backflow device/lawn sprinkler/water softener	\$65.00
Ditch permit to service site – residential and commercial	\$65.00
Private sewage disposal	\$107.05
<b>Gas Permits</b>	<b>Fee</b>
Minimum fee	\$65.00
All major occupancies other than single family and two family residences (to be determined by the total B.T.U rating for all gas fixtures, furnaces, or other devices installed):	
• 65,000 BTU/HR input or less	\$65.00
• 65,001 – 400,000 BTU/HR input or less	\$65.00
• 400,001 – 500,000 BTU/HR input or less	\$111.25


**COUNCIL POLICY  
6117-C**
**Permit Fees:  
Building & Development**

• 500,001 – 1,000,000 BTU/HR input or less	\$143.90
• 1,000,001 – 5,000,000 BTU/HR input or less	\$261.65
• 5,000,001 BTU/HR input or more	\$359.00
Temporary gas line	\$65.00
Alterations	\$65.00
<b>Heating Permits</b>	<b>Fee</b>
Each heating unit or system – residential	\$65.00
Each heating unit or system – commercial	
• 65,001 – 400,000 BTU/HR input or less	\$78.50
• 400,001 – 500,000 BTU/HR input or less	\$111.25
• 500,001 – 1,000,000 BTU/HR input or less	\$143.10
• 1,000,001 – 5,000,000 BTU/HR input or less	\$261.65
• 5,000,001 BTU/HR input or more	\$359.80
<b>Fireplace Permits</b>	<b>Fee</b>
Permit fee for fireplace installation	\$65.00
<b>Building Permits</b>	<b>Fee</b>
For each \$1,000.00 or part of that of construction costs – excluding commercial installations / new residential buildings	\$7.20 (minimum \$71.40)
For each \$1,000.00 or part of that of construction costs – commercial installations	\$7.80 (minimum \$71.40)
New residential buildings:	
• main floor	\$0.55/sq. ft. (\$5.95/sq. m.)
• any additional above-grade levels	\$0.37/sq. ft. (\$3.95/sq. m.)
• basement development	\$0.20/sq. ft. (\$2.10/sq. m.)
• garages and carports	\$0.15/sq. ft. (\$1.60/sq. m.)
• apartments, townhouses, and row housing	\$0.55/sq. ft. (\$5.95/sq. m.)
• decks	\$71.40
Occupancy of the building prior to occupancy permit issuance:	
• first occurrence	\$100/day*
• second occurrence within a 12-month period	\$200/day*
• subsequent occurrences within a 12-month period	\$300/day*
Removal of building permit suspension	Greater of the permit fee or \$150.00*
• first occurrence	
• second occurrence within a 12-month period	Greater of twice the permit fee or \$300.00*
• subsequent occurrences within a 12-month period	Greater of three times the permit fee or




**COUNCIL POLICY  
6117-C**
**Permit Fees:  
Building & Development**

	\$500.00*
<b>Electrical Permits – Contractors</b>	<b>Fee</b>
Minimum fee – less than \$1,000 installation cost	\$65.00
Installation cost (including labour):	
• \$1,000 - \$1,999	\$78.50
• \$2,000 - \$2,999	\$98.20
• \$3,000 - \$3,999	\$117.80
• \$4,000 - \$4,999	\$137.40
• \$5,000 - \$5,999	\$150.45
• \$6,000 - \$6,999	\$163.55
• \$7,000 - \$7,999	\$176.65
• \$8,000 - \$8,999	\$189.70
• \$9,000 - \$10,000	\$202.75
• Over \$10,000	\$202.75 plus 1% of the installation cost over \$10,000
<b>Electrical Permits – Annual</b>	<b>Fee</b>
Rating of installation kV.A:	
• 100 or less	\$166.85
• 101 to 2,500	\$166.85 plus \$14.03* per 100 kV.A or any fraction over 100
• 2,501 to 5,000	\$567.15 plus \$10.45* per 100 kV.A or any fraction over 2,500
• 5,001 to 10,000	\$877.95 plus \$7.15* per 100 kV.A or any fraction over 5,000
• 10,001 to 20,000	\$1,303.10 plus \$3.58* per 100 kV.A or any fraction over 10,000
• Over 20,000	\$1,728.30 plus \$0.88* per 100 kV.A over 20,000
<b>Occupancy Permits</b>	
Residential (excluding apartments)	\$71.40/dwelling
Apartment buildings (three or more suites or apartments)	\$11.85/unit (minimum \$71.40; maximum \$300.00)
Commercial/Industrial/Public buildings (up to and including 500 m <sup>2</sup> )	\$65.40/100 m <sup>2</sup> or portion of it


**COUNCIL POLICY  
6117-C**
**Permit Fees:  
Building & Development**

			(minimum \$71.40; maximum \$325.00)
Electrical Permits – Homeowner			
Value of Material	Fee	Value of Material	Fee
\$0.00 - \$450.00	\$65.00	\$1,700.01 - \$1,750.00	\$115.75
\$450.01 - \$500.00	\$66.70	\$1,750.01 - \$1,800.00	\$117.80
\$500.01 - \$550.00	\$68.75	\$1,800.01 - \$1,850.00	\$119.75
\$550.01 - \$600.00	\$70.70	\$1,850.01 - \$1,900.00	\$121.65
\$600.01 - \$650.00	\$72.60	\$1,900.01 - \$1,950.00	\$123.5
\$650.01 - \$700.00	\$74.60	\$1,950.01 - \$2,000.00	\$125.60
\$700.01 - \$750.00	\$76.55	\$2,000.01 - \$2,050.00	\$127.55
\$750.01 - \$800.00	\$78.50	\$2,050.01 - \$2,100.00	\$129.55
\$800.01 - \$850.00	\$80.50	\$2,100.01 - \$2,150.00	\$131.45
\$850.01 - \$900.00	\$82.40	\$2,150.01 - \$2,200.00	\$133.40
\$900.01 - \$950.00	\$84.40	\$2,200.01 - \$2,250.00	\$135.45
\$950.01 - \$1,000.00	\$86.40	\$2,250.01 - \$2,300.00	\$137.40
\$1,000.01 - \$1,050.00	\$88.35	\$2,300.01 - \$2,350.00	\$139.30
\$1,050.01 - \$1,100.00	\$90.30	\$2,350.01 - \$2,400.00	\$141.30
\$1,000.01 - \$1,150.00	\$92.25	\$2,400.01 - \$2,450.00	\$143.25
\$1,150.01 - \$1,200.00	\$94.20	\$2,450.01 - \$2,500.00	\$145.20
\$1,200.01 - \$1,250.00	\$96.15	\$2,500.01 - \$2,550.00	\$146.55
\$1,250.01 - \$1,300.00	\$98.20	\$2,550.01 - \$2,600.00	\$147.85
\$1,300.01 - \$1,350.00	\$100.15	\$2,600.01 - \$2,650.00	\$149.10



**THE CITY OF  
Red Deer**


**COUNCIL POLICY  
6117-C**

**Permit Fees:  
Building & Development**

\$1,350.01 - \$1,400.00	\$102.05	\$2,650.01 - \$2,700.00	\$150.45
\$1,400.01 - \$1,450.00	\$104.00	\$2,700.01 - \$2,750.00	\$151.80
\$1,450.01 - \$1,500.00	\$106.00	\$2,750.01 - \$2,800.00	\$153.10
\$1,500.01 - \$1,550.00	\$107.95	\$2,800.01 - \$2,850.00	\$154.40
\$1,550.01 - \$1,600.00	\$109.85	\$2,850.01 - \$2,900.00	\$155.70
\$1,600.01 - \$1,650.00	\$111.85	\$2,900.01 - \$2,950.00	\$157.00
\$1,650.01 - \$1,700.00	\$113.80	\$2,950.01 - \$3,000.00	\$158.30

### Land Use Bylaw Permits

Development Services and Compliance Reports	Fee
Real Property Reports – Residential	\$89.20
Real Property Reports – Commercial/Industrial/Multi-family	\$118.95
Condominium plan report	\$47.60/unit
Conformance letters	\$71.40/site
Sign permits	\$11.85/sq. m. (\$65.00 minimum)
• general	101.70
• portable signs	29.75
• seasonal signs	\$35.65
• supergraphics	\$89.20
Caveat	\$89.20
Development Approval	Fee
Discretionary use – Development Officer	\$89.20
Discretionary use – Municipal Planning Commission	\$148.70
Variance to the Land Use Bylaw	\$89.20
Discretionary use – home occupation	\$89.20
Accessory structures	\$71.40
Temporary structures	\$89.20
Area re-development	\$118.95
Discretionary use secondary suite	\$237.65
Multi-family buildings:	
• 4 – 10 units	\$237.65
• 11 – 20 units	\$416.30
• 21 – 50 units	\$594.70



THE CITY OF  
**Red Deer**

**COUNCIL POLICY**  
**6117-C**

**Permit Fees:**  
**Building & Development**

• 50 or more units	\$713.65
Commercial/Industrial/Public Buildings	\$297.34 plus \$41.65/100 m <sup>2</sup>
Information distribution, where neighbouring properties require notification	\$118.95
Moving, demolition	65.00
Advertising fee	\$71.40

### **Authorities and Responsibilities:**

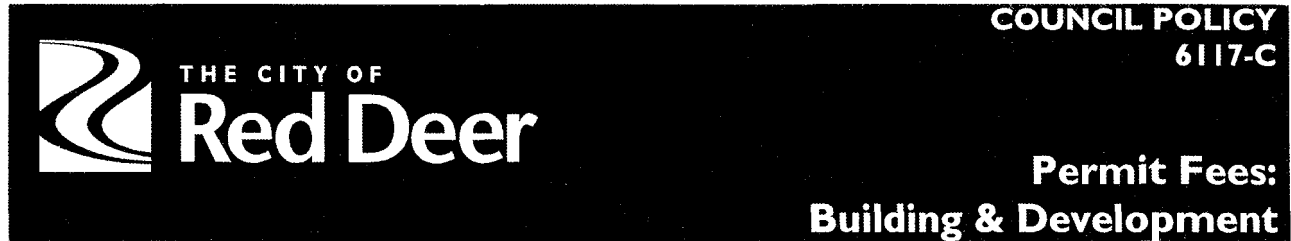
The Development Officer is delegated from the City Manager, through the Director of Planning Services, to:

1. Calculate the permit fees annually.
2. Conduct a full review of all permit fees every five years, from the date of this policy, the results of which are to be presented in a report to City Council.
3. Update the Permit Fees of the policy statement annually in accordance with the CPI rate adjustment provided in the Permit Fee Calculation of this policy statement.

### **Scope/Application:**

The Development Officer, Safety Codes Officers, and Customer Service Specialists in Inspections & Licensing are affected by this policy.





### **Definitions:**

Accessory Structure	A secondary structure on a site, the use of which is subordinate and incidental to that of the principal structure. This includes a garage, carport, greenhouse, playhouse, tree house, tool shed, garden shed, or workshop, but does not include a temporary structure.
B.T.U.	A unit of energy.
Caveat	An agreement on a property title that allows for building over water and sewer lines.
Compliance Report	A document that may state the zoning of a site or that clearly illustrates the location or significant visible improvements relative to property boundaries. This may include a condominium plan, real property report, or a compliance certificate or letter.
Condo Plan Review	A legal document that clearly illustrates the location of significant visible improvements relative to property boundaries.
Consumer Price Index	A statistical device that measures the change in the cost of living for consumers. For the purposes of this policy, the Alberta average Consumer Price Index will be used.
Development Officer	The Inspections & Licensing Manager for The City or his designate.
Discretionary Use	A use of land, buildings, or other structures that may be permitted by the Development authority after due consideration is given of the impact of that use on neighbouring land and other lands in the City.
Dwelling Unit	A self contained building or a portion of a building usually containing cooking, eating, living, sleeping and sanitary facilities and used as a permanent residence by a household.
kV.A	A unit of power.


**COUNCIL POLICY  
6117-C**
**Permit Fees:  
Building & Development**

Real Property Report	A legal document that clearly illustrates the location of significant visible improvements relative to property boundaries.
Secondary Suite	A self-contained Dwelling Unit that is located within a primary Dwelling Unit, where both Dwelling Units are registered under the same land title.
Temporary Structure	A building without any foundation below grade. This includes a soft-sided or other structure designed to serve as a temporary garage, storage shelter, or greenhouse, but does not include an Accessory Structure.

**References / Links:**

- Bylaw 3149/95 The Permit Fee Bylaw –  
<http://www.reddeer.ca/NR/rdonlyres/D116655C-4335-4610-BFB0-E5435BC91979/0/314995PermitFeeBylawLAS.pdf>
- Bylaw 3357/2006 The Land Use Bylaw –  
<http://www.reddeer.ca/Connecting+with+Your+City/City+Services+and+Departments/Legislative+and+Administrative+Services/City+Bylaws/The+City+of+Red+Deer+Land+Use+Bylaw/default.htm>
- The Municipal Government Act –  
<http://www.qp.gov.ab.ca/Documents/acts/M26.CFM>
- The Safety Codes Act –  
[http://www.qp.gov.ab.ca/documents/Acts/S01.cfm?frm\\_isbn=9780779723652](http://www.qp.gov.ab.ca/documents/Acts/S01.cfm?frm_isbn=9780779723652)

**Contact Person(s):**

- Development Officer, Inspections & Licensing
- Inspections Supervisor, Inspections & Licensing

**Document History:**

Original Approval Date:	March 23, 2009
Revised:	December 14, 2009
Revision: (New number assigned)	September 7, 2010
Revised:	February 4, 2013

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:

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

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

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

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.

4<sup>2</sup> 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.<sup>1</sup>

#### **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.<sup>2</sup>
- 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

\_\_\_\_\_  
<sup>1</sup> 3149/A-2009

<sup>2</sup> 3149/A-2009

**SCHEDULE "A"<sup>1</sup>**

**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.<sup>2</sup>

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

<sup>2</sup> 3149/A-2009

**SCHEDULE "B"<sup>1</sup>**  
**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.<sup>2</sup>

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<sup>1</sup> 3149/A-96, 3149/A-97, 3149/A-2005

<sup>2</sup> 3149/A-2009



## Q&A BACKGROUNDER

September 2015

### Permit, bylaw and process changes for construction industry

At their regular meeting October 13, 2015, City Council will consider first reading on a number of bylaws, introducing changes to permits, bylaws, and process related to development in Red Deer. The changes are intended to create clarity and consistency for customers and staff, as well as to refine practice to comply with the *Municipal Government Act* and *Safety Codes Act*.

If first reading is approved October 13, Council will conduct a public hearing and consider second and third reading on October 28.

### Development Permits

Starting November 23, 2015, Development Permit (DP) applications will be required for most types of development, including all permitted uses, such as Single Family Dwellings and many Commercial or Industrial uses as outlined in the *Land Use Bylaw*.

#### 1. Why are DPs being required for most types of development?

The majority of municipalities require DPs for all types of development. Currently, The City requires only a Building Permit for some developments, such as single family homes in a new neighbourhood or a retail use in a Commercial district. However, that permit only relates to the building itself and not the site or use of the land. The DP is the proper tool under the *Municipal Government Act* to regulate the placement of the building on the site and how the land is used. The DP ensures that The City will be aware of a use changing, can ensure the use is allowed and meets regulations, and can place conditions, where appropriate.

#### 2. How does this impact me?

**Fees and charges:** There will be additional costs of approximately \$93 for a Development Permit to cover administrative costs. A separate *Development Permit Fee Bylaw* is being created to replace the existing *Permit Fee Bylaw*. The *Development Permit Fee Bylaw* will house all fees related to land use related permits.

**Timelines:** Acknowledging time is money, the overall timelines will not change from the initial application to when the Building Permit is issued.

**Application process:** Applications can be made for both the Development Permit and Building Permit at the same time, and the two permits will be processed by The City simultaneously. The information required will remain relatively the same, with the addition of the Alberta Energy Regulator form (found online) and a copy of an up-to-date Land Titles Certificate.

**Approving authority:** The DP application will be approved by a Development Officer and if it complies with all regulations in the *Land Use Bylaw*, then is no requirement to advertise. If variances are required, then the application will be processed the same, based on the level of variance, and advertising would be required. The City would be able to attach conditions to a DP, such as recovering costs associated with damage to municipal infrastructure caused by the development on site.





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## Q&A BACKGROUNDER

### Safety Codes Permit Bylaw

The proposed changes also include the creation of a *Safety Codes Permit Bylaw*, which will consolidate information currently housed in many different policies and bylaws.

**1. Why is this being considered?**

This new bylaw would contain information related to permit applications, inspections, and any other material or service provided pursuant to the *Safety Codes Act* and *Alberta Building Code* in one centralized, publically available document. This would assist customers and staff in easily finding pertinent information. The new bylaw is being modeled after Edmonton's *Safety Codes Bylaw*.

**2. How would this impact me?**

Any safety code related permit fees previously found elsewhere would be found in the new bylaw, but those fees would not change.

Those who do not comply with regulations could be subject to penalties and fines. Under the proposed changes, violation tickets can be issued related to occupying a location without the Occupancy Permit being issued, as well as for contravening various sections of the bylaw.

### Land Use Bylaw (LUB) Changes

Changes proposed to the *Land Use Bylaw* relate only to development permits.

**1. Why the changes?**

Currently, the *Land Use Bylaw* provides general statements that say the Development Authority can ask for additional information or impose conditions. By providing further clarity in the LUB, applicants would know up front what is required or potentially what types of conditions they can expect as part of their approval, to better prepare them, ultimately saving valuable time.

### City Contact

All applications will continue to be submitted at Inspections & Licensing, and dealt with internally either by customer service staff or Development Officers. Any questions related to the proposed changes can be directed to Angie Keibel, Development & Licensing Supervisor; Darin Sceviour, Acting Inspections, Enforcement and Building Supervisor; or Erin Stuart, Inspections & Licensing Manager.

- end -

For more information on these changes, please contact:

Inspections & Licensing  
The City of Red Deer  
inspections@reddeer.ca  
403-342-8190



## Q&A BACKGROUNDER

September 2015

### Permit, bylaw and process changes for construction industry

At their regular meeting October 13, 2015, City Council will consider first reading on a number of bylaws, introducing changes to permits, bylaws, and process related to development in Red Deer. The changes are intended to create clarity and consistency for customers and staff, as well as to refine practice to comply with the *Municipal Government Act* and *Safety Codes Act*.

If first reading is approved October 13, Council will conduct a public hearing and consider second and third reading on October 28.

### Development Permits

Starting November 23, 2015, Development Permit (DP) applications will be required for most types of development, including permitted uses such as Single Family Dwellings and Detached Garages.

#### 1. Why are DPs being required for most types of development?

The majority of municipalities require DPs for all types of development. Currently, The City requires only a Building Permit for some developments, such as single family homes in a new neighbourhood. However, that permit only relates to the building itself and not the site or use of the land. The DP is the proper tool under the *Municipal Government Act* to regulate the placement of the building on the site and how the land is used. The DP ensures that The City will be aware of a use changing, can ensure the use is allowed and meets regulations, and can place conditions, where appropriate.

Fences, sheds, patios, and some other residential accessory structures will continue to not require a Development Permit.

#### 2. How does this impact me?

**Fees and charges:** There will be an additional cost of approximately \$93 for a Development Permit to cover administrative costs. A separate *Development Permit Fee Bylaw* is being created to replace the existing *Permit Fee Bylaw*. The *Development Permit Fee Bylaw* will house all fees related to land use related permits.

**Timelines:** Acknowledging time is money, the overall timelines will not change from the initial application to when the Building Permit is issued, although Foundation permits will take three days to be issued, rather than being issued immediately at the counter.

**Application process:** Applications can be made for both the Development Permit and Building Permit at the same time, and the two permits will be processed by The City simultaneously. The information required will remain relatively the same, with the addition of the Alberta Energy Regulator form (found online) and a copy of an up-to-date Land Titles Certificate.

**Approving authority:** The DP application will be approved by a Development Officer and if it complies with all regulations in the *Land Use Bylaw*, then is no requirement to advertise. If variances are required, then the application will be processed the same, based on the level of variance, and advertising would be required. The City would be able to attach conditions to a DP, such as recovering costs associated with damage to municipal infrastructure caused by the development on site.



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## Q&A BACKGROUNDER

### Safety Codes Permit Bylaw

The proposed changes also include the creation of a *Safety Codes Permit Bylaw*, which will consolidate information currently housed in many different policies and bylaws.

#### 1. Why is this being considered?

This new bylaw would contain information related to permit applications, inspections, and any other material or service provided pursuant to the *Safety Codes Act* and *Alberta Building Code* in one centralized, publically available document. This would assist customers and staff in easily finding pertinent information. The new bylaw is being modeled after Edmonton's *Safety Codes Bylaw*.

#### 2. How would this impact me?

Any safety code related permit fees previously found elsewhere would be found in the new bylaw, but those fees would not change.

Those who do not comply with regulations could be subject to penalties and fines. Under the proposed changes, violation tickets can be issued related to occupying a location without the Occupancy Permit being issued, as well as for contravening various sections of the bylaw.

### Land Use Bylaw (LUB) Changes

Changes proposed to the *Land Use Bylaw* relate only to development permits.

#### 1. Why the changes?

Currently, the *Land Use Bylaw* provides general statements that say the Development Authority can ask for additional information or impose conditions. By providing further clarity in the LUB, applicants would know up front what is required or potentially what types of conditions they can expect as part of their approval, to better prepare them, ultimately saving valuable time.

### City Contact

All applications will continue to be submitted at Inspections & Licensing, and dealt with internally either by customer service staff or Development Officers. Any questions related to the proposed changes can be directed to Angie Keibel, Development & Licensing Supervisor; Darin Sceviour, Acting Inspections, Enforcement and Building Supervisor; or Erin Stuart, Inspections & Licensing Manager.

- end -

For more information on these changes, please contact:

Inspections & Licensing  
The City of Red Deer  
inspections@reddeer.ca  
403-342-8190

**BYLAW NO. 3551/2015**

WHEREAS, pursuant to section 66 of the *Safety Codes Act*, RSA 2000, c S-1, an accredited municipality may pass bylaws respecting fees for anything issued or any material or service provided pursuant to the *Safety Codes Act* and the carrying out of the powers and duties of an accredited municipality;

AND WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the following matters the safety, health and welfare of people and the protection of people and property and for any services provided by or on the behalf of the municipality and services provided by or on behalf of the municipality;

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may pass bylaws to deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways and to provide for a system of licences, permits or approvals.

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

**PART I – TITLE, PURPOSE AND DEFINITIONS****Title**

1. This bylaw may be referred to as the “Safety Codes Permit Bylaw”.

**Purpose**

2. The purpose of this bylaw is to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the *Safety Codes Act*, the Regulations and this bylaw.

**Definitions**

3. In this bylaw, the following definitions shall apply:
  - (a) “**B.T.U.**” means a unit of energy;
  - (b) “**kV.A**” means a unit of power;
  - (c) “**Municipal Tag**” means a document alleging an offence issued pursuant to the authority of a bylaw of the City;
  - (d) “**Owner**” means a person who has care and control of an Undertaking and includes a lessee, a person in charge, and a person who holds out that the person has the powers and authority of ownership or who at the time being exercises the powers and authority of ownership;
  - (e) “**Permit Issuer**” means a Safety Codes Officer or a person designated to



issue permits pursuant to the *Safety Codes Act*;

- (f) “**person**” means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator or legal representative;
- (g) “**Quality Management Plan**” means the City’s quality management plan registered with the Alberta Safety Codes Council;
- (h) “**Regulations**” means any regulations passed pursuant to the *Safety Codes Act* including any codes adopted in such Regulations;
- (i) “**Safety Codes Act**” means the *Safety Codes Act*, RSA 2000, c S-1, as amended;
- (j) “**Safety Codes Officer**” means an individual designated as a Safety Codes Officer pursuant to the *Safety Codes Act*;
- (k) “**Undertaking**” means the construction of a thing or the control or operation of a thing, process or activity to which the *Safety Codes Act* or the Regulations applies;
- (l) “**Violation Ticket**” has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended; and
- (m) Unless otherwise defined herein, the definitions contained in the *Safety Codes Act* and the Regulations shall have a similar meaning in this bylaw.

## **PART II – PERMITS**

### **Scope**

- 4. This bylaw applies to the issuance of permits respecting:
  - (a) the construction, demolition, installation, alteration, repair and removal, occupancy or change in occupancy of any building regulated by the *Safety Codes Act* and the Regulations within the City of Red Deer; and
  - (b) the installation, alteration or repair of electrical, plumbing and gas equipment and systems regulated by the *Safety Codes Act* and the Regulations within the City of Red Deer.

### **Permits required**

- 5. Subject to section 6, a person shall not start any Undertaking for which a permit is required pursuant to the *Safety Codes Act*, the Regulations or this bylaw unless a valid and subsisting permit has been issued.

6. If there is imminent serious danger to persons or property because of any thing, process or activity to which the *Safety Codes Act* applies or because of a fire hazard or risk of an explosion, a person may, without a permit, start an Undertaking for which a permit is required pursuant to this bylaw but that person must apply for a permit as soon as the danger, fire hazard or risk of explosion has been remedied.

#### **Permit Application**

7. In addition to any other requirement, every person applying for a permit pursuant to the *Safety Codes Act*, the Regulations or this bylaw must provide to the Permit Issuer:
  - (a) an application in a form approved by the Permit Issuer;
  - (b) plans and specifications as required by the Permit Issuer;
  - (c) the value of the proposed Undertaking;
  - (d) any fees required pursuant to this bylaw; and
  - (e) any additional information required by the Permit Issuer.

#### **Issuance of Permit**

8. A Permit Issuer shall issue a permit pursuant to the *Safety Codes Act*, the Regulations or this bylaw, only when:
  - (a) the Undertaking described in the application for the permit meets the requirements of the *Safety Codes Act*, the Regulations and this bylaw;
  - (b) the plans and specifications submitted in the application meet the requirements of the *Safety Codes Act*, the Regulations and this bylaw; and
  - (c) the fees payable pursuant to this bylaw, any fees payable pursuant to the *Safety Codes Act* and any applicable taxes have been paid in full.
9. The Permit Issuer may impose any terms and conditions on any permit issued under this bylaw as are deemed necessary to ensure compliance with the purpose and intent of the *Safety Codes Act*, the Regulations, this bylaw and any other legal requirements.

#### **Revisions and Re-examination**

10. The Safety Codes Officer may accept a revision to the construction for which a permit has been issued and determine the appropriate fee to be charged for the service as set out in Schedule "A".

11. If the documents submitted with an application for a permit contain substantial errors or omissions, the application may be rejected by the Safety Codes Officer. The documents may be re-submitted for further re-examinations and a fee in accordance with Schedule "A" may be charged for each and every re-examination.
12. Any documents submitted which are incomplete and do not form the basis of the permit issued may be destroyed by the Permit Issuer.

**Transfer**

13. A person shall not transfer a permit to any other person unless the transfer has been authorized in writing by the Permit Issuer.

**Refusal to Issue, Suspension or Cancellation**

14. In addition to any powers pursuant to the *Safety Codes Act* or the Regulations, the Permit Issuer may refuse to issue a permit, and the Safety Codes Officer may suspend or cancel a permit that has been issued, if:
  - (a) in the case of an addition or alteration, the existing Undertaking is unsafe or will reduce the level of safety of the Undertaking governed by the permit to below that which is intended by the *Safety Codes Act*, the Regulations or this bylaw;
  - (b) incorrect or insufficient information is submitted with respect to the permit or the Undertaking to be governed by the permit;
  - (c) in the opinion of the Permit Issuer, the Undertaking for which the permit would be or has been issued would or does contravene the *Safety Codes Act*, the Regulations or this bylaw;
  - (d) the fees payable for the permit have not been paid;
  - (e) there is a contravention of any condition under which the permit was issued; or
  - (f) the permit was issued in error.

**Permit Holder Obligations**

15. A person to which a permit has been issued must:
  - (a) comply with the terms and conditions of the permit;
  - (b) undertake the construction, process or activity in accordance with the *Safety Codes Act*, the Regulations and this bylaw;

- (c) notify the Permit Issuer:
  - i. if the permit holder does not intend to complete the Undertaking, or
  - ii. if there is a change in ownership from the Owner as stated on the permit application;
- (d) ensure that all plans and specifications required to apply for the permit are available at the construction site at all reasonable times for inspection by a Safety Codes Officer;
- (e) ensure that a permit for the building discipline is posted, or otherwise identified at the construction site; and
- (f) ensure that the civic address of the property for which the permit was issued is clearly visible from the roadway to which the property is addressed.

#### **Permit Term and Extensions**

16. A permit issued under this bylaw, other than a permit for the occupancy or use of a building, shall expire:

- (a) if work authorized by the permit has not commenced within 90 days of the date of issue of the permit;
- (b) if the work authorized by the permit is commenced but is later suspended or abandoned for a continuous period of more than 120 days; or
- (c) if the work authorized by the permit is commenced but is not completed within 18 months of the date of issue of the permit;

unless the terms and condition of the permit provide otherwise, in which case the terms and conditions of the permit shall take precedence over this section.

17. The Permit Issuer may, from time to time, extend a permit for an additional period when:

- (a) a written application has been received specifying a completion date; and
- (b) a fee for permit extension as set out in Schedule "A" has been paid

except when the permit has expired or been revoked.

18. A permit that has expired may be reinstated by the Permit Issuer at the written request of an applicant within 30 days of expiry provided that:



- (a) no changes are made in the documents submitted with the original application; and
- (b) a fee equivalent to half of the original permit fee has been paid.

**Occupancy**

- 19. No person shall occupy or use, or allow the occupancy of or use of, any building or portion thereof until a final inspection has occurred in all applicable *Safety Code Act* disciplines and the Safety Codes Officers have deemed the building or portion thereof ready to use or to occupy and the Permit Issuer has issued an occupancy permit.
- 20. No person shall allow a change in the occupancy classification (as determined by the Safety Codes Officer) of an existing building until an occupancy permit has been issued.
- 21. An occupancy permit shall be issued on request if the building does not contravene the provisions of the *Safety Codes Act*, the Regulations and this bylaw.
- 22. An occupancy permit is not required for the following residential construction uses:
  - (a) an accessory structure serving a detached dwelling;
  - (b) basement development; and
  - (c) a deck or a deck covering.
- 23. The Owner of the building must permanently display the occupancy permit in a conspicuous location inside the building near the main entrance, except for single family residential buildings where it may be placed near the electrical panel serving the building.
- 24. The Safety Codes Officer shall have the right to inspect the occupancy permit at any reasonable time.
- 25. The issuance of an occupancy permit shall not be construed to be permission for, or approval of, a contravention of any provision of any other act, regulation or bylaw.

**Heating, Ventilating and Air-Conditioning Permit**

- 26. No person shall build, repair, or alter any heating, ventilating, or air-conditioning Undertaking unless the person obtains a permit allowing that person to build, repair, or alter that heating, ventilating, or air-conditioning Undertaking.

27. This section does not apply to repairs or alterations to a heating, ventilating, or air-conditioning Undertaking that in the opinion of the Safety Codes Officer:
- (a) are minor in nature;
  - (b) do not hinder the satisfactory operation of the Undertaking; and
  - (c) do not impact the health or safety of occupants of the building containing the Undertaking.
28. A permit issued pursuant to this section may only be issued to:
- (a) a journeyman sheet metal worker who is regularly employed for the installation, alteration, repair or addition to the heating, ventilation and air-conditioning systems by industrial institutions or similar establishments, provided the work is performed on the property of the industrial institution or similar establishment;
  - (b) a sheet metal mechanic; or
  - (c) an Owner who resides in a single family residential dwelling where the heating, ventilating, or an air-conditioning system serves that dwelling.

### **PART III – INSPECTIONS**

#### **Notification of Inspection**

29. When an Undertaking for which a permit has been issued is ready to be inspected for compliance with the *Safety Codes Act* and Regulations, the person holding the permit shall notify the Safety Codes Officer.

#### **Inspections**

30. Any inspections conducted by or on behalf of the Safety Codes Officer shall be conducted in accordance with the governing Quality Management Plan.

### **PART IV – FEES**

#### **Fees**

31. The fees payable for any permit issued pursuant to this bylaw are set out in Schedule "A".
32. The fees payable for any search, certificate, document, or other service related to the administration of this bylaw are set out in Schedule "A".
33. The City Manager shall adjust the fees set out in Schedule "A" on April 30 of

each year by the change in the Alberta average consumer price index, with the exception of those fees marked with an asterisk (\*) which shall not be adjusted each year, and shall update Schedule "A" accordingly.

34. The permit fees set out in Schedule "A" are subject to an additional Safety Codes Levy, as set by the Safety Codes Council.
35. The Safety Codes Officer may place a valuation on any work for the purpose of calculating fees for a permit.
36. If an Undertaking is commenced prior to a permit being issued pursuant to this bylaw, the fees payable for the permit are double the permit fees set out in Schedule "A".

### **Inspection Fees**

37. Unless otherwise specified, the fees payable pursuant to Schedule "A" include all mandatory inspections.
38. The additional inspection fee set out in Schedule "A" is payable for every inspection where:
  - (a) the municipal address of the parcel for which the permit was issued is not displayed; or
  - (b) when an inspection has been previously arranged, and:
    - i. the Safety Codes Officer is unable to access the building;
    - ii. the Undertaking is not ready for an inspection; or
    - iii. a previously identified deficiency has not been corrected.

### **Refunds**

39. A person who has paid a permit fee in accordance with Schedule "A" may cancel, withdraw or surrender the permit to the Permit Issuer and make application in writing for a refund in accordance with the provisions of this bylaw.
40. The Safety Codes Levy is non-refundable.
41. No refund shall be made if:
  - (a) the permit has been revoked or has expired;
  - (b) the occupancy, relocation, construction or demolition of the building or the installation of the mechanical equipment or systems has commenced; or

- (c) an extension of the permit has been granted.

## **PART V – OFFENCES AND PENALTIES**

### **Offence**

42. A person who contravenes this bylaw, or authorizes or directs another person to contravene this bylaw, is guilty of an offence.

### **Vicarious Liability**

43. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person.

### **Corporations**

44. When a corporation commits an offence under this bylaw, every principal director of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

### **Fines and Penalties**

45. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable, on summary conviction, to the specified penalty as set out in Schedule "B," and in default of payment of the specified penalty, to imprisonment for up to six months.
46. Any person who contravenes the same provision of this bylaw twice is guilty of a second offence and is liable, on summary conviction, to a specified penalty for a second offence as set out in Schedule "B" and in default of payment of the specified penalty, to imprisonment for up to six months.
47. Any person who contravenes the same provision of this bylaw three or more times is guilty of a third or subsequent offence and is liable, on summary conviction, to a specified penalty for a third or subsequent offence as set out in Schedule "B" and in default of payment of the specified penalty, to imprisonment for up to six months.
48. When a penalty is not specified under this bylaw, a person who is guilty of an offence is liable to a fine not exceeding \$10,000.00, and in default of payment of the fine, to imprisonment for up to six months.



**Continuing Offence**

49. In the case of an offence that is of a continuing nature, a contravention constitutes an offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine of \$100 for each day that the offence continues.

**Municipal Tag**

50. A Municipal Tag may be issued to any person where there are reasonable and probable grounds to believe the person has contravened any provision of this bylaw.
51. If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify:
- (a) the name of the person;
  - (b) the offence;
  - (c) the fine amount;
  - (d) that the fine amount shall be paid within 14 days of the issuance of the Municipal Tag; and
  - (e) any other information as may be required.
52. A Municipal Tag may be issued to such person:
- (a) either personally; or
  - (b) by mailing a copy to such person at his or her last known post office address.

**Payment in Lieu of Prosecution**

53. Where a Municipal Tag is issued in respect of an offence, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay the penalty specified within the time period indicated on the Municipal Tag.

**Violation Ticket**

54. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, a Violation Ticket may be issued pursuant to the *Provincial Offences Procedure Act*.
55. Despite section 50, a Violation Ticket may be immediately issued to any person where there are reasonable and probable grounds to believe that person has contravened any provision of this bylaw.

56. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) impose the specified penalty established by this bylaw for the offence and permit a person to make a voluntary payment; or
  - (b) require a person to appear in court without the alternative of making a voluntary payment.

### **Voluntary Payment**

57. A person who commits an offence and who wishes to plead guilty may:
- (a) if a Violation Ticket has been issued in respect of the offence; and
  - (b) if the Violation Ticket includes a specified penalty as established by this bylaw for the offence;
- plead guilty to the offence by making a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

### **Obstruction**

58. A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

## **PART VI – GENERAL**

### **Proof of Permit**

59. The onus of proving that the Permit Issuer has issued a permit in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit.

### **Proof of Exemption**

60. The onus of proving that a person is exempt from the provisions of this bylaw requiring a permit is on the person alleging the exemption.

### **Legal Duty**

61. Nothing in this bylaw, including the issuance of a permit, any approval, and any inspections conducted pursuant to this bylaw, relieves any person of their legal duty to comply with the *Safety Codes Act*, the Regulations and this bylaw.

### **Effective Date**

62. This bylaw takes effect beginning on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

READ A SECOND TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

READ A THIRD TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**SCHEDULE "A"**  
**FEES FOR PERMITS AND SERVICES**

**NOTE: PERMITS ARE SUBJECT TO AN ADDITIONAL SAFETY CODES LEVY, AS SET BY THE SAFETY CODES COUNCIL**

<b>Plumbing Permits</b>	<b>Fee</b>
Minimum fee	\$ 67.80
For each fixture, discharge device, or weeping tile	\$ 9.60
Installation of backflow device/lawn sprinkler	\$ 67.80
Ditch permit to service site – residential and commercial	\$ 67.80
Private sewage disposal	\$ 111.60
<b>Gas Permits</b>	<b>Fee</b>
Minimum fee	\$ 67.80
All major occupancies other than single family and two family residences (to be determined by the total B.T.U rating for all gas fixtures, furnaces, or other devices installed):	
• 65,000 B.T.U./HR input or less	\$ 67.80
• 65,001 – 400,000 B.T.U./HR input or less	\$ 81.85
• 400,001 – 500,000 B.T.U./HR input or less	\$ 116.00
• 500,001 – 1,000,000 B.T.U./HR input or less	\$ 150.00
• 1,000,001 – 5,000,000 B.T.U./HR input or less	\$ 272.80
• 5,000,001 B.T.U./HR input or more	\$ 375.00
Temporary gas line	\$ 67.80
Gas fireplace installation	\$ 67.80
Alterations	\$ 67.80
<b>Building Permits</b>	<b>Fee</b>



Minimum fee	\$ 74.45
Fireplace installation – solid fuel appliance	\$ 67.40
For each \$1,000.00 or part of that of construction costs – commercial buildings	\$ 8.20
For each \$1,000.00 or part of that of construction costs – industrial and public buildings	\$ 7.60
New residential buildings:	\$ 0.58/ft <sup>2</sup>
• main floor	(\$ 6.25/m <sup>2</sup> )
• any additional above-grade levels	\$ 0.39/ft <sup>2</sup> (\$ 4.20/m <sup>2</sup> )
• basement development	\$ 0.21/ft <sup>2</sup> (\$ 2.25/m <sup>2</sup> )
• garages and carports	\$ 0.16/ft <sup>2</sup> (\$ 1.70/m <sup>2</sup> )
• apartments, townhouses, and row housing	\$ 0.58/ft <sup>2</sup> (\$ 6.25/m <sup>2</sup> )
• decks	\$ 74.45
Each heating unit or system – residential	\$ 67.80
Each heating unit or system – non-residential	
• 65,001 – 400,000 B.T.U./HR input or less	\$ 81.85
• 400,001 – 500,000 B.T.U./HR input or less	\$ 116.00
• 500,001 – 1,000,000 B.T.U./HR input or less	\$ 150.00
• 1,000,001 – 5,000,000 B.T.U./HR input or less	\$ 272.80
• 5,000,001 B.T.U./HR input or more	\$ 374.25

<b>Electrical Permits – Contractors</b>	<b>Fee</b>
Minimum fee	\$ 67.80
Installation cost (including labour):	
• \$1,000 - \$1,999	\$ 81.85
• \$2,000 - \$2,999	\$ 102.40
• \$3,000 - \$3,999	\$ 122.80
• \$4,000 - \$4,999	\$ 143.30
• \$5,000 - \$5,999	\$ 156.90
• \$6,000 - \$6,999	\$ 170.50
• \$7,000 - \$7,999	\$ 184.20
• \$8,000 - \$8,999	\$ 197.80
• \$9,000 - \$10,000	\$ 211.40
• Over \$10,000	\$ 211.40 plus 1.15% of the installation cost over \$ 10,000
<b>Electrical Permits – Annual</b>	<b>Fee</b>
Rating of installation kV.A:	
• 100 or less	\$ 173.95
• 101 to 2,500	\$ 173.95 plus \$ 14.45 per 100 kV.A or any fraction over 100
• 2,501 to 5,000	\$ 591.25 plus \$ 10.75 per 100 kV.A or any fraction over 2,500
• 5,001 to 10,000	\$ 915.20 plus \$ 7.40 per 100 kV.A or any fraction over 5,000
• 10,001 to 20,000	\$ 1,358.35 plus \$ 3.70

	per 100 kV.A or any fraction over 10,000		
<ul style="list-style-type: none"><li>Over 20,000</li></ul>	\$ 1,801.60 plus \$0.95 per 100 kV.A over 20,000		
<b>Occupancy Permits</b>	<b>Fee</b>		
Residential (excluding apartments)	\$ 74.45/dwelling		
Apartment buildings (three or more units)	\$ 12.40/unit  (minimum \$ 74.45; maximum \$ 341.25)		
Commercial/Industrial/Public buildings	\$ 68.25/100 m <sup>2</sup> or portion of it  (minimum \$ 68.25; maximum \$ 341.25)		
<b>Electrical Permits – Homeowner</b>			
<b>Value of Material</b>	<b>Fee</b>	<b>Value of Material</b>	<b>Fee</b>
\$0.00 - \$450.00	\$67.80	\$1,700.01 - \$1,750.00	\$ 120.70
\$450.01 - \$500.00	\$69.55	\$1,750.01 - \$1,800.00	\$ 122.80
\$500.01 - \$550.00	\$71.75	\$1,800.01 - \$1,850.00	\$ 124.90
\$550.01 - \$600.00	\$73.75	\$1,850.01 - \$1,900.00	\$ 126.90
\$600.01 - \$650.00	\$75.75	\$1,900.01 - \$1,950.00	\$ 128.80
\$650.01 - \$700.00	\$77.80	\$1,950.01 - \$2,000.00	\$ 131.00
\$700.01 - \$750.00	\$79.85	\$2,000.01 - \$2,050.00	\$ 133.00
\$750.01 - \$800.00	\$81.85	\$2,050.01 - \$2,100.00	\$ 135.10
\$800.01 - \$850.00	\$83.95	\$2,100.01 - \$2,150.00	\$ 137.00
\$850.01 - \$900.00	\$85.95	\$2,150.01 - \$2,200.00	\$ 139.10

\$900.01 - \$950.00	\$88.00	\$2,200.01 - \$2,250.00	\$ 141.20
\$950.01 - \$1,000.00	\$90.15	\$2,250.01 - \$2,300.00	\$ 143.30
\$1,000.01 - \$1,050.00	\$92.15	\$2,300.01 - \$2,350.00	\$ 145.30
\$1,050.01 - \$1,100.00	\$94.20	\$2,350.01 - \$2,400.00	\$ 147.35
\$1,000.01 - \$1,150.00	\$96.20	\$2,400.01 - \$2,450.00	\$ 149.40
\$1,150.01 - \$1,200.00	\$98.25	\$2,450.01 - \$2,500.00	\$ 151.40
\$1,200.01 - \$1,250.00	\$100.25	\$2,500.01 - \$2,550.00	\$ 152.85
\$1,250.01 - \$1,300.00	\$102.40	\$2,550.01 - \$2,600.00	\$ 154.15
\$1,300.01 - \$1,350.00	\$104.45	\$2,600.01 - \$2,650.00	\$ 155.45
\$1,350.01 - \$1,400.00	\$106.40	\$2,650.01 - \$2,700.00	\$ 156.90
\$1,400.01 - \$1,450.00	\$108.50	\$2,700.01 - \$2,750.00	\$ 158.30
\$1,450.01 - \$1,500.00	\$110.55	\$2,750.01 - \$2,800.00	\$ 159.60
\$1,500.01 - \$1,550.00	\$112.60	\$2,800.01 - \$2,850.00	\$ 161.00
\$1,550.01 - \$1,600.00	\$114.55	\$2,850.01 - \$2,900.00	\$ 162.35
\$1,600.01 - \$1,650.00	\$116.65	\$2,900.01 - \$2,950.00	\$ 163.70
\$1,650.01 - \$1,700.00	\$118.65	\$2,950.01 - \$3,000.00	\$ 160.55
<b>General Fees</b>			<b>Fee</b>
Requested additional inspection			\$ 136.45
Re-inspection fee			\$ 136.45



**SCHEDULE "B"  
PENALTIES**

<b>PENALTY SECTION</b>	<b>DESCRIPTION</b>	<b>FIRST OFFENCE</b>	<b>SECOND OFFENCE</b>	<b>THIRD OFFENCE</b>
19	Failing to obtain an occupancy permit for the use or occupancy of a building	\$250	\$500	\$1000
20	Failing to obtain an occupancy permit for a change in occupancy classification	\$250	\$500	\$1000

**BYLAW NO. 3357/W-2015**

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

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

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

1. The definition of “Building Inspector” contained in Section 1.3 is deleted in its entirety.
2. Section 1.5 is deleted in its entirety.
3. Section 2.18 is deleted in its entirety.
4. Section 3.3(5)(b) is deleted in its entirety and replaced with “The Owner of a sign shall permit any Designated Officer to enter the Owner’s premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.”
5. Section 3.3(6) is deleted in its entirety.
6. “Engineering Services” is deleted from Section 3.3(7)(b), Section 3.4(6)(j)(ii), and Section 3.4(10)(a).
7. “Permit Fee Bylaw” is replaced with “Development Permit Fee Bylaw” in Section 3.3(12)(a).
8. Section 3.16 is deleted in its entirety.
9. “Upon approval of a discretionary use development permit the applicant shall apply to The City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility.” is deleted from Section 4.7(11)(b).
10. Section 4.7(15)(1) is deleted in its entirety and is replaced with “An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied.”
11. Section 5.7(6)(b) is deleted in its entirety.
12. “Notwithstanding this, such person must obtain an Occupancy Permit each year prior to implementing the use or erecting the enclosure for the outdoor display or sales area.” is deleted from Section 5.7(10)(d).
13. Section 9.1(3) is deleted in its entirety and is replaced with:

(3) For the purpose of enforcing this Bylaw and the *Municipal Government Act*, the following shall be Designated Officers:

(a) a Bylaw Officer,

(b) the Development Officer or anyone designated by the Development Officer;

(c) Compliance Officer.

14. Section 9.2(10) is deleted in its entirety.

15. Section 9.2(10)(a) is removed as an offence from Schedule "C".

16. This bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this 13<sup>th</sup> day of October 2015.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of October 2015.

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MAYOR

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CITY CLERK

**BYLAW NO. 3555/2015**

WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and services provided by or on the behalf of the municipality;

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may pass bylaws to deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways, and to provide for a system of licences, permits or approvals, including establishing fees for licences, permits and approvals, including fees for licenses, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;

AND WHEREAS, pursuant to section 630.1 of the *Municipal Government Act*, a council may establish and charge fees for planning and development matters.

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

**PART I – TITLE, PURPOSE AND DEFINITIONS****Title**

1. This bylaw may be referred to as the "Development Permit Fee Bylaw".

**Purpose**

2. The purpose of this bylaw is to establish fees for permits issued, or any other material or service provided, pursuant to the *Land Use Bylaw* of The City of Red Deer or the *Municipal Government Act*.

**Definitions**

3. The definitions contained in the *Land Use Bylaw*, as may be amended, shall have a similar meaning in this bylaw.

**PART I – FEES****Fees**

4. The fees set out in Schedule "A" are established with respect to the fees for permits issued, or any other material or service provided, pursuant to the *Land Use Bylaw* or the *Municipal Government Act*.

**PART II – GENERAL****Repeal**

5. The City of Red Deer, Bylaw No. 3149/95, *Permit Fee Bylaw*, is hereby repealed.



**Effective Date**

6. This bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

READ A SECOND TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

READ A THIRD TIME IN OPEN COUNCIL this                      day of \_\_\_\_\_ 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this                      day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

**SCHEDULE "A"**  
**FEES FOR PERMITS AND SERVICES**

<b>Development Services</b>	<b>Fee</b>
Real Property Reports – Residential	\$93.00
Real Property Reports – Non-Residential	\$124.00
Condominium Plan Review	\$49.70/unit
Conformance letters	\$74.45/site
Caveat	\$93.00
Grade Certificate	\$30.30
<b>Development Permit Applications and Related Services</b>	<b>Fee</b>
Permitted and Discretionary Use – Development Officer	\$93.00
Permitted and Discretionary Use – Municipal Planning Commission	\$155.00
Variance to the Land Use Bylaw	\$93.00
Discretionary Use – Secondary Suite	\$247.75
Multiple Family and Multi-Attached Buildings:	
• 4 – 10 Units	\$247.75 plus \$18.40/unit
• 11 – 20 Units	\$434.00 plus \$18.40/unit
• 21 – 50 Units	\$619.95 plus \$18.40/unit
• 50 or More Units	\$743.95 plus \$18.40/unit
Commercial/Industrial/Institutional and Places of Assembly	\$310.00 plus \$43.45/100m <sup>2</sup>
Signs:	
• General	

	\$12.40/m <sup>2</sup> (\$67.80 minimum)
• Portable Signs	\$106.00
• Seasonal Signs	\$31.00
• Supergraphics	\$37.20
Information Distribution, where neighbouring properties provided notification	\$124.00
Advertising	\$74.45



**Council Decision – October 26, 2015**

**DATE:** October 29, 2015  
**TO:** Erin Stuart, Inspections & Licensing Manager  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Safety Codes Permit Bylaw 3551/2015  
Development Permit Fee Bylaw 3555/2015  
Repeal of Council policies 6103-C, and 6117-C

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**Reference Report:**

Legislative Services, dated October 19, 2015 and Inspections & Licensing, dated September 15, 2015.

**Bylaw Readings:**

At the Monday October 26, 2015 Regular Council Meeting, Council gave second and third reading to Safety Codes Permit Bylaw 3551/2015 – a bylaw to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act and to Development Permit Fee Bylaw 3555/2015 – a bylaw to capture the fees associated with land use related permits. Copies of these bylaws are attached.

**Resolution:**

Council also passed the following resolution:

Resolved that Council of The City of Red Deer having considered the report from Inspections and Licensing dated September 15, 2015 re: Safety Codes Permit Bylaw hereby repeals the following council policies:

1. Council Policy No. 6103-C (Inspections of Single Family Dwellings Duplexes and Multifamily Buildings)
2. Council Policy No. 6104-C (Propane Installations); and
3. Council Policy No. 6117-C (Permit Fees)

**Report back to Council: No**

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

Frieda McDougall  
Manager

Attach.

- c. Corporate Meeting Coordinator  
Director of Planning Services  
Planning Services Manager  
Policy Analyst

**BYLAW NO. 3551/2015**

WHEREAS, pursuant to section 66 of the *Safety Codes Act*, RSA 2000, c S-1, an accredited municipality may pass bylaws respecting fees for anything issued or any material or service provided pursuant to the *Safety Codes Act*, and the carrying out of the powers and duties of an accredited municipality;

AND WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the following matters the safety, health and welfare of people and the protection of people and property and for any services provided by or on behalf of the municipality and services provided by or on behalf of the municipality;

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may pass bylaws to deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways to provide for a system of licences, permits or approvals.

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

**PART I – TITLE, PURPOSE AND DEFINITIONS****Title**

1. This bylaw may be referred to as the "Safety Codes Permit Bylaw."

**Purpose**

2. The purpose of this bylaw is to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the *Safety Codes Act*, the Regulations and this bylaw.

**Definitions**

3. In this bylaw, the following definitions shall apply:
  - (a) **"B.T.U."** refers to a unit of energy;
  - (b) **"kV.A"** refers to a unit of power;
  - (c) **"Municipal Tag"** means a document alleging an offence issued pursuant to the authority of a bylaw of the City;
  - (d) **"Owner"** means a person who has care and control of an Undertaking and includes a lessee, a person in charge, and a person who holds out that the person has the powers and authority of ownership or who at the time being exercises the powers and authority of ownership;



- (e) **"Permit Issuer"** means a Safety Codes Officer or a person designated to issue permits pursuant to the *Safety Codes Act*;
- (f) **"person"** means an individual, partnership, association, corporation, organization, business, cooperative, trustee, executor, administrator or legal representative;
- (g) **"Quality Management Plan"** means the City's quality management plan registered with the Alberta Safety Codes Council;
- (h) **"Regulations"** means any regulations passed pursuant to the *Safety Codes Act* including any codes adopted in such Regulations;
- (i) **"Safety Codes Act"** means the *Safety Codes Act*, RSA 2000, c S-1, as amended;
- (j) **"Safety Codes Officer"** means an individual designated as a Safety Codes Officer pursuant to the *Safety Codes Act*;
- (k) **"Undertaking"** means the construction of a thing or the control or operation of a thing, process or activity to which the *Safety Codes Act* or the Regulations applies;
- (l) **"Violation Ticket"** has the same meaning as in the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended; and
- (m) Unless otherwise defined herein, the definitions contained in the *Safety Codes Act* and Regulations shall have a similar meaning in this bylaw.

## **PART II – PERMITS**

### **Scope**

- 4. This bylaw applies to the issuance of permits respecting:
  - (a) the construction, demolition, installation, alteration, repair and removal, occupancy or change in occupancy of any building regulated by the *Safety Codes Act* and Regulations within the City of Red Deer; and
  - (b) the installation, alteration or repair of electrical, plumbing and gas equipment and systems regulated by the *Safety Codes Act* and Regulations within the City of Red Deer.

## **Permits required**

5. Subject to section 6, a person shall not start any Undertaking for which a permit is required pursuant to the *Safety Codes Act*, the Regulations, or this bylaw unless a valid and subsisting permit has been issued.
6. If there is imminent serious danger to persons or property because of any thing, process or activity to which the *Safety Codes Act* applies or because of a fire hazard or risk of an explosion, a person may, without a permit, start an Undertaking for which a permit is required pursuant to this bylaw but that person must apply for a permit as soon as the danger, fire hazard or risk of explosion has been remedied.

## **Permit Application**

7. In addition to any other requirement, every person applying for a permit pursuant to the *Safety Codes Act*, the Regulations, or this bylaw must provide to the Permit Issuer:
  - (a) an application in a form approved by the Permit Issuer;
  - (b) plans and specifications as required by the Permit Issuer;
  - (c) the value of the proposed Undertaking;
  - (d) any fees required pursuant to this bylaw; and
  - (e) any additional information required by the Permit Issuer.

## **Issuance of Permit**

8. A Permit Issuer shall issue a permit pursuant to the *Safety Codes Act*, the Regulations, or this bylaw, only when:
  - (a) the Undertaking described in the application for the permit meets the requirements of the *Safety Codes Act*, the Regulations and this bylaw;
  - (b) the plans and specifications submitted in the application meet the requirements of the *Safety Codes Act*, the Regulations and this bylaw; and
  - (c) the fees payable pursuant to this bylaw, any fees payable pursuant to the *Safety Codes Act* and any applicable taxes have been paid in full.
9. The Permit Issuer may impose any terms and conditions on any permit issued under this bylaw as are deemed necessary to ensure compliance with the purpose and intent of the *Safety Codes Act*, the Regulations, this bylaw and any other legal requirements.

## **Revisions and Re-examination**

10. The Safety Codes Officer may accept a revision to the construction for which a permit has been issued and determine the appropriate fee to be charged for the service as set out in Schedule "A."
11. If the documents submitted with an application for a permit contain substantial errors or omissions, the application may be rejected by the Safety Codes Officer. The documents may be re-submitted for further re-examinations, and a fee in accordance with Schedule "A" may be charged for each and every re-examination.
12. Any documents submitted which are incomplete and do not form the basis of the permit issued may be destroyed by the Permit Issuer.

## **Transfer**

13. A person shall not transfer a permit to any other person unless the transfer has been authorized in writing by the Permit Issuer.

## **Refusal to Issue, Suspension or Cancellation**

14. In addition to any powers pursuant to the *Safety Codes Act* or the Regulations, the Permit Issuer may refuse to issue a permit, and the Safety Codes Officer may suspend or cancel a permit that has been issued, if:
  - (a) in the case of an addition or alteration, the existing Undertaking is unsafe or will reduce the level of safety of the Undertaking governed by the permit to below that which is intended by the *Safety Codes Act*, the Regulations or this bylaw;
  - (b) incorrect or insufficient information is submitted with respect to the permit or the Undertaking to be governed by the permit;
  - (c) in the opinion of the Permit Issuer, the Undertaking for which the permit would be or has been issued would or does contravene the *Safety Codes Act*, the Regulations or this bylaw;
  - (d) the fees payable for the permit have not been paid;
  - (e) there is a contravention of any condition under which the permit was issued; or
  - (f) the permit was issued in error.

## **Permit Holder Obligations**

15. A person to which a permit has been issued must:
- (a) comply with the terms and conditions of the permit;
  - (b) undertake the construction, process or activity in accordance with the *Safety Codes Act*, the Regulations, and this bylaw;
  - (c) notify the Permit Issuer:
    - i. if the permit holder does not intend to complete the Undertaking, or
    - ii. if there is a change in ownership from the Owner as stated on the permit application;
  - (d) ensure that all plans and specifications required to apply for the permit are available at the construction site at all reasonable times for inspection by a Safety Codes Officer;
  - (e) ensure that a permit for the building discipline is posted, or otherwise identified at the construction site; and
  - (f) ensure that the civic address of the property for which the permit was issued is clearly visible from the roadway to which the property is addressed.

## **Permit Term and Extensions**

16. A permit issued under this bylaw, other than a permit for the occupancy or use of a building, shall expire:
- (a) if work authorized by the permit has not commenced within 90 days of the date of issue of the permit; or
  - (b) if the work authorized by the permit is commenced but is later suspended or abandoned for a continuous period of more than 120 days; or
  - (c) if the work authorized by the permit is commenced but is not completed within 18 months of the date of issue of the permit;

unless the terms and condition of the permit provide otherwise, in which case the terms and conditions of the permit shall take precedence over this section.

17. The Permit Issuer may, from time to time, extend a permit for an additional period when:
  - (a) a written application has been received specifying a completion date; and
  - (b) a permit fee for extension as set out in Schedule "A" has been paidexcept when the permit has expired or been revoked.
18. A permit that has expired may be reinstated by the Permit Issuer at the written request of an applicant within 30 days of expiry provided that:
  - (a) no changes are made in the documents submitted with the original application; and
  - (b) a fee equivalent to half of the original permit fee has been paid.

### **Occupancy**

19. No person shall occupy, or allow the occupancy of, or use of, any building or portion thereof until a final inspection has occurred in all applicable *Safety Code Act* disciplines and the Safety Codes Officers have deemed the building or portion thereof ready to use or occupy and the Permit Issuer has issued an occupancy permit.
20. No person shall allow a change in the occupancy classification (as determined by the Safety Codes Officer) of an existing building until an occupancy permit has been issued.
21. An occupancy permit shall be issued on request if the building does not contravene the provisions of the *Safety Codes Act*, the Regulations and this bylaw.
22. An occupancy permit is not required for the following residential construction uses:
  - (a) an accessory structure serving a detached dwelling;
  - (b) basement development; and
  - (c) a deck or a deck covering.
23. The Owner of building must permanently display the occupancy permit in a conspicuous location inside the building near the main entrance, except for single family residential buildings where it may be placed near the electrical panel serving the building.
24. A Safety Codes Officer shall have the right to inspect the occupancy permit at any reasonable time.



25. The issuance of an occupancy permit shall not be construed to be permission for, or approval of, a contravention of any provision of any other act, regulation or bylaw.

### **Heating, Ventilating and Air-Conditioning Permit**

26. No person shall build, repair, or alter any heating, ventilating, or air-conditioning Undertaking unless the person obtains a permit allowing that person to build, repair, or alter that heating, ventilating, or air-conditioning Undertaking.
27. This section does not apply to repairs or alterations to a heating, ventilating, or air-conditioning Undertaking that in the opinion of the Safety Codes Officer:
- (a) are minor in nature;
  - (b) do not hinder the satisfactory operation of the Undertaking; and
  - (c) do not impact the health or safety of occupants of the building containing the Undertaking.
28. A permit issued pursuant to this section may only be issued to:
- (a) a journeyman sheet metal worker who is regularly employed for the installation, alteration, repair or addition to the heating, ventilation and air-conditioning systems by industrial institutions or similar establishments, provided the work is performed on the property of the industrial institution or similar establishment;
  - (b) a sheet metal mechanic; or
  - (c) an Owner who resides in a single family residential dwelling where the heating, ventilating, or an air-conditioning system serves that dwelling.

## **PART III - INSPECTIONS**

### **Notification of Inspection**

29. When an Undertaking for which a permit has been issued is ready to be inspected for compliance with the *Safety Code Act and Regulations*, the person holding the permit shall notify the Safety Codes Officer. .

### **Inspections**

30. Any inspections conducted by or on behalf of the Safety Codes Officer shall be conducted in accordance with the governing Quality Management Plan.

## **PART IV – FEES**

### **Fees**

31. The fees payable for any permit issued pursuant to this bylaw are set out in Schedule "A".
32. The fees payable for any search, certificate, document, or other service related to the administration of this bylaw are set out in Schedule "A."
33. The City Manager may adjust the fees set out in Schedule "A." on April 30 of each year by the change in the Alberta average consumer price index, with the exception of those fees marked with an asterisk (\*) which shall not be adjusted each year, and shall update Schedule "A" accordingly.
34. The permit fees set out in Schedule "A" are subject to an additional Safety Codes Levy, as set by the Safety Codes Council.
35. The Safety Codes Officer may place a valuation on any work for the purpose of calculating fees for a permit.
36. If any Undertaking is commenced prior to a permit being issued pursuant to this bylaw, the fees payable for the permit are double the permit fees set out in Schedule "A".

### **Inspection Fees**

37. Unless otherwise specified, the fees payable pursuant to Schedule "A" include all mandatory inspections.
38. The additional inspection fee set out in Schedule "A" is payable for every inspection where:
  - (a) the municipal address of the parcel for which the permit was issued is not displayed; or
  - (b) when an inspection has been previously arranged, and:
    - i. the Safety Codes Officer is unable to access the building;
    - ii. the Undertaking is not ready for an inspection; or
    - iii. a previously identified deficiency has not been corrected.

## **Refunds**

39. A person who has paid a permit fee in accordance with Schedule "A" may cancel, withdraw or surrender the permit to the Permit Issuer and make application in writing for a refund in accordance with the provisions of this bylaw.
40. The Safety Codes Levy is non-refundable.
41. No refund shall be made if:
  - (a) the permit has been revoked or has expired;
  - (b) the occupancy, relocation, construction or demolition of the building or the installation of the mechanical equipment or systems has commenced; or
  - (c) an extension of the permit has been granted.

## **PART V - OFFENCES AND PENALTIES**

### **Offence**

42. A person who contravenes this bylaw, or authorizes or directs another person to contravene this bylaw, is guilty of an offence.

### **Vicarious Liability**

43. For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person.

### **Corporations**

44. When a corporation commits an offence under this bylaw, every principal, director of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

## **Fines and Penalties**

45. Any person who contravenes any provision of this bylaw is guilty of an offence and is liable, on summary conviction, to the specified penalty as set out in Schedule "B," and in default of payment of the specified penalty, to imprisonment for up to six months.
46. Any person who contravenes the same provision of this bylaw twice is guilty of a second offence and is liable, on summary conviction, to a specified penalty for a second offence as set out in Schedule "B" and in default of payment of the specified penalty, to imprisonment for up to six months.
47. Any person who contravenes the same provision of this bylaw three or more times is guilty of a third or subsequent offence and is liable, on summary conviction, to a specified penalty for a third or subsequent offence as set out in Schedule "B" and in default of payment of the specified penalty, to imprisonment for up to six months.
48. When a penalty is not specified under this bylaw, a person who is guilty of an offence is liable to a fine not exceeding \$10,000.00, and in default of payment of the fine, to imprisonment for up to six months.

## **Continuing Offence**

49. In the case of an offence that is of a continuing nature, a contravention constitutes an offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to of \$100 for each day that the offence continues.

## **Municipal Tag**

50. A Municipal Tag may be issued to any person where there are reasonable and probable grounds to believe the person has contravened any provision of this bylaw.
51. If a Municipal Tag is issued in respect of an offence the Municipal Tag must specify:
  - (a) the name of the person;
  - (b) the offence;
  - (c) the fine amount;
  - (d) that the fine amount shall be paid within 14 days of the issuance of the Municipal Tag; and
  - (e) any other information as may be required.
52. A Municipal Tag may be issued to such person :

- (a) either personally; or
- (b) by mailing a copy to such person at his or her last known post office address;

### **Payment in Lieu of Prosecution**

53. Where a Municipal Tag is issued in respect of an offence, the person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay the penalty specified within the time period indicated on the Municipal Tag.

### **Violation Ticket**

54. If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, a Violation Ticket may be issued pursuant to the *Provincial Offences Procedure Act*.
55. Despite section 50, a Violation Ticket may be immediately issued to any person where there are reasonable and probable grounds to believe that person has contravened any provision of this bylaw.
56. If a Violation Ticket is issued in respect of an offence, the Violation Ticket may:
- (a) impose the specified penalty established by this bylaw for the offence and permit a person to make a voluntary payment; or
  - (b) require a person to appear in court without the alternative of making a voluntary payment.

### **Voluntary Payment**

57. A person who commits an offence and who wishes to plead guilty may:
- (a) if a Violation Ticket has issued in respect of the offence; and
  - (b) if the Violation Ticket includes a specified penalty as established by this bylaw for the offence;

plead guilty to the offence by making a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.



## **Obstruction**

58. A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.

## **PART VI - GENERAL**

### **Proof of Permit**

59. The onus of proving that the Permit Issuer has issued a permit in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit.

### **Proof of Exemption**

60. The onus of proving that a person is exempt from the provisions of this bylaw requiring a permit is on the person alleging the exemption.

### **Legal Duty**

61. Nothing in this bylaw, including the issuance of a permit, any approval, and any inspections conducted pursuant to this bylaw, relieves any person of their legal duty to comply with the *Safety Codes Act*, the Regulations and this bylaw.

### **Effective Date**

62. This bylaw takes effect beginning on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this 13<sup>th</sup> day of October 2015.  
READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.  
READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.  
AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of October 2015.

  
MAYOR

  
CITY CLERK

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

<b>Plumbing Permits</b>	<b>Fee</b>
Minimum fee	\$ 67.80
For each fixture, discharge device, or weeping tile	\$ 9.60
Installation of backflow device/lawn sprinkler	\$ 67.80
Ditch permit to service site – residential and commercial	\$ 67.80
Private sewage disposal	\$ 111.60
<b>Gas Permits</b>	<b>Fee</b>
Minimum fee	\$ 67.80
All major occupancies other than single family and two family residences (to be determined by the total B.T.U rating for all gas fixtures, furnaces, or other devices installed):	
• 65,000 B.T.U./HR input or less	\$ 67.80
• 65,001 – 400,000 B.T.U./HR input or less	\$ 81.85
• 400,001 – 500,000 B.T.U./HR input or less	\$ 116.00
• 500,001 – 1,000,000 B.T.U./HR input or less	\$ 150.00
• 1,000,001 – 5,000,000 B.T.U./HR input or less	\$ 272.80
• 5,000,001 B.T.U./HR input or more	\$ 375.00
Temporary gas line	\$ 67.80
Gas fireplace installation	\$ 67.80
Alterations	\$ 67.80
<b>Heating Permits</b>	<b>Fee</b>
Minimum fee	\$ 74.45
Fireplace installation – solid fuel appliance	\$67.40
For each \$1,000.00 or part of that of construction costs –commercial	\$ 8.20

buildings	
For each \$1,000.00 or part of that of construction costs – industrial and public buildings	\$ 7.60
New residential buildings:	\$ 0.58/ft <sup>2</sup> (\$ 6.25/m <sup>2</sup> .)
• main floor	
• any additional above-grade levels	\$ 0.39/ft <sup>2</sup> . (\$ 4.20/m <sup>2</sup> .)
• basement development	\$ 0.21/ft <sup>2</sup> . (\$ 2.25/m <sup>2</sup> .)
• garages and carports	\$ 0.16/ft <sup>2</sup> . (\$ 1.70/m <sup>2</sup> .)
• apartments, townhouses, and row housing	\$ 0.58/ft <sup>2</sup> . (\$ 6.25/m <sup>2</sup> )
• decks	\$ 74.45
Each heating unit or system – residential	\$67.80
Each heating unit or system – non-residential	
• 65,001 – 400,000 B.T.U./HR input or less	\$81.85
• 400,001 – 500,000 B.T.U./HR input or less	\$116.00
• 1,000,001 – 5,000,000 B.T.U./HR input or less	\$272.80
• 5,000,001 B.T.U./HR input or more	\$374.25
<b>Electrically-Operated – Single-Phase</b>	
Minimum fee	\$ 67.80
Installation cost (including labour):	
• \$1,000 - \$1,999	\$ 81.85
• \$2,000 - \$2,999	\$ 102.40
• \$3,000 - \$3,999	\$ 122.80
• \$4,000 - \$4,999	\$ 143.30
• \$5,000 - \$5,999	\$ 156.90

• \$6,000 - \$6,999	\$ 170.50
• \$7,000 - \$7,999	\$ 184.20
• \$8,000 - \$8,999	\$ 197.80
• \$9,000 - \$10,000	\$ 211.40
• Over \$10,000	\$ 211.40 plus 1.15% of the installation cost over \$ 10,000
<b>Electrical Permits - Annual</b>	
<b>Rating of installation kV.A:</b>	
• 100 or less	\$ 173.95
• 101 to 2,500	\$ 173.95 plus \$ 14.45 per 100 kV.A or any fraction over 100
• 2,501 to 5,000	\$ 591.25 plus \$ 10.75 per 100 kV.A or any fraction over 2,500
• 5,001 to 10,000	\$ 915.20 plus \$ 7.40 per 100 kV.A or any fraction over 5,000
• 10,001 to 20,000	\$ 1,358.35 plus \$ 3.70 per 100 kV.A or any fraction over 10,000
• Over 20,000	\$ 1,801.60 plus \$0.95 per 100 kV.A over 20,000
<b>Other Building Permits</b>	
Residential (excluding apartments)	\$ 74.45/dwelling
Apartment buildings (three or more units)	\$ 12.40/unit (minimum \$ 74.45; maximum \$ 341.25)

Commercial/Industrial/Public buildings	\$ 68.25/100 m <sup>2</sup> or portion of it  (minimum \$ 68.25; maximum \$ 341.25)
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**Electrical Permits - Homeowner**

Value of Material	Fee	Value of Material	Fee
\$0.00 - \$450.00	\$67.80	\$1,700.01 - \$1,750.00	\$ 120.70
\$450.01 - \$500.00	\$69.55	\$1,750.01 - \$1,800.00	\$ 122.80
\$500.01 - \$550.00	\$71.55	\$1,800.01 - \$1,850.00	\$ 124.90
\$550.01 - \$600.00	\$73.75	\$1,850.01 - \$1,900.00	\$ 126.90
\$600.01 - \$650.00	\$75.75	\$1,900.01 - \$1,950.00	\$ 128.80
\$650.01 - \$700.00	\$77.80	\$1,950.01 - \$2,000.00	\$ 131.00
\$700.01 - \$750.00	\$79.85	\$2,000.01 - \$2,050.00	\$ 133.00
\$750.01 - \$800.00	\$81.85	\$2,050.01 - \$2,100.00	\$ 135.10
\$800.01 - \$850.00	\$83.95	\$2,100.01 - \$2,150.00	\$ 137.00
\$850.01 - \$900.00	\$85.95	\$2,150.01 - \$2,200.00	\$ 139.10
\$900.01 - \$950.00	\$88.00	\$2,200.01 - \$2,250.00	\$ 141.20
\$950.01 - \$1,000.00	\$90.15	\$2,250.01 - \$2,300.00	\$ 143.30
\$1,000.01 - \$1,050.00	\$92.15	\$2,300.01 - \$2,350.00	\$ 145.30
\$1,050.01 - \$1,100.00	\$94.20	\$2,350.01 - \$2,400.00	\$ 147.35
\$1,100.01 - \$1,150.00	\$96.20	\$2,400.01 - \$2,450.00	\$ 149.40
\$1,150.01 - \$1,200.00	\$98.25	\$2,450.01 - \$2,500.00	\$ 151.40
\$1,200.01 - \$1,250.00	\$100.25	\$2,500.01 - \$2,550.00	\$ 152.85
\$1,250.01 - \$1,300.00	\$102.40	\$2,550.01 - \$2,600.00	\$ 154.15
\$1,300.01 - \$1,350.00	\$104.45	\$2,600.01 - \$2,650.00	\$ 155.45



\$1,350.01 - \$1,400.00	\$106.40	\$2,650.01 - \$2,700.00	\$ 156.90
\$1,400.01 - \$1,450.00	\$108.50	\$2,700.01 - \$2,750.00	\$ 158.30
\$1,450.01 - \$1,500.00	\$110.55	\$2,750.01 - \$2,800.00	\$ 159.60
\$1,500.01 - \$1,550.00	\$112.60	\$2,800.01 - \$2,850.00	\$ 161.00
\$1,550.01 - \$1,600.00	\$114.55	\$2,850.01 - \$2,900.00	\$ 162.35
\$1,600.01 - \$1,650.00	\$116.65	\$2,900.01 - \$2,950.00	\$ 163.70
\$1,650.01 - \$1,700.00	\$118.65	\$2,950.01 - \$3,000.00	\$ 160.55
General Fees			
Requested additional inspection			\$ 136.45
Re-inspection fee			\$ 136.45

**SCHEDULE "B"**  
**PENALTIES**

<b>19</b>	Failing to obtain an occupancy permit for the use or occupancy of a building	<b>\$250</b>	<b>\$500</b>	<b>\$1000</b>
<b>20</b>	Failing to obtain an occupancy permit for a change in occupancy classification	<b>\$250</b>	<b>\$500</b>	<b>\$1,000</b>

**BYLAW NO. 3555/2015**

FILE COPY

WHEREAS, pursuant to section 7 of the *Municipal Government Act*, RSA 2000, c M-26, a council may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property and services provided by or on behalf of the municipality;

AND WHEREAS, pursuant to section 8 of the *Municipal Government Act*, a council may pass bylaws to deal with any development, activity, industry, business or thing in different ways, divide each of them into classes and deal with each class in different ways, and to provide for a system of licences, permits or approvals, including establishing fees for licences, permits and approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue;

AND WHEREAS, pursuant to section 630.1 of the *Municipal Government Act*, a council may establish and charge fees for planning and development matters.

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

**PART I – TITLE, PURPOSE AND DEFINITIONS**

**Title**

1. This Bylaw may be referred to as the “Development Permit Fees Bylaw”.

**Purpose**

2. The purpose of this bylaw is to establish fees for permits issued, or any other material or service provided, pursuant to the *Land Use Bylaw* of The City of Red Deer or the *Municipal Government Act*.

**Definitions**

3. The definitions contained in the *Land Use Bylaw*, as may be amended, shall have a similar meaning in this bylaw.

## PART I – FEES

### Fees

4. The fees set out in Schedule “A” are established with respect to the fees for permits issued, or any other material or service provided, pursuant to the *Land Use Bylaw* or the *Municipal Government Act*.

## PART II – GENERAL

### Repeal


5. The City of Red Deer, Bylaw No. 3149/95, Permit Fee Bylaw, is hereby repealed.

### Effective Date

6. The bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this	13 <sup>th</sup>	day of	October	2015
READ A SECOND TIME IN OPEN COUNCIL this	26 <sup>th</sup>	day of	October	2015
READ A THIRD TIME IN OPEN COUNCIL this	26 <sup>th</sup>	day of	October	2015
AND SIGNED BY THE MAYOR AND CITY CLERK this	26 <sup>th</sup>	day of	October	2015

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CITY CLERK

**SCHEDULE "A"**  
**FEES FOR PERMITS AND SERVICES**

Real Property Reports – Residential	\$93.00
Real Property Reports – Non-Residential	\$124.00
Condominium Plan Review	\$49.70/unit
Conformance letters	\$74.45/site
Caveat	\$93.00
Grade Certificate	\$30.30
Permitted and Discretionary Use – Development Officer	\$93.00
Permitted and Discretionary Use – Municipal Planning Commission	\$155.00
Variance to the Land Use Bylaw	\$93.00
Discretionary Use – Secondary Suite	\$247.75
Multiple Family and Multi-Attached Buildings:	
• 4 – 10 Units	\$247.75 plus \$18.40/unit
• 11 – 20 Units	\$434.00 plus \$18.40/unit
• 21 – 50 Units	\$619.95 plus \$18.40/unit
• 50 or More Units	\$743.95 plus \$18.40/unit
Commercial/Industrial/Institutional and Places of Assembly	\$310.00 plus \$43.45/100m <sup>2</sup>
Signs	
• General	\$12.40/m <sup>2</sup> (\$67.80 minimum)
• Portable Signs	\$106.00
• Seasonal Signs	\$31.00



• Supergraphics	\$37.20
Information Distribution, where neighbouring properties provided notification	\$124.00
Advertising	\$74.45



October 19, 2015

## Land Use Bylaw Amendment 3357/Q-2015

### Consideration of Second & Third Reading

Legislative Services

#### **Report Summary & Recommendation:**

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The attached report is being brought forward from the Tuesday, October 13, 2015 Council meeting.

#### **Recommendation:**

That Council consider giving second and third readings to Land Use Bylaw Amendment 3357/Q-2015

#### Report Details

##### **Background:**

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At the Tuesday, October 13 2015 Council Meeting, Council gave first reading to Bylaw 3357/Q-2015, a Land Use Bylaw amendment to provide transparency and consistency in the Development Permit application process.

In accordance with Section 606 of the Municipal Government Act, Land Use Bylaw Amendment 3357/Q-2015 was required to be advertised for two consecutive weeks. Advertisements were placed in the Red Deer Advocate on October 16, 2015 and October 23, 2015. No comments were received. A Public Hearing will be held on Monday, October 26, 2015 at 6:00 p.m. during Council's regular meeting.



Report Originally  
Submitted to the Tuesday,  
October 13, 2015 Meeting  
of City Council

September 24, 2015

## Land Use Bylaw Amendment 3357/Q-2015

### Administrative Duties, Responsibilities, and Procedures

Planning Department

#### **Report Summary & Recommendation:**

---

The changes proposed under Bylaw 3357/Q-2015 provide clear and more comprehensive information related to The City's administration of Development Permit applications. The amendments use plain language and reorganize information required to support a Development Permit application. The changes also clarify the roles and authorities of the Development Officer and the Municipal Planning Commission (MPC), and will help to ensure consistency between City practices and policy. These amendments will assist to streamline processes and provide a more user-friendly Land Use Bylaw (LUB) for all groups: City Administration, MPC, City Council, developers, builders, and the general public.

The proposed amendments have been created jointly by Legal, Planning, and the Inspections and Licensing Departments. Planning staff recommend Council give first reading to Land Use Bylaw amendment 3357/Q-2015.

#### **City Manager Comments:**

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I support the recommendation of Administration. If first reading of Land Use Bylaw 3557/Q-2015 is given, a Public Hearing would then be advertised for two consecutive weeks to be held on Monday, October 26, 2015 at 6:00 pm during Council's regular meeting.

Craig Curtis  
City Manager

#### **Proposed Resolution**

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That Bylaw 3357/Q-2015 (a Land Use Bylaw amendment to provide transparency and consistency in the Development Permit application process) be read a first time.



## Report Details

### Background:

Administration has been reviewing processes to improve customer service and ensuring compliance with the *Municipal Government Act*. During this process review, it became apparent changes are needed in the LUB to ensure clear and consistent administration of the LUB. Changes are also needed to create a transparent application process where the applicant is aware of the information required to support a Development Permit application and what conditions of approval may be imposed.

In addition, our process review showed there are currently some instances where the City is approving only a Building Permit but actually both a Development Permit and a Building Permit are required (e.g. single family home in new neighbourhood). It appears that years ago the two processes were consolidated in an effort to simplify the application process for customers, however in order to maintain compliance with the statutes and to ensure the proper parties are regulating matters under the appropriate system, this amendment re-institutes the need for two separate applications which will be processed by the City concurrently.

To ensure proper compliance with Statutory Plans and the LUB, Development Permits will now be required for all developments, including permitted uses, as of November 23, 2015. Bylaw 3357/Q-2015 will enable the Development Authority to attach conditions of approvals on those developments that were previously only required to obtain a Building Permit. If approved, The City will now be in line with other municipalities that require Development Permits for all types of development and all uses will be treated consistently within the LUB.

### Discussion:

The table below outlines the amendments proposed under Bylaw 3357/Q-2015. The left column contains the sections as they currently exist, the centre column illustrates the proposed amendments under Bylaw 3357/Q-2015, and the column to the right provides the rationale for the proposed amendments.

Existing Sections to be Amended	Proposed Amendments	Rationale
<p><b><u>Section 1.2(2)</u></b>  <b>(2) Application of the Land Use Bylaw</b></p> <p>This Bylaw applies to all buildings, land, and development within The City, including signs, except:</p>	<p><b><u>Delete Section 1.2(2) and replace with the following:</u></b></p> <p><b>(2) Application of the Land Use Bylaw</b></p> <p>A development permit is required</p>	<p>Wording has been revised to make it clear what developments are required to obtain a Development Permit, and which ones are exempt.</p> <p>developments now</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>(a) the use of a building or part thereof as a temporary campaign headquarters or polling station for a federal, provincial or municipal election or referendum,</p> <p>(b) the construction and maintenance of:</p> <p style="padding-left: 40px;">(i) public utilities on public thoroughfare, utility easement, utility lot or parking areas; and</p> <p style="padding-left: 40px;">(ii) City transit shelters.</p> <p>(c) a temporary building, which is erected in connection with the construction or alteration of an approved development,</p> <p>(d) the temporary storage of construction material on a site near or adjacent to a site upon which a building is being erected or altered,</p> <p>(e) notices, signs, placards or bulletins required to be displayed under the provisions of federal, provincial or municipal legislation or displayed by or on behalf of The City or on behalf of a department, a commission, board, committee or official of The City authorized for such purposes,</p>	<p>for every Development unless exempted by this Bylaw. A development permit is not required for the following Developments, provided they otherwise comply with all provisions of this Bylaw, and are not located within an Escarpment Area or Direct Control District 32:</p> <p>(a) the temporary use of a Building in connection with a federal, provincial or municipal election, census or referendum;</p> <p>(b) the demolition of a Building or Structure where a development permit has been issued for a new Development on the same Site, and the demolition of the existing Building or Structure is implicit in that permit;</p> <p>(c) the construction and maintenance of transit shelters, , Streets, Lanes, or parks;</p> <p>(d) a Temporary Building erected in connection with the construction, marketing, or alteration of an approved Development;</p> <p>(e) the temporary storage of construction material on a Site near or adjacent to a Site upon which a Building is being erected or altered;</p> <p>(f) notices, Signs, placards or bulletins required to be displayed under the provisions of federal,</p>	<p>proposed to be exempt from requiring a development permit under Bylaw 3357/Q-2015 are:</p> <ul style="list-style-type: none"> <li>• Demolition of buildings if a permit has been issued which implies the existing building will be demolished (e.g. new single detached home on a R1 District lot)</li> <li>• Temporary buildings for marketing purposes for an approved development such as sales centre (d);</li> <li>• Fences in residential districts (j); and</li> <li>• Outdoor recreational amenities such as above ground pools and play structures in residential districts (l).</li> </ul> <p>Developments proposed to now be required to obtain a development permit under Bylaw 3357/Q-2015 are:</p> <ul style="list-style-type: none"> <li>• All Developments not included in the list of exceptions</li> <li>• Building</li> </ul>





Existing Sections to be Amended	Proposed Amendments	Rationale
<p>(f) notices or signs for the guidance, warning or restraint of persons in respect of the premises on which they are displayed,</p> <p>(g) a sign or notice offering a site on which it is placed or a building or part of a building thereon for rent or for sale, provided that the area of such sign or notice shall not exceed 1 m<sup>2</sup> in a residential district or 6.0 m<sup>2</sup> in any other district,</p> <p>(h) the erection of patios provided that they are not covered by a roof,</p> <p>(i) any non-structural alterations, renovations or maintenance in R1, R1A, R1N and R2 districts, other than residential basement developments.</p> <p>(j) Minor structures not exceeding 1.8 m in height which are ancillary to residential uses, such as barbecue, tent for camping, dog house, lawn sculpture, bird feeder, raised planting beds or other similar structures, but not including fences.</p> <p>(k) Landscaping, where the existing grade and natural surface drainage pattern is not materially altered, except where landscaping forms part of a development for which a development permit has</p>	<p>provincial or municipal legislation or displayed by or on behalf of the City or on behalf of a department, a commission, board, committee or official of the City authorized for such purposes;</p> <p>(g) notices or Signs for the guidance, warning or restraint of persons in respect of the premises on which they are displayed;</p> <p>(h) a Sign or notice offering a Site on which it is placed or a Building or part of a Building thereon for rent or for sale, provided that the area of such Sign or notice shall not exceed 1.0 m<sup>2</sup> in a residential District or 6.0 m<sup>2</sup> in any other District;</p> <p>(i) the construction of patios provided that they are not covered by a roof;</p> <p>(j) the construction of a fence in a residential District;</p> <p>(k) landscaping, where the existing Grade and natural surface drainage pattern is not materially altered, except where the landscaping forms part of a Development that requires a development permit;</p> <p>(l) outdoor recreation amenities that are devoted to the communal use of residents living on the Site, including, but not limited</p>	<p>demolitions where the demolition of the subject building is not implied in a development permit; and</p> <ul style="list-style-type: none"> <li>• All developments in an escarpment area.</li> <li>• Accessory buildings in commercial and industrial areas</li> <li>• Residential basement development</li> <li>• Public Utilities (Because Utilities are a discretionary use in many districts it was inconsistent to also list them as an exception. This matter is being further reviewed by City Staff and is expected to be addressed in a future amendment.)</li> </ul>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>been issued.</p> <p>(l) Accessory buildings with a floor area of 10.0 m squared or less and height of 2.4 m or less, including garden sheds, workshops, potting sheds and other similar structures provided that they are moveable and provided they otherwise comply with the provisions of section 3.5 of this Bylaw.</p>	<p>to, an above ground pool, hot tub, backyard skating rink, play structures, putting green, or tennis court;</p> <p>(m) internal alterations and maintenance, or repair to any Building provided that the use, intensity, height or Floor Area of the Building does not change;</p> <p>(n) Site grading in accordance with an executed development agreement;</p> <p>(o) minor Structures not exceeding 1.8 m in height which are accessory to residential uses, such as barbecues, tents for camping, dog houses, lawn sculptures, bird feeders, raised planting beds or other similar Structures;</p> <p>(p) Accessory Buildings within a residential District with a Floor Area of 10.0 m<sup>2</sup> or less and a height of 2.4 m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw</p>	
<p><b><u>Section 2.2(1)</u></b></p> <p>Except as provided for in section 1.2(2), no person shall commence any development unless the development conforms to this</p>	<p><b><u>Delete the phrase “the development conforms to this Bylaw and”</u></b></p> <p>Except as provided for in section 1.2(2), no person shall commence</p>	<p>All developments in the City requires a development permit, unless specifically exempted under Section 1.2(2). The reference to</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
Bylaw and a development permit, if required, has been issued.	any development unless a development permit, if required, has been issued.	conforming is changed due to, if a development has a valid Development Permit, it either conforms to the Bylaw or a variance has been granted.
<p><b><u>Section 2.2(4)</u></b></p> <p>Notwithstanding anything in this bylaw, with the exception of Direct Control District 32 (DC32), no development, redevelopment, clearing or grading, excavating or adding fill is permitted in an escarpment area as identified on the Land Use Constraint Maps in Schedule A without a development permit.</p>	<p><b><u>Delete Section 2.2(4) and replace with the following:</u></b></p> <p>With the exception of Direct Control District 32 (DC32), any application for Development within an Escarpment Area as identified in the Land Use Constraints Maps in Schedule A, must be considered in accordance with section 2.11.</p>	By rewording the subsection and cross referencing a new section that pertains specifically to proposed developments in an escarpment area, all the information needed to development in an escarpment area is in one location. This will reduce the chances of missing important information in the LUB.
<p><b><u>Section 2.4</u></b></p> <p><b>2.4 Plans and Information Required for Development Permit</b></p> <p>(1) Every application for a development permit shall be accompanied by the following:</p> <p>(a) site plans in the quantity specified by the Development Officer, showing the following information:</p> <ul style="list-style-type: none"> <li>(i) north arrow,</li> <li>(ii) scale of plan,</li> <li>(iii) legal description of property,</li> <li>(iv) municipal address,</li> <li>(v) property lines</li> </ul>	<p><b><u>Delete Section 2.4 and replace with the following:</u></b></p> <p><b>2.4 Development Permit Application Requirements</b></p> <p>(1) An application for a development permit shall be made on the prescribed application form and shall be completed to the satisfaction of the Development Officer.</p> <p>(2) The Development Officer shall determine the number of paper or electronic copies or both required for a complete submission.</p> <p>(3) An application for a development permit shall not be considered complete until such time as the information required in this section has</p>	<p>Currently, <i>Section 2.4 Plans and Information Required for Development Permit</i> contains a very long list of possible information required, and contains a general statement that allows the Development Authority to ask for additional information.</p> <p>Over the years many of the application requirements have become standard practices without being formalized in the LUB. The proposed revised section provides a comprehensive list of the standard information that will be required to support an application. Applicants will then know</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>shown and labelled,</p> <p>(vi) Bylaw property line setbacks, shown and labelled,</p> <p>(vii) side, front, rear yard requirements shown and labelled,</p> <p>(viii) location of existing and proposed sidewalks, and curbs,</p> <p>(ix) location of any building (dimensioned to property lines) or structure including utility poles, retaining walls, outdoor storage areas, trees, landscaping, outdoor display or sale of goods areas and other physical features both existing and proposed on site,</p> <p>(x) dimensioned layout of parking areas including accessible parking design, entrances, exits and pedestrian access to and from the site,</p> <p>(xi) abutting streets, avenues and lanes shown and labelled,</p> <p>(xii) existing and proposed utilities shown in streets, avenues and lanes,</p> <p>(xiii) all easements and utility right of ways shown and labelled,</p> <p>(xiv) location of existing and proposed enclosed garbage and recycling</p>	<p>been provided to the satisfaction of the Development Officer. The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.</p> <p>(4) A development permit application shall include or be accompanied by:</p> <p>(a) the signed authorization of the landowner of the Site;</p> <p>(b) a copy of the Certificate of Title for the subject Site dated within 30 days of the application date, and copies of any caveats or instruments registered in favour of the City;</p> <p>(c) the appropriate fee(s) as determined by Council;</p> <p>(d) for a Principal Building:</p> <p>(i) a comprehensive Site Plan which shall include:</p> <ul style="list-style-type: none"> <li>• legal description and civic address of the Site;</li> <li>• north arrow, scale, revision history and date of drawing, dimensions shown in metric of Site and relationships to the Boundary for all existing and proposed Buildings, Structures and improvements;</li> <li>• easements and rights-of-way affecting the Site;</li> <li>• proposed improvements</li> </ul>	<p>up front what they need to submit to support their application for Development Permit.</p> <p>This section is proposed to be completely reorganized and rewritten so it is clear what is required for the various types of applications (e.g. principal building, accessory use or change of use, etc.).</p> <p>The new list is extensive but subsection (3) provides the Development Authority with the ability to waive those requirements that are not necessary for a particular application.</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>containers, and collection routes,</p> <p>(xv) A comprehensive hard and soft landscaping plan showing botanical and common names of all species, size, space and surface material,</p> <p>(xvi) A lighting plan for all outdoor commercial and multiple family parking lots showing location and height of all light poles, illumination levels, aiming direction and angle of light source,</p> <p>(xvii) Documentation from the Alberta Energy Regulator as per Directive 079 which identifies the location of the existence or non-existence of abandoned oil and gas wells.</p> <p>(b) plans showing floor plans, elevations and perspective of the building, including a description of exterior finishing materials, in the quantity and form specified by the Development Officer,</p> <p>(c) proof of ownership or authority to apply for development.</p> <p>(d) in addition to the foregoing every application for a development permit:</p>	<p>to all portions of the Site, including loading facilities, parking, fences, pedestrian walkways, screening, retaining walls, garbage/recycling enclosures;</p> <ul style="list-style-type: none"> <li>all abutting Streets, Lanes, highways and road rights-of-way, and any existing or future access to the proposed Development;</li> <li>existing and proposed Utilities, sidewalks, trails, and curbs;</li> <li>proposed Site grades, with contours;</li> <li>where applicable, all water bodies, drainage courses and Flood Risk Areas on or abutting the Site as well as high water marks and arrows indicating the direction of water flow;</li> <li>any active or suspended oil or gas Development on or within 25m of the Boundary of the Site; and</li> <li>for any proposed Building or addition greater than 47 m<sup>2</sup> (500 ft.<sup>2</sup>), information from the Alberta Energy Regulator identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25m of the Boundary of the Site;</li> </ul> <p>(ii) a landscaping plan which shall include:</p> <ul style="list-style-type: none"> <li>the location of all existing and proposed landscaping</li> </ul>	





Existing Sections to be Amended	Proposed Amendments	Rationale
<p>(i) if the site is in an Historical Preservation or Historical Significance District, shall be accompanied by a recommendation from the Heritage Planner, planning department, or the Minister responsible for the <i>Historical Resources Act</i>, as the case may be;</p> <p>(ii) if the site abuts a Historical Preservation or Historical Significance District shall be accompanied by a recommendation from the Heritage Planner or planning department.</p> <p>(2) Notwithstanding the foregoing, the Development Officer may accept an application for consideration without all of the information listed above.</p> <p>(3) The Development Officer may require that an application for a development permit be accompanied by survey plans of the site prepared by an Alberta Land Surveyor in the quantity specified by the Development Officer.</p> <p>(4) All drawings required to be submitted shall be drawn on</p>	<p>including trees, shrubs and grass;</p> <ul style="list-style-type: none"> <li>any existing trees proposed to be removed;</li> <li>the number, size and botanical and common names of all proposed trees and shrubs;</li> </ul> <p>(iii) a building plan which shall include:</p> <ul style="list-style-type: none"> <li>floor plans showing proposed uses(s);</li> <li>total dimensions of the Site and Building(s) with Site coverage calculations;</li> <li>where required to determine parking requirements, the allocation of floor space for different uses;</li> <li>patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;</li> <li>in the case of a Manufactured Home park or multiple unit projects, proposed unit locations, number of units, and amenity areas within the overall development area;</li> <li>cross sections;</li> <li>foundation plans;</li> </ul> <p>(iv) a building elevation plan which shall include:</p> <ul style="list-style-type: none"> <li>colour renderings of each face of the Building(s);</li> <li>description of exterior finishing materials;</li> <li>Building height and</li> </ul>	



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>substantial, standard drafting material to a scale of not less than 1:100 or such lesser scale as the Development Officer may approve and shall be fully dimensioned, accurately figured, explicit and complete.</p> <p>(5) The Development Authority may require that an applicant attend a public meeting and/or provide information on a Development Permit/Subdivision application required to be included in notification to all property owners located within 100 m of the boundary of the site which is the subject of the intended development.</p> <p>(6) Notwithstanding the foregoing, in the case of a proposed development, redevelopment, clearing or grading excavating or adding fill within an Escarpment Area, as identified on the Land Use Bylaw Constraint Maps in Schedule A, the applicant shall provide as part of the development permit application:</p> <p>(a) the proposed development plan showing slope setback distances; and</p> <p>(b) representative cross-sections of the slope in the Escarpment Area both before and after development and final grading. The height and existing angle of the slope shall be verified by accurate historical survey data or site specific information</p>	<p>number of stories;</p> <p>(e) for an Accessory Building:</p> <p>(i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);</p> <p>(ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);</p> <p>(f) for a change of use:</p> <p>(i) In a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);</p> <p>(ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);</p> <p>(g) In addition to the foregoing, for Multiple Family Buildings or Multi-attached Buildings, Manufactured Homes, commercial Developments and industrial Developments:</p> <p>(i) proposed on-Site parking and loading facilities including location and dimensions of all aisles; the dimensions and number of all parking spaces; identification of accessible parking;</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>completed by a qualified surveyor</p> <p>(c) if required by the City Engineering Services Department, a geotechnical assessment or investigation prepared by a qualified geotechnical engineer.</p> <p>(d) if required by the City Engineering Services Department, a landscaping plan.</p>	<p>pedestrian access and walkways; curbing and location of any lighting;</p> <p>(ii) location and elevations for proposed garbage and recycling enclosures, as well as collection routes;</p> <p>(iii) location of existing and proposed transit stops;</p> <p>(iv) in the case of the development of a Site with multiple uses, a master plan and preliminary engineering plan for the entire Site;</p> <p>(v) a lighting plan for all outdoor parking lots showing location of all light poles, illumination levels, aiming direction and angle of light source;</p> <p>(vi) for a large scale Development, unless sufficient information has been provided elsewhere in the application or with previous applications, a traffic impact analysis stamped by a professional engineer or a registered professional technologist accredited by APEGA. For the purpose of this section, a large scale Development is one that:</p> <p>(1) regularly generates more than 100 trips in the peak hour; or</p> <p>(2) because of its nature or unique circumstances may have an unusual</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
	<p>impact on traffic in the area;</p> <p>(h) in addition to the foregoing, every application for a development permit:</p> <p>(i) if in a Historical Preservation or Historical Significance District, shall be accompanied by a recommendation from the Heritage Planner, The City of Red Deer's Planning Department, or the Minister responsible for the Historical Resources Act, as the case may be;</p> <p>(ii) if abutting a Historical Preservation or Historical Significance District shall be accompanied by a recommendation from the Heritage Planner or The City of Red Deer's Planning Department.</p> <p>(i) and such additional information as may be required by the Development Authority to assess or evaluate the proposed Development, including:</p> <p>(i) a real property report to verify the location and dimensions of the existing Development that is the subject of the development permit application, or to confirm the location and dimensions of other</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
	<p>existing Developments;</p> <p>(ii) a geotechnical report;</p> <p>(iii) a parking assessment;</p> <p>(iv) a biophysical or environmental site assessment;</p> <p>(v) a groundwater report;</p> <p>(vi) a flood hazard mapping study;</p> <p>(vii) a noise attenuation study;</p> <p>(viii) a reclamation plan;</p> <p>(ix) a wetland conservation plan;</p> <p>(x) a tree preservation plan;</p> <p>(xi) a walkability study;</p> <p>(xii) a landscape plan;</p> <p>(xiii) a topographical survey;</p> <p>(xiv) a site grading or drainage plan;</p> <p>(xv) a site servicing plan;</p> <p>(xvi) a risk assessment report;</p> <p>(xvii) an erosion or sediment control plan; and</p> <p>(xviii) any other report, study,</p>	





Existing Sections to be Amended	Proposed Amendments	Rationale
	<p>plan or information.</p> <p>(5) Prior to an application being considered, the Development Authority, at its sole discretion, may require the applicant or its designated agent to host a public meeting to ensure information and an opportunity to comment about the development application is provided to the public at large. Notice of the meeting shall be provided by the City, at the applicant's cost, to all landowners located within 100 metres of the Boundary of the Site which is the subject of the application. The applicant or their designated agent must provide to the Development Authority a report summarizing the nature of the consultation process and the responses received. The report must identify any issues raised and discuss how the applicant or designated agent proposes to address these issues.</p>	
<p><b><u>Section 2.7</u></b></p> <p><b>2.7 Development Officer's Decisions on Permit Applications</b></p> <p>(I) The Development Officer shall:</p> <p style="padding-left: 40px;">(a) approve applications for permitted uses which conform with this Bylaw, with or without conditions as provided for in this Bylaw, or</p> <p style="padding-left: 40px;">(b) consider and exercise discretion with respect to</p>	<p><b><u>Delete Section 2.7 and replace with the following:</u></b></p> <p><b>2.7 Development Officer's Decisions on Permit Applications</b></p> <p>(I) The Development Officer:</p> <p style="padding-left: 40px;">(a) shall review each application to determine if it is complete;</p> <p style="padding-left: 40px;">(b) shall review each application to determine the use(s) that is being applied for;</p>	<p>Clear definition of the Development Officer's authority is provided through explanation of roles and duties. Bylaw 3357/Q-2015 outlines the limits of authority regarding variance powers. The Bylaw also incorporates the current 100 m landowner referral notification practice and the ability to refer information to City Administration and external stakeholders or agencies. This revised section is also proposing to bring the regulations</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>applications for development permits for discretionary uses, temporary uses, and temporary buildings, accessory uses and accessory buildings, and to approve such applications when in the Development Officer's opinion the proposed development meets the intent of this Bylaw, and is consistent with previous decisions of the Commission, subject to such conditions as the Development Officer deems necessary or advisable.</p> <p>(c) have the discretion and authority to grant a relaxation of up to 10% of any development Regulation.</p> <p>(2) The Development Officer may deal with applications for discretionary uses, temporary uses, temporary buildings, accessory uses or accessory buildings or may, when the Development Officer deems it necessary or advisable; refer such applications to the Commission.</p> <p>(3) The Development Officer shall refer to the Commission those matters requiring the specific approval of the Commission under this bylaw and any other matter which in the opinion of the Development Officer does not comply with the intent of this bylaw.</p>	<p>(c) may refer an application to any City department or provincial, federal or inter-jurisdictional body or other agency;</p> <p>(d) in respect of Discretionary Use applications and Permitted Use applications where a variance is required, may notify landowners within 100 metres of the Boundary of the Site which is the subject of the application that the application has been received and request their comments;</p> <p>(e) shall not accept an application for a proposed Development that:</p> <p>(i) is for a use that is neither a Permitted Use nor a Discretionary Use in the applicable District;</p> <p>(ii) is for a use that has been prohibited in this Bylaw;</p> <p>(f) must either refer to the Commission or refuse any application which a Development Authority is precluded from approving under the Subdivision and Development Regulation or the Municipal Government Act;</p> <p>(g) shall approve an application for a Permitted Use which complies with this Bylaw:</p>	<p>into alignment with the Subdivision and Development Regulation.</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
	<ul style="list-style-type: none"> <li>(i) without conditions; or</li>   <li>(ii) subject to conditions if the power to do so is clearly set out in this Bylaw;</li>   <li>(h) may, in respect of an application for a Discretionary Use: <ul style="list-style-type: none"> <li>(i) approve the application with or without conditions;</li> <li>(ii) refuse the application, providing reasons; or</li> <li>(iii) refer the application to the Commission;</li> </ul> </li>   <li>(i) the Development Officer may approve an application for a Permitted Use or a Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Development Officer:</li>   <li>(i) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and</li>   <li>(ii) the proposed Development conforms</li> </ul>	



Existing Sections to be Amended	Proposed Amendments	Rationale
	<p>with the use prescribed by this Bylaw for the land or Building;</p> <p>(j) where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:</p> <p>(i) maximum Height of Building;</p> <p>(ii) minimum Front Yard;</p> <p>(iii) minimum Rear Yard;</p> <p>(iv) minimum Side Yard;</p> <p>(v) maximum Site Coverage;</p> <p>(vi) minimum Parking requirements.</p> <p>(k) shall refer to the Commission or Council all applications requiring the specific approval of the Commission or Council under this Bylaw and may refer to the Commission any application that the Development Officer determines is advisable.</p>	
<p><b><u>Section 2.8</u></b></p> <p><b>2.8 Municipal Planning Commission Decisions on Permit Applications</b></p> <p>(I) Notwithstanding any other</p>	<p><b><u>Delete Section 2.8 and replace with the following:</u></b></p> <p><b>2.8 Municipal Planning Commission Decisions on Permit Applications</b></p>	<p>This section amendment clearly states the roles and responsibilities of MPC that has previously been the practice, but has not been formally established in the LUB.</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>provisions of this bylaw, with the exception of Direct Control District 32 (DC 32), the Commission may approve the application unconditionally, refuse the application or approve the application subject to such permanent or temporary conditions as it may deem advisable, provided the proposed development would not:</p> <p>(a) unduly interfere with the amenities of the neighbourhood, or</p> <p>(b) materially interfere with or affect the use, enjoyment or value of neighbouring sites, or</p> <p>(c) contravene the intent of a statutory plan, provided that the proposed development conforms with the use prescribed for the site in this bylaw.</p>	<p>(1) The Commission shall approve an application for a Permitted Use which requires no variance:</p> <p>(a) without conditions; or</p> <p>(b) subject to conditions if the power to do so is clearly set out in this Bylaw.</p> <p>(2) The Commission may, in respect of an application for a Discretionary Use:</p> <p>(a) approve with or without conditions; or</p> <p>(b) refuse, providing reasons.</p> <p>(3) Except for applications in Direct Control District 32 (DC 32), the Commission may approve an application for a Permitted Use or Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Commission:</p> <p>(a) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and</p> <p>(b) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building.</p>	





Existing Sections to be Amended	Proposed Amendments	Rationale
<p><b><u>Section 2.9</u></b></p> <p><b>2.9 Public Notification</b></p> <p>(1) Notice of all decisions by the Development Authority on development permit applications shall be given to the applicant and to all other interested persons by way of a notice published once in a newspaper circulating in the City. The Development Officer will cause the notice to be published as soon as practicable after the date of the decision. The notice shall state the location of the property for which the application has been made and shall describe in general terms the development approved.</p> <p>(2) In addition to the foregoing, where a development permit application is denied, notice of the decision, together with reasons, shall be given to the applicant by way of ordinary mail.</p>	<p><b><u>Delete Section 2.9 and replace with the following:</u></b></p> <p><b>2.9 Notification of Decision</b></p> <p>(1) A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision must be given to the applicant. If the decision was a refusal, the decision must include the reasons for the refusal.</p> <p>(2) Within 14 days of a decision on an application for a Discretionary Use, or for a Permitted Use where the applicable regulations of this Bylaw were varied by the Development Authority, the Development Authority must publish a notice in a local newspaper which includes the legal description or civic address of the Site in question, the nature of the approved Development and rights of appeal.</p> <p>(3) No notice is required to be given for a decision to approve an application for a Permitted Use for which no variance was granted.</p> <p>(4) No development permit shall be issued while a decision of the Commission or any appeal from it is pending or until the time for filing an appeal of the decision of the Development Authority has expired.</p>	<p>Bylaw 3357/Q-2015 proposes to establish a timeframe, being 14 days, in which a notice of decision must be issued.</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p><b><u>Section 2.10</u></b></p> <p><b>2.10 Conditions of Issuing a Development Permit</b></p> <p>(I) The Development Authority may require as a condition of issuing a development permit, that the applicant enter into an agreement with The City to do all or any of the following:</p> <p>(a) to construct or pay for the construction of a road required to give access to the development,</p> <p>(b) to construct or pay for the construction of:</p> <p>(i) a pedestrian walkway system to serve the development, or</p> <p>(ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both.</p> <p>(c) to install or pay for the installation of public utilities, other than telecommunications systems or works, that are necessary to serve the development,</p> <p>(d) to construct or pay for the construction of:</p> <p>(i) off-street or other</p>	<p><b><u>Delete Section 2.10 and replace with the following:</u></b></p> <p><b>2.10 Conditions of Issuing a Development Permit</b></p> <p>(1) The Development Authority may impose conditions limiting the duration of the validity of a Development approval for a Discretionary Use, a Permitted Use requiring a variance, or a use or a Structure that is intended to be temporary or that is inherently temporary.</p> <p>(2) As a condition of approving a development permit for a Permitted Use that meets the applicable regulations of this Bylaw, the Development Authority may</p> <p>(a) require the applicant to make arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such Utility or facility by the applicant;</p> <p>(b) require the applicant to:</p> <p>(i) submit information, such as an environmental site assessment or risk assessment, to confirm that the Site is suited for the full range of uses contemplated in the application;</p> <p>(ii) provide phasing of the</p>	<p>This amendment reflects current practice and outlines the authority of the Development Authority to impose conditions of approval. The primary changes in this section have been rewording and reorganization for clarity. The conditions outlined in the revised Section reflect current Administrative practice of applying standard conditions of approval.</p> <p>The additional change is the transfers of costs incurred by the repair of public property which is damaged by a private development from The City (current) to the developer (proposed).</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>parking facilities, and</p> <p>(ii) loading and unloading facilities,</p> <p>(e) to pay an off-site levy or redevelopment levy.</p> <p>(2) In addition to the matters referred to in section 650 of the Act, the Development Authority may require as a condition of issuing a development permit or as part of a development agreement, that the applicant:</p> <p>(a) pay to The City the costs incurred by The City or paid to its engineers, planners, or any other person, for the preparation or reviewing of site development plans, construction drawings, material testing, inspections, public hearings or public meetings and for any other engineering, planning, and legal costs and expenses to which The City is put in connection with the preparation, administration, and enforcement of the development agreement,</p> <p>(b) to give security to ensure that the terms of the agreement under this section are carried out.</p> <p>(3) Notwithstanding any other section of this bylaw, with the exception of Direct Control District 32 (DC 32), the Development Authority, having</p>	<p>Development;</p> <p>(iii) provide Site design measures to mitigate the environmental hazards or risks inherent to or affecting the Site;</p> <p>(iv) repair or reinstate, or to pay for the repair or reinstatement, to original condition, any Public Property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction upon the Site;</p> <p>(v) where the application is for a Structure that encroaches on City property, mitigate the impact of the encroachment, including compensation, indemnities, insurance and a duty to remove the encroaching structure on receipt of notice.</p> <p>(3) As a condition of issuing a development permit for a Permitted Use where a variance has been granted, the Development Authority may:</p> <p>(a) impose any of the conditions listed in section 2.10(1) and (2); and</p> <p>(b) require the applicant to</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>reviewed the information submitted under section 2.4(6) may:</p> <p>(a) determine that the site is unsuitable and refuse to issue a development permit; or</p> <p>(b) acting on the advice of the Engineering Services Manager, attach such conditions to the development permit as may reasonably be necessary to ensure the integrity of the proposed development and of the escarpment area. Such conditions may include but shall not be limited to the following:</p> <p>(i) a requirement that the landowner enter into an Indemnity Agreement to the satisfaction of The City;</p> <p>(ii) a requirement that the development be constructed in accordance with:</p> <p>(I) a foundation design prepared by a Professional Engineer which matches the foundation requirements of the structure to the existing site soil strength and soil support conditions to ensure that short and long term structural damage is not</p>	<p>conform to a higher standard than required by the applicable regulations, if in the opinion of the Development Authority, conformance to a higher standard will off-set the impact of any variance which has been granted.</p> <p>(4) The Development Authority may, as a condition of issuing a development permit for a Discretionary Use, impose conditions in respect of the following:</p> <p>(a) any reason addressed in sections 2.10(1) - (3);</p> <p>(b) the construction or maintenance of the proposed Development in accordance with the approved plans;</p> <p>(c) the appropriate performance of a use;</p> <p>(d) an environmental site assessment;</p> <p>(e) the time or times a use may be carried out;</p> <p>(f) phasing of the Development;</p> <p>(g) limits imposed on the Development; and</p> <p>(h) the furtherance of sound planning principles.</p> <p>(5) As a condition of issuing a</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>incurred;</p> <p>(2) a site drainage plan prepared by a Professional Engineer that addresses final lot grading and surface drainage, roof drainage, drainage of swimming or wading pools (if applicable) and the need for the design of a weeping tile system or other drainage measures; and</p> <p>(3) a requirement that the Professional Engineer who provided the geotechnical study and report for the site also provide a post construction certificate confirming that the development has in fact been constructed in accordance with the recommendations of the geotechnical study and report.</p>	<p>development permit for a Development or use in a Direct Control District, the Development Authority may impose such conditions as are determined advisable, having regard to the regulations of the District and the provisions of any statutory plan.</p> <p>(6) The Development Authority may, as a condition of issuing any development permit, require the applicant to enter into an agreement with the City to do any or all of the following:</p> <p>(a) to construct or pay for the construction of a road required to give access to the Development;</p> <p>(b) to construct or pay for the construction of</p> <p>(i) a pedestrian walkway system to serve the Development, or</p> <p>(ii) pedestrian walkways to connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves or is proposed to serve an adjacent Development,</p> <p>or both;</p> <p>(c) to install or pay for the installation of Utilities, on or off the Site, that are necessary to serve the Development;</p>	





Existing Sections to be Amended	Proposed Amendments	Rationale
	<ul style="list-style-type: none"> <li>(d) to construct or pay for the construction of</li> <li>(i) off-street or other parking facilities, and</li> <li>(ii) loading and unloading facilities;</li> <li>(e) to pay an off-site levy or redevelopment levy;</li> <li>(f) to give security to ensure that the terms of the agreement under this section are carried out.</li> </ul>	
<p><b><u>Section 2.11</u></b></p> <p><b>2.11 Refusal or Issuing of a Development Permit</b></p> <p>(1) If the Development Authority finds the proposed development will not comply with this or any other City bylaw, it may refuse the application; notify the applicant in writing of the reasons why the development permit will not be issued and return one copy of the filed plans.</p> <p>(2) If the Development Authority finds that the erection or alteration of a building will comply in all respects with the provisions of this bylaw:</p> <ul style="list-style-type: none"> <li>(a) as applied for and not subject to conditions, or</li> <li>(b) with such changes and conditions as are necessary</li> </ul>	<p><b><u>Delete Section 2.11 and replace with the following:</u></b></p> <p><b>2.11 Applications Within Escarpment Areas</b></p> <p>(1) All applications for subdivision or Development within an Escarpment Area shall be evaluated on their merits by the Subdivision or Development Authority in accordance with the provisions of this section.</p> <p>(2) The Subdivision or Development Authority may impose conditions of approval that the Subdivision or Development Authority determines are reasonable, having considered the purpose of the intended application and the uniqueness of the Site, including, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) the provision of a real property report during</li> </ul>	<p>The proposed revised section is a consolidation of all sections throughout the LUB which provided regulations specific to escarpment areas.</p>



Existing Sections to be Amended	Proposed Amendments	Rationale
<p>to ensure that such development will so comply, it shall return one copy of the plans to the applicant, with the changes and conditions of compliance, if any are required, endorsed thereon, and issue a development permit with any changes and conditions endorsed thereon or attached thereto.</p> <p>(3) The Development Authority may approve an application to make structural alterations to a non-conforming building, which will not result in the building being conforming, provided that the alterations are minor, such as the installation of doors, windows, and awnings.</p> <p>(4) No development permit shall be issued while a decision of the Commission or any appeal from it is pending, or until the time for filing an appeal has expired.</p>	<p>preliminary construction showing the location of any Structure or Development relative to the crest of the escarpment;</p> <p>(b) that the applicant meets the recommendations of any applicable report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;</p> <p>(c) the provision of emergency access;</p> <p>(d) ongoing monitoring programs and related access;</p> <p>(e) stormwater, drainage and erosion control measures;</p> <p>(f) that any Development shall be designed and constructed using materials, processes and/or techniques intended to minimize slope risks or instability;</p> <p>(g) that the applicant and any current or future owner of the Site shall enter into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;</p> <p>(h) the provision of a post-construction certificate or report from a relevant professional confirming:</p>	



Existing Sections to be Amended	Proposed Amendments	Rationale
	<ul style="list-style-type: none"> <li>(i) that the Development has been located and constructed in accordance with any Site Plan or report accepted by the Subdivision or Development Authority; and</li> <li>(ii) compliance with an accepted professional lot grading plan; and</li> <li>(i) that the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the Municipal Government Act.</li> </ul>	
<p><b><u>Section 3.4(14)(b)</u></b></p> <p>(b) The provisions of subsection 3.4 (14), apply to all Dynamic Signs and notwithstanding section 2.8(1) of this Bylaw, those provisions may not be varied by the Development Authority.</p>	<p><b><u>Delete Section 3.14(14)(b) and replace with the following:</u></b></p> <p>(b) The provision of subsection 3.4 (14), apply to all Dynamic Signs and may not be varied by the Development Authority.</p>	Language has been simplified with this change.
<p><b><u>Section 3.24</u></b></p> <p><b>3.24 Escarpment Areas – Indemnity Agreement</b></p> <p>Whether expressly stated or not, it is deemed to be a condition of every development within an Escarpment Area in respect of which a geotechnical assessment or investigation is required, that the land owner shall enter into an Indemnity Agreement with the City</p>	<b><u>Delete</u></b>	This requirement is proposed to be included under revised Section 2.11 Applications Within Escarpment Areas



Existing Sections to be Amended	Proposed Amendments	Rationale
in a form satisfactory to the City Solicitor.		
<p><b>Section 5.7(2)(a)(i)</b></p> <p>(i) The minimum front and side yard setbacks of sites abutting the streets illustrated with a solid heavy line for illustrative purposes on Figure 4, shall be increased by an additional building setback of 2.13 m to be added to each side of the original 20.12 m wide street right of way. This additional setback area is necessary for future traffic demands. Notwithstanding section 2.8(1) this setback shall not be relaxed.</p>	<p><b><u>The last two sentences in Section 5.7(2)(a)(i) are deleted and replaced with the following:</u></b></p> <p>(i) The minimum front and side yard setbacks of sites abutting the streets illustrated with a solid heavy line for illustrative purposes on Figure 4, shall be increased by an additional building setback of 2.13 m to be added to each side of the original 20.12 m wide street right of way. This additional setback is necessary for future traffic demands and shall not be relaxed.</p>	<p>Consequential change needed to reflect amendments to section 2.8. Intent is not changed.</p>
<p><b><u>Section 7.11 - General Purpose</u></b></p> <p>Nothing in this section restricts the scope of the discretion of the Development Authority as set out in section 2.8 (1) of this Bylaw.</p>	<p><b><u>The reference to “Section 2.8(1)” in the General Purpose paragraph of Section 7.11 is revised to “Part Two”.</u></b></p> <p>Nothing in this section restricts the scope of the discretion of the Development Authority as set out in Part 2 of this Bylaw.</p>	<p>The application of Section 7.11 Riverside Meadows and West Park Overlay District needs to be expanded in light of the reorganization of Part 2 Administrative Duties, Responsibilities, Procedures, Bylaw Amendments and Council Guidelines.</p>
<p><b><u>Section 7.11(2)(b)</u></b></p> <p>(b) In addition to the requirements of Section 2.4 (1), an application for development approval shall include a site plan which shows:</p>	<p><b><u>The reference to “Section 2.4(1)” in Section 7.11(2)(b) is revised to “Section 2.4(4)”.</u></b></p> <p>(b) In addition to the requirements of Section 2.4 (4), an application for development approval shall include a site plan which shows:</p>	<p>This subsection reference needs to be updated due to the reorganization of Section 2.4 Development Permit Application Requirements.</p>

**Consultation**

The Inspections & Licensing Department consulted with both the Central Alberta Home Builders Association (CHBA), through their builder counsel group, in June and September 2015. The CHBA membership is made up of businesses involved directly in the home building process.

Consultation also occurred with the Red Deer Construction Association (RDCA) in July and September 2015. The RDCA membership represents more of the commercial and industrial industry members.

Both of these groups received a Q&A Backgrounder (attached for Council's review) to forward out to their membership. The intent of the background document was to reiterate the information that Inspections & Licensing presented to each of those groups related to the bylaw and process changes, and the potential impacts that may have on the industry.

There were two (2) concerns identified related to the proposed adoption of Bylaw 3357/Q-2015; implications on timelines and costs. Administration has addressed both of these concerns by not requiring advertising for Permitted Use Development Permits and a Development Permit application fee of \$93.00.

If first reading is granted to Bylaw 3357/Q-2015, Planning will present the proposed amendments to the Municipal Planning Commission (MPC) for their endorsement. MPC's comments will be provided to Council at the public hearing.

**Analysis:**

By requiring Development Permit applications, the timelines for processing will increase by three (3) days for a typical application that previously only required a Building Permit. The application process itself will not change for developments that have always required a Development Permit (e.g. commercial, industrial, and redevelopment applications) as staff is already checking applications for compliance with LUB regulations. If Bylaw 3357/Q-2015 is approved, the application form will be for two (2) permits (one building, and one development permit) which can be submitted and processed simultaneously in an effort to ensure timely customer service is at the forefront.

The information required to support an application for Development Permit is relatively unchanged. The proposed amendments serve to provide a comprehensive and easy to read list so applicants are aware from the onset what is required of them.

Development Permit applications will still be approved by the Development Officer insofar as it complies with the pertinent LUB regulations, with no requirement to provide notice of the decision. If variances are required, the process will remain unchanged as well; notice of the decision will be required for those situations.





The proposed changes will also enable The Development Authority to attach conditions to a Development Permit such as recovering costs associated with damage to municipal infrastructure. There will be little impact to the majority of applicants who comply with these regulations; those who do not comply will be required to cover the cost of damage.

Bylaw 3357/Q-2015 will provide transparency and consistency in the Development Permit application process, and with the ability to impose conditions on Permitted Uses, it will set the stage for requiring Development Permits for all types of development; these amendments are needed to support process changes in the Planning Division.



## Q&A BACKGROUNDER

September 2015

### Permit, bylaw and process changes for construction industry

At their regular meeting October 13, 2015, City Council will consider first reading on a number of bylaws, introducing changes to permits, bylaws, and process related to development in Red Deer. The changes are intended to create clarity and consistency for customers and staff, as well as to refine practice to comply with the *Municipal Government Act* and *Safety Codes Act*.

If first reading is approved October 13, Council will conduct a public hearing and consider second and third reading on October 28.

#### Development Permits

Starting November 23, 2015, Development Permit (DP) applications will be required for most types of development, including permitted uses such as Single Family Dwellings and Detached Garages.

##### 1. Why are DPs being required for most types of development?

The majority of municipalities require DPs for all types of development. Currently, The City requires only a Building Permit for some developments, such as single family homes in a new neighbourhood. However, that permit only relates to the building itself and not the site or use of the land. The DP is the proper tool under the *Municipal Government Act* to regulate the placement of the building on the site and how the land is used. The DP ensures that The City will be aware of a use changing, can ensure the use is allowed and meets regulations, and can place conditions, where appropriate.

Fences, sheds, patios, and some other residential accessory structures will continue to not require a Development Permit.

##### 2. How does this impact me?

**Fees and charges:** There will be an additional cost of approximately \$93 for a Development Permit to cover administrative costs. A separate *Development Permit Fee Bylaw* is being created to replace the existing *Permit Fee Bylaw*. The *Development Permit Fee Bylaw* will house all fees related to land use related permits.

**Timelines:** Acknowledging time is money, the overall timelines will not change from the initial application to when the Building Permit is issued, although Foundation permits will take three days to be issued, rather than being issued immediately at the counter.

**Application process:** Applications can be made for both the Development Permit and Building Permit at the same time, and the two permits will be processed by The City simultaneously. The information required will remain relatively the same, with the addition of the Alberta Energy Regulator form (found online) and a copy of an up-to-date Land Titles Certificate.

**Approving authority:** The DP application will be approved by a Development Officer and if it complies with all regulations in the *Land Use Bylaw*, then is no requirement to advertise. If variances are required, then the application will be processed the same, based on the level of variance, and advertising would be required. The City would be able to attach conditions to a DP, such as recovering costs associated with damage to municipal infrastructure caused by the development on site.



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## Q&A BACKGROUNDER

### Safety Codes Permit Bylaw

The proposed changes also include the creation of a *Safety Codes Permit Bylaw*, which will consolidate information currently housed in many different policies and bylaws.

#### 1. Why is this being considered?

This new bylaw would contain information related to permit applications, inspections, and any other material or service provided pursuant to the *Safety Codes Act* and *Alberta Building Code* in one centralized, publically available document. This would assist customers and staff in easily finding pertinent information. The new bylaw is being modeled after Edmonton's *Safety Codes Bylaw*.

#### 2. How would this impact me?

Any safety code related permit fees previously found elsewhere would be found in the new bylaw, but those fees would not change.

Those who do not comply with regulations could be subject to penalties and fines. Under the proposed changes, violation tickets can be issued related to occupying a location without the Occupancy Permit being issued, as well as for contravening various sections of the bylaw.

### Land Use Bylaw (LUB) Changes

Changes proposed to the *Land Use Bylaw* relate only to development permits.

#### 1. Why the changes?

Currently, the *Land Use Bylaw* provides general statements that say the Development Authority can ask for additional information or impose conditions. By providing further clarity in the LUB, applicants would know up front what is required or potentially what types of conditions they can expect as part of their approval, to better prepare them, ultimately saving valuable time.

### City Contact

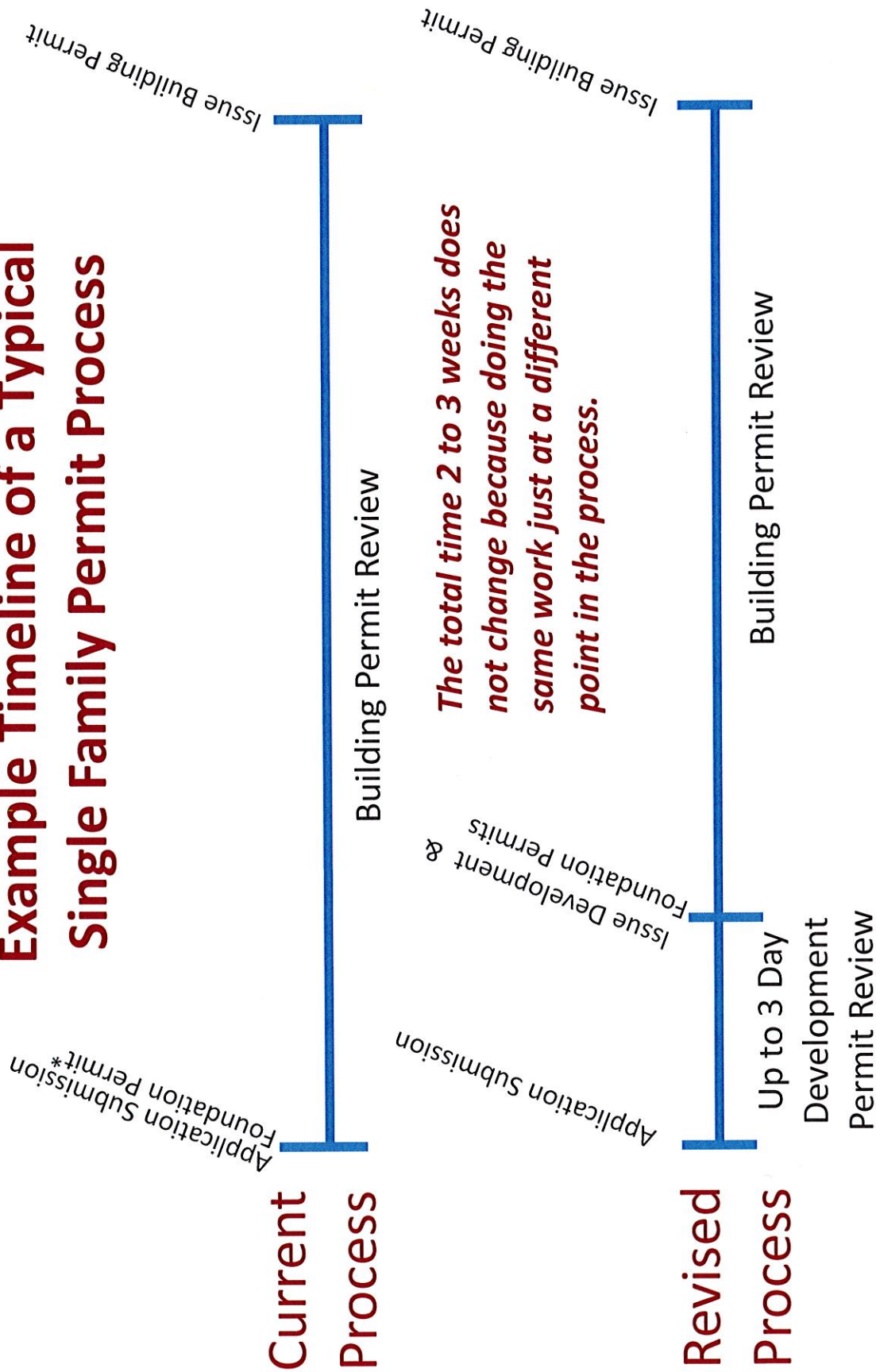
All applications will continue to be submitted at Inspections & Licensing, and dealt with internally either by customer service staff or Development Officers. Any questions related to the proposed changes can be directed to Angie Keibel, Development & Licensing Supervisor; Darin Sceviour, Acting Inspections, Enforcement and Building Supervisor; or Erin Stuart, Inspections & Licensing Manager.

- end -

For more information on these changes, please contact:

Inspections & Licensing  
The City of Red Deer  
inspections@reddeer.ca  
403-342-8190

## Example Timeline of a Typical Single Family Permit Process



\*Applicant assumed the risk for any changes to the foundation

**BYLAW NO. 3357/Q-2015**

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

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

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

1. Section 1.2(2) is deleted and replaced with the following:

**(2) Application of the Land Use Bylaw**

A development permit is required for every Development unless exempted by this Bylaw. A development permit is not required for the following Developments, provided they otherwise comply with all provisions of this Bylaw, and are not located within an Escarpment Area or Direct Control District 32:

- (a) the temporary use of a Building in connection with a federal, provincial or municipal election, census or referendum;
- (b) the demolition of a Building or Structure where a development permit has been issued for a new Development on the same Site, and the demolition of the existing Building or Structure is implicit in that permit;
- (c) the construction and maintenance of transit shelters, , Streets, Lanes, or parks;
- (d) a Temporary Building erected in connection with the construction, marketing, or alteration of an approved Development;
- (e) the temporary storage of construction material on a Site near or adjacent to a Site upon which a Building is being erected or altered;
- (f) notices, Signs, placards or bulletins required to be displayed under the provisions of federal, provincial or municipal legislation or displayed by or on behalf of the City or on behalf of a department, a commission, board, committee or official of the City authorized for such purposes;
- (g) notices or Signs for the guidance, warning or restraint of persons in respect of the premises on which they are displayed;
- (h) a Sign or notice offering a Site on which it is placed or a Building or part of a Building thereon for rent or for sale, provided that the area of such Sign or notice shall not exceed 1.0 m<sup>2</sup> in a residential District or 6.0 m<sup>2</sup> in any other District;



- (i) the construction of patios provided that they are not covered by a roof;
  - (j) the construction of a fence in a residential District;
  - (k) landscaping, where the existing Grade and natural surface drainage pattern is not materially altered, except where the landscaping forms part of a Development that requires a development permit;
  - (l) outdoor recreation amenities that are devoted to the communal use of residents living on the Site, including, but not limited to, an above ground pool, hot tub, backyard skating rink, play structures, putting green, or tennis court;
  - (m) internal alterations and maintenance, or repair to any Building provided that the use, intensity, height or Floor Area of the Building does not change;
  - (n) Site grading in accordance with an executed development agreement;
  - (o) minor Structures not exceeding 1.8 m in height which are accessory to residential uses, such as barbecues, tents for camping, dog houses, lawn sculptures, bird feeders, raised planting beds or other similar Structures;
  - (p) Accessory Buildings within a residential District with a Floor Area of 10.0 m<sup>2</sup> or less and a height of 2.4 m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw;
2. The phrase “the development conforms to this Bylaw and” is deleted from section 2.2(1).
3. Section 2.2(4) is deleted in its entirety and is replaced with “With the exception of Direct Control District 32 (DC32), any application for Development within an Escarpment Area as identified in the Land Use Constraints Maps in Schedule A, must be considered in accordance with section 2.11.”
4. Section 2.4 is deleted in its entirety and is replaced with:

#### **2.4 Development Permit Application Requirements**

- (1) An application for a development permit shall be made on the prescribed application form and shall be completed to the satisfaction of the Development Officer.

- (2) The Development Officer shall determine the number of paper or electronic copies or both required for a complete submission.
- (3) An application for a development permit shall not be considered complete until such time as the information required in this section has been provided to the satisfaction of the Development Officer. The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.
- (4) A development permit application shall include or be accompanied by:
  - (a) the signed authorization of the landowner of the Site;
  - (b) a copy of the Certificate of Title for the subject Site dated within 30 days of the application date, and copies of any caveats or instruments registered in favour of the City;
  - (c) the appropriate fee(s) as determined by Council;
  - (d) for a Principal Building:
    - (i) a comprehensive Site Plan which shall include:
      - legal description and civic address of the Site;
      - north arrow, scale, revision history and date of drawing, dimensions shown in metric of Site and relationships to the Boundary for all existing and proposed Buildings, Structures and improvements;
      - easements and rights-of-way affecting the Site;
      - proposed improvements to all portions of the Site, including loading facilities, parking, fences, pedestrian walkways, screening, retaining walls, garbage/recycling enclosures;
      - all abutting Streets, Lanes, highways and road rights-of-way, and any existing or future access to the proposed Development;
      - existing and proposed Utilities, sidewalks, trails, and curbs;
      - proposed Site grades, with contours;
      - where applicable, all water bodies, drainage courses and Flood Risk Areas on or abutting the Site as well as high water marks and arrows indicating the direction of water flow;
      - any active or suspended oil or gas Development on or within 25m of the Boundary of the Site; and

- for any proposed Building or addition greater than 47 m<sup>2</sup> (500 ft.<sup>2</sup>), information from the Alberta Energy Regulator identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25m of the Boundary of the Site;
- (ii) a landscaping plan which shall include:
- the location of all existing and proposed landscaping including trees, shrubs and grass;
  - any existing trees proposed to be removed;
  - the number, size and botanical and common names of all proposed trees and shrubs;
- (iii) a building plan which shall include:
- floor plans showing proposed uses(s);
  - total dimensions of the Site and Building(s) with Site coverage calculations;
  - where required to determine parking requirements, the allocation of floor space for different uses;
  - patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;
  - in the case of a Manufactured Home park or multiple unit projects, proposed unit locations, number of units, and amenity areas within the overall development area;
  - cross sections;
  - foundation plans;
- (iv) a building elevation plan which shall include:
- colour renderings of each face of the Building(s);
  - description of exterior finishing materials;
  - Building height and number of stories;
- (e) for an Accessory Building:
- (i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);
- (ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- (f) for a change of use:
- (i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);

- (ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- (g) In addition to the foregoing, for Multiple Family Buildings or Multi-attached Buildings, Manufactured Homes, commercial Developments and industrial Developments:
  - (i) proposed on-Site parking and loading facilities including location and dimensions of all aisles; the dimensions and number of all parking spaces; identification of accessible parking; pedestrian access and walkways; curbing and location of any lighting;
  - (ii) location and elevations for proposed garbage and recycling enclosures, as well as collection routes;
  - (iii) location of existing and proposed transit stops;
  - (iv) in the case of the development of a Site with multiple uses, a master plan and preliminary engineering plan for the entire Site;
  - (v) a lighting plan for all outdoor parking lots showing location of all light poles, illumination levels, aiming direction and angle of light source;
  - (vi) for a large scale Development, unless sufficient information has been provided elsewhere in the application or with previous applications, a traffic impact analysis stamped by a professional engineer or a registered professional technologist accredited by APEGA. For the purpose of this section, a large scale Development is one that:
    - (1) regularly generates more than 100 trips in the peak hour; or
    - (2) because of its nature or unique circumstances may have an unusual impact on traffic in the area;
- (h) in addition to the foregoing, every application for a development permit:
  - (i) if in a Historical Preservation or Historical Significance District, shall be accompanied by a recommendation from the Heritage Planner, The City of Red Deer's Planning

Department, or the Minister responsible for the *Historical Resources Act*, as the case may be;

- (ii) if abutting a Historical Preservation or Historical Significance District shall be accompanied by a recommendation from the Heritage Planner or The City of Red Deer's Planning Department.
- (i) and such additional information as may be required by the Development Authority to assess or evaluate the proposed Development, including:
  - (i) a real property report to verify the location and dimensions of the existing Development that is the subject of the development permit application, or to confirm the location and dimensions of other existing Developments;
  - (ii) a geotechnical report;
  - (iii) a parking assessment;
  - (iv) a biophysical or environmental site assessment;
  - (v) a groundwater report;
  - (vi) a flood hazard mapping study;
  - (vii) a noise attenuation study;
  - (viii) a reclamation plan;
  - (ix) a wetland conservation plan;
  - (x) a tree preservation plan;
  - (xi) a walkability study;
  - (xii) a landscape plan;
  - (xiii) a topographical survey;
  - (xiv) a site grading or drainage plan;
  - (xv) a site servicing plan;



- (xvi) a risk assessment report;
- (xvii) an erosion or sediment control plan; and
- (xviii) any other report, study, plan or information.

(5) Prior to an application being considered, the Development Authority, at its sole discretion, may require the applicant or its designated agent to host a public meeting to ensure information and an opportunity to comment about the development application is provided to the public at large. Notice of the meeting shall be provided by the City, at the applicant's cost, to all landowners located within 100 metres of the Boundary of the Site which is the subject of the application. The applicant or their designated agent must provide to the Development Authority a report summarizing the nature of the consultation process and the responses received. The report must identify any issues raised and discuss how the applicant or designated agent proposes to address these issues.

5. Section 2.7 is deleted in its entirety and replaced with the following:

**2.7 Development Officer's Decisions on Permit Applications**

(1) The Development Officer:

- (a) shall review each application to determine if it is complete;
- (b) shall review each application to determine the use(s) that is being applied for;
- (c) may refer an application to any City department or provincial, federal or inter-jurisdictional body or other agency;
- (d) in respect of Discretionary Use applications and Permitted Use applications where a variance is required, may notify landowners within 100 meters of the Boundary of the Site which is the subject of the application that the application has been received and request their comments;
- (e) shall not accept an application for a proposed Development that:
  - (i) is for a use that is neither a Permitted Use nor a Discretionary Use in the applicable District;
  - (ii) is for a use that has been prohibited in this Bylaw;

- (f) must either refer to the Commission or refuse any application which a Development Authority is precluded from approving under the *Subdivision and Development Regulation* or the *Municipal Government Act*;
- (g) shall approve an application for a Permitted Use which complies with this Bylaw:
  - (i) without conditions; or
  - (ii) subject to conditions if the power to do so is clearly set out in this Bylaw;
- (h) may, in respect of an application for a Discretionary Use,:
  - (i) approve the application with or without conditions;
  - (ii) refuse the application, providing reasons; or
  - (iii) refer the application to the Commission;
- (i) the Development Officer may approve an application for a Permitted Use or a Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Development Officer:
  - (i) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - (ii) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building;
- (j) where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:
  - (i) maximum height of Building;
  - (ii) minimum Front Yard;
  - (iii) minimum Rear Yard;

- (iv) minimum Side Yard;
- (v) maximum Site coverage;
- (vi) minimum parking requirements.

(k) shall refer to the Commission or Council all applications requiring the specific approval of the Commission or Council under this Bylaw and may refer to the Commission any application that the Development Officer determines is advisable.

6. Section 2.8 is deleted in its entirety and replaced with:

**2.8 Municipal Planning Commission Decisions on Permit Applications**

(1) The Commission shall approve an application for a Permitted Use which requires no variance:

- (a) without conditions; or
- (b) subject to conditions if the power to do so is clearly set out in this Bylaw.

(2) The Commission may, in respect of an application for a Discretionary Use:

- (a) approve with or without conditions; or
- (b) refuse, providing reasons.

(3) Except for applications in Direct Control District 32 (DC 32), the Commission may approve an application for a Permitted Use or Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Commission:

- (a) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
- (b) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building.

7. Section 2.9 is deleted in its entirety and replaced with:

## **2.9 Notification of Decision**

- (1) A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision must be given to the applicant. If the decision was a refusal, the decision must include the reasons for the refusal.
- (2) Within 14 days of a decision on an application for a Discretionary Use, or for a Permitted Use where the applicable regulations of this Bylaw were varied by the Development Authority, the Development Authority must publish a notice in a local newspaper which includes the legal description or civic address of the Site in question, the nature of the approved Development and rights of appeal.
- (3) No notice is required to be given for a decision to approve an application for a Permitted Use for which no variance was granted.
- (4) No development permit shall be issued while a decision of the Commission or any appeal from it is pending or until the time for filing an appeal of the decision of the Development Authority has expired.

8. Section 2.10 is deleted in its entirety and replaced with:

## **2.10 Conditions of Issuing a Development Permit**

- (1) The Development Authority may impose conditions limiting the duration of the validity of a Development approval for a Discretionary Use, a Permitted Use requiring a variance, or a use or a Structure that is intended to be temporary or that is inherently temporary.
- (2) As a condition of approving a development permit for a Permitted Use that meets the applicable regulations of this Bylaw, the Development Authority may
  - (a) require the applicant to make arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such Utility or facility by the applicant;
  - (b) require the applicant to:
    - (i) submit information, such as an environmental site assessment or risk assessment, to confirm that the Site

is suited for the full range of uses contemplated in the application;

- (ii) provide phasing of the Development;
  - (iii) provide Site design measures to mitigate the environmental hazards or risks inherent to or affecting the Site;
  - (iv) repair or reinstate, or to pay for the repair or reinstatement, to original condition, any Public Property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction upon the Site;
  - (v) where the application is for a Structure that encroaches on City property, mitigate the impact of the encroachment, including compensation, indemnities, insurance and a duty to remove the encroaching structure on receipt of notice.
- (3) As a condition of issuing a development permit for a Permitted Use where a variance has been granted, the Development Authority may:
- (a) impose any of the conditions listed in section 2.10(1) and (2);  
and
  - (b) require the applicant to conform to a higher standard than required by the applicable regulations, if in the opinion of the Development Authority, conformance to a higher standard will off-set the impact of any variance which has been granted.
- (4) The Development Authority may, as a condition of issuing a development permit for a Discretionary Use, impose conditions in respect of the following:
- (a) any reason addressed in sections 2.10(1) - (3);
  - (b) the construction or maintenance of the proposed Development in accordance with the approved plans;
  - (c) the appropriate performance of a use;
  - (d) an environmental site assessment;



- (e) the time or times a use may be carried out;
- (f) phasing of the Development;
- (g) limits imposed on the Development; and
- (h) the furtherance of sound planning principles.

(5) As a condition of issuing a development permit for a Development or use in a Direct Control District, the Development Authority may impose such conditions as are determined advisable, having regard to the regulations of the District and the provisions of any statutory plan.

(6) The Development Authority may, as a condition of issuing any development permit, require the applicant to enter into an agreement with the City to do any or all of the following:

(a) to construct or pay for the construction of a road required to give access to the Development;

(b) to construct or pay for the construction of

(i) a pedestrian walkway system to serve the Development,  
or

(ii) pedestrian walkways to connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves or is proposed to serve an adjacent Development,

or both;

(c) to install or pay for the installation of Utilities, on or off the Site, that are necessary to serve the Development;

(d) to construct or pay for the construction of

(i) off-street or other parking facilities, and

(ii) loading and unloading facilities;

(e) to pay an off-site levy or redevelopment levy;

(f) to give security to ensure that the terms of the agreement under this section are carried out.

9. Section 2.11 is deleted in its entirety and replaced with:

**2.11 Applications Within Escarpment Areas**

- (1) All applications for subdivision or Development within an Escarpment Area shall be evaluated on their merits by the Subdivision or Development Authority in accordance with the provisions of this section.
- (2) The Subdivision or Development Authority may impose conditions of approval that the Subdivision or Development Authority determines are reasonable, having considered the purpose of the intended application and the uniqueness of the Site, including, but not limited to:
  - (a) the provision of a real property report during preliminary construction showing the location of any Structure or Development relative to the crest of the escarpment;
  - (b) that the applicant meets the recommendations of any applicable report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
  - (c) the provision of emergency access;
  - (d) ongoing monitoring programs and related access;
  - (e) stormwater, drainage and erosion control measures;
  - (f) that any Development shall be designed and constructed using materials, processes and/or techniques intended to minimize slope risks or instability;
  - (g) that the applicant and any current or future owner of the Site shall enter into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;
  - (h) the provision of a post-construction certificate or report from a relevant professional confirming:
    - (i) that the Development has been located and constructed in accordance with any Site Plan or report accepted by the Subdivision or Development Authority; and
    - (ii) compliance with an accepted professional lot grading plan; and

- (i) that the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the *Municipal Government Act*.

10. Section 3.4(14)(b) is deleted and replaced with the following:

- (b) The provision of subsection 3.4 (14), apply to all Dynamic Signs and may not be varied by the Development Authority.

11. Section 3.24 is deleted in its entirety.

12. The last two sentences in Section 5.7(2)(a)(i) are deleted and replaced with "This additional setback is necessary for future traffic demands and shall not be relaxed."

13. The reference to "section 2.8(1)" in the General Purpose paragraph of Section 7.11 is revised to "Part Two".

14. The reference to "Section 2.4(1)" in Section 7.11(2)(b) is revised to "Section 2.4(4)".

15. This bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this 13<sup>th</sup> day of October 2015.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of October 2015.

---

MAYOR

---

CITY CLERK

FILE COPY



Council Decision – October 26, 2015

**DATE:** October 29, 2015  
**TO:** Jolene Tejkl, Senior Planner  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3357/Q-2015

---

**Reference Report:**

Legislative Services, dated October 19, 2015 and Planning Department, dated September 24, 2015.

**Bylaw Readings:**

At the Monday October 26, 2015 Regular Council Meeting, Council gave second and third reading to Land Use Bylaw Amendment 3357/Q-2015 – a Land Use Bylaw Amendment to provide transparency and consistency in the Development Permit application process.

**Report back to Council:** No

**Comments/Further Action:**

This office will amend the Land Use Bylaw and distribute copies in due course.

A handwritten signature in cursive script, appearing to read 'F. McDougall'.

Frieda McDougall  
Manager

- c. Director of Planning Services  
Planning Services Manager  
Corporate Meeting Coordinator

**BYLAW NO. 3357/Q-2015**

FILE COPY

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

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

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

1. Section 1.2(2) is deleted and replaced with the following:

**(2) Application of the Land Use Bylaw**

A development permit is required for every Development unless exempted by this Bylaw. A development permit is not required for the following Developments, provided they otherwise comply with all provisions of this Bylaw, and are not located within an Escarpment Area or Direct Control District 32:

- (a) the temporary use of a Building in connection with a federal, provincial or municipal election, census or referendum;
- (b) the demolition of a Building or Structure where a development permit has been issued for a new Development on the same Site, and the demolition of the existing Building or Structure is implicit in that permit;
- (c) the construction and maintenance of transit shelters, , Streets, Lanes, or parks;
- (d) a Temporary Building erected in connection with the construction, marketing, or alteration of an approved Development;
- (e) the temporary storage of construction material on a Site near or adjacent to a Site upon which a Building is being erected or altered;
- (f) notices, Signs, placards or bulletins required to be displayed under the provisions of federal, provincial or municipal legislation or displayed by or on behalf of the City or on behalf of a department, a commission, board, committee or official of the City authorized for such purposes;
- (g) notices or Signs for the guidance, warning or restraint of persons in respect of the premises on which they are displayed;
- (h) a Sign or notice offering a Site on which it is placed or a Building or part of a Building thereon for rent or for sale, provided that the area of such Sign or notice shall not exceed 1.0 m<sup>2</sup> in a residential District or 6.0 m<sup>2</sup> in any other District;



- (i) the construction of patios provided that they are not covered by a roof;
- (j) the construction of a fence in a residential District;
- (k) landscaping, where the existing Grade and natural surface drainage pattern is not materially altered, except where the landscaping forms part of a Development that requires a development permit;
- (l) outdoor recreation amenities that are devoted to the communal use of residents living on the Site, including, but not limited to, an above ground pool, hot tub, backyard skating rink, play structures, putting green, or tennis court;
- (m) internal alterations and maintenance, or repair to any Building provided that the use, intensity, height or Floor Area of the Building does not change;
- (n) Site grading in accordance with an executed development agreement;
- (o) minor Structures not exceeding 1.8 m in height which are accessory to residential uses, such as barbecues, tents for camping, dog houses, lawn sculptures, bird feeders, raised planting beds or other similar Structures;
- (p) Accessory Buildings within a residential District with a Floor Area of 10.0 m<sup>2</sup> or less and a height of 2.4 m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw;

2. The phrase "the development conforms to this Bylaw and" is deleted from section 2.2(1).
3. Section 2.2(4) is deleted in its entirety and is replaced with "With the exception of Direct Control District 32 (DC32), any application for Development within an Escarpment Area as identified in the Land Use Constraints Maps in Schedule A, must be considered in accordance with section 2.11."
4. Section 2.4 is deleted in its entirety and is replaced with:

#### **2.4 Development Permit Application Requirements**

- (1) An application for a development permit shall be made on the prescribed application form and shall be completed to the satisfaction of the Development Officer.

- (2) The Development Officer shall determine the number of paper or electronic copies or both required for a complete submission.
- (3) An application for a development permit shall not be considered complete until such time as the information required in this section has been provided to the satisfaction of the Development Officer. The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.
- (4) A development permit application shall include or be accompanied by:
- (a) the signed authorization of the landowner of the Site;
  - (b) a copy of the Certificate of Title for the subject Site dated within 30 days of the application date, and copies of any caveats or instruments registered in favour of the City;
  - (c) the appropriate fee(s) as determined by Council;
  - (d) for a Principal Building:
    - (i) a comprehensive Site Plan which shall include:
      - legal description and civic address of the Site;
      - north arrow, scale, revision history and date of drawing, dimensions shown in metric of Site and relationships to the Boundary for all existing and proposed Buildings, Structures and improvements;
      - easements and rights-of-way affecting the Site;
      - proposed improvements to all portions of the Site, including loading facilities, parking, fences, pedestrian walkways, screening, retaining walls, garbage/recycling enclosures;
      - all abutting Streets, Lanes, highways and road rights-of-way, and any existing or future access to the proposed Development;
      - existing and proposed Utilities, sidewalks, trails, and curbs;
      - proposed Site grades, with contours;
      - where applicable, all water bodies, drainage courses and Flood Risk Areas on or abutting the Site as well as high water marks and arrows indicating the direction of water flow;
      - any active or suspended oil or gas Development on or within 25m of the Boundary of the Site; and

- for any proposed Building or addition greater than 47 m<sup>2</sup> (500 ft.<sup>2</sup>), information from the Alberta Energy Regulator identifying the locations of, or confirming the absence of, any abandoned oil or gas wells on or within 25m of the Boundary of the Site;
- (ii) a landscaping plan which shall include:
- the location of all existing and proposed landscaping including trees, shrubs and grass;
  - any existing trees proposed to be removed;
  - the number, size and botanical and common names of all proposed trees and shrubs;
- (iii) a building plan which shall include:
- floor plans showing proposed uses(s);
  - total dimensions of the Site and Building(s) with Site coverage calculations;
  - where required to determine parking requirements, the allocation of floor space for different uses;
  - patios, steps, porches, decks, playgrounds, amenity and open space areas, and other similar features;
  - in the case of a Manufactured Home park or multiple unit projects, proposed unit locations, number of units, and amenity areas within the overall development area;
  - cross sections;
  - foundation plans;
- (iv) a building elevation plan which shall include:
- colour renderings of each face of the Building(s);
  - description of exterior finishing materials;
  - Building height and number of stories;
- (e) for an Accessory Building:
- (i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);
- (ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- (f) for a change of use:
- (i) a comprehensive Site Plan which shall include the same requirements as identified in section 2.4(4)(d)(i);

- (ii) a building elevation plan which shall include the same requirements as identified in section 2.4(4)(d)(iv);
- (g) In addition to the foregoing, for Multiple Family Buildings or Multi-attached Buildings, Manufactured Homes, commercial Developments and industrial Developments:
  - (i) proposed on-Site parking and loading facilities including location and dimensions of all aisles; the dimensions and number of all parking spaces; identification of accessible parking; pedestrian access and walkways; curbing and location of any lighting;
  - (ii) location and elevations for proposed garbage and recycling enclosures, as well as collection routes;
  - (iii) location of existing and proposed transit stops;
  - (iv) in the case of the development of a Site with multiple uses, a master plan and preliminary engineering plan for the entire Site;
  - (v) a lighting plan for all outdoor parking lots showing location of all light poles, illumination levels, aiming direction and angle of light source;
  - (vi) for a large scale Development, unless sufficient information has been provided elsewhere in the application or with previous applications, a traffic impact analysis stamped by a professional engineer or a registered professional technologist accredited by APEGA. For the purpose of this section, a large scale Development is one that:
    - (1) regularly generates more than 100 trips in the peak hour; or
    - (2) because of its nature or unique circumstances may have an unusual impact on traffic in the area;
- (h) in addition to the foregoing, every application for a development permit:
  - (i) if in a Historical Preservation or Historical Significance District, shall be accompanied by a recommendation from the Heritage Planner, The City of Red Deer's Planning

Department, or the Minister responsible for the *Historical Resources Act*, as the case may be;

- (ii) if abutting a Historical Preservation or Historical Significance District shall be accompanied by a recommendation from the Heritage Planner or The City of Red Deer's Planning Department.
- (i) and such additional information as may be required by the Development Authority to assess or evaluate the proposed Development, including:
- (i) a real property report to verify the location and dimensions of the existing Development that is the subject of the development permit application, or to confirm the location and dimensions of other existing Developments;
  - (ii) a geotechnical report;
  - (iii) a parking assessment;
  - (iv) a biophysical or environmental site assessment;
  - (v) a groundwater report;
  - (vi) a flood hazard mapping study;
  - (vii) a noise attenuation study;
  - (viii) a reclamation plan;
  - (ix) a wetland conservation plan;
  - (x) a tree preservation plan;
  - (xi) a walkability study;
  - (xii) a landscape plan;
  - (xiii) a topographical survey;
  - (xiv) a site grading or drainage plan;
  - (xv) a site servicing plan;



- (xvi) a risk assessment report;
- (xvii) an erosion or sediment control plan; and
- (xviii) any other report, study, plan or information.

(5) Prior to an application being considered, the Development Authority, at its sole discretion, may require the applicant or its designated agent to host a public meeting to ensure information and an opportunity to comment about the development application is provided to the public at large. Notice of the meeting shall be provided by the City, at the applicant's cost, to all landowners located within 100 metres of the Boundary of the Site which is the subject of the application. The applicant or their designated agent must provide to the Development Authority a report summarizing the nature of the consultation process and the responses received. The report must identify any issues raised and discuss how the applicant or designated agent proposes to address these issues.

5. Section 2.7 is deleted in its entirety and replaced with the following:

## **2.7 Development Officer's Decisions on Permit Applications**

(1) The Development Officer:

- (a) shall review each application to determine if it is complete;
- (b) shall review each application to determine the use(s) that is being applied for;
- (c) may refer an application to any City department or provincial, federal or inter-jurisdictional body or other agency;
- (d) in respect of Discretionary Use applications and Permitted Use applications where a variance is required, may notify landowners within 100 meters of the Boundary of the Site which is the subject of the application that the application has been received and request their comments;
- (e) shall not accept an application for a proposed Development that:
  - (i) is for a use that is neither a Permitted Use nor a Discretionary Use in the applicable District;
  - (ii) is for a use that has been prohibited in this Bylaw;

- (f) must either refer to the Commission or refuse any application which a Development Authority is precluded from approving under the *Subdivision and Development Regulation* or the *Municipal Government Act*;
- (g) shall approve an application for a Permitted Use which complies with this Bylaw:
  - (i) without conditions; or
  - (ii) subject to conditions if the power to do so is clearly set out in this Bylaw;
- (h) may, in respect of an application for a Discretionary Use, :
  - (i) approve the application with or without conditions;
  - (ii) refuse the application, providing reasons; or
  - (iii) refer the application to the Commission;
- (i) the Development Officer may approve an application for a Permitted Use or a Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Development Officer:
  - (i) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and
  - (ii) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building;
- (j) where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:
  - (i) maximum height of Building;
  - (ii) minimum Front Yard;
  - (iii) minimum Rear Yard;

- (iv) minimum Side Yard;
- (v) maximum Site coverage;
- (vi) minimum parking requirements.

(k) shall refer to the Commission or Council all applications requiring the specific approval of the Commission or Council under this Bylaw and may refer to the Commission any application that the Development Officer determines is advisable.

6. Section 2.8 is deleted in its entirety and replaced with:

**2.8 Municipal Planning Commission Decisions on Permit Applications**

(1) The Commission shall approve an application for a Permitted Use which requires no variance:

(a) without conditions; or

(b) subject to conditions if the power to do so is clearly set out in this Bylaw.

(2) The Commission may, in respect of an application for a Discretionary Use:

(a) approve with or without conditions; or

(b) refuse, providing reasons.

(3) Except for applications in Direct Control District 32 (DC 32), the Commission may approve an application for a Permitted Use or Discretionary Use, with or without conditions, where the proposed Development does not comply with the applicable regulations of this Bylaw if, in the opinion of the Commission:

(a) the proposed Development would not unduly interfere with the amenities of the neighbourhood or materially interfere with or affect the use, enjoyment or value of neighbouring parcels of land; and

(b) the proposed Development conforms with the use prescribed by this Bylaw for the land or Building.

7. Section 2.9 is deleted in its entirety and replaced with:

## **2.9 Notification of Decision**

- (1) A decision of the Development Authority on an application for a development permit must be in writing and a copy of the decision must be given to the applicant. If the decision was a refusal, the decision must include the reasons for the refusal.
- (2) Within 14 days of a decision on an application for a Discretionary Use, or for a Permitted Use where the applicable regulations of this Bylaw were varied by the Development Authority, the Development Authority must publish a notice in a local newspaper which includes the legal description or civic address of the Site in question, the nature of the approved Development and rights of appeal.
- (3) No notice is required to be given for a decision to approve an application for a Permitted Use for which no variance was granted.
- (4) No development permit shall be issued while a decision of the Commission or any appeal from it is pending or until the time for filing an appeal of the decision of the Development Authority has expired.

8. Section 2.10 is deleted in its entirety and replaced with:

## **2.10 Conditions of Issuing a Development Permit**

- (1) The Development Authority may impose conditions limiting the duration of the validity of a Development approval for a Discretionary Use, a Permitted Use requiring a variance, or a use or a Structure that is intended to be temporary or that is inherently temporary.
- (2) As a condition of approving a development permit for a Permitted Use that meets the applicable regulations of this Bylaw, the Development Authority may
  - (a) require the applicant to make arrangements for the supply of water, electric power, sewer service, vehicular and pedestrian access, or any of them, including payment of the costs of installation or constructing any such Utility or facility by the applicant;
  - (b) require the applicant to:
    - (i) submit information, such as an environmental site assessment or risk assessment, to confirm that the Site

is suited for the full range of uses contemplated in the application;

- (ii) provide phasing of the Development;
- (iii) provide Site design measures to mitigate the environmental hazards or risks inherent to or affecting the Site;
- (iv) repair or reinstate, or to pay for the repair or reinstatement, to original condition, any Public Property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by development or construction upon the Site;
- (v) where the application is for a Structure that encroaches on City property, mitigate the impact of the encroachment, including compensation, indemnities, insurance and a duty to remove the encroaching structure on receipt of notice.

(3) As a condition of issuing a development permit for a Permitted Use where a variance has been granted, the Development Authority may:

- (a) impose any of the conditions listed in section 2.10(1) and (2); and
- (b) require the applicant to conform to a higher standard than required by the applicable regulations, if in the opinion of the Development Authority, conformance to a higher standard will off-set the impact of any variance which has been granted.

(4) The Development Authority may, as a condition of issuing a development permit for a Discretionary Use, impose conditions in respect of the following:

- (a) any reason addressed in sections 2.10(1) - (3);
- (b) the construction or maintenance of the proposed Development in accordance with the approved plans;
- (c) the appropriate performance of a use;
- (d) an environmental site assessment;

- (e) the time or times a use may be carried out;
- (f) phasing of the Development;
- (g) limits imposed on the Development; and
- (h) the furtherance of sound planning principles.

(5) As a condition of issuing a development permit for a Development or use in a Direct Control District, the Development Authority may impose such conditions as are determined advisable, having regard to the regulations of the District and the provisions of any statutory plan.

(6) The Development Authority may, as a condition of issuing any development permit, require the applicant to enter into an agreement with the City to do any or all of the following:

- (a) to construct or pay for the construction of a road required to give access to the Development;

- (b) to construct or pay for the construction of

- (i) a pedestrian walkway system to serve the Development,  
or

- (ii) pedestrian walkways to connect the pedestrian walkway system serving the Development with a pedestrian walkway system that serves or is proposed to serve an adjacent Development,

or both;

- (c) to install or pay for the installation of Utilities, on or off the Site, that are necessary to serve the Development;

- (d) to construct or pay for the construction of

- (i) off-street or other parking facilities, and

- (ii) loading and unloading facilities;

- (e) to pay an off-site levy or redevelopment levy;

- (f) to give security to ensure that the terms of the agreement under this section are carried out.



9. Section 2.11 is deleted in its entirety and replaced with:

**2.11 Applications Within Escarpment Areas**

- (1) All applications for subdivision or Development within an Escarpment Area shall be evaluated on their merits by the Subdivision or Development Authority in accordance with the provisions of this section.
- (2) The Subdivision or Development Authority may impose conditions of approval that the Subdivision or Development Authority determines are reasonable, having considered the purpose of the intended application and the uniqueness of the Site, including, but not limited to:
  - (a) the provision of a real property report during preliminary construction showing the location of any Structure or Development relative to the crest of the escarpment;
  - (b) that the applicant meets the recommendations of any applicable report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
  - (c) the provision of emergency access;
  - (d) ongoing monitoring programs and related access;
  - (e) stormwater, drainage and erosion control measures;
  - (f) that any Development shall be designed and constructed using materials, processes and/or techniques intended to minimize slope risks or instability;
  - (g) that the applicant and any current or future owner of the Site shall enter into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;
  - (h) the provision of a post-construction certificate or report from a relevant professional confirming:
    - (i) that the Development has been located and constructed in accordance with any Site Plan or report accepted by the Subdivision or Development Authority; and
    - (ii) compliance with an accepted professional lot grading plan; and

- (i) that the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the *Municipal Government Act*.

10. Section 3.4(14)(b) is deleted and replaced with the following:

- (b) The provision of subsection 3.4 (14), apply to all Dynamic Signs and may not be varied by the Development Authority.

11. Section 3.24 is deleted in its entirety.

12. The last two sentences in Section 5.7(2)(a)(i) are deleted and replaced with "This additional setback is necessary for future traffic demands and shall not be relaxed."

13. The reference to "section 2.8(1)" in the General Purpose paragraph of Section 7.11 is revised to "Part Two".

14. The reference to "Section 2.4(1)" in Section 7.11(2)(b) is revised to "Section 2.4(4)".

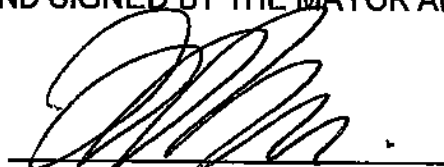
15. This bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this 13<sup>th</sup> day of October 2015.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of October 2015.

  
MAYOR

  
CITY CLERK



October 19, 2015

## Land Use Bylaw Amendment 3357/W-2015

### Consideration of Second & Third Reading

Legislative Services

#### **Report Summary & Recommendation:**

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The attached report is being brought forward from the Tuesday, October 13, 2015 Council meeting.

#### **Recommendation:**

That Council consider giving second and third readings to Land Use Bylaw Amendment 3357/W-2015.

#### Report Details

##### **Background:**

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At the Tuesday, October 13 2015 Council Meeting, Council gave first reading to:

1. Safety Codes Permit Bylaw 3551/2015, a bylaw to establish the application procedure and fees for permits issued or any other material or service provided pursuant to the Safety Codes Act;
2. Development Permit Fee Bylaw 3555/2015, a bylaw to capture the fees associated with land use related permits; and
3. Land Use Bylaw Amendment 3357/W-2015, an amendment to remove all references to safety code related items including all regulations specific to Occupancy Permits in the Land Use Bylaw.

In accordance with Section 606 of the Municipal Government Act, Land Use Bylaw Amendment 3357/W-2015 was required to be advertised for two consecutive weeks. Advertisements were placed in the Red Deer Advocate on October 16, 2015 and October 23, 2015. No comments were received. A Public Hearing will be held on Monday, October 26, 2015 at 6:00 p.m. during Council's regular meeting.

**BYLAW NO. 3357/W-2015**

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

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

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

1. The definition of “Building Inspector” contained in Section 1.3 is deleted in its entirety.
2. Section 1.5 is deleted in its entirety.
3. Section 2.18 is deleted in its entirety.
4. Section 3.3(5)(b) is deleted in its entirety and replaced with “The Owner of a sign shall permit any Designated Officer to enter the Owner’s premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw.”
5. Section 3.3(6) is deleted in its entirety.
6. “Engineering Services” is deleted from Section 3.3(7)(b), Section 3.4(6)(j)(ii), and Section 3.4(10)(a).
7. “Permit Fee Bylaw” is replaced with “Development Permit Fee Bylaw” in Section 3.3(12)(a).
8. Section 3.16 is deleted in its entirety.
9. “Upon approval of a discretionary use development permit the applicant shall apply to The City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility.” is deleted from Section 4.7(11)(b).
10. Section 4.7(15)(1) is deleted in its entirety and is replaced with “An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied.”
11. Section 5.7(6)(b) is deleted in its entirety.
12. “Notwithstanding this, such person must obtain an Occupancy Permit each year prior to implementing the use or erecting the enclosure for the outdoor display or sales area.” is deleted from Section 5.7(10)(d).
13. Section 9.1(3) is deleted in its entirety and is replaced with:

(3) For the purpose of enforcing this Bylaw and the *Municipal Government Act*, the following shall be Designated Officers:

(a) a Bylaw Officer,

(b) the Development Officer or anyone designated by the Development Officer;

(c) Compliance Officer.

14. Section 9.2(10) is deleted in its entirety.

15. Section 9.2(10)(a) is removed as an offence from Schedule "C".

16. This bylaw takes effect on November 23, 2015.

READ A FIRST TIME IN OPEN COUNCIL this 13<sup>th</sup> day of October 2015.

READ A SECOND TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

READ A THIRD TIME IN OPEN COUNCIL this 26<sup>th</sup> day of October 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 26<sup>th</sup> day of October 2015.

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MAYOR

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CITY CLERK

FILE COPY



**Council Decision – October 26, 2015**

**DATE:** October 29, 2015  
**TO:** Erin Stuart, Inspections & Licensing Manager  
**FROM:** Frieda McDougall, Legislative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3357/W-2015

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**Reference Report:**

Legislative Services, dated October 19, 2015

**Bylaw Readings:**

At the Monday October 26, 2015 Regular Council Meeting, Council gave second and third reading to Land Use Bylaw Amendment 3357/W-2015 – a Land Use Bylaw Amendment to remove all references to safety code related items including all regulations specific to Occupancy Permits in the Land Use Bylaw.

**Report back to Council:** No

**Comments/Further Action:**

This office will amend the Land Use Bylaw and distribute copies in due course.

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

Frieda McDougall  
Manager

- c. Director of Planning Services  
Planning Services Manager  
Corporate Meeting Coordinator



**BYLAW NO. 3357/W-2015**

FILE COPY

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

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

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

1. The definition of "Building Inspector" contained in Section 1.3 is deleted in its entirety.
2. Section 1.5 is deleted in its entirety.
3. Section 2.18 is deleted in its entirety.
4. Section 3.3(5)(b) is deleted in its entirety and replaced with "The Owner of a sign shall permit any Designated Officer to enter the Owner's premises at any reasonable time for the purpose of inspecting the sign or administering or enforcing this bylaw."
5. Section 3.3(6) is deleted in its entirety.
6. "Engineering Services" is deleted from Section 3.3(7)(b), Section 3.4(6)(j)(ii), and Section 3.4(10)(a).
7. "Permit Fee Bylaw" is replaced with "Development Permit Fee Bylaw" in Section 3.3(12)(a).
8. Section 3.16 is deleted in its entirety.
9. "Upon approval of a discretionary use development permit the applicant shall apply to The City for an occupancy certificate and an annually renewable business license prior to opening the bed & breakfast facility." is deleted from Section 4.7(11)(b).
10. Section 4.7(15)(1) is deleted in its entirety and is replaced with "An owner of a residential site shall ensure that the landscaping on the landscaped area of the Site is completed within two years of the date that the building is occupied."
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MAYOR

  
CITY CLERK