

City Council Meeting Agenda

Monday, August 21, 2023 – Council Chambers, City Hall

Call to Order: 10:30 AM
Recess: 12:30 PM to 1:00 PM

1. Closed Meeting (to last approximately 2 hours)

1.1. Motion to go into Closed Meeting

1.1.a. Land Matter - FOIP Sections 16 Disclosure harmful to business interests of a Third party, 23(1) Local public body confidences, 24(1)(a) Advice from Officials, 25 Disclosure harmful to economic and other interests of a public body

1.1.b. Council Representation on Alberta Municipalities Board of Directors - FOIP Section 17(1) Disclosure harmful to personal privacy

1.1.c. Permanent Shelter Update - FOIP Sections 21(1) Disclosure harmful to intergovernmental relations, 23(1) Local public body confidences, 24(1)(a) Advice from Officials

1.2. Motion to Revert to Open Meeting

2. Points of Interest

3. Consent Agenda

(Page 3)

3.1. Confirmation of the July 24, 2023 Regular Council Meeting Minutes
(Pages 4 – 15)

3.2. Council Representation on Alberta Municipalities Board of Directors
(Pages 16 – 30)

- 3.3. Red Deer Hosting of Alberta Municipalities Conference and Trade Show
(Pages 31 – 34)
- 3.4. Land Use Bylaw Amendment 3357/J-2023 Omnibus Amendment (First Reading Only)
(Pages 35 – 48)
- 3.5. Land Use Bylaw Amendment 3357/M-2023. To rezone 2950 Bremner Avenue from DC(1) to C5) (First Reading Only)
(Pages 49 – 57)

4. Report

- 4.1. 2024 Council Schedule
(Pages 58 – 59)

5. Closed Meeting

- 5.1. Motion to go into Closed Meeting
 - 5.1.a. Introduction of a new Code of Conduct Bylaw – FOIP 23(1)(a) –
Advice from Officials, 23(1)(a) Local public body confidences
(Pages 60 – 83
Report published Tuesday, August 22, 2023)
- 5.2. Motion to Revert to Open Meeting

6. Adjournment



August 21, 2023

August 21, 2023 Consent Agenda

Prepared by: Valeriia Svitla, Legislative Assistant
Department: Legal and Legislative Services

Proposed Resolutions

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves the following Minutes and Reports:

- Confirmation of the Minutes of the July 24, 2023 Regular Council Meeting
- Council Representation on Alberta Municipalities Board of Directors
- Red Deer Hosting of Alberta Municipalities Conference and Trade Show

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves the following Bylaws:

- Bylaw 3357/J-2023
FIRST READING: That Bylaw 3357/J-2023 (an omnibus amendment to the Land Use Bylaw) be read a first time
- Bylaw 3357/M-2023
FIRST READING: That Bylaw 3357/M-2023 (an amendment to the Land Use Bylaw to rezone 2950 Bremner Avenue from DC(1) to C5) be read a first time



UNAPPROVED - MINUTES

of the Red Deer City Council Regular Meeting, held on, Monday, July 24, 2023 commenced at 10:30 AM

Present:

Mayor Ken Johnston
Councillor Kraymer Barnstable (via videoconference)
Councillor Bruce Buruma
Councillor Michael Dawe
Councillor Victor Doerksen
Councillor Vesna Higham (via videoconference)
Councillor Cindy Jefferies
Councillor Lawrence Lee
Councillor Dianne Wyntjes

City Manager, Tara Lodewyk
General Manager Community Services, Sarah Tittermore
General Manager Protective Services, Ken McMullen
General Manager, Mike Olesen
Acting General Manager Corporate & Employee Services, Karen Smilar
Acting General Manager Development Services, John Sennema
Chief of Staff, Sean McIntyre
Manager of Safe & Healthy Communities, Kristin Walsh
Business Excellence Manager, Tricia Hercina
City Planning & Growth Manager, Emily Damberger
Innovation and Partner Supports Supervisor, Jesse Smith
Supervisor of Safe & Healthy Communities, Bobby-Jo Stannard
Safe & Healthy Communities Supervisor, Ryan Veldkamp
Corporate Marketing Supervisor, Jill Hanes

Acting City Clerk, Jennifer Hankey
Committees Coordinator, Rebecca Derwantz
Legislative Assistant, Valeriia Svitla



1. CONSENT AGENDA

1.1. July 24, 2023 Consent Agenda

Moved by Councillor Bruce Buruma, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves the following Minutes and Reports:

- Confirmation of the Minutes of the July 10, 2023 Regular Council Meeting
- Confirmation of the Minutes of the July 18, 2023 Special Council Meeting
- Change of Date Request for November 17, 2023 Combative Sports Event

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED

2. REPORTS

2.1. Red Deer Recovery Summit

Moved by Councillor Lawrence Lee, seconded by Councillor Bruce Buruma

Resolved that Council of The City of Red Deer having considered the report from Community Services dated July 24, 2023 re: Red Deer Recovery Summit hereby approves the receipt of \$50,000 as one-time operating revenue/expenses for the period of March 10, 2023 to July 31, 2024

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

2.2. Sponsorship Policy Update

Moved by Councillor Lawrence Lee, seconded by Councillor Victor Doerksen

Resolved that Council of The City of Red Deer having considered the report from Community Services, Business Excellence dated July 24, 2023 re: Sponsorship Policy Update hereby approves the updated version of Council Policy PS-A-2.6 (Sponsorship Policy)

Council recessed at 11:45 a.m. and reconvened at 11:54 a.m.

Prior to consideration of the motion, the following amendments were introduced:

Moved by Councillor Bruce Buruma, seconded by Councillor Cindy Jefferies

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution by adding 'Business Corporate Social Responsibility' to Purpose (1) a. between 'achieving their' and 'business objectives'

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION TO AMEND CARRIED

Moved by Councillor Bruce Buruma, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution by adding to Section 4 (9) 'Sponsorship Agreement remain confidential as per FOIP procurement policies'.

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION TO AMEND CARRIED



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

Moved by Councillor Dianne Wyntjes, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution by deleting \$200,000 in Section 4(8) and replacing with '\$100,000'

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Cindy Jefferies, Councillor Dianne Wyntjes

OPPOSED: Councillor Vesna Higham, Councillor Lawrence Lee

ABSENT: Councillor Kraymer Barnstable

MOTION TO AMEND CARRIED

Councillor Kraymer Barnstable joined the meeting at 12:08 p.m.

The original motion, as amended, was then back on the floor:

Moved by Councillor Bruce Buruma, seconded by Councillor Kraymer Barnstable

Resolved that The City of Red Deer having considered the report from Community Services, Business Excellence dated July 24, 2023 re: Sponsorship Policy Update hereby approves the updated version of Council Policy PS-A-2.6 (Sponsorship Policy) as amended

IN FAVOUR: Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

3. MOTION TO ADD TO THE AGENDA

Moved by Councillor Victor Doerksen, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to add consideration of the following to the Closed Meeting Agenda:



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

- Land Matter - FOIP Sections 16 Disclosure harmful to business interests of a Third party, 23(1) Local public body confidences 24(1)(a) Advice from Officials
- Code of Conduct Matter - FOIP Sections 17 Disclosure harmful to personal privacy, 23 Local public body confidences and 24 Advice from Officials

IN FAVOUR:

Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

Councillor Kraymer Barnstable left the meeting at 12:22 p.m.

Council recessed at 12:22 p.m. and reconvened at 1:00 p.m.

4. REPORTS (CONTINUED)

4.1. Community Informed: Diversity & Inclusion Plan

Councillor Victor Doerksen left the meeting at 1:49 p.m. and returned at 1:51 p.m.

Council recessed at 2:02 p.m. and reconvened at 2:09 p.m.

Councillor Kraymer Barnstable returned to the meeting at 2:09 p.m.

Moved by Councillor Cindy Jefferies, seconded by Councillor Dianne Wyntjes

Resolved that the Council of the City of Red Deer having considered the report from Community Services, Safe and Healthy Communities dated July 24, 2023 re: Diversity and Inclusion Plan hereby:

1. receives the Community Informed: Diversity & Inclusion Plan as information, and acknowledges the important role government plays in the leadership of this work; and
2. directs Administration to develop a proposed implementation strategy for our organization that honours the City's leadership role within the community

IN FAVOUR:

Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

MOTION CARRIED

Council recessed at 3:03 p.m. and reconvened at 3:12 p.m.

Councillor Kraymer Barnstable left the meeting at 3:09 p.m.

5. CLOSED MEETING

5.1. Motion to go into a Closed Meeting

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to enter into a Closed Meeting of Council on Monday, July 24, 2023 at 3:14 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;
- And all non-related staff members

to discuss the following:

- Permanent Shelter Verbal Report - FOIP Sections 21(1) Disclosure harmful to intergovernmental relations, 23(1) Local public body confidences and 24(1)(a) Advice from officials
- Land Matter - FOIP Sections 16 Disclosure harmful to business interests of a Third party, 23(1) Local public body confidences 24(1)(a) Advice from Officials Disclosure harmful to economic and other interests of a public body
- Code of Conduct Matter - FOIP Sections 17 Disclosure harmful to personal privacy, 23 Local public body confidences and 24 Advice from Officials

IN FAVOUR:

Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT:

Councillor Kraymer Barnstable

MOTION CARRIED



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

5.1.a. Permanent Shelter Verbal Report - FOIP Sections 21(1) Disclosure harmful to intergovernmental relations, 23(1) Local public body confidences and 24(1)(a) Advice from officials

The following people were in attendance:

Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

City Manager Tara Lode, General Manager Mike Olesen, General Manager Community Services Sarah Tittlemore, General Manager Protective Services Ken McMullen, Acting General Manager Corporate & Employee Services Karen Smilar, Acting General Manager Development Services John Sennema, Chief of Staff Sean McIntyre, Legal & Legislative Services Manager Michelle Baer, Manager of Safe & Healthy Communities Kristin Walsh, Safe & Healthy Communities Supervisor Ryan Veldkamp, Corporate Marketing Supervisor Jill Hanes, Land Coordinator Wade Martens

Acting City Clerk Jennifer Hankey, Committees Coordinator Rebecca Derwanz, Legislative Assistant Valeriia Svila

5.1.b. Land Matter - FOIP Sections 16 Disclosure harmful to business interests of a Third party, 23(1) Local public body confidences 24(1)(a) Advice from Officials 25 Disclosure harmful to economic and other interests of a public body

The following people were in attendance:

Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

City Manager Tara Lode, General Manager Mike Olesen, General Manager Community Services Sarah Tittlemore, General Manager Protective Services Ken McMullen, Acting General Manager Corporate & Employee Services Karen Smilar, Acting General Manager Development Services John Sennema, Chief of Staff Sean McIntyre, Legal & Legislative Services Manager Michelle Baer

Acting City Clerk Jennifer Hankey, Committees Coordinator Rebecca Derwanz, Legislative Assistant Valeriia Svila

Councillor Cindy Jefferies declared a conflict of interest and recused herself from item 5.1. 3:45 p.m.



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

5.1.c. Code of Conduct Matter – FOIP Sections 17 Disclosure harmful to personal privacy, 23 Local public body confidences and 24 Advice from Officials

The following people were in attendance:

Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

City Manager Tara Lode, General Manager Protective Services Ken McMullen, Acting General Manager Corporate & Employee Services Karen Smilar, Legal & Legislative Services Manager Michelle Baer

Acting City Clerk Jennifer Hankey

Council recessed at 4:30 p.m. and reconvened at 5:01 p.m.

5.2. Motion to Revert to Open Meeting

Moved by Councillor Lawrence Lee, seconded by Councillor Victor Doerksen

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on July 24, 2023 at 5:01 p.m.

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable, Councillor Cindy Jefferies

MOTION CARRIED

Councillor Cindy Jefferies returned to the meeting at 5:02 p.m.

6. PUBLIC HEARINGS

6.1. Land Use Bylaw Amendment 3357/I-2023. Site Exception at 6970 Taylor Drive

Mayor Ken Johnston declared open the Public Hearing for Land Use Bylaw Amendment 3357/I-2023 - Site Exception at 6970 Taylor Drive at 5:03 p.m.

Councillor Kraymer Barnstable returned to the meeting at 5:07 p.m.



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

Mayor Ken Johnston declared the Public Hearing closed at 5:08 p.m.

6.1.a. Consideration of Second Reading of Bylaw 3357/I-2023

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

SECOND READING: That Bylaw 3357/I-2023 (an amendment to the Land Use Bylaw for a site exception at 6970 Taylor Drive) be read a second time.

IN FAVOUR: Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

6.1.b. Consideration of Third Reading of Bylaw 3357/I-2023

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

THIRD READING: That Bylaw 3357/I-2023 be read a third time.

IN FAVOUR: Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

7. CLOSED MEETING

7.1. Motion to go into a Closed Meeting

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to enter into a Closed Meeting of Council on Monday, July 24, 2023 at 5:15 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public;



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

- And all non-related staff members

to discuss the following:

- Code of Conduct Matter – FOIP Sections 17 Disclosure harmful to personal privacy, 23 Local public body confidences and 24 Advice from Officials

IN FAVOUR:

Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT:

MOTION CARRIED

Councillor Cindy Jefferies declared a conflict of interest and recused herself from item 7.1.
5:17 p.m.

7.1.a. Code of Conduct Matter – FOIP Sections 17 Disclosure harmful to personal privacy, 23 Local public body confidences and 24 Advice from Officials

The following people were in attendance:

Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

City Manager Tara Lode, General Manager Mike Olesen, General Manager Protective Services Ken McMullen, Acting General Manager Corporate & Employee Services Karen Strickland, Legal & Legislative Services Manager Michelle Baer

Acting City Clerk Jennifer Hankey

Councillor Kraymer Barnstable left the meeting at 5:20 p.m and didn't return.

7.2. Motion to Revert to Open Meeting

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on July 24, 2023 at 5:26 p.m.

IN FAVOUR:

Mayor Ken Johnston, Councillor Bruce Buruma, Councillor



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable, Councillor Cindy Jefferies

MOTION CARRIED

Councillor Cindy Jefferies returned to the meeting at 5:30 p.m.

8. BUSINESS ARISING FROM CLOSED MEETING

Moved by Councillor Victor Doerksen, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer having considered the closed meeting report pursuant to FOIP Sections 24(1)(a) Advice from Officials and 25 Disclosure harmful to economic and other interests of a public body re: Land Matter hereby agree to Option 1

IN FAVOUR: Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

OPPOSED Mayor Ken Johnston

ABSENT Councillor Kraymer Barnstable

MOTION CARRIED

Councillor Cindy Jefferies declared a conflict of interest and recused herself at 5:31 p.m.

Moved by Councillor Victor Doerksen, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the July 24, 2023 Investigation Report in the matter of a public complaint filed against Councillor Cindy Jefferies under the Council Code of Conduct Bylaw hereby:

1. accepts the July 24, 2023 Investigation Report and the finding that Councillor Cindy Jefferies did breach Section 7.1. Code of Conduct Bylaw;

2. resolves to impose no sanctions since this matter was adjudicated and been deemed 'concluded' by Elections Alberta;

3. authorizes Administration to publish the entire Investigation Report and appendices subject to compliance with the Freedom of Information and Protection of Privacy Act and



City Council Regular Meeting Minutes
Unapproved - Monday, July 24, 2023

4. directs Administration to publish all Candidates Campaign Disclosure Statement Financial Statement - Form 26 on The City of Red Deer webpage for a period of 4 years post-election.

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable, Councillor Cindy Jefferies

MOTION CARRIED

9. ADJOURNMENT

Moved by Councillor Bruce Buruma, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 24, 2023 Regular Council Meeting of Red Deer City Council at 5:35 p.m.

IN FAVOUR: Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable, Councillor Cindy Jefferies

MOTION CARRIED

MAYOR

CITY CLERK



Council Representation on Alberta Municipalities Board of Directors

Prepared by: Colin Connon, Research, Policy, and Council Administration Specialist
Department: Office of the Mayor and Council

Report Summary and Recommendations

Red Deer City Council has not had representation on the Alberta Municipalities (formerly Alberta Urban Municipalities Association) Board of Directors since 2016/17.

Participating on a committee provides an opportunity to influence the direction of policy and programs. In addition, a Director will gain greater awareness of key initiatives to bring back to The City of Red Deer.

It is recommended that Council endorse Councillor Lawrence Lee to seek election to the position of Director, Cities up to 500,000 population on the Alberta Municipalities Board of Directors.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the Closed Report from the Office of the Mayor and Council dated August 21, 2023 re: Council Representation on Alberta Municipalities (AM) Board of Directors hereby endorse the nomination of Councillor Lawrence Lee to seek election to the position of Director, Cities up to 500,000 population on the Alberta Municipalities Board of Directors.

Rationale for Recommendation

- 1. Representation on the Alberta Municipalities Board of Directors advances Red Deer's voice within a provincial forum.**
- 2. Representation on the Alberta Municipalities Board of Directors enhances City Council's awareness of provincial issues and initiatives.**
- 3. The cost to the City of Red Deer is minimal.** Total cost is up to \$1000 to cover election related expenses. Travel and participation in meetings as an Alberta Municipalities Board Director is reimbursed directly by Alberta Municipalities.

Background

The Alberta Municipalities Board of Directors is made up of elected officials from across the province. Red Deer falls in the category of Cities up to 500,000 population, where there are two designated Director positions (2-year terms) and a Vice President position (1-year term) up for election at the 2023 Annual Meeting and Trade Show.

There are monthly regular board meetings and board members are expected to serve on at least one Board committee. Election to the board will require a minimum commitment of 9 hours of meeting time per month, plus preparation time. Board members are also encouraged to visit their zone members during their two-year term.

To run as Vice President or President, a Council endorsement is required by Alberta Municipalities. To run for the Board of Directors, Alberta Municipalities does not require a Council resolution; however, City of Red Deer Councillors have historically sought endorsement from their colleagues, and it is required to enable campaign spending as per Council Policy GP-C-2.3. This will also allow the potential for a successful Director to let their name stand as a Vice President.

Strategic Alignment

Engaged and Connected City (Strategic Plan)

- Lasting and meaningful relationships with other orders of government.

Timelines and Impending Deadlines

Applications for Alberta Municipalities Board of Directors must be submitted by September 2023.

Alberta Municipalities Board of Directors elections will occur September 29, 2023, at the annual convention and trade show.

Analysis

Financial

As per Council Policy GP-C-2.3 up to \$1000 will be provided from 150.7381 to cover election related expenses if an election is required for participation on external boards a Councillor has been formally appointed to by Council.

Appendix A: 2023 Alberta Municipalities Candidate Information and Nomination Package

2023 Alberta Municipalities Board Elections

Candidate Information and Nomination Package



 **Alberta
Municipalities**
Strength
In Members

Table of Contents

Introduction

Positions Available

Board Role and Responsibilities

Eligibility

Ideal Board Member Profile

Time Commitment

Member Engagement

Honoraria and Expenses

Nomination Papers

Nomination Deadline

Appendix A

Appendix B

Appendix C

Appendix D.....

Introduction

The 2023 Alberta Municipalities Board elections will be held during the Association's Annual Convention on September 29, 2023.

This package provides information to individuals interested in participating in the nomination and election for Board positions. Prospective Board candidates are encouraged to contact [Returning Officer](#) for further information on the role and responsibilities of a Board Member.

Positions Available

The following Board positions are up for election this year:

- President – two-year term
- Director, Cities up to 500,000 – two-year term (2 positions)
- Director, Towns East – two-year term
- Director, Villages South – two-year term
- Director, Villages West – one-year term (By-election)
- Director, Summer Villages – two-year term
- Vice-President, Cities up to 500,000 – one-year term
- Vice-President, Towns – one-year term
- Vice-President, Villages and Summer Villages – one-year term

Board Role and Responsibilities

The role of the Board is to provide informed leadership for Alberta Municipalities on behalf of Association policies and initiatives. Each Board member is responsible for advancing the interests of the Association programs, issues and policies. Key Board responsibilities include:

- Developing and evaluating the specific advocacy programs and services of the Association.
- Ensuring that the powers, duties and functions of the Association are appropriately carried out.
- Carrying out the powers, duties and functions expressly given to it under legislation and the Bylaws and policies of the Association.
- Monitoring and influencing government legislation, programs and policies which impact the membership.
- Ensuring effective, credible relations in respect of advocacy are maintained with member municipalities, provincial government and other organizations.
- Apprising the membership of significant national and provincial trends and/or issues that affect local governments and taking action to ensure their interests are known to decision makers.
- Monitoring, as the sole shareholder, the Association's interest in the Alberta Municipal Services Corporation (AMSC).
- Establishing a mandate for itself and for Administration on an annual basis and approving a business plan to achieve its mandate.

Eligibility

Complete details on standing for election are outlined in the Association’s Election Procedures Handbook. Generally those eligible to stand in an election must:

- be an elected official of a Regular Member in good standing,
- submit a completed nomination in the form prescribed by the Returning Officer,
- be nominated by at least two other elected representatives of Regular Members in good standing,
- for President or Vice-President positions, have the nomination approved by a motion of the council of the nominee’s municipality.

Ideal Board Member Profile

Alberta Municipalities seeks committed Board members with high ethical standards and an interest in the best interests of the Association and its members. Experience serving on public/private sector or not-for-profit boards is desirable. While not required, other desirable competencies include:

- Board Governance
- Municipal Governance/Operations
- Business Administration/Management
- Legal/Regulatory
- Human Resources
- Accounting/Financial
- Risk Management
- Public Relations/Media
- Information Technology
- Strategic Planning

Time Commitment

Below is the estimated amount of time necessary for an individual to fulfill their role as a Board member. Board members are also expected to attend additional retreats, meetings, or education sessions as required from time to time.

Board members are encouraged to visit their zone members during their two-year term and email their zone members twice per year.

Regular Scheduled Board Meetings	Board meetings are held monthly, except for July. Meetings begin at 9:00 am (allow 5-6 hours per meeting). *Please note that the first meeting of the new Board will commence immediately following the close of Convention.
Board Member Orientation Session	New Board Members are required to attend orientation sessions prior to the October 2023 Board meeting (allow 3 -5 hours).

In addition, each Board member is expected to serve on at least one Board committee. The current Board committees are:

Executive Committee	Committee meetings are held monthly and begin at 9:00 am (allow 4-6 hours per meeting).
Municipal Governance Committee	Committee meetings are held quarterly and begin at 9:00 am (allow 4-6 hours per meeting).
Sustainability and Environment Committee	Committee meetings are held quarterly and begin at 9:00 am (allow 4-6 hours per meeting).
Safe and Healthy Communities Committee	Committee meetings are held quarterly and begin at 9:00 am (allow 4-6 hours per meeting).
Infrastructure Committee	Committee meetings are held quarterly and begin at 9:00 am (allow 4-6 hours per meeting).
Small Communities Committee	Committee meetings are held three times per year and begin at 9:00 am (allow 4-6 hours per meeting).
Economic Strategy Committee	Committee will meet a minimum of twice per year. Meetings begin at 9:00 am (allow 4-6 hours per meeting).
Human Resources Committee	Committee will meet a minimum of twice per year. Meetings begin at 9:00 am (allow 4-6 hours per meeting).
Audit and Finance Committee	Committee meetings are held quarterly and begin at 9:00 am (allow 4-6 hours per meeting).
Investment Advisory Committee	Committee will meet a minimum of twice per year. Meetings begin at 9:00 am (allow 4-6 hours per meeting).

Member Engagement

As a member-driven organization, Alberta Municipalities thrives on consistent and genuine member engagement. Given this, Board members are expected to utilize the tools and resources provided by the Association to engage with the members within their respective zones.

Board members are encouraged to visit their zone members during their two-year term and email their members twice per year.

Honoraria and Expenses

Board members are entitled to receive honoraria for their service on the Board, committee, or task force, and are reimbursed for expenses incurred on Association's business in accordance with the Association's policy. Board members also receive an allowance for professional development.

Nomination Papers

Nomination Papers for each Board position are provided in Appendices B, C and D.

Nomination Deadline

The deadline for receipt of nomination documents is 11:59 p.m., Thursday, September 21, 2023.

Your nomination documents must be submitted by email to ReturningOfficer@abmunis.ca

Appendix A - Electoral Zones

Towns East	Towns West	Towns South	Villages East	Villages West	Villages South
Athabasca Bashaw Blackfalds Bon Accord Bonnyville Bruderheim Castor Coronation Daysland Elk Point Gibbons Hardisty Innisfail Killam Lac La Biche County Lamont Legal Millet Morinville Mundare Ponoka Provost Redwater Sedgewick Smoky Lake Stettler St. Paul Tofield Trochu Two Hills Vegreville Vermilion Viking Wainwright	Barrhead Beaverlodge Bentley Bowden Calmar Devon Drayton Valley Eckville Edson Fairview Falher Fox Creek Grimshaw High Level High Prairie Hinton Jasper Manning Mayerthorpe McLennan Onoway Peace River Penhold Rainbow Lake Rimbey Rocky Mountain House Sexsmith Slave Lake Spirit River Stony Plain Swan Hills Sylvan Lake Thorsby Valleyview Wembley Westlock Whitecourt	Banff Bassano Bow Island Canmore Cardston Carstairs Claresholm Coaldale Coalhurst Cochrane Crossfield Crowsnest Pass Diamond Valley Didsbury Drumheller Fort Macleod Hanna High River Improvement District No. 9 (Banff National Park) Irricana Magrath Milk River Nanton Nobleford Okotoks Olds Oyen Picture Butte Pincher Creek Raymond Redcliff Redwood Meadows Stavely Strathmore Sundre Taber Three Hills Vauxhall Vulcan	Alliance Amisk Andrew Boyle Chauvin Chipman Clyde Consort Czar Edgerton Forestburg Glendon Halkirk Heisler Holden Hughenden Innisfree Irma Kitscoty Lougheed Mannville Marwayne Myrnam Paradise Valley Ryley Veteran Vilna Waskatenau	Alberta Beach Alix Bawlf Berwyn Big Valley Bittern Lake Breton Caroline Clive Delburne Donalda Donnelly Edberg Elnora Girouxville Hay Lakes Hines Creek Nampa Rosalind Rycroft Spring Lake Warburg	Acme Arrowwood Barnwell Barons Beiseker Carbon Carmangay Champion Coutts Cowley Cremona Delia Duchess Empress Foremost Glenwood Hill Spring Hussar Kananaskis Improvement District Linden Lomond Longview Milo Morrin Munson Rockyford Rosemary Standard Stirling Warner Youngstown
Cities up to 500,000			Cities over 500,000		
Airdrie Beaumont Brooks Camrose Chestermere Cold Lake Fort Saskatchewan Grande Prairie Lacombe Leduc		Lethbridge Lloydminster Medicine Hat MD of Mackenzie No. 23 Red Deer Regional Municipality of Wood Buffalo St. Albert Spruce Grove Strathcona County Wetaskiwin		Calgary Edmonton	<i>All Summer Villages vote for the Summer Village Director and for the Vice-President Villages and Summer Villages</i>

Appendix B

Part A - Nomination Paper for Board of Directors

We, the undersigned, duly nominate _____ of
NAME

_____ MUNICIPALITY POSITION ON COUNCIL

as a candidate in the election to be held for a two-year term for the office of:

- ☐ Cities up to 500,000 Directors (two to be elected by Cities up to 500,000 voting delegates)
- ☐ Towns East Director (one to be elected by Towns East voting delegates)
- ☐ Villages South Director (one to be elected by Villages South voting delegates)
- ☐ Summer Villages Director (one to be elected by Summer Villages voting delegates)

as a candidate in the By-election to be held for a one-year term for the office of:

- ☐ Villages West Director (one to be elected by Villages West voting delegates)

NOMINATORS

To be signed by two (2) elected officials from Association member municipalities of the relevant classification. Should the signatories not be elected officials from Association member municipalities of the relevant classification, the nomination will be disqualified.

_____ PRINT NAME SIGNATURE MUNICIPALITY

_____ PRINT NAME SIGNATURE MUNICIPALITY

- ☐ The candidate's biography is included with this Nomination Paper (please check)

The nomination deadline is 11:59 p.m., Thursday, September 21, 2023
Completed nomination documents are to be submitted by email to ReturningOfficer@ab

Appendix B

PART B - Candidate's Acceptance

CANDIDATE'S ACCEPTANCE		
CANDIDATE'S NAME	CANDIDATE'S SIGNATURE	CANDIDATE'S EM
<p>By signing this form, I declare that:</p> <ol style="list-style-type: none">1. I am eligible to be elected to the office,2. I will carry out the duties and responsibilities of the office if elected,3. I will be bound by the Association's Policy BD010 - Board Member Ethics, Code of Conduct a Conflict of Interest and the disclosure provisions of Articles 8 and 9 of the Association's Byla4. I authorize the Association to publish my biography in Association publications including, bu limited to, the Association's website and The Weekly.		

Please check one of the following:

☐ I will be attending the Convention in-person

☐ I will be attending the Convention virtually

Appendix C

Part A - Nomination Paper for President

We, the undersigned, duly nominate _____ of
NAME

MUNICIPALITY POSITION ON COUNCIL

as a candidate in the election to be held for a two-year term for the office of President.

NOMINATORS

To be signed by two (2) elected officials from Association member municipalities of the relevant classification. Should the signatories not be elected officials from Association member municipalities of the relevant classification, the nomination will be disqualified.

PRINT NAME SIGNATURE MUNICIPALITY

PRINT NAME SIGNATURE MUNICIPALITY

APPROVED BY MOTION OF COUNCIL

To be signed by the City Clerk/Municipal Secretary of the candidate's municipality confirming, through checking the minutes of Council, that the candidate's nomination has been approved.

COUNCIL MEETING DATE MUNICIPALITY CITY CLERK/MUNICIPAL SECRETARY SIGNATURE

☐ **The candidate's biography is included with this Nomination Paper (please check)**

The nomination deadline is 11:59 p.m., Thursday, September 21, 2023
Completed nomination documents are to be submitted by email to [Returning Officers](#)

Appendix C

PART B - Candidate's Acceptance

CANDIDATE'S ACCEPTANCE		
CANDIDATE'S NAME	CANDIDATE'S SIGNATURE	CANDIDATE'S EMAIL
<p>By signing this form, I declare that:</p> <ol style="list-style-type: none">1. I am eligible to be elected to the office,2. I will carry out the duties and responsibilities of the office if elected,3. I will be bound by the Association's Policy BD010 - Board Member Ethics, Code of Conduct and Conflict of Interest and the disclosure provisions of Articles 8 and 9 of the Association's Bylaws and4. I authorize the Association to publish my biography in Association publications including, but not limited to, the Association's website and The Weekly.		
<p>Please check one of the following:</p> <div><input type="checkbox"/> I will be attending the Convention in-person</div> <div><input type="checkbox"/> I will be attending the Convention virtually</div>		

Appendix D

Part A - Nomination Paper for Vice-President

We, the undersigned, duly nominate _____ of

NAME

MUNICIPALITY

POSITION ON COUNCIL

as a candidate in the election to be held for a one-year term of:

- ☐ Vice-President, Cities up to 500,000
☐ Vice President, Towns
☐ Vice-President, Villages and Summer Villages

NOMINATORS

To be signed by two (2) elected officials from Association member municipalities of the relevant classification. Should the signatories not be elected officials from Association member municipalities of the relevant classification, the nomination will be disqualified.

PRINT NAME

SIGNATURE

MUNICIPALITY

PRINT NAME

SIGNATURE

MUNICIPALITY

APPROVED BY MOTION OF COUNCIL

To be signed by the City Clerk/Municipal Secretary of the candidate's municipality confirming, through checking the minutes of Council, that the candidate's nomination has been approved.

COUNCIL MEETING DATE

MUNICIPALITY

CITY CLERK/MUNICIPAL SECRETARY SIGNATURE

- ☐ The candidate's biography is included with this Nomination Paper (please check)

The nomination deadline is 11:59 p.m., Thursday, September 21, 2023
Completed nomination documents are to be submitted by email to [ReturningOfficer@](#)

Appendix D

PART B - Candidate's Acceptance

CANDIDATE'S ACCEPTANCE		
CANDIDATE'S NAME	CANDIDATE'S SIGNATURE	CANDIDATE'S EMAIL
<p>By signing this form, I declare that:</p> <ol style="list-style-type: none">1. I am eligible to be elected to the office,2. I will carry out the duties and responsibilities of the office if elected,3. I will be bound by the Association's Policy BD010 - Board Member Ethics, Code of Conduct and Conflict of Interest and the disclosure provisions of Articles 8 and 9 of the Association's Bylaws and4. I authorize the Association to publish my biography in Association publications including, but not limited to, the Association's website and The Weekly.		
<p>Please check one of the following:</p> <div><input type="checkbox"/> I will be attending the Convention in-person</div> <div><input type="checkbox"/> I will be attending the Convention virtually</div>		



Alberta Municipalities

Strength In Members

Connect

300, 8616 51 Avenue
Edmonton, AB T6E 6E6
780.433.4431 ■ 310.MUNI

abmunis.ca





August 21, 2023

Hosting of 2024 Alberta Municipalities Conference and Trade Show

Prepared by Tara Shand, Corporate Communications Manager
Department Community and Public Relations

Report Summary

This report is provided to City Council with the intent to seek endorsement for hosting of the Alberta Municipalities Conference and Trade Show every three years on an ongoing basis starting in 2024 in Red Deer.

Budget approvals for this event would be brought forward in each multi year budget as one-time costs.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Community and Public Relations dated August 21, 2023, re: Red Deer Hosting of Alberta Municipalities Conference and Trade Show hereby endorses The City of Red Deer hosting the Alberta Municipalities Conference and Trade Show every three years starting in 2024.

Rationale for Recommendation

Administration recommends City Council approve hosting the Alberta Municipalities Conference and Trade Show on a three-year rotational basis starting in 2024 with any necessary budget requests and/or implications brought back to City Council as part of the regular budget process.

This recommendation is made with the following in mind:

1. Hosting AM is an opportunity to showcase our community as an event hosting destination. This is consistent with our major events strategy.
2. It allows us to demonstrate our leadership within Alberta Municipalities and build relationships with our municipal partners.
3. It is good for economic development. The conference draws approximately 1,000 delegates. The total economic impact of the 2018 AUMA Conference and Trade Show was \$2,072,583.

Background

The Alberta Municipalities Annual Convention and Trade Show is an annual event that brings together more than 1,000 leaders from across the province of Alberta.

The City of Red Deer hosted its first convention and trade show in 1991 and again in 2018. In 2018 it was deemed a success by trade-show organizers, attendees, and The City of Red Deer. The conference brought with it economic development opportunities within the City of Red Deer.

Why host the conference?

In 2018, The total economic impact of the 2018 AUMA Conference and Trade Show was \$2,072,583. The economic impact was determined through Destinations International Event Impact Calculator. The Ministry of Economic Development, Trade and Tourism completed the model on The City's behalf. Red Deer's strategic location within the province makes the city ideally situated to host meetings and conferences such as AUMA. The 2018 conference and trade involved:

- 1,128 registered delegates.
- Delegate partners/guests in attendance but no tracking of actual numbers by AUMA.
- Trade show consisted of 148 booth spaces (10' x 10' each) with 332 trade show booth workers in Red Deer.
- 700 guests attended "A Red Deer Affair" – The City's host night.
- 60 AUMA staff, FMAV staff (the contracted production company) and contractors in Red Deer.

According to AUMA's 2018 Convention Satisfaction Survey results:

- 91 per cent of those in attendance rated their level of satisfaction with Red Deer's Conference as satisfied or very satisfied, i.e. access, space, service, etc.
- 96 per cent of those attending "A Red Deer Affair" (The City's host night) rated their level of satisfaction as satisfied or very satisfied.

What is a host municipality responsible for?

In the past, each host municipality was responsible for sponsorship of at least \$40,000 and hosting of a municipal reception. The host city must also provide for shuttle transportation between hotels and the meeting facility. The City organizes this shuttle service, but Alberta Municipalities cover costs associated with the service. The host city is responsible for:

- Municipal Reception Host Night
- Transportation Coordination
- Community Promotions
- Local Context and Knowledge

What is Alberta Municipalities responsible for?

The conference and tradeshow are the responsibility of Alberta Municipalities, including but not limited to venue, logistics, tradeshow vendors, conference agenda and cost. The host municipality partners with Alberta Municipalities to provide local context and host a municipal reception as part of the conference.

What will the 2024 Conference look like?

We do not yet have a schedule of events for the full conference in 2024 as Alberta Municipalities is in the planning stages. We are working in partnership with Alberta Municipalities as we plan for a municipal reception during the 2024 Alberta Municipalities Conference and Tradeshow.

At this time, have the following details related to the 2024 conference and tradeshow:

- In 2024, the conference runs September 23 until 27.
- The City of Red Deer will host a municipal reception on Thursday, September 26, 2024.
- We have budgeted approximately \$110,000 for the event in 2024, and anticipate costs would be similar each year, if City Council proceed with a decision to host future conferences.
- The host night will be held at Red Deer Casino Special Events Centre.

Financial Considerations

More information will be shared with City Council as information is shared with us from Alberta Mall. Budget requests associated with the conference in 2024 are already approved. In 2023, City Council approved \$150,000 for hosting of the 2024 AM Conference and Tradeshow (\$40,000 one-time in 2023 and \$110,000 one-time in 2024) The funding is used for promotional costs, booking, logistics.

There would be no further budget requests in advance of 2024. If Council supports hosting the conference on a regular rotational basis, Administration, would be building the expenses into our budget to come from reserves. The amount would be similar each year (approximately \$150,000) unless Council or AM changed the expectations or deliverables of the host.



Dear Ms. Lodewyk,

Bringing municipal leaders together to discuss common challenges is at the core of what Alberta Municipalities does, and our events are a key component to our success. The Alberta Municipalities Annual Convention and Trade Show is our signature event, bringing together more than 1,000 leaders from across the province.

In 2018 we hosted our first Convention and Trade Show in Red Deer and, from our perspective, it was a huge success. While there were learning opportunities, it was clear that the City of Red Deer and its local business partners have the capacity to host this event moving forward.

As we prepared for our Conventions in 2024, 2025 and 2026, an RFP/application process was presented to the Cities of Red Deer, Calgary, and Edmonton, to have them confirm their interest for their respective year. Through their application, along with hosting the 2018 Convention, it was clear that Red Deer met the hosting criteria, which includes sufficient Convention space, hotel room minimums, available support staff, and host reception financial commitments.

Based on this process, the Alberta Municipalities Board of Directors approved Red Deer as a host for 2024, along with 2027, and then continuing a three-year rotation alongside Edmonton and Calgary moving forward.

We would like to request that the City Council endorse hosting the Alberta Municipalities and Trade Show on an ongoing basis. This would insert Red Deer into a three-year rotation along with the City of Edmonton and the City of Calgary, starting in 2024 - which has already been approved by council.

I look forward to hearing the outcome of this request, and we cannot wait to be back in your city in 2024. If you have any questions or concerns, please do not hesitate to contact me at any time.

A handwritten signature in blue ink, appearing to read "Dan Rude", with a stylized flourish at the end.

Dan Rude
CEO
Alberta Municipalities



August 21, 2023

Land Use Bylaw Amendment 3357/J-2023 Omnibus Amendment

Prepared by Jerreck Connors, Planner
Department City Planning and Growth

Report Summary and Recommendations

City Administration has initiated this omnibus Land Use Bylaw (LUB) amendment to provide City staff and the public with clear interpretation and increased flexibility in implementing the LUB.

The proposed omnibus amendment aims to improve clarity and consistency in a number of areas including:

1. Clarifying Development Permit requirements for when Change of Use occurs
2. Outlining how Temporary Buildings and Shipping Containers are included under Accessory Buildings for Permitted/Discretionary Use purposes
3. Clarifying variance permissions for Accessory Building widths in Residential Areas
4. Removing walkout marking requirements for NASPs and ARPs
5. Clarifying setback variance margin of error applies post-build only for builder's error that may appear on an RPR, and align with practice of applying to all Accessory Buildings not just Garages.
6. Identifying that stairs leading to/from a balcony, deck, or similar structure already projecting into the rear yard may have an additional 1.5m projection
7. Adding flexibility to how site exceptions are considered and evaluated
8. Adding that laser projection signs fall under 'Dynamic Signs' definition for regulating purposes
9. Performing assorted alignment edits to match department practices and/or other legislation (e.g. aligning Landfill/Wastewater setback variance request requirements updates to Provincial regulations, outlining criteria for how Development Officers decide when Change of Use applications avoid requiring a permit)
10. Performing minor text cleanups

Administration supports first reading to the proposed Land Use Bylaw amendments.

Proposed Resolution

That Bylaw 3357/J-2023 be read a first time.

If first reading is given, this Bylaw will be advertised with a Public Hearing to be held at the Monday, September 18, 2023 Council Meeting.

Rationale for Recommendation

1. The amendment improves efficiency in the application of the LUB.

The proposed amendments clarify several definitions and regulations which reduces interpretation errors, and clearly outlines application requirements to avoid confusion regarding submission expectations.

2. The amendment better aligns the LUB with standard practices and other pieces of legislation.

The proposed amendments help align departmental practices providing more transparency to applicants, and additional adjustments are made to in conformance with Provincial legislation.

Background

City Administration has initiated this Land Use Bylaw (LUB) amendment to provide City staff and the public with a clear interpretation and implementation of the LUB. The proposed amendments were identified by Administration where the LUB could be improved to reduce red tape, align with other regulations, and reflect new development trends. This omnibus addresses the needs of external applicants with immediate development needs.

Strategic Alignment

The application supports the Municipal Development Plan policies by creating positive economic environments, promoting a vision focused on quality of life through land use policies and encouraging more efficient use of land.

See Appendix A for more information.

Stakeholder Consultation

The amendment has been referred to several City departments and all comments have been considered and are reflected in the proposed Bylaw.

Public consultation was not conducted as it is not a typical practice for Omnibus bills, which serve as a form of 'clean up' to the land Use Bylaw, generally seeking to better tie the Bylaw wording with the practices, services, and legislative requirements performed by Administration. Regardless of this practice, the public will have an opportunity to weigh in on the Omnibus as part of a scheduled Public Hearing to occur prior to the second reading.

Analysis

The proposed amendments are focused on aligning practices and bringing increased clarity to the Land Use Bylaw. This allows for improved efficiency for staff and a more business-friendly approach for customers.

A detailed breakdown of the Bylaw changes and corresponding rationale is included in Appendix B to this report.

Financial

There are no direct financial or budget implications because of the proposed recommendations.

Regulatory and Compliance

Apart from providing clarity to definitions and regulations, there are no legal implications from approving the proposed bylaw.

Appendices

Appendix A – Strategic Alignment

Appendix B – Existing and Proposed Bylaw Comparison

BYLAW NO. 3357/J-2023

Being a Bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of The City of Red Deer 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)(u) is deleted and replaced with the following:

“(u) a change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District, where the uses are similar, there is no increase in the intensity of the use of land or a Building, and the use does not require a variance; this does not apply to Dwelling Units in the C1 District due to parking requirements that must be satisfied.”

2. The definition of “Accessory Building” in section 1.3 is deleted and replaced with the following:

“Accessory Building means a secondary Building on a Site, the use of which is subordinate and naturally incidental to that of the Principal Building on the same Site and may include Temporary Buildings.”

3. The definition of “Temporary Building” in section 1.3 is deleted and replaced with the following:

“Temporary Building means a Building or Structure used on a temporary basis, without a below grade foundation, and may include a shipping container.

4. The definition of “Call Centre” in Section 1.3 is amended to read as follows:

“Call Centre means a minimum 1393 City with more than 50 employees who provide information on sales, goods and services, take orders for sales, goods and services, or provide technical after sales support to customers, by telephone, e-mail or other telecommunication technologies, but does not include other office uses.”

5. Section 1.4(3)(g)(i) is deleted in its entirety.

6. Section 2.7(1)(j) is amended to read:

“May, where the test set out in section 2.7(i) is met, approve, with or without conditions, a variance related to the following regulations:”

and a new subsection is added as follows:

“(ix) maximum width of Accessory Buildings in Residential districts;”

7. Section 2.24(1) is deleted and replaced with the following:

“If an applicant for a Development Permit on a Site wholly or partially situated within a Landfill/Wastewater Treatment Plant setback submits a report from a professional engineer addressing the criteria for a variance stipulated in the Guideline for Setback Reviews published by the Department of Environment and Parks, as amended, the Development Authority or Subdivision Authority has discretion to vary the setback.”

8. Section 3.5(4)(d) is deleted in its entirety;

and a new Section 3.5(6) is added as follows:

“(6) Where after being built an Accessory Building or detached Garage is identified on a Real Property Report (RPR) to have been built in an error of not less than 90% or more than 10% of the required setback distance, and provided the structure does not encroach on an easement, it is deemed to still be compliant with the corresponding setback regulation subsection.”

9. Section 4.1.2(1)(a)(ii) is deleted and replaced with the following:

“(ii) Detached Dwelling Unit with mandatory front attached Garage”

10. ‘Table 4.4 R2 Regulations’ in Section 4.4(2)(d) shall have the requirements of ‘Building Height Maximum’ amended to read as follows:

“2 storeys with a maximum total height of 10.0 m measured from the average the lot grade except:

- Multiple family building as per subsection 4.4 (1)(b)(xiii)
- 3 storeys for an Assisted Living Facility”

11. Section 4.7(5)(a)(ii) is amended to read as follows:

“(ii) Rear Yard: a canopy, eaves, or chimney that projects not more than 1.5 m over or on a minimum Rear Yard, an unenclosed veranda, balcony, steps, or barrier-free ramp, that projects not more than 3.0 m over or on a minimum Rear Yard, or steps leading to or from a balcony, deck, or similar structure that project not more than 1.5 m over the maximum permitted projection of the structure.”

12. Section 8.22(1)(b) is deleted in its entirety;

and Section 8.22(1)(c) is deleted and replaced with the following:

“(c) An applicant for an exception to the uses or regulations of a District must as part of the application for the exception, submit a written statement indicating why, in the applicant’s opinion:

- (i) an exception is necessary and the proposed Development cannot proceed without an exception;
- (ii) redistricting to another District cannot achieve the same result, with or without relaxations of this Bylaw; or
- (iii) the exception cannot be addressed by conditions imposed by the Subdivision or Development Authorities.”

13. The definition of “Dynamic” in Section 11.5 is amended to read as follows:

“Dynamic means components of a Sign that move or appear to move or change and includes, but is not limited to, displays incorporating technology or methods allowing the image on the Copy Area to change, such as rotating panels, LED lights manipulated through digital input, laser projection, or digital ink.”

READ A FIRST TIME IN OPEN COUNCIL this	day of	2023.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2023.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2023.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2023.

MAYOR

CITY CLERK

APPENDIX A

Strategic Alignment

Municipal Development Plan

3.2 Guiding Principles

1. Promote a vision focused on the quality of life for residents and the sustainability of Red Deer through the use of land use policies, development guidelines and procedures.

5.17 Efficiency of Land Use

The City should promote intensification of the urban areas by ensuring its design guidelines and specifications encourage the efficient use of land.

6.2 Creating a Positive Business Environment

The City should foster a competitive business climate through policies and actions that help maintain competitive operating costs and streamline approval processes and timelines.

APPENDIX B
Existing and Proposed Bylaw Comparison

Italics - indicate new text added
~~Strikethrough~~ - indicates text removed

Adjustments to Align with Department Practices or Other Legislation			
Bylaw Item	Existing	Proposed	
1.	1.2(2)(u) (u) A change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District that does not require a variance, except Dwelling Units in the C1 District due to parking requirements that must be satisfied.	1.2(2)(u) (u) a change of use of a Building or part of a Building from a Permitted Use to another Permitted Use within the same District, <i>where the uses are similar, there is no increase in the intensity of the use of land or a Building, and the use</i> that does not require a variance; <i>this does not apply to</i> except Dwelling Units in the C1 District due to parking requirements that must be satisfied.	Text amendment on the parameter of use is being added to development orders. This provides guidance on what to look at, and consistency between the two.
5.	1.4(3) Establishment of Districts – District Delineation Rules (g) Notwithstanding the foregoing, the permitted and discretionary uses for any parcel of land shall be subject to such restrictions or limitations as may be contained in any Area Structure Plan or Area Redevelopment Plan which applies to that parcel. The following are examples of how this principle is intended to operate:	1.4(3) Establishment of Districts – District Delineation Rules (g) Notwithstanding the foregoing, the permitted and discretionary uses for any parcel of land shall be subject to such restrictions or limitations as may be contained in any Area Structure Plan or Area Redevelopment Plan which applies to that parcel. The following are examples of how this principle is intended to operate: <i>(i) DELETED</i>	Section 1.4(3) walkouts are NASPs and ARPs. The common practice necessitate more. Existing ARP walkouts are unaffected as they remove just some of the employing clause, which

	<p>(i) in an R1 District, a two-storey home with a walkout basement is, by implication a permitted use. However, if a statutory Plan for a particular area shows two-storey homes with walkout basements being allowed only on certain designated R1 parcels, then the permitted use for the parcels where two-storey homes with walkout basements are not shown on the plan shall be deemed to be restricted so as not to allow two-storey homes with walkout basements on those parcels, or</p>	
7.	<p>(2.24) Applications Within Landfill/Wastewater Treatment Plant Setback Areas</p> <p>(1) For a subject parcel wholly or partially situated within a Landfill/Wastewater Treatment Plant Setback, The Development Authority or Subdivision Authority will determine if it supports a variance. If a variance is supported, the Development Authority or Subdivision Authority will seek to vary the Landfill/Wastewater Treatment Plant Setback in accordance with the Subdivision and Development Regulations. The decision to seek consent to vary</p>	<p>(2.24) Applications Within Landfill/Wastewater Treatment Plant Setback Areas</p> <p><i>(1) If an applicant for a Development Permit on a Site wholly or partially situated within a Landfill/Wastewater Treatment Plant setback submits a report from a professional engineer addressing the criteria for a variance stipulated in the Guideline for Setback Reviews published by the Department of Environment and Parks, as amended, the Development Authority or Subdivision Authority has discretion to vary the setback.</i></p>

	Landfill/Wastewater Treatment Plan Setback will be at the discretion of the Development Authority or Subdivision Authority.		
12.	<p>8.22 Exceptions Respecting Land Use</p> <p>1. General Regulations</p> <p>(b) Exceptions to the uses and/or regulations of a District shall not be sought:</p> <p>(i) if a redistricting to another District could achieve the same result either with or without relaxations of this Bylaw; or</p> <p>(ii) to regulate matters that are typically addressed by conditions imposed by the Subdivision or Development Authorities.</p> <p>c) An applicant for an exception to the uses and/or regulations of a District shall, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion, an exception is necessary and why the proposed Development cannot proceed without an exception.</p>	<p>8.22 Exceptions Respecting Land Use</p> <p>1. General Regulations</p> <p><i>(b) DELETED</i></p> <p><i>(c) An applicant for an exception to the uses or regulations of a District must, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion:</i></p> <p><i>(i) an exception is necessary and the proposed Development cannot proceed without an exception;</i></p> <p><i>(ii) redistricting to another District cannot achieve the same result, within or without relaxations of this Bylaw; or</i></p> <p><i>(iii) the exception cannot be addressed by conditions imposed by the Subdivision or Development Authorities.</i></p>	<p>Text adjustments to 8.22(1)(b) and 8.22(1)(c) regulations to provide flexibility to help explore bylaws to make a case to help aid Council to proceed, rather than put upon Council the wording of 'shall'.</p> <p>The benefit is more discretion presented as 'area' under the determine how</p>

Changes to Accessory Buildings and Accessory Structures			
2.	<p>(Definition)</p> <p>Accessory Building means a second building on a site, the use of which is subordinate and incidental to that of the principal building and includes a garage, carport, greenhouse, playhouse, treehouse, tool shed, garden shed or workshop but does not include a temporary building.</p>	<p>(Definition)</p> <p>Accessory Building means a secondary Building on a Site, the use of which is subordinate and <i>naturally incidental</i> to that of the Principal Building and includes a garage, carport, greenhouse, playhouse, treehouse, tool shed, garden shed or workshop but does not include a temporary building <i>on the same Site and may include Temporary Buildings.</i></p>	<p>The key property which District use is allowed is permitted use of Accessory Building. Administration opportunity to align with which Review by eligible Accessory Building.</p>
3.	<p>(Definition)</p> <p>Temporary Building means a building without any foundation below grade and includes a soft-sided or other structure designed to serve as a temporary garage, storage shelter or greenhouse, but does not include an "Accessory Building".</p>	<p>(Definition)</p> <p>Temporary Building means a Building <i>and structure used on a temporary basis, without a below grade foundation, and may include a shipping container.</i> without any foundation below grade and includes a soft-sided or other structure designed to serve as a temporary garage, storage shelter or greenhouse, but does not include an "Accessory Building".</p>	<p>The key property of the Accessory Building is its definition with the following item #1. By law, and only shipping containers, Administration opportunity to align with which Review by eligible Temporary Building.</p>
6.	<p>2.7 Development Officer's Decision on Permit Applications</p> <p>(1) The Development Officer:</p> <p>(j) May where the test set out in Section 2.7(i) is met, approve, without or without conditions a variance related to the following regulations:</p>	<p>2.7 Development Officer's Decision on Permit Applications</p> <p>(1) The Development Officer:</p> <p>(j) May where the test set out in Section 2.7(i) is met, approve, without or without conditions a variance related to the following regulations:</p>	<p>Fixing a typo read as 'with' 'without or with'.</p> <p>Adding subclause and codify Decree, considering variance Accessory Building 7(3)(a)(ii).</p>

		<i>(ix) maximum width of Accessory Buildings in Residential districts;</i>	
8.	<p>3.5(4)(d)</p> <p>3.5(4) A private garage, or carport, in addition to the other provisions of this section and section 3.11 shall comply with the following:</p> <p>(d) notwithstanding section 3.5(4)(a), (b) and (c), a garage which is within the following tolerances of the requirements therein stated shall be deemed to comply with those subsections namely: The distance: not less than 90% or more than 10% of the required distance, provided the garage does not encroach on an easement.</p>	<p>3.5(4)(d) DELETED</p> <p>3.5(6)</p> <p><i>Where after being built an Accessory Building or detached Garage is identified on a Real Property Report (RPR) to have been built in an error of not less than 90% or more than 10% of the required setback distance (and provided the structure does not encroach on an easement), it is deemed to still be compliant with the corresponding setback regulation subsection."</i></p>	<p>Practice has been as a form of 'only for after written, the re practice and allowance dur</p> <p>Proposed is a of the regulat to better capt beyond Garag well.</p>
11.	<p>4.7(5) Residential District Regulations Projections over Yards</p> <p>(a)(ii) Rear Yard: a canopy, eaves, or chimney which projects not more than 1.5 m over or on a minimum Rear Yard, and an unenclosed veranda, balcony, steps, or barrier-free ramp which projects not more than 3.0 m over or on a minimum Rear Yard.</p>	<p>4.7(5) Residential District Regulations Projections over Yards</p> <p>(a)(ii) Rear Yard: a canopy, eaves, or chimney which projects not more than 1.5 m over or on a minimum Rear Yard, and an unenclosed veranda, balcony, steps, or barrier-free ramp which projects not more than 3.0 m over or on a minimum Rear Yard.</p> <p><i>Steps leading to/from a balcony, deck, or similar structure may project up to an additional 1.5 m over the maximum projection of the structure.</i></p>	<p>Amending the allow for step beyond the 3 balcony, deck Rear Yard. Adjustment is with a commo by Developm</p> <p><i>Steps</i></p>

Assorted Regulation Cleanups			
4.	(Definition) Call Centre means a minimum 15,000.0 ft ² facility with more than 50 employees who provide information on sales, goods and services, takes orders for sales, goods and services, and/or provide technical after sales support to customers by telephone, e-mail or, other telecommunication technologies but does not include other office uses.	(Definition) Call Centre means a minimum 13,000.0 ft ² facility with more than 50 employees who provide information on sales, goods and services, takes orders for sales, goods and services, and/or provide technical after sales support to customers by telephone, e-mail or, other telecommunication technologies but does not include other office uses.	Adjusting the to metric to k 13,000.0 of the La
9.	4.1.2(1) R1WS Permitted and Discretionary Uses Table (a)(ii) Detached Dwelling Unit with mandatory front attached garage subject to section 4.1.2(2)(b)	4.1.2(1) R1WS Permitted and Discretionary Uses Table (a)(ii) Detached Dwelling Unit with mandatory front attached garage subject to section 4.1.2(2)(b)	Section 4.1.2 in its entirety Removing wo subject
10.	4.4 R2 Residential (Medium Density District) 2(d) Building Height Maximum: 2 storeys with a maximum total height of 10.0 m measured from the average of the lot grade except: ▪ Multiple family building as per subsection 4.4 (1)(b)(xi) ▪ 3 storeys for an Assisted Living Facility	4.4 R2 Residential (Medium Density District) 2(d) Building Height Maximum: 2 storeys with a maximum total height of 10.0 m measured from the average of the lot grade except: ▪ Multiple family building as per subsection 4.4 (1)(b)(xi)(xiii) ▪ 3 storeys for an Assisted Living Facility	Previous ame subsections t subsequent s brings cross-r correct subse

13.	<p>11.5 Sign Definitions</p> <p>Dynamic means components of a sign that move or appear to move or change, and includes any display that incorporates a technology or method allowing the image on the sign area to change such as rotating panels, LED lights manipulated through digital input, or digital ink.</p>	<p>11.5 Sign Definitions</p> <p>Dynamic means components of a sign that move or appear to move or change, and includes any display that incorporates a technology or method allowing the image on the sign area to change such as rotating panels, LED lights manipulated through digital input, <i>laser projection</i>, or digital ink.</p>	<p>Laser projection image onto a sign</p> <p>Supposes of public advertisement of interest. Deputies have been asked to review recent proposals. The proposed sign is a projection by explicitly defining Dynamic sign</p>
-----	---	--	---



August 21, 2023

Land Use Bylaw Amendment 3357/M-2023 Proposal to Rezone 2950 Bremner Ave from DC(1) to C5

Prepared by Dayna Facca, Senior Planner
Department City Planning and Growth

Report Summary and Recommendations

This report is for Council to consider approving a Land Use Bylaw amendment to rezone 2950 Bremner Ave from Direct Control District (1) to C5 – Commercial (Mixed Use) District.

Planning administration supports the rezoning application because it is compatible with the surrounding area and aligns with City policy and administration recommends Council approve the application.

Proposed Resolution

That Bylaw 3357/M-2023 be read a first time.

If first reading is given, this Bylaw will be advertised with a Public Hearing to be held at the Monday, September 18, 2023 Council Meeting.

Rationale for Recommendation

1. The application complies with the Municipal Development Plan.

The Municipal Development Plan includes policies encouraging the revitalization and adaptive reuse of underutilized or vacant commercial centres.

2. The proposed rezoning is compatible with the surrounding area.

Both the DC(1) district and C5 district allow a similar mix of land uses.

3. Administration has no concerns with the application.

The proposed rezoning was referred to City administration and no concerns were raised.

4. DC(1) district is scheduled to be reviewed as part of the next phase of the Land Use Bylaw review.

There is the possibility that the DC(1) district could convert to a conventional commercial district after its review.

Background

The subject site is located along Bremner Avenue and contains the Red Deer Advocate office building. Surrounding land use districts include Direct Control District (1), C4 – Commercial (Major Arterial) District, and R3 – Residential (Multiple Family) District. Surrounding uses include educational (career college), medical, residential, office, and recreational. A location map can be found in Appendix A.

The DC(1) district came in effect in 1980 when it replaced the Special Uses (SU) designation of the previous Land Use Bylaw. It was last reviewed and updated in 2015 (Bylaw 3357/G-2015).

An application has been received to rezone 2950 Bremner Ave from Direct Control District (1) to C5 – Commercial (Mixed Use) District. The applicant does not have a specific use proposed for the site at this time.

Strategic Alignment

The 2023-2026 Strategic Plan is divided into three key focus areas: Thriving City, Community Health & Wellbeing, and Connected & Engaged City. These focus areas contain aspirational goals and outcomes to achieve by 2026. The application is consistent with Thriving City because it promotes the reuse of a vacant property, supports a business-friendly approach.

Related Policies

The Municipal Development Plan (MDP) includes policies encouraging the intensification of use, mixed use developments, and pedestrian friendly improvements along major corridors. The subject site is located one block east of Gaetz Avenue.

The MDP also includes policies encouraging the revitalization and adaptive reuse of underutilized or vacant commercial centres for future mixed use developments. The subject site is currently vacant and the proposed rezoning is to a commercial mixed use district.

Stakeholder Consultation

The application was referred to City administration and external agencies. No concerns were raised.

The application was not referred to landowners for comment. This is a fast-track application with the key criteria being compatibility with the surrounding neighbourhood. Landowners within 100m of the proposed rezoning will have the opportunity to comment as part of the public hearing notification.

Analysis

The DC(1) district allows a variety of land uses ranging from recreation, institutional, office, residential, medical, and entertainment. The proposed application to rezone 2950 Bremner from DC(1) to C5 is compatible with the area as the C5 district also includes a variety of similar land uses. Refer to Appendix C for a comparison between DC(1) and C5.

There are development regulations that will change if the site is rezoned to C5. This includes an increase in building height (from 3 storeys to 4 storeys), a reduction to building setbacks, different landscaping requirements. The development regulations in the DC(1) district were specific to the development character of the area i.e. large building setbacks with enhanced landscaping in the front yard and along side yards adjacent to roads. However, if a new development is proposed in the future, the redesign will consider the existing character of the area and Administration will review this at the development permit stage.

The next phase of the Land Use Bylaw review will include an analysis of the Direct Control Districts. There is the possibility that the DC(1) district could convert to a conventional commercial district. However, until the actual analysis is complete and proposed amendments are adopted, the current DC(1) district will apply to surrounding properties.



BYLAW NO. 3357 / M – 2023

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:

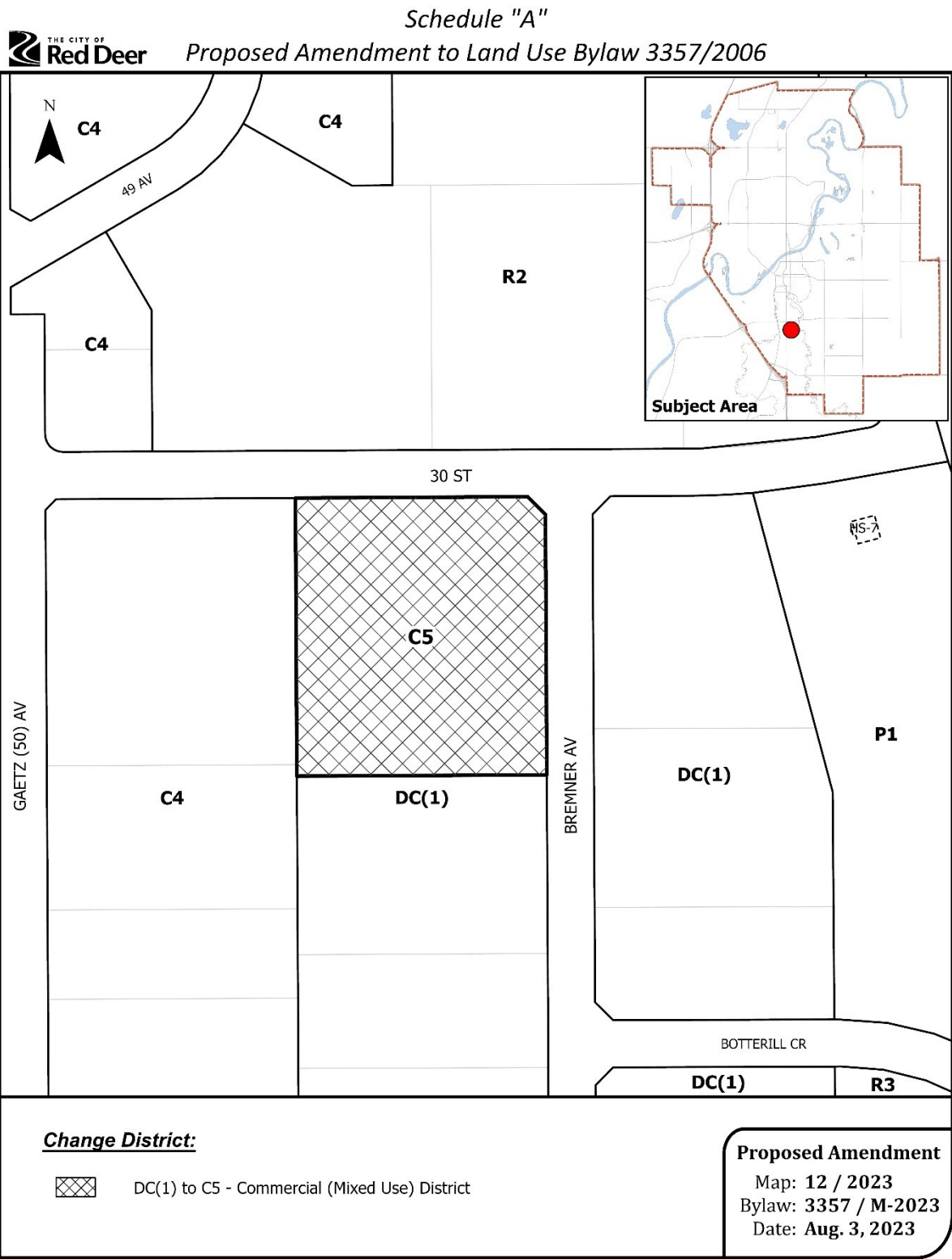
Bylaw No. 3357/2006 is hereby amended as follows:

1. The land shown cross-hatched on the map attached as Schedule “A” and forming part of this Bylaw (“Map 12/2023”) is redesignated from Direct Control District No. 1 DC (1) to C5 – Commercial (Mixed Use) District.
2. The “Land Use District Map M12” contained in Schedule “A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 12/2023 attached hereto as Schedule “A” and forming part of this bylaw.

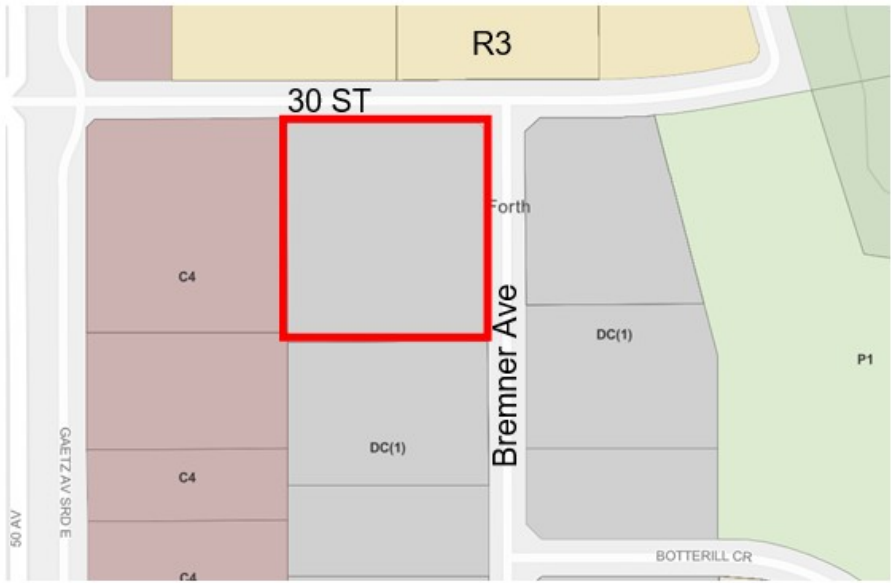
READ A FIRST TIME IN OPEN COUNCIL this	day of	2023.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2023.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2023.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2023.

MAYOR

CITY CLERK



Appendix A – Location Map



Appendix B – History of Direct Control District No. 1

The DC(1) district came in effect in 1980 when it replaced the Special Uses (SU) designation of the previous Land Use Bylaw. The purpose of the DC(1) district was to:

- Provide an inventory of land for special light industrial or commercial uses which did not seem to be adequately accommodated by other land use districts. Special development was determined by the quality of peculiarity or distinguishing characteristics.
- Protect the large single tenant buildings and the unique development regulations. Unique development regulations being large landscaped front yards and restricted parking to the rear or side yard.

In 1994, Council directed the Red Deer Regional Planning Commission (RDRPC) to review the future uses within the DC(1) district and prepare a report for Council. The RDRPC report is attached to the Council agenda as Appendix One. Council considered the report and directed RDRPC to prepare a land use bylaw amendment incorporating the recommendations outlined in the report.

In October 1994, Council approved Bylaw 2672/W-94 which incorporated recommendations suggested by the Red Deer Regional Planning Commission (RDRPC). The bylaw included permitted and discretionary uses, and development regulations for Direct Control District No. 1 – DC(1).

In 2015, an application was received to amend the DC(1) district to include Commercial Service Facility as a use. In reviewing the application, the Planning department comprehensively examined the DC(1) district and recommended additional amendments (Bylaw 3357/G-2015).

Appendix C – Comparison between DC(1) and C5

DC(1) Permitted Uses	C5 Permitted Uses
Accessory use or building	Building Sign
Building Sign	Day care facility
Commercial recreation facility	Dwelling units above the ground floor
Freestanding Sign	Freestanding Sign
Institutional service facility	Health and medical services
Merchandise Sales and/or Rentals (indoor only) excluding motor vehicles and fuel	Home occupations which, in the opinion of the Development Officer, will not generate traffic
Restaurants (no drive-through windows)	Live work unit
Service and repair of goods traded in this district	Merchandise Sales and/or Rentals excluding motor vehicles, fuel and all uses where the primary focus is adult orientated merchandise and/or entertainment
Transportation, Communication or Utility Facility	Multiple Family Building
Royal Canadian Legion	Multi-attached Building
Red Deer Advocate	Restaurant without drive-through
	Show Home or Raffle Home
	Office
DC(1) Discretionary Uses	C5 Discretionary Uses
Gaming or gambling establishment	Accessory building or use
Offices limited to the existing buildings along Bremner Avenue	Assisted living facility
Commercial service facility	Commercial entertainment facility
Assisted living facility	Commercial recreation facility
Multiple family building	Commercial service facility
Dwelling units above the ground floor	Drinking establishment (adult entertainment prohibited)
Health and medical services	Dynamic Fascia Sign
Commercial entertainment facility	Dynamic Freestanding Sign
Show Home or Raffle Home	Hotel, motel or hostel
	Parking lot/parking structure
	Place of worship or assembly
	Public and quasi-public buildings
	Transportation, communications, or utility facility
	Outdoor display or sale of goods
	Restaurant with drive-through
	Sale of fuel

DC(1) Development Regulations		C5 Development Regulations	
Site Area Minimum	As approved by the Development Authority to meet the intent of the district	Residential Floor Area Minimum	37.0 m ² per dwelling unit
Parking	Subject to sections 3.1 & 3.2, no front yard parking	Office Area Maximum	930m2
Front Yard Minimum	18.0 m	Site Coverage	Residential: Maximum 80% (includes parking structures and accessory buildings) Commercial: Minimum one third of site area (ground floor)
Building Height Maximum	3 storeys	Building Height	Multiple family, mixed use, commercial or public building: ▪ maximum 4 storeys Multi-attached building: ▪ minimum 2 storeys; ▪ maximum 2½ storeys
Landscaping	Entire front yard except for access roadways and walkways. Side yards adjacent to a road are to be landscaped	Landscaped Area Minimum	15% of site area
		Parking Spaces	Subject to sections 3.1 & 3.2
		Design Criteria	Subject to section 5.6.1 (4)



August 21, 2023

Approval of Council Meeting Dates for 2024

Prepared by: Jennifer Hankey, Corporate Meeting Administrator
Department: Legal & Legislative Services

Report Summary & Recommendation:

That Council pass a resolution to adopt the 2024 Schedule of Council Meeting dates.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Legal & Legislative Services dated August 21, 2024 hereby approves the Council meeting dates for as follows:

Council Meeting Dates

Monday	January 8, 2024	Regular Council Meeting 10:30 AM
Monday	January 22, 2024	Regular Council Meeting 10:30 AM
Monday	February 5, 2024	Regular Council Meeting 10:30 AM
Tuesday	February 20, 2024	Regular Council Meeting 10:30 AM
Monday	March 4, 2024	Regular Council Meeting 10:30 AM
Monday	March 18, 2024	Regular Council Meeting 10:30 AM
Tuesday	April 2, 2024	Regular Council Meeting 10:30 AM
Monday	April 15, 2024	Regular Council Meeting 10:30 AM
Thursday	April 18, 2024	Regular Council Meeting 1:00 PM Meeting/Agency Day
Monday	April 29, 2024	Regular Council Meeting 10:30 AM
Monday	May 13, 2024	Regular Council Meeting 10:30 AM
Monday	May 27, 2024	Regular Council Meeting 10:30 AM
Monday	June 24, 2024	Regular Council Meeting 10:30 AM
Monday	July 8, 2024	Regular Council Meeting 10:30 AM
Monday	July 22, 2024	Regular Council Meeting 10:30 AM
Tuesday	August 6, 2024	Regular Council Meeting 10:30 AM
Tuesday	September 3, 2024	Regular Council Meeting 10:30 AM
Monday	September 16, 2024	Regular Council Meeting 10:30 AM
Thursday	September 19, 2024	Regular Council Meeting 1:00 PM Meeting/Agency Day

Tuesday	October 1, 2024	Regular Council Meeting 10:30 AM
Tuesday	October 15, 2024	Regular Council Meeting 10:30 AM
Monday	October 28, 2024	Organizational Meeting/ 10:30 AM Regular Council Meeting
Tuesday	November 12, 2024	Regular Council Meeting 10:30 AM
Monday-Friday	November 18-22, 2024	Multi-Year Budget 10:00 AM to 4:30 PM
Monday	December 2, 2024	Regular Council Meeting 10:30 AM
Monday	December 16, 2024	Regular Council Meeting 10:30 AM

Rationale for Recommendation:

1. Number of City Council meetings remains the same.

23 meetings are scheduled for 2024. City Council meetings are proposed to be held Monday every two weeks, with the exception of weeks with a Monday statutory holiday when the City Council meeting will be held on the following Tuesday. Each month has a minimum of 2 City Council meetings scheduled except June and August.

2. Two Agency meetings

Scheduled for April 18, 2024 and September 19, 2024 with start times of 1:00 PM.

3. Start time for City Council meetings remains at 10:30 AM

To ensure matters are completed within the mandatory 8 - hour meeting limitation. City Council – Budget Review is scheduled to occur from 10:00 AM to 4:30 PM each year of budget.

4. Public, Media and Corporate Calendars

Approval of the meeting schedule enables updating of Corporate calendars and The City of Red Deer website for the public and media.

Background:

Each year Council sets the dates of the Council meeting, including budget meetings, for the upcoming year. The proposed meeting dates take into consideration Council Members potential attendance at the following:

- 2024 FCM Convention: June 6 - 9, 2024: Calgary, AB
- 2024 AM Convention: September 25 – 27, 2024: Red Deer, AB

Discussion:

The following Regular Council Meetings were not included in the two week schedule:

1. Regular Council Meeting scheduled for June 10, 2024 due to the potential of Members attending FCM Conference.
2. Regular Council Meeting scheduled for August 20, 2024 due to summer break.
3. Regular Council Meeting scheduled for November 18, 2024 due to Multi-Year Budget Meetings.



August 21, 2023

Council Code of Conduct Bylaw 3696/2023 Review

Prepared by Natasha Wirtanen, Associate City Solicitor
Department Legal and Legislative Services

Report Summary and Recommendations

The Municipal Government Act requires every council to establish a code of conduct bylaw that the bylaw be reviewed with each new term of Council. The proposed new Code of Conduct Bylaw accompanying this report (“proposed bylaw”) includes a redesigned complaints and investigation process, a new independent Integrity Commissioner role, and more robust guidance pertaining to sanctions.

These improvements are based on a review of best practices in Alberta municipalities, a survey of Councillors in 2021, and lessons learned from the operationalization of the current Bylaw. Changes in the proposed bylaw will allow for streamlined processes, greater transparency and accountability, while also ensuring confidentiality and discretion throughout the process when complaints are received and investigated. The proposed bylaw and appointment of an Integrity Commissioner will promote public trust in Council and its Code of Conduct. It will reinforce the core values identified in Council’s Strategic Plan, guiding the behaviour of councillors as they carry out their duties as elected officials.

The proposed bylaw has an effective date of December 1, 2023 which will allow Administration to begin the process of seeking candidates for the position of Integrity Commissioner, to be appointed by Council for a 5 year term. In the alternative, the Bylaw can be revised to take effect on third reading and an Interim Integrity Commissioner can be appointed at that time.

Administration recommends that Council Code of Conduct Bylaw 3696/2023 be adopted, and that Administration be directed to begin the process of seeking candidates for the position of Integrity Commissioner.

Proposed Resolution

That Bylaw 3696/2023 be read a first time.

Rationale for Recommendation

1. Legislative compliance

The Bylaw has been in place since 2018 and is required to be reviewed every 4 years. Completion of the review will bring the City into compliance with the timelines for review set by the province. Lessons learned from its use, a survey of Councillors in 2021 and a

practices from other municipalities inform changes to make the Bylaw work better operationally.

2. Confidence in government

The public holds its elected officials up to a high standard. A clear and transparent code of conduct bylaw that sets out standards for elected officials to follow, and a process for when the standards are not followed, helps ensure confidence in government. Use of a neutral third party to assess and investigate complaints removes the perception of bias from the process.

3. Transparency

Transparency has been added by clarifying processes, complainant protections and setting out timelines. A clearer process provides greater accountability to the public. Investigation reports accepted by Council are to be made public, as are the costs of any investigation.

Background

Legislative Context

<i>Municipal Government Act</i> (section 146.1)	Requires municipalities to have a code of conduct bylaw that governs the conduct of Council.
<i>Code of Conduct for Elected Official Regulation</i>	States that Council must review and update its code of conduct at least once every four years, starting from the date the code of conduct was passed.
Council Code of Conduct Bylaw	States that the Bylaw will be reviewed at the beginning of each term of Council, when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Councillors.

Strategic Alignment

The proposed bylaw aligns with Council’s Strategic Plan priority of building respect and public trust for an engaged and connected City. This proposed bylaw supports Council’s commitment to ensuring compliance with their obligations under the governing legislation and promoting accountability and transparency in City government.

Related Policies

- GP-A-2.2 Code of Conduct
- GP-A-2.0 Accountability
- GP-A-2.1 Transparency
- GP-B-2.0 Council’s Role & Responsibilities
- GP-B-2.1 Mayor and Acting Mayor’s Role

Stakeholder Engagement

No public engagement, other than the survey of Council members, was conducted.

Analysis

Following the 2021 election, Administration began the process of conducting an extensive practice review, which included:

- a review of the MGA, the Code of Conduct for Elected Officials Regulation, and existing bylaws, policies and procedures to ensure that the proposed bylaw complies with all applicable legislation;
- a review of code of conduct bylaws from across the province, including the City of Calgary, City of Edmonton, Strathcona County, St. Albert, RM of Wood Buffalo, and Rocky View County; and
- a review of decisions issued by the Court of Queens' Bench, guidance memos from Alberta Municipalities, as well as feedback from Councillors received just prior to the 2021 Election.

What we heard in our survey of September 2021, when then Councillors were invited to share their understanding, exposure, and experience with the current bylaw, was as follows:

- The need for greater transparency to the public throughout the process (and a process that is easier for Council to understand and navigate).
- The need for external assistance for informal complaint resolution and for the formal complaint process.
- A clear process on how to deal with complaints that have not been made in good faith (e.g. complaints made to impact election results, that are frivolous or vexatious, not made in the proper forum, or not made with appropriate promptness).

(Note: 6 councillors participated in the survey in 2021)

Based on the foregoing, Administration is proposing a number of changes in a new Code of Conduct Bylaw. The most substantial changes are the re-design of the complaint process, addition of an Integrity Commissioner, and the elimination of the Reviewer. Council Members who are questioning what their obligations are under the bylaw may seek advice from the Integrity Commissioner, and provided they follow that advice, their resulting conduct cannot be subjected to an investigation. Other proposed revisions include providing an informal dispute resolution option for complaints received from the public, adding an election blackout period and providing a guidance section on sanctions. A summary of the key changes proposed in the new bylaw can be found in Attachment #1.

Integrity Commissioner

Code of conduct matters are often emotionally charged, as are the investigations and sanctions that could result from them. It is in the best interest of the City, Council and the public that code of conduct complaints are handled efficiently, discretely and impartially.

If Council passes the proposed bylaw, the Integrity Commissioner would be established as an independent party who would investigate code of conduct complaints as per the process outlined in the bylaw. The Integrity Commissioner would have the following responsibilities:

- receiving code of conduct complaints directly, notifying parties named in complaints, proceeding or declining to proceed with investigations into complaints, and dismissing complaints with or without an investigation;
- making decisions on if there was a breach of the Code of Conduct or not;
- providing reports and recommendations on sanctions to Council, as needed, after conducting investigations on specific code of conduct complaints;
- providing annual reports to Council on code of conduct complaints over the previous year, including any complaints dismissed by the Commissioner or any complaints where a contravention of the bylaw did not occur or was not substantiated;
- providing recommendations to Council on code of conduct matters generally as the need arises;
- offering general advice and training for councillors on an ongoing basis; and
- providing 'ethics advice,' (i.e.) confidential proactive advice to individual Councillors upon request. (Discussed further below).

An Integrity Commissioner is a designated officer appointed by Council, who is directly accountable to Council and who would receive complaints and carry out investigations pursuant to the Bylaw. In essence, the Integrity Commissioner would take the place of the Reviewer and Investigator in the current bylaw. They would also provide general advice and recommendations to Council regarding the ethical behaviour of Councillors and perform other duties as directed by Council.

Pros and Cons of the Integrity Commissioner Model

In an Integrity Commissioner model, aside from direction given in a bylaw or via resolution, matters are removed from Council control. Councillors would no longer be the reviewers of complaints and there is no longer an option for Council itself to be the investigator of complaints. This removes the perception of bias in the process for both the complainant, the respondent, Council, and the public.

In municipalities such as Red Deer, where there are not many complaints, Council members may not be experienced or confident in handling the complaint process. The complaint process can be quasi-judicial in nature and having an Integrity Commissioner ensures there is an experienced and expert individual who can navigate the process in a manner that provides fairness to the complainant and the respondent member.

When there is a complaint, tensions run high. Having complaints assessed and investigated by a neutral third party, with limited involvement by Council and Administration, helps lessen the emotional toll of the matter and the impacts that such emotions may have on relationships.

An Integrity Commissioner results in a more transparent process. As an independent and impartial agent, the Integrity Commissioner adheres to Council direction via bylaw and resolutions passed in open Council meetings. Subject to FOIP, matters remain public. Rep

from the Integrity Commissioner will identify numbers of complaints and outcomes, allowing Council and the public to understand where, if at all, there are issues.

Other Alberta municipalities who use an Integrity Commissioner model include Edmonton, Alberta, Calgary, Wood Buffalo and numerous counties.

From a cost perspective, the type of costs associated with an Integrity Commissioner would be those associated with complaint adjudication and ethics advice provided to individual Councillors, as well as the preparation of annual reports and any ethics training offered from time to time. The City's current practise of hiring an Investigator based on a preliminary assessment of the complexity of the complaint has allowed some cost savings in certain instances. An Integrity Commissioner would need to be able to handle the wide range of complaints that may come in. This might result in higher hourly rates than Council has, on average, paid in the past. Once Council's direction on these matters is clear, Administration will prepare resolutions addressing funding. We anticipate those will come at third reading.

Ethics Advice

If Councillors want an independent advisor who they can go to for confidential pro-active advice and recommendations about their obligations under the bylaw, there are several options:

1. the Councillor could hire a lawyer to provide them with the advice;
2. Council can retain a separate Ethics Advisor; or
3. Council can add this task to the duties of the Integrity Commissioner.

Option #3 reduces the risk of inconsistent interpretations coming from the Integrity Commissioner and the Ethics Advisor. It also provides Councillors with certainty, knowing there is one single source they can go to on matters related to conduct. Proactive advice can reduce the number of complaints that arise but transfers the burden of paying for it from individual councillors to the taxpayer. Option 3 must also ensure that an Integrity Commissioner would not be asked to adjudicate a complaint arising from conduct that the Commissioner themselves recommended. To achieve this, Administration has added provisions to the proposed bylaw that essentially say that where a Councillor asks for advice ahead of time and subsequently follows that advice, provided they did not misrepresent or omit any material facts when seeking the advice, their resulting conduct cannot be made subject to an investigation. This model is currently used by the Province in their 'Conflict of Ethics Act'.

Other Proposed Changes

The proposed bylaw establishes that all complaints may be resolved informally. Section 45 creates an obligation on Councillors who receive a concern about their conduct to work in good faith to resolve the matter informally. Section 46 encourages the informal process but does not make it a mandatory pre-requisite to filing a formal complaint. Administration is strongly encouraging informal resolution be used wherever possible as it tends to be:

- more effective in finding solutions that are satisfactory to all parties;
- quicker, leaving less time for the problematic conduct to remain unchecked and less time for relationships/reputations to erode;

- less divisive since parties are brought together to work towards solutions for all, help to rebuild trust and repair relationships (whereas in the formal process, parties feel opposed to each other while trying to prove or disprove a contravention); and
- less legalistic, cumbersome, and complex, which can also mean less costly.

The proposed bylaw also incorporates a blackout period around elections. For the 90 days prior to municipal elections, complaints will not be accepted and pending investigations will be paused. This new provision is intended to prevent the Code of Conduct from being used as a weapon during election campaigns and also recognizes that elected officials who are running for re-election are stretched for time during the lead up to election day. Adding the pressure of responding to an investigation at an already busy time is less than ideal. Post election, the Integrity Commissioner will recommence any suspended investigations.

Finally, the proposed bylaw provides new guiding principles that guide Council's decision when determining whether to impose a sanction or not. The decision to impose sanctions is a difficult one. We added a non-exhausted list of considerations that can guide Council's thought process. While sanctions must not prevent a member from fulfilling their duties of office, a sanction can be imposed as a way of distancing Council from the Member's conduct (public rebuke), to repair relationships (apologies), to reduce the member's authority (suspension of committee appointments), or to support a return to responsible conduct and prevent conduct issues in the future (coaching, skill building or training). Section 86 lists factors that Council should consider when imposing a sanction. These are not specifically mentioned in legislation but have been found by the courts and past investigators to be relevant and instructive. By reviewing these factors, Council's decision on sanctions is more likely to be fair, effective and defensible.

Recommendation and Next Steps

It is recommended that Council move forward with the creation of the Integrity Commissioner position and the changes laid out in the proposed bylaw.

If Council adopts the proposed bylaw, it will come into effect on December 1, 2023. Meanwhile, Administration will bring forward amendments to the City Manager and Designated Officers Bylaw to ensure the Integrity Commissioner position is directly accountable to Council, and will start seeking candidates for the position, to be appointed by Council for a one-year term.

If Council does not want to establish an Integrity Commissioner, alternative direction is requested.

Council Policies Also Requiring Updates

These changes can be directed by Council regardless of what option Council chooses for bylaw direction.

The intent of a code of conduct bylaw is that it be a comprehensive code of conduct for Councillors. As such, Council policies containing statements regarding code of conduct are unnecessary duplication. If there is a conflict between what is stated in the bylaw versus v

in a policy, the bylaw prevails, but the inconsistency inevitably creates confusion. Administration recommends that code of conduct requirements be contained in the bylaw only, which would necessitate the following changes to Council policies:

Council Code of Conduct Policy

Council Policy GP-A-2.2 Code of Conduct is not needed as the bylaw acts as Council's official code of conduct and would trump any Council policy on the same matters. Administration recommends that this policy be rescinded.

Council Accountability Policy

Section 4 of Council Policy GP-A-2.0 Accountability states that "Council will establish and adhere to a Council Code of Conduct". As section 146.1 of the *Municipal Government Act* states that Council must establish a code of conduct bylaw governing the conduct of Councillors, section 4 of the Council Accountability Policy is not necessary. Administration recommends that section 4 of this policy be deleted.

Council's Role & Responsibilities Policy

Section 4(3) of Council Policy GP-B-2.0 states that "Council will participate in and attend Council meetings, government functions, committees, workshops and retreats". Section 4(3) and section 37 of the proposed bylaw address the same matters. Administration recommends that section 4(3) of this policy be deleted.

Council Mayor and Acting Mayor's Role Policy

1(3)(a) of Council Policy GP-B-2.1 Mayor and Acting Mayor's Role states that "The Mayor is the official spokesperson of Council unless otherwise delegated." The proposed bylaw addresses the same matter in section 5.

Section 2(3) of Council Policy GP-B-2.1 Mayor and Acting Mayor's Role states that "The Mayor will address any matters brought to his/her attention that are either perceived or actual violations of the Code of Conduct". The complaint process addresses this matter, both in the current bylaw and in the amendments being proposed by Administration. Administration recommends that section 1(3)(a) and section 2(3) of this policy be deleted.

The above policy amendments will be brought forward to Council at a future Council meeting.

Attachment 1 - Code of Conduct Bylaw

List of Significant Changes within Code of Conduct Bylaw 3696		
Topic and Section Reference in 2023 bylaw	Proposed Change	Administrative Council Recommendation
Part 1 - Title, Purpose and Definitions		
Sections 1-3	No significant changes other than rephrasing of “Investigator” and “Reviewer” with the “Integrity Commissioner”.	Administration recommends Council approve the changes who will provide advice on matters relating to the roles of both Reviewer and Investigator.
Part 2 - Representing the Municipality		
Prohibited Discrimination (Section 20)	Gender identity and gender expression added as protected grounds, as well as any other protected ground included in the Alberta Human Rights Act”.	Updated to maintain alignment with AHC.
Respect for Administration (Sections 21 - 23)		Reworded for clarity.
Feedback re Administration (Section 24)	Added “Members will deal with administrative performance concerns or feedback by communicating them to the City Manager”.	This new section expands on the broad address as “matters falling within the purview of the City Manager”.
Gifts and Hospitality (Sections 40 - 42)	Not changed from past bylaw.	Municipal scan shows our disclosure limit is \$300; Strathcona County \$500; Rocky Mountain House \$500; Deer County and Medicine Hat no disclosure.
Use of City Resources in Election Campaigns (Section 43)	Added ‘city data’ and ‘staff resources’ to list of City resources that candidates cannot use during campaigns.	Added for clarity.
Part 3 - Complaint Process		
Informal Resolution (Sections 44 - 46)	Informal complaint resolution now available in almost all circumstances.	The benefits of informal resolution are well accepted. Administration recommends Council approve Section 45 is now written such that the Chair or a Member who is the subject of a complaint can go along with informal resolution. Examples of times when informal resolution is appropriate are when the alleged conduct impacts a small number of people; issues are systemic or widespread; or when the alleged conduct is a minor violation.

Attachment 1 - Code of Conduct Bylaw

<p>Integrity Commissioner General (Section 47 - 81)</p>	<p>The new bylaw has a redesigned complaint process.</p> <p>Integrity Commissioner position is established.</p> <p>All formal complaints are received and handled by the Integrity Commissioner.</p> <p>Sections 77 - 81 provide Councillors with the ability to proactively seek ethics advice from the Integrity Commissioner about themselves. The advice will be provided in writing in confidence to the member. A complaint cannot be brought against a Councillor who follows the advice of the Integrity Commissioner, provided certain conditions are met.</p>	<p>The Integrity Commissioner replaces the position under the current bylaw and would have in the proposed bylaw.</p> <p>The Integrity Commissioner is appointed under the Manager and Designated Officers Bylaw.</p> <p>The Integrity Commissioner may proactively seek ethics advice generally and on a case-by-case basis. A complaint provided they follow said advice of the</p>
<p>Complaint Reporting (Section 48)</p>	<p>Public complaints are still an option.</p>	<p>Administration has not removed the ability to file complaints, given Council's commitment to transparency.</p> <p>In a scan of other municipalities, Red Deer, Lethbridge and Strathcona County, do not have a formal complaint process like Edmonton, Calgary, Lacombe, Airdrie and Sylvan Lake, Ponoka and the Regional Municipality of Regina.</p>
<p>Formal Complaints (Section 48)</p>	<p>Formal complaints now go directly to the Integrity Commissioner, removing the Mayor from the intake process. Section 48 sets out the information that a complaint must contain.</p>	<p>In the past, there was at times, ambiguity on whether a complaint was intended to 'trigger' a code of conduct process. In detail in section 48 we have removed that ambiguity.</p>
<p>Complaint process (Section 50 - 58)</p>	<p>Timelines have been added to ensure complaints are managed in a timely manner. The Integrity Commissioner has discretion to expand timelines where necessary.</p>	<p>More detail will help Members and the public understand the process is when a complaint is filed and the transparency of the bylaw.</p>

Attachment 1 - Code of Conduct Bylaw

Election Blackout (Section 56)	The Integrity Commissioner will suspend any action on a complaint within 90 days of a municipal election.	Election blackout is added to prevent Council from inappropriately influence election process.
Integrity Commissioner may refer to Informal process (Section 57)	Once a complaint is received by the Integrity Commissioner, they still have the ability to recommend an informal resolution and may even retain a mediator or facilitator to support the informal process.	Integrity Commissioner may refer to Informal resolution to be used as much as possible.
Sanctions (Section 86)	Bylaw now lists certain factors that Council must consider when deciding whether to impose sanctions or not.	The decision of whether to sanction an individual is left to Council. This decision making is mandatory considerations.
Effective Date	Deferred to December, 2023.	Administration will use this time to prepare Commissioner candidates. If more time is needed, an Interim Integrity Commissioner. Direct

BYLAW 3696/2023

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR MEMBERS OF COUNCIL

WHEREAS, pursuant to section 146.1(1) of the *Municipal Government Act*, a council must, by Bylaw, establish a code of conduct governing the conduct of Members of Council;

AND WHEREAS, pursuant to section 153 of the *Municipal Government Act*, Members of Council have a duty to adhere to the code of conduct established by the council;

AND WHEREAS the public is entitled to expect the highest standards of conduct from the Members of Council that it elects to council for The City of Red Deer;

AND WHEREAS the establishment of a code of conduct for Members of Council is consistent with the principles of transparent and accountable government;

AND WHEREAS a code of conduct ensures that Members of Council share a common understanding of acceptable conduct extending beyond the direction provided through legislative provisions governing the conduct of Members of Council;

NOW THEREFORE the Council of The City of Red Deer, in the Province of Alberta, duly assembled, enacts as follows:

PART 1 - TITLE, PURPOSE AND DEFINITIONS**Title**

1 This Bylaw may be referred to as the “Council Code of Conduct Bylaw”.

Purpose

2 The purpose of this Bylaw is to establish standards for the ethical conduct of Council Members relating to their roles and obligations as representatives of the Municipality and a process for the investigation and enforcement of those standards.

Definitions

3 In this Bylaw, words have the meanings set out in the Act, except that:

- (a) “**Act**” means the *Municipal Government Act*, RSA 2000, c. M-26, and associated regulations, as amended;
- (b) “**Administration**” means the administrative and operational arm of the Municipality comprised of the various departments and business units and including all employees who operate under the leadership and supervision of the City Manager;
- (c) “**City Manager**” means the chief administrative officer of the Municipality, or the person designated as delegate;
- (d) “**Closed Meeting**” means the portion of a meeting of Council or a Council committee which is held without the public and media present;

- (e) **“FOIP”** means the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c. F-25, any associated regulations, and any amendments or successor legislation;
- (f) **“Integrity Commissioner”** means the person or persons appointed by Council to fulfill the duties of Integrity Commissioner;
- (g) **“Member”** means a member of Council and includes a councillor or the Mayor;
- (h) **“Municipality”** means the municipal corporation of The City of Red Deer; and
- (i) **“Responding Member”** means the Member named in the complaint as allegedly contravened the Bylaw.

PART 2 - REPRESENTING THE MUNICIPALITY

Representing the Municipality

4 Members shall:

- (a) act honestly and, in good faith, serve the welfare and interests of the Municipality as a whole;
- (b) perform their functions and duties in a conscientious and diligent manner with integrity, accountability and transparency;
- (c) conduct themselves in a professional manner and make every effort to participate in the meetings of Council, committees of Council and other bodies to which they are appointed by Council, as well as Deputy Mayor duties; and
- (d) arrange their private affairs and conduct themselves in a manner that promotes public confidence.

Communicating on Behalf of the Municipality

- 5** Unless Council directs otherwise, the Mayor is Council’s official spokesperson and in the absence of the Mayor it is the Deputy Mayor or Acting Mayor. All inquiries from the public regarding the official Council position on an issue shall be referred to Council’s official spokesperson.
- 6** A Member who is authorized to act as Council’s official spokesperson must ensure that their comments accurately reflect the will or official position of Council as a whole, even if the Member personally disagrees with Council’s position.
- 7** A Member must not claim to speak on behalf of Council unless authorized to do so.
- 8** No Member shall make a statement when they know that statement is false.
- 9** No Member shall make a statement with the intent to mislead Council or members of the public.

Respecting the Decision-Making Process

- 10** Decision-making authority lies with Council, and not with any individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which a quorum is present. No Member shall, unless authorized by Council, attempt to bind the Municipality or give direction to employees in Administration, agents, contractors, consultants or other service providers or prospective vendors to the Municipality.
- 11** Members shall conduct and convey Council business in an open and transparent manner other than for those matters which, by law, are authorized to be dealt with in a Closed Meeting. This allows the public to view the process and rationale which was used to make decisions and the reasons for taking certain actions.
- 12** Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

Adherence to Policies, Procedures and Bylaws

- 13** Members shall uphold the law established by the Parliament of Canada and the Legislature of Alberta and the bylaws, policies and procedures adopted by Council.
- 14** Members shall respect the Municipality as an institution, its bylaws, policies and procedures and shall encourage public respect for the Municipality, its bylaws, policies and procedures.
- 15** A Member must not encourage disobedience of any bylaw, policy or procedure of the Municipality in responding to a member of the public, as this undermines public confidence in the Municipality and in the rule of law.

Respectful Interactions with Council Members, Staff, the Public and Others

- 16** Council members will establish and model a respectful workplace where they will not speak disrespectfully about the organization, other members of Council, the City Manager or employees of the City.
- 17** Members shall act in a manner that demonstrates fairness, respect for individual differences and opinions, and an intention to work together for the common good and in furtherance of the public interest.
- 18** Members shall treat one another, employees of the Municipality and members of the public with courtesy, dignity and respect and without abuse, bullying or intimidation.
- 19** No Member shall use indecent, abusive, or insulting words or phrases toward another Member, any employee of the Municipality or any member of the public.
- 20** No Member shall speak or act in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, social income, family status or sexual orientation, or any other protected ground of discrimination included in the Alberta *Human Rights Act*.

- 21** Members will respect the role of City employees to provide neutral and objective information which reflects their professional expertise and a corporate perspective.
- 22** Members will not use, or attempt to use, their authority to influence, coerce, intimidate, threaten, direct, or interfere with the work of Administration that is within the jurisdiction of the City Manager.
- 23** Without limiting their ability to hold an opinion on an issue of public interest or to debate decisions being made at Council or Council committee meetings, Members will not, through their words or actions, maliciously or falsely injure the professional or ethical reputation of employees of the Municipality with respect to their work on behalf of the Municipality.
- 24** Members will deal with Administration performance concerns or feedback by communicating them privately to the City Manager.

Confidential Information

- 25** Members must not disclose information, even after their term of office has concluded, related to matters discussed in a Closed Meeting, unless authorized to disclose information by Council.
- 26** In the course of their duties, Members may also become privy to confidential information received outside of a Closed Meeting. Members must not:
 - (a) disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is required by law or authorized by Council;
 - (b) access or attempt to gain access to confidential information held by the Municipality unless it is needed for the performance of the Member's duties and then only through appropriate channels; or
 - (c) use confidential information for personal benefit or for the benefit of any individual or organization.
- 27** Confidential information includes information in the possession of, or received in confidence by, the Municipality that the Municipality is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the Municipality, generally considered to be of a confidential nature, including but not limited to information concerning:
 - (a) the security of the property of the Municipality;
 - (b) a proposed or pending acquisition or disposition of land or other property;
 - (c) a tender that has or will be issued but has not been awarded;

- (d) contract negotiations;
- (e) employment and labour relations;
- (f) draft documents and legal documents, including reports, policies, bylaws, resolutions, that have not been the subject matter of deliberation in a meeting to the public;
- (g) law enforcement matters;
- (h) litigation or potential litigation, including matters before administrative tribunals;
- (i) advice that is subject to solicitor-client privilege.

Conflicts of Interest

- 28** Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
- 29** Members are expected to carry out their duties free from improper influence and must not act or appear to be acting in order to gain financial benefits for themselves, family, friends, associates, business or otherwise.
- 30** Members shall approach decision-making with an open mind that is capable of persuasion.

Improper Use of Influence

- 31** No Member shall use their position as a Member for their own private gain, or for that of any persons or organizations that the Member is personally associated with.
- 32** No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
- 33** Members shall not contact or otherwise attempt to influence members of any adjudicative body regarding any matter before it relating to the Municipality.
- 34** Members shall refrain from using their positions to assist any person to obtain employment with the Municipality. The only exception to this is for the City Manager, who is Council's sole employee. Members may provide a reference for a person who is or has been employed by the Municipality in the role of City Manager at their discretion. Members are ineligible to apply or be considered for any position with the Municipality while they hold their elected position and for one year after leaving office.

Use of Municipal Assets and Services

- 35** Members shall use municipal property, equipment, services, supplies and staff resources for the performance of their duties as a Member, subject to the following limited exceptions:

- (a) municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges; and
- (b) electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the Municipality to a Member, may be used by the Member for personal use, provided that the use is not offensive or inappropriate.

Orientation and Other Training Attendance

- 36** Every Member of Council must attend the orientation training offered by the Municipality following a municipal election, unless doing so is not practically possible.
- 37** Every Member of Council must attend retreats and workshops organized at the direction of Council for the benefit of Members of Council throughout the Council term, unless doing so is not practically possible.

Remuneration and Expenses

- 38** Members are stewards of public resources and shall avoid waste and abuse in the use of public resources.
- 39** Members shall be transparent and accountable with respect to all expenditures and shall comply with all municipal bylaws, policies and procedures regarding claims for remuneration and expenses.

Gifts and Hospitality

- 40** Members shall not accept gifts, hospitality or other benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.
- 41** Members may accept hospitality, gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation. Members will disclose with the Legal and Legislative Services Manager for all accepted gifts, disclosure of hospitality valued at greater than \$50.
- 42** Gifts received by a Member on behalf of the Municipality as a matter of official protocol or that have significance or historical value for the Municipality shall be left with the Municipality when the Member ceases to hold office.

Election Campaigns

- 43** No Member shall use any facilities, equipment, supplies, services, City data, municipal or other resources, including staff resources, of the Municipality for any election campaign or campaign-related activity.

PART 3 - COMPLAINT PROCESS

Resolving Conduct Concerns Informally

- 44** A person who believes that a Member has contravened this Bylaw may raise their concern directly to the Member prior to filing a formal complaint under Section 48.
- 45** A Member who receives a concern about their conduct, will in good faith attempt to informally resolve the matter if practical to do so. If the Member believes the matter should be addressed by the Integrity Commissioner, or if an informal resolution is not reached, the Member will suggest the person file a formal complaint under Section 48.
- 46** Any person who believes that a Member has contravened this Bylaw is encouraged to attempt informal complaint resolution. However, informal complaint resolution is not required prior to pursuing the formal complaint procedure outlined below.

Jurisdiction

- 47** The Integrity Commissioner has the authority to investigate and adjudicate any complaint that a Member has contravened this Bylaw.

Complaint reporting

- 48** Any person ("the complainant") who believes that a Member has contravened this Bylaw may make a complaint, which must be completed in accordance with the following procedure:
- (a) complaints must be addressed to the Integrity Commissioner, be in writing, and made by e-mail or delivered to:

The City of Red Deer Box 5008 Red Deer, AB, Canada T4N 3T4
Email: Integrity.Commissioner@reddeer.ca
Attention: Integrity Commissioner
 - (b) complaints must set out:
 - i. the provisions of this Bylaw that the complainant believes were contravened;
 - ii. a detailed description of the facts giving rise to the allegation, including witnesses and the dates of events;
 - iii. the name of the Member(s) alleged to have contravened the Bylaw; and
 - iv. the complainant's name, current address, and phone number.

A sample complaint form is available on the City's website.

Complainant Protection

- 49** No Member shall threaten or undertake any reprisal against a person, including an employee, who makes a complaint under this Bylaw or against a person who provides information to the Integrity Commissioner.

Initial Assessment

- 50** The Integrity Commissioner may reject any complaint received:
- (a) 90 or more days after the date of the alleged contravention; or
 - (b) 90 or more days after the complainant became aware of the alleged contravention.
- 51** The Integrity Commissioner may grant an extension of the time in Section 50 if:
- (a) the delay occurred in good faith;
 - (b) it is in the public interest to consider whether the complaint should be investigated; and
 - (c) no substantial prejudice will result to any person because of the delay.
- 52** When the Integrity Commissioner receives a formal complaint under this Bylaw, the Integrity Commissioner will provide a copy of the complaint and all related documents and records to the Responding Member.
- 53** The Integrity Commissioner will conduct an initial review of all complaints and may dismiss the complaint if the Integrity Commissioner is of the opinion that:
- (a) the conduct occurred during the period of a municipal election and is unrelated to the conduct and not related to the legislated duties of a Member;
 - (b) the complaint is not about a current Member;
 - (c) the complaint was not received within the timeframes provided in this Bylaw;
 - (d) the complaint alleges criminal activity;
 - (e) the complaint alleges a violation of the Act or FOIP;
 - (f) the conduct is covered by other applicable legislative appeal, complaint, or process;
 - (g) the information provided in the complaint does not provide reasonable grounds for believing that a violation occurred;
 - (h) the complaint is frivolous, vexatious or otherwise not made in good faith; or
 - (i) the complaint should be dismissed under Section 81.
- 54** The Integrity Commissioner may request further information from the complainant and the Responding Member before determining whether to dismiss a complaint under Section 81.

- 55** When the Integrity Commissioner dismisses or suspends a complaint under Section 50 or 53, the Integrity Commissioner shall provide reasons to the complainant and the Responding Member of their decision to all Members of Council, including the Responding Member.
- 56** The Integrity Commissioner shall suspend any action on a complaint received by the Integrity Commissioner 90 days prior to a municipal election until after election day. The Integrity Commissioner shall inform Council of the complaint and Council retains the discretion to direct the Integrity Commissioner to commence action on the complaint.
- 57** Where a complaint does not fall under Sections 50 or 53, the Integrity Commissioner shall determine whether the circumstances of the complaint require a formal investigation. If the Integrity Commissioner determines that the issues involved can be more promptly and efficiently resolved informally, in the latter case, the Integrity Commissioner will take steps, in consultation with the complainant and the Responding Member, to resolve the issue informally. Such steps may involve the use of a mediator or requesting an informal dispute resolution process with a mutually agreed upon other Member.
- 58** If the complainant or Responding Member is unwilling to participate in an informal process to resolve the complaint, or if the Integrity Commissioner at any time concludes that informal resolution is not possible, the Integrity Commissioner will conduct a formal investigation into the complaint.

Investigation

- 59** Formal investigations must be conducted in a fair, timely, and confidential manner that respects the principles of procedural fairness and natural justice.
- 60** The complainant, Council and the Responding Member will receive written notice of the investigation.
- 61** The Responding Member is entitled to disclosure of all relevant information gathered during an investigation.
- 62** Once all relevant information has been provided to the Responding Member by the Integrity Commissioner, the Responding Member will have 10 business days to provide the Integrity Commissioner with a written response to the allegations, including any supporting documents. This deadline may be extended at the discretion of the Integrity Commissioner.
- 63** The Integrity Commissioner may request access to the City of Red Deer's records, documents, and information related to the complaint, as necessary to complete the investigation.
- 64** The Integrity Commissioner may request additional information from any person involved in an investigation at any time during the investigation, as necessary to complete an investigation.
- 65** The Integrity Commissioner will strive to complete investigations within 90 days of the complaint is accepted. This deadline may be extended at the discretion of the Integrity Commissioner.

- 66** Nothing in this Bylaw restricts the Integrity Commissioner from providing interim reports to Council on any matter relevant to a complaint, including reports of any interference, obstruction, or retaliation with respect to an ongoing investigation.
- 67** In the 90 days prior to the date of a municipal election, the Integrity Commissioner shall suspend any investigation underway or decline to commence an investigation, or otherwise directed by Council.

Adjudication and Reporting

- 68** Upon conclusion of an investigation, the Integrity Commissioner will either:
- (a) dismiss the complaint with written reasons to the complainant and a copy of the decision to all Members of Council, including the Responding Member if a contravention of this Bylaw has not been proven on the balance of probabilities;
 - (b) prepare a report to Council if a contravention of this Bylaw has been proven on the balance of probabilities.
- 69** If, after reviewing all pertinent information, the Integrity Commissioner determines that a Council Member did contravene this Bylaw then the Integrity Commissioner will write a report that includes:
- (a) a summary of the complaint;
 - (b) a summary of the information gathered and conclusions made; and
 - (c) a recommendation as to the appropriate sanction (if any) for the violation.
- 70** If the Integrity Commissioner determines that a contravention of this Bylaw occurred but that the Member took all reasonable steps to prevent it, or that it was trivial or committed through inadvertence or a genuine error of judgment, the Integrity Commissioner will so state in the report and recommend that no sanction be imposed.
- 71** Upon completion of the report, the Integrity Commissioner will advise the City Manager that the Integrity Commissioner has a decision to be provided in a verbal report to Council in a Closed Meeting of Council.
- 72** The City Manager will ask the Mayor to include a verbal report from the Integrity Commissioner in the Closed Meeting portion of the agenda for the next regular Council meeting at which consideration of the verbal report can be accommodated.
- 73** Not less than 24 hours nor more than 48 hours prior to the start of the Council meeting at which the verbal report is to be considered, the Integrity Commissioner will provide a summary of the report, on a strictly confidential basis, to the Member of Council about whom the report was received.

- 74** All other Members of Council will receive the decision on a strictly confidential basis at the time the Integrity Commissioner provides their verbal report to Council at the Meeting.
- 75** The Integrity Commissioner's decision that a Member of Council violated this Bylaw is final and may not be amended or reconsidered by Council. After considering a report by the Integrity Commissioner, Council may by resolution:
- (a) impose sanctions on the Responding Member in accordance with this Bylaw; or
 - (b) not impose sanctions on the Responding Member.
- 76** Following the Closed Meeting the Integrity Commissioner's report will be reviewed and redacted in compliance with FOIP and posted on the City's website along with the totality of the investigation.

Advice and Recommendations

- 77** A Member may request the Integrity Commissioner to give advice and recommendations on any matter respecting obligations of the Member under this Bylaw.
- 78** The Integrity Commissioner may, in writing, provide the Member with advice and recommendations, which:
- (a) shall state the material facts either expressly or by incorporating facts stated by the Member;
 - (b) shall be based on the facts referred to in clause (a); and
 - (c) may be based on any other considerations the Integrity Commissioner considers appropriate.
- 79** Advice and recommendations under this section are confidential until released by or at the consent of the Member.
- 80** The Integrity Commissioner may make any inquiries that the Integrity Commissioner considers appropriate in order to provide advice and recommendations under Section 77.
- 81** If a Member has, with respect to advice and recommendations under Section 77:
- (a) communicated the material facts to the Integrity Commissioner; and
 - (b) complied with any recommendations contained in the advice and recommendations of the Integrity Commissioner,

the Integrity Commissioner will dismiss any complaint arising from those facts if the Member is in compliance of the Member with the written recommendation of the Integrity Commissioner.

PART 4 – COMPLIANCE, ENFORCEMENT AND SANCTIONS

Compliance and Enforcement

- 82** Members shall uphold the letter and the spirit and intent of this Bylaw.
- 83** Members are expected to co-operate and comply with the application and enforcement of this Bylaw.
- 84** No Member shall obstruct Council, or any other person, in carrying out the objectives and requirements of this Bylaw.

Sanctions

- 85** Sanctions that may be imposed on a Member, by Council, upon a finding that the Member has breached this Bylaw may include:
- (a) a letter of reprimand addressed to the Member;
 - (b) requesting the Member to issue a letter of apology;
 - (c) publication of a letter of reprimand or request for apology and the Member's response;
 - (d) suspension or removal of the chief elected official's presiding duties under section 154 of the Act;
 - (e) suspension or removal from some or all Council committees and bodies to which the council has the right to appoint members;
 - (f) reduction or suspension of remuneration as defined in section 275.1 of the Act, or corresponding to a reduction in duties; or
 - (g) any other sanction Council deems reasonable and appropriate in the circumstances, provided that the sanction is not contrary to the Act.
- 86** When imposing a sanction Council will consider the following:
- (a) the nature, extent and gravity of the contravention;
 - (b) the consequences and impact of the contravention;
 - (c) whether the Member has previously contravened this Bylaw;
 - (d) the principles and intent of this Bylaw;
 - (e) the presence of any legitimate mitigating circumstances;
 - (f) the need to deter future contraventions; and

- (g) the public interest, including the need to promote the public’s confidence and integrity of Council.

After considering these factors, Council may determine that although there was a breach of this Bylaw, no sanction is warranted.

PART 5 - GENERAL

Review

87 This Bylaw shall be brought forward for review at the beginning of each term of Council when relevant legislation is amended, and at any other time that Council considers appropriate to ensure that it remains current and continues to accurately reflect the standards of ethical conduct expected of Members.

Repeal

88 Bylaw 3608/2018 is repealed when this Bylaw comes into force and effect.

Effective Date

89 This Bylaw shall come into force and effect on December 1, 2023.

READ A FIRST TIME IN OPEN COUNCIL this day of 2023.
READ A SECOND TIME IN OPEN COUNCIL this day of 2023.
READ A THIRD TIME IN OPEN COUNCIL this day of 2023.
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2023.

MAYOR

CITY CLERK