

DATE: October 6, 1998
TO: All Departments
FROM: City Clerks
RE: *PLEASE POST FOR THE INFORMATION OF ALL EMPLOYEES*

SUMMARY OF DECISIONS

FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*
HELD IN THE COUNCIL CHAMBERS, CITY HALL
MONDAY, OCTOBER 5, 1998
COMMENCING AT *4:30 P.M.*

- (1) ~~Confirmation of the Minutes of the Regular Meeting of Monday September 21, 1998~~

DECISION - Confirmed as transcribed

PAGE #

- (2) **UNFINISHED BUSINESS**

1. ~~Engineering Services Manager - Red Ross Street Extension - Davison Drive East / Proposed Enhanced Berm Landscaping Plan~~

.. 1

DECISION - Agreed to allocate \$10,000.00 towards the landscaping plan regarding the above location as an additional expenditure to the 1998 Parks Department's budget

(3) PUBLIC HEARINGS

1. City Clerk - Re: Land Use Bylaw Amendment 3156/II-98 / North Red Deer / The City of Red Deer / Victory Christian Fellowship of Red Deer / Alan Watson and Eugene Watson / (See Bylaw Section for Bylaw Readings) .. 8
2. City Clerk - Re: Land Use Bylaw Amendment 3156/KK-98 / Part of the NE ¼ 14-38-27-4 / Rosedale Meadows - Phase 5 / Farm Air Properties Inc. / Charles Allard / (See Bylaw Section for Bylaw Readings) .. 12
3. City Clerk - Re: Land Use Bylaw Amendment 3156/LL-98 / Part of the NE ¼ 32-38-27-4 / Kentwood Northeast - Phase 1A / Laebon Developments Ltd. / Jack's Men's Wear / (See Bylaw Section for Bylaw Readings) .. 15

(4) REPORTS

1. Public Works Manager - Re: Pilot Food Waste Collection and Composting Program .. 17

DECISION - Agreed that The City would not conduct a pilot program at this time, however, that the Public Works Department monitor the findings of other food waste composting programs in Alberta to determine the feasibility of including a pilot or full scale food waste composting program in the next Solid Waste Collection Tender

2. Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/MN-98 / Highland Green / NW ¼ 20-38-27-4 "et al" / (See Bylaw Section for Bylaw Readings) .. 21

DECISION - Report received as information. Please see Bylaw Section for Bylaw readings

3. Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/NN-98 / Lots 1-8, Block 2, Plan _____ / NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Stage 1C / Melcor Developments Ltd. / (See Bylaw Section for Bylaw Readings) .. 27

DECISION - Report received as information. Please see Bylaw Section for Bylaw Readings

4. **Regional Community Planning Services - Re: Kentwood Northeast (Kingsgate) Outline Plan / Neighbourhood School & Park Plan** .. 31

DECISION - Approved the Kentwood Northeast (Kingsgate) Outline Plan and the Neighbourhood School and Park Plan as amended

5. **Director of Corporate Services - Re: Request to Rescind Council Policy 5314 - Release of Accounts Receivable and Utility Billing Information and Council Policy No. 5315 - Penalty for Non-Payment of Utility Bills** .. 39

DECISION - Agreed to rescind Council Policy No. 5314 and No. 5315 and to remove both policies from the Council Policy Manual

6. **Treasury Services Manager - Re: Request to Amend Council Policy No. 5301 - Purchasing and Tendering** .. 44

DECISION - Agreed to amend Council Policy No. 5301 as outlined in the above report

7. **Director of Corporate Services - Re: New Utility Bylaw No. 3215/98 / Request to Repeal Previous Utility Bylaw No. 2960/88 / (See Bylaw Section for Bylaw Readings)** .. 55

DECISION - Report received as information. New Utility Bylaw No. 3215/98 was given three readings and will become effective December 1, 1998, at which time current Utility Bylaw No. 2960/88 will be repealed

8. **Social Planning Manager - Re: Red Deer Day Care Centre / Transfer of Ownership** .. 61

DECISION - Approved the termination of the lease between The City and the Red Deer Public School Board No. 104 for the lease of the land on which the Red Deer Day Care is situated. Council further agreed that ownership of the Red Deer Day Care be transferred from The City of Red Deer to the Red Deer Child Care Society for \$1.00

9. **Social Planning Manager - Re: Day Care Funding Agreement / Day Care Facility Agreement (Normandeau Day Care)** . . 68

DECISION - Approved the Funding Agreement and the Facility Agreement between the Red Deer Child Care Society and The City as presented to Council

10. **Environmental Advisory Board - Re: Wildlife Corridor and Geotechnical Studies: Gaetz Lake Sanctuary / Michener Centre Lands** . . 72

DECISION - Approved the Gaetz Lakes Sanctuary/Michener Centre Geotechnical Site Assessment as presented to Council. Further, approved the development setback of a minimum of 45 metres from the top of the bank and that the recommendations outlined in the Gaetz Lakes Wildlife Corridor Study and Geotechnical Study be adopted in principle and incorporated into the Michener Centre Development and Subdivision Guidelines

(5) **CORRESPONDENCE**

1. **Daniel Kohut (Hi-Way 9 Express Ltd.) - Re: Request to Rezone Lot 15A, Block 3, Plan 3140 TR (6898 - 52 Avenue) to Permit Repair, Reconditioning and Re-Sell of Used Vehicles** . . 81

DECISION - Council denied request for rezoning of the above property

2. **Roy Pernitsky (Shoppers Drug Mart) - Re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue and/or 32 Street and Munro Avenue** . . 89

DECISION - Agreed to the installation of pedestrian signals at the Munro Crescent and 32 Street intersection at an estimated cost of \$76,000.00 in 1999. Further, Council agreed to adopt the new Pedestrian Signal Warrants as outlined in the report from the Engineering Services Manager and that crosswalks at each intersection along 32 Street between 30 Avenue and 40 Avenue be painted

3. **Piper Creek Foundation - Re: Assisted Living Pilot Project / Proposal - Red Deer Assisted Living for Seniors Partnership Pilot Project** . . 97

DECISION - Council supported the Proposal for Assisted Living for Seniors subject to the condition that no capital or operating funds would be requisitioned from The City and that the project be developed and operated on a self-sustaining basis, in accordance with the Piper Creek Foundation's Management Agreement

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. 3156/LI-98-98 - Land Use Bylaw Amendment / North Red Deer / The City of Red Deer / Victory Christian Fellowship of Red Deer / Alan Watson and Eugene Watson / - 2nd and 3rd Readings . . 114
. . 8

DECISION - Bylaw given 2nd and 3rd Readings

2. 3156/KK-98 - Land Use Bylaw Amendment / Part of the NE ¼ 14-38-27-4 / Rosedale Meadows - Phase 5 / Farm Air Properties Inc. / Charles Allard / - 2nd and 3rd Readings . . 116
. . 12

DECISION - Bylaw given 2nd and 3rd Readings

3. 3156/LL-98 - Land Use Bylaw Amendment / Part of the N ½ 32-38-27-4 / Kentwood Northeast - Phase 1A / Laebon Developments Ltd. / Jack's Men's Wear / - 2nd and 3rd Readings . . 118
. . 15

DECISION - Bylaw given 2nd and 3rd Readings

4. 3156 MM-98 - Land Use Bylaw Amendment / Highland Green / NW ¼ 38-27-4 "et al" / - 1st Reading . . 120
 . . 21

DECISION - Bylaw given 1st Reading

5. 3156 NN-98 - Land Use Bylaw Amendment / Lots 1-8, Block 2, Plan NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Stage 1C / Melcor Developments Ltd. / - 1st Reading . . 122
 . . 27

DECISION - Bylaw given 1st Reading

6. 3215/98 - New Utility Bylaw 1 Repeals Previous Utility Bylaw No. 2960/88 / (Submitted as an Attachment) / - 3 Readings . . N/A

DECISION - Bylaw given 3 Readings

Additional Agenda:

1. Director of Development Services - Re: Laebon - CP Lands . . 1

DECISION - Agreed to extend Option Agreement with Laebon Developments Ltd. to November 30, 1998 and agreed to a further extension of the Option Agreement to March 31, 1998 subject to payment to The City of an additional non-refundable deposit of \$100,000.00 on November 30, 1998. Subject to the above, Laebon Developments Ltd. is authorized to place on said site, during the 1998/1999 winter months, a sales office from which to market said development

A G E N D A

FOR THE **REGULAR MEETING OF RED DEER CITY COUNCIL**

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, OCTOBER 5, 1998

COMMENCING AT **4:30 P.M.**

- (1) Confirmation of the Minutes of the Regular Meeting of Monday September 21, 1998

PAGE #

(2) **UNFINISHED BUSINESS**

1. **Engineering Services Manager - Re: Ross Street Extension - Davison Drive East / Proposed Enhanced Berm Landscaping Plan** .. 1

(3) **PUBLIC HEARINGS**

1. **City Clerk - Re: Land Use Bylaw Amendment 3156/II-98 / North Red Deer / The City of Red Deer / Victory Christian Fellowship of Red Deer / Alan Watson and Eugene Watson / (See Bylaw Section for Bylaw Readings)** .. 8
2. **City Clerk - Re: Land Use Bylaw Amendment 3156/IV-98 / Part of the N 1/4 14-38-27-4 / Rosedale Meadows - Phase 5 / Farm Air Properties Inc. / Charles Allard / (See Bylaw Section for Bylaw Readings)** .. 12
3. **City Clerk - Re: Land Use Bylaw Amendment 3156/LL-98 / Part of the N 1/4 32-38-27-4 / Kentwood Northwest - Phase 1A / Lashon Developments Ltd. / Jack's Men's Wear / (See Bylaw Section for Bylaw Readings)** .. 15

(4) **REPORTS**

1. **Public Works Manager - Re: Pilot Food Waste Collection and Composting Program** .. 17
2. **Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/MM-98 / Highland Green / NW ¼ 20-38-27-4 "et al" / (See Bylaw Section for Bylaw Readings)** .. 21
3. **Parkland Community Planning Services - Re: Land Use Bylaw Amendment 3156/NN-98 / Lots 1-8 Block 2, Plan _____ / NE ¼ 3-38-27-4 / Anders Southeast (Kopon Ridge) - Stage 1C / Melcor Developments Ltd. / (See Bylaw Section for Bylaw Readings)** .. 27
4. **Parkland Community Planning Services - Re: Kentwood Northeast (Kingsgate) Outline Plan / Neighbourhood School & Park Plan** .. 31
5. **Director of Corporate Services - Re: Request to Rescind Council Policy 5314 - Release of Accounts Receivable and Utility Billing Information and Council Policy No. 5315 - Penalty for Non-Payment of Utility Bills** .. 39
6. **Treasury Services Manager - Re: Request to Amend Council Policy No. 5301 - Purchasing and Tendering** .. 44
7. **Director of Corporate Services - Re: New Utility Bylaw No. 3215/98 / Request to Repeal Previous Utility Bylaw No. 2000/98 / (See Bylaw Section for Bylaw Readings)** .. 55
8. **Social Planning Manager - Re: Red Deer Day Care Centre / Transfer of Ownership** .. 61
9. **Social Planning Manager - Re: Day Care Funding Agreement / Day Care Facility Agreement (Normandeau Day Care)** .. 68
10. **Environmental Advisory Board - Re: Wildlife Corridor and Geotechnical Studies: Gaetz Lake Sanctuary / Michener Centre Lands** .. 72

(5) **CORRESPONDENCE**

1. **Daniel Kohul (Hi-Way 9 Express Ltd.) - Re: Request to Remove Lot 15A, Block 3 Plan 8140 TR (6898 - 52 Avenue) to Permit Repair, Reconditioning and Re-Sell of Used Vehicles** .. 81
2. **Roy Pernisky (Shoppers Drug Mart) - Re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue and/or 32 Street and Munro Avenue** .. 89
3. **Peter Creek Foundation - Re: Assisted Living Pilot Project / Proposal - Red Deer Assisted Living for Seniors Partnership Pilot Project** .. 97

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. **3156/II-98-98 - Land Use Bylaw Amendment / North Red Deer / The City of Red Deer / Victory Christian Fellowship of Red Deer / Alan Wilson and Eugene Watson / - 2nd and 3rd Readings** .. 114
.. 8
2. **3156/KK-98 - Land Use Bylaw Amendment / Part of the NE ¼ 14-38-27-4 / Rosedale Meadows - Phase 5 / Farm Air Properties Inc. / Charles Allard / - 2nd and 3rd Readings** .. 116
.. 12
3. **3156/LL-98 - Land Use Bylaw Amendment / Part of the N ½ 32-38-27-4 / Kentwood Northeast - Phase 1A / Laebon Developments Ltd. / Jack's Men's Wear / - 2nd and 3rd Readings** .. 118
.. 15
4. **3156/MM-98 - Land Use Bylaw Amendment / Highland Green / NW ¼ 20-38-27-4 "et al" / - 1st Reading** .. 120
.. 21

5. 3156/NN-98 - Land Use Bylaw Amendment / Lots 1-8, Block 2, Plan
/ NE ¼ 3-38-27-4 / Anders Southeast (Aspen Ridge) - Stage
1C / Melcor Developments Ltd. / - 1st Reading .. 122
.. 27
6. 3215/98 - New Utility Bylaw / Repeals Previous Utility Bylaw No.
2960 88 / (Submitted as an Attachment) / - 3 Readings .. N/A

DATE: September 29, 1998

TO: City Clerk

FROM: Engineering Services Manager

**RE: ROSS STREET EXTENSION - DAVISON DRIVE EAST
PROPOSED ENHANCED BERM LANDSCAPING PLAN**

At the September 8, 1998 meeting, City Council denied the request from the residents for the installation of a concrete vehicle noise wall along the south berm of the road extension. In discussion after passing the resolution, Council requested the Administration to investigate the possibility of enhancing the existing tree and shrub planting on top of the berm to reduce the visual intrusion from pedestrians using the sidewalk. It was also indicated that Council expected some type of cost sharing arrangement with the affected residents, perhaps on a dollar for dollar basis.

In accordance with the above, the Recreation, Parks, and Culture Department prepared an enhanced landscaping plan for the Ross Street berm. This plan, together with an estimate of cost, was presented by Greg Scott and Doug Evans of the Recreation, Parks, and Culture Department and Greg Sikora of the Engineering Services Department in an open forum to the Residential Committee of Dunn Close and Doran Crescent. This meeting was held at Mr. Ralph Melnick's 15 Dunn Close residence at 11 a.m. on September 28.

The general consensus at the meeting regarding the design appeared to be favourable; however, it was felt that some of the species selected could be replaced with varieties that were mutually acceptable to both parties. Doug Evans will review the design further and has scheduled a second meeting with the Residential Committee for September 29, to discuss the possible landscaping alternatives to maximize the impact.

Although the Committee supported the landscaping enhancement effort and is quite optimistic that both parties can come to a plan agreement, the Committee rejected the proposal of participating in any cost sharing arrangement. Council's position on cost sharing was unanimously declined by the Committee. Both The City representatives and the residents agreed that the proposed landscaping plan will by no means provide total screening or provide any appreciable vehicle noise attenuation to the residents.

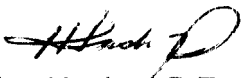
City Clerk
 Page 2
 September 29, 1998

The Parks Department has estimated the cost of the enhanced landscaping plan to be in the order of \$15,000, depending on the maturity of the species selected. They have also indicated that the installation may not proceed until next spring.

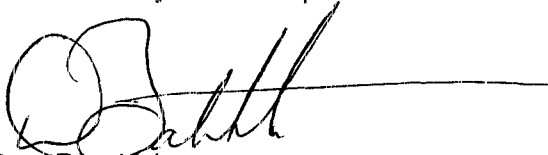
Finally, we would point out to Council that there were at least 15 residents forming this Committee and that the meeting was video taped. It was indicated to the Administration that they felt that The City had erred in allowing the developer's subdivision plan to proceed. In addition, The City did not ensure that the residents were notified and that MPC should not have reduced the rear yard building setbacks. They also indicated that the Engineering Services Department improperly designed the sidewalk. Although not specifically expressed at this meeting, at other one-on-one meetings with Greg Sikora and Greg Scott, it was indicated that further action involving the media may occur. This may be the reason for the video taping.

RECOMMENDATION

In our opinion, traffic noise will not be an immediate issue. It will become an issue when Ross Street is extended to Highway 11 east. The immediate issue is the pedestrian sight line intrusion, which we believe can be reasonably addressed by the enhanced landscaping plan. Council's direction is respectfully requested at this time, in view of the resident's position not to cost share in any of the improvements.



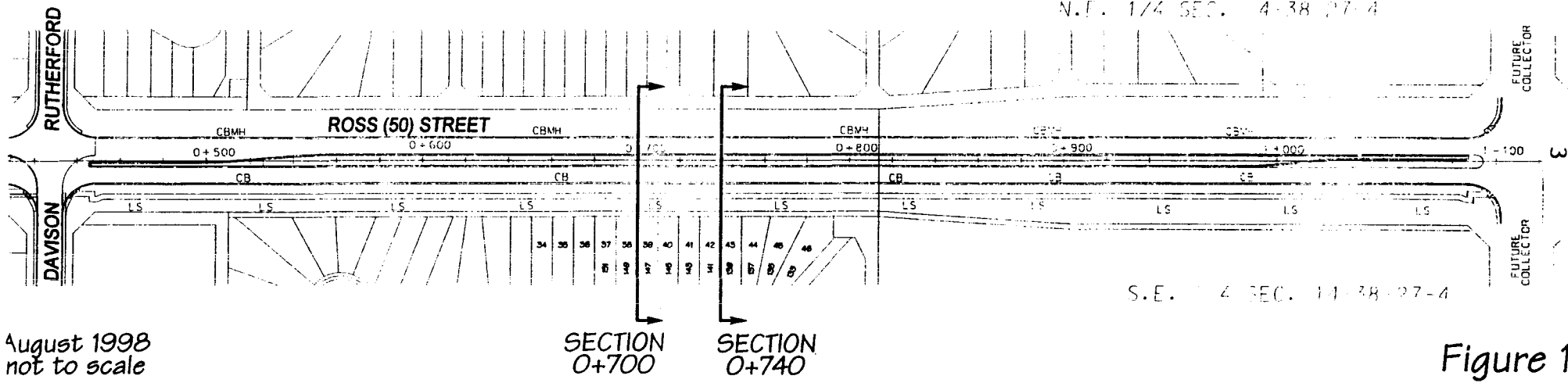
Ken Haslop, P.Eng.
 Engineering Services Manager



Don Batchelor
 Recreation, Parks, and Culture Manager

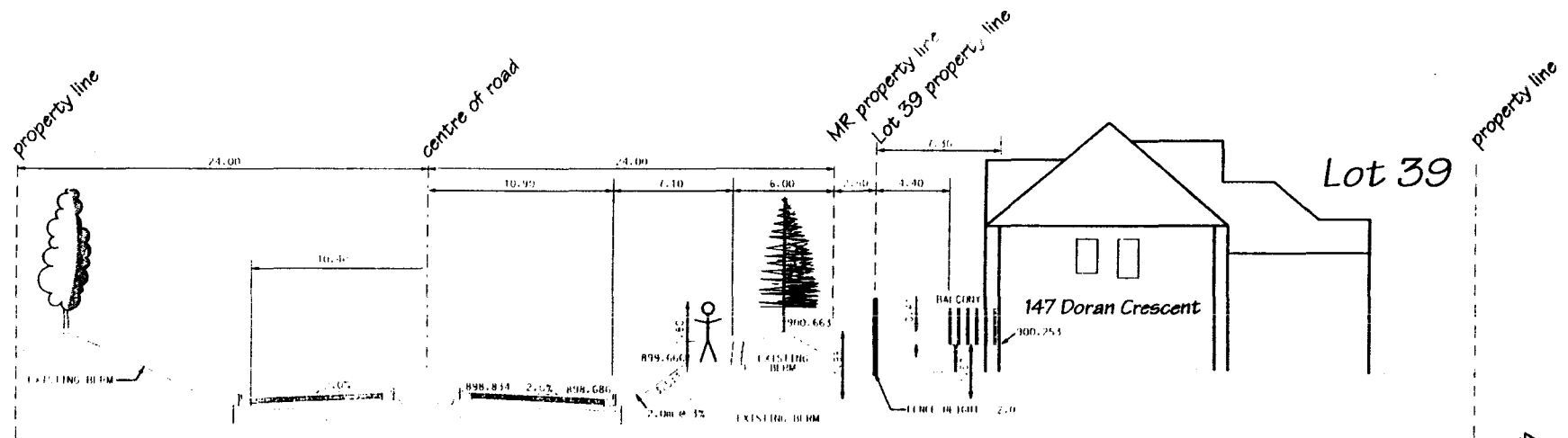
KGH/emr

- c. Byron Jeffers, Director of Development Services
- c. Greg Scott, Community Development Planning Coordinator
- c. Greg Sikora, Municipal Engineer
- c. Tom Warder, Streets & Utilities Engineer



August 1998
 not to scale

Figure 1

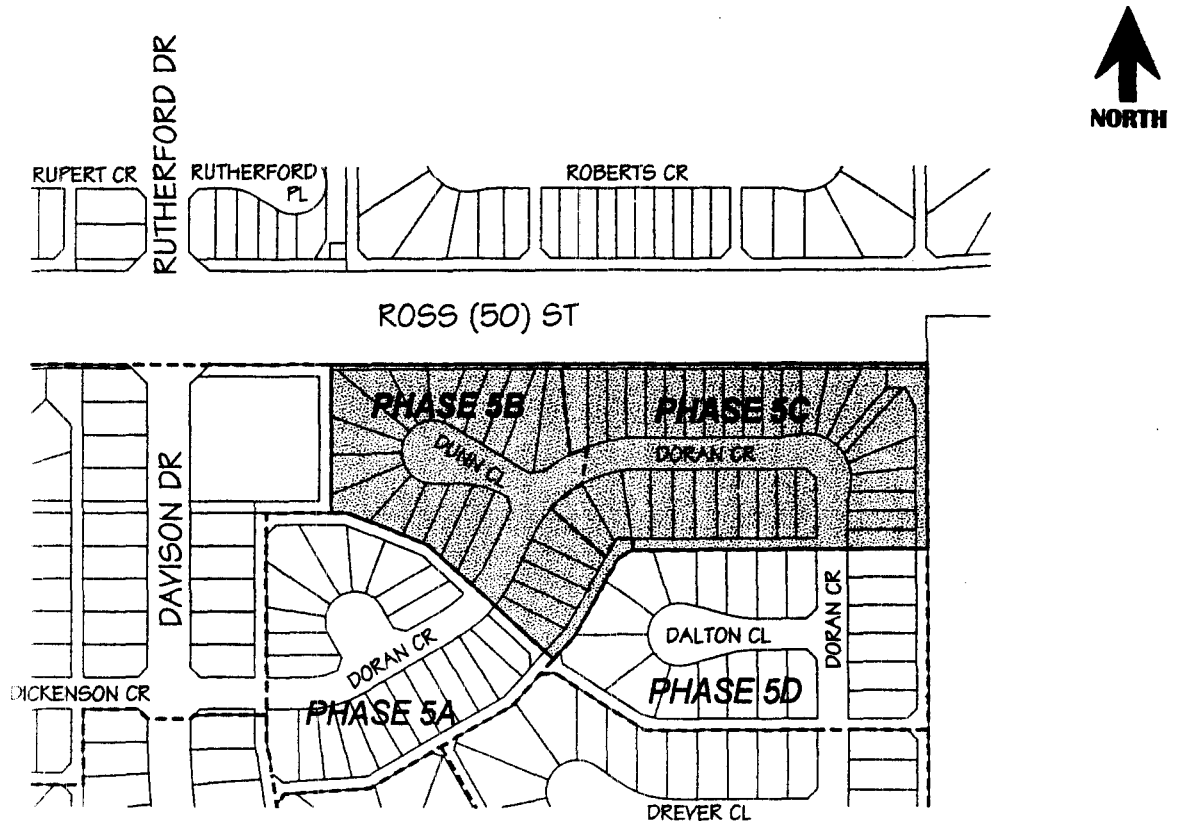


CROSS-SECTION AT 0+700 (ROSS STREET)

August 1998

Scale: H:1:250 V:1:125

Figure 2



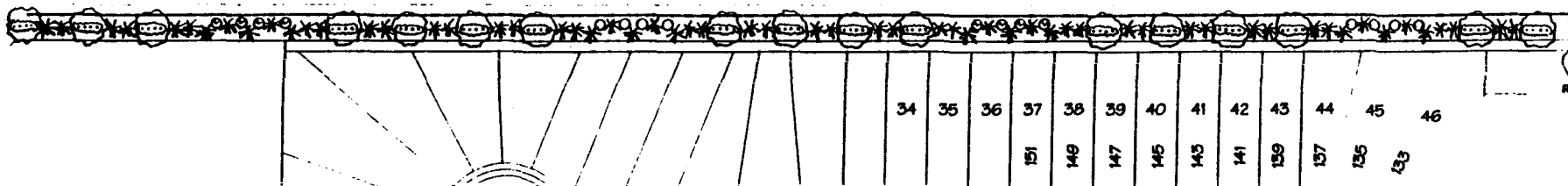
DEER PARK Phase 5b and 5c

Figure 4

RUTHERFORD






DAVISON

ROSS (50) STREET



ALLAN BLOCK
RETAINING WALL

6A

PLANT LIST			
SYMBOL	PLANT	QTY	QTY ADDED TO EXISTING MATERIAL
	NORTHWEST POPLAR	17	--
	COLORADO SPRUCE	72	52
	LILAC	68	--
	GOLDEN NINEBARK	8	8
	MUGO PINE	8	8

NOTES:

- Tentative Plan Only
- Planting Symbols Represent Size at Full Maturity

1:500
September 1998

PLANTING PLAN

CONCEPT B

Comments:

In light of Council's direction that The City attempt to provide some screening to the most exposed lots, we were hopeful that a jointly agreed upon landscape plan could be carried out on a cooperative basis. If that is impossible, The City could then proceed with a smaller scale plan on its own. We recommend that Council allocate \$10,000.00 to complete as much of the landscaping plan as feasible.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

**Red Deer City
Office of the City Clerk**

September 21, 1998

Dear Mr. Kelly Kloss:

RE: YOUR LETTER OF SEPTEMBER 11, 1998

The attached is the history of this berm construction from the original minutes starting with MPC meeting December 14, 1992, through to your referenced letter.

The MPC meeting Dec 14, 1992, clearly states: "Until such time as the developer provides a plan which includes noise protection, or other options, for lots 24 - 32 backing onto Ross Street." MOTION TO TABLE - CARRIED

Responsibility of the Building inspection department & secretary. It is obvious there was no supervision to ensure this was done.

The MPC meeting held Dec 21, 1992 points out the City would be responsible for construction of the berm, with Avalon Homes being responsible for construction of the noise barrier fence. This was moved by Drouhi, seconded by W. Reed, and the Engineering Department and Parks Department can meet with the developer.

The letter from the city of Red Deer dated Dec 22, 1992, directed to Avalon Homes also points out; there is a concern regarding future noise level from Ross Street.

The MPC meeting Jan 11, 1993, again discusses a earth berm to be between 2 - 2 1/2 meters in height. The berm is currently 1.8 meters. This same meeting passed a motion of a minimum berm height of 2 meters in combination of earth and sound barrier wall. The responsibility was building inspection department & secretary. Also, at this meeting Mr. Lebedoff's presentation was appended to these Minutes. We would appreciate a copy of this presentation.

This same meeting it was agreed that a sign or signs be erected advising land owners of the future construction of Ross Street. To this date there has never been any signs.

CC: Mayor
Councillors
City Manager
Directors
Ken Haslop
Greg Scott
98/09/23

Feb 8, 1993 the motion for a notched sidewalk and a retaining wall be constructed at the same time. This only makes sense. However, there is no mention of the sidewalk being elevated to what might be considered an unrealistic height. The sidewalk is at a satisfactory level at the west end, and is about five feet above the curb until the end of the Seniors complex. This provides all that walks on this sidewalk a direct view of kitchens, bedrooms, decks, etc., creating a definite lack of privacy, safety, and possibly a liability (if intruders trespass).

This same meeting again the earth berm of 2.2 meters to the west and 1.8 meters to the east running parallel to the senior's housing development. This current berm is short by approximately 20 - 30 feet, and does not go to the end of the properties at the west of the complex.

Also, this meeting motioned and carried; that all new homeowners of the development be advised of Ross Street becoming a thoroughfare to a major highway. There was no recollection of such a letter being provided, or signed by any of the original owners of the Avalon project, and none of the original owners of the Mason Martin project ever saw or signed any such letter.

MPC Jan 17, 1994 again the condition of the development permit outlined the purchasers be notified by means of a letter of acknowledgement, that there will be no berm between their homes and Ross Street, and of resultant noise and traffic, when Ross Street is developed. (Responsibility - Red Deer Regional Planning Commission)

At this point, all the discussions for the past 13 months, and with no minutes changing plans, at least none of which has been provided to us. All of a sudden this meeting on Jan 17, 1994, makes reference, "that there will be no berm!" Is this why the current berm is very minimal?

It is again apparent, there was no monitoring on behalf of the city, to ensure a proper sound barrier, in conjunction with the berm to satisfy future home owners. Did the City of Red Deer, in fact have anyone qualified to assess the proper type of barrier, or were the relaxations allowed to happen, with no qualified consulting. Thus allowing the developer, to sell approximately 20 more lots, which would bring approximately \$600,000. more profit. Not to mention that the increase of tax revenue from these extra lots. There is no doubt the properties of Dunn Close and Doran Crescent, which are backed onto Ross Street were squeezed in allowing an additional close to be constructed, which is Dalton Close, as well as two or three lots on the east of Doran Crescent.

The MPC meeting on Nov. 14, 1994 approved the relaxation of the 5C (Mason Martin lots), which backs onto Ross Street be reduced from 7.5 m to 5.4 m. This being in line with on lots of Avalon on Dunn Close. None of these lots should have been reduced, knowing the future development. If all of these lots backing onto Ross were in line with the North side of the parking lot, of the Deer Park mall, this would have not only reduced the number of lots, but provided some back yards, and, or a proper berm.

Mr. Haslop's letter of August 14, 1998, point Nr. 7, of lowering the sidewalk would waste money is something in question! Why was the sidewalk originally brought down to curb level, and then fill placed to elevate to the existing construction? Interesting to note, why was this project continued, and completed a week after the petition was submitted? The engineering department was fully aware of this problem.

This whole project from original development is an absolute comedy of errors. Firstly, when the plans for such a complex was being considered, the berm to be constructed should have been adjusted to a height, allowing for the walk-out lower level homes. Especially when there is no lane and virtually no berm or noise barrier for the seniors. Equally, the berm should have had even a larger height for those without the walk-out lower level units, and of course proper trees along the top which would provide year round pollution control from the four lane express way, as well as some form of privacy, and even a bit of noise barrier.

Secondly, as previously pointed out, what agency is responsible to ensure a proper sound barrier is in place, privacy of the home owner is recognized, and pollution is kept down?

Most people were advised by the builders that Ross Street would not be extended for a period of 10 - 15 years. Where did the builders receive this type of information? In fact a past salesperson from Avalon Homes had phoned the city hall to enquire as to the estimated time for future development. This was in 1993. He was told approximately 11 - 14 years. What happened? Is it because the Ratzke quarter is being developed to provide a mobile home park with the entrance on Ross Street? This doesn't make much sense, when, at two meetings held with the residents of Deer Park, the decision was unanimous, that the Trailer park not be placed in this location. In fact, Mr. Ratzke agreed to having the Trailer Park with the entrance on 39th Street. This would have satisfied all residence of Deer Park. What was the outcome? Why didn't the strong message get brought back to City Hall, that Mr. Ratzke had no objection to changing the location of his Trailer Park?

Finally, your letter dated September 11, 1998. You have indicated City Admistration is to discuss a plan for enhanced landscaping along the berm to increase privacy and noise reduction. What is absolutly amazing, is; Council expects us (the inhabitants) to cost share. It is obvious the developer made a very handsome sum of money by squeezing in an extra Close of additional lots. The city is also reaping the additional tax dollar from this, and we are expected to pay for your error, in conjunction with the developers excess profits. Mr. Kloss, there is something wrong with this picture. From what we the residents have been sold, and presented with, it is obvious the developer is fully responsible to answer to both the city of Red Deer, and to all of these effected residents.

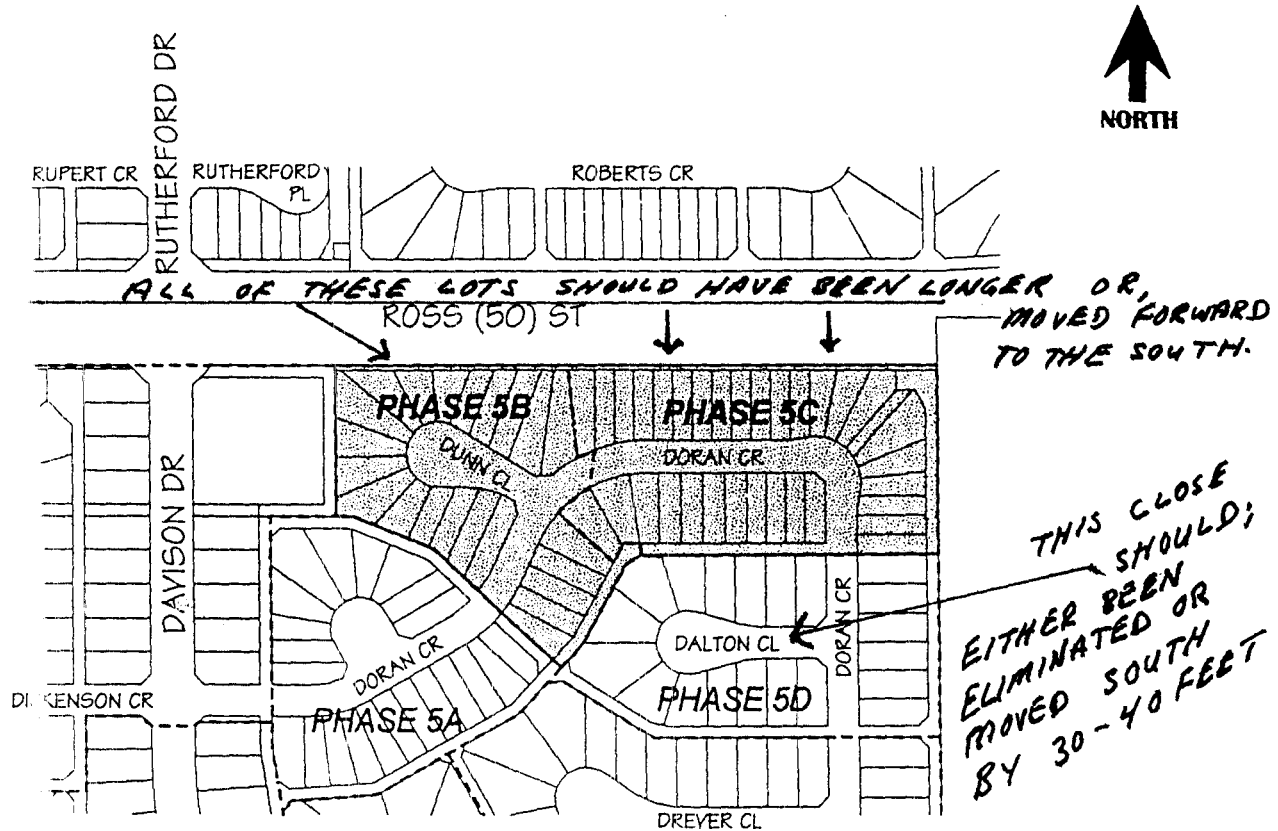
- 5 -

In addition, based on the city's representation and communication from the citizens back to City Hall, we, the residents do not wish to discuss this matter with anyone other than the Chief Department Heads, and, those persons only. You can understand our concern for how the proper and correct information sometimes fails to get to the proper place.

Please have the Head of your senior management team contact any one of us for a meeting to resolve this compounded problem.

The residents of Diamond Ridge Estates.

c Mayor and City Council
c News Medias



DEER PARK
Phase 5b and 5c

Figure 4

DATE: October 7, 1998

TO: City Manager

FROM: City Clerk

RE: *Review of Follow-Up Procedures - Municipal Planning Commission*

At the Council Meeting of October 5, 1998 during consideration of the Ross Street Extension issue, the procedures surrounding follow-up of Municipal Planning Commission decisions were raised.

As per your request, this is being submitted as a reminder to review the follow-up process regarding decisions of the Municipal Planning Commission.



Kelly Kloss
City Clerk

/clr

FILE

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Engineering Services Manager
FROM: City Clerk
RE: *Ross Street Extension - Davison Drive East / Proposed Enhanced Berm Landscaping Plan*

Reference Report: Engineering Services Manager dated September 29, 1998

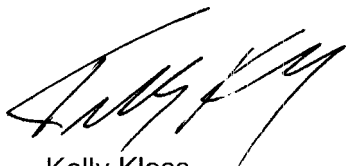
Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Engineering Services Manager dated September 29, 1998, re: Ross Street Extension - Davison Drive East - Proposed Enhanced Berm Landscaping Plan, hereby agrees to allocate \$10,000.00 towards the landscaping plan regarding the above location as an additional expenditure to the 1998 Parks Department's budget, and as presented to Council October 5, 1998."

Report Back to Council Required: No

Comments/Further Action:

I have attached hereto a copy of our letter to Mr. Ralph Melnick, conveying Council's decision in this regard. I have requested that Mr. Melnick contact Greg Scott regarding whether or not the residents intend to participate in the sharing of costs in this regard.



Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services
 Director of Corporate Services
 Community Development Planning Coordinator, G. Scott
 Municipal Engineer, G. Sikora



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

October 6, 1998

Mr. Ralph Melnick
15 Dunn Close
Red Deer, AB T4R 2M6

Dear Sir:

Re: Ross Street: Request for Concrete Sound Wall

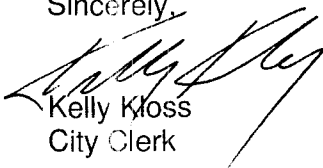
At the City of Red Deer's Council meeting held Monday, October 5, 1998, consideration was once again given to the above. At that meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Engineering Services Manager dated September 29, 1998, re: Ross Street Extension - Davison Drive East - Proposed Enhanced Berm Landscaping Plan, hereby agrees to allocate \$10,000.00 towards the landscaping plan regarding the above location as an additional expenditure to the 1998 Parks Department's budget, and as presented to Council October 5, 1998."

The estimated cost for the landscaping design is approximately \$15,000.00. The City has agreed to allocate \$10,000.00 towards the completion of this project. Please contact Greg Scott, Community Development Planning Coordinator, at 342-8340, to advise him whether or not the residents intend to participate with the costs of this landscaping so Mr. Scott can proceed with the preparation of the work to be carried out.

Should you have any questions or require further clarification of Council's decision in this regard, please do not hesitate to call me.

Sincerely,


Kelly Kloss
City Clerk

/clr

c Director of Community Services
 Director of Corporate Services
 Engineering Services Manager
 Community Development Planning Coordinator, G. Scott
 Inspections & Licensing Manager
 Principal Planner

Mrs. Barb Kelloway
3 Dunn Close
Red Deer, AB T4R 2M6

FILE

FAXED TO:

343-2462.

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0892
CONNECTION TEL 3432462
SUB-ADDRESS
CONNECTION ID
ST. TIME 10/06 20:47
USAGE T 01'00
PGS. 1
RESULT OK

FILE

Office of the City Clerk

October 6, 1998

Mr. Ralph Melnick
15 Dunn Close
Red Deer, AB T4R 2M6

Dear Sir:

Re: Ross Street: Request for Concrete Sound Wall

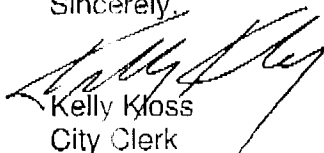
At the City of Red Deer's Council meeting held Monday, October 5, 1998, consideration was once again given to the above. At that meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Engineering Services Manager dated September 29, 1998, re: Ross Street Extension - Davison Drive East - Proposed Enhanced Berm Landscaping Plan, hereby agrees to allocate \$10,000.00 towards the landscaping plan regarding the above location as an additional expenditure to the 1998 Parks Department's budget, and as presented to Council October 5, 1998."

The estimated cost for the landscaping design is approximately \$15,000.00. The City has agreed to allocate \$10,000.00 towards the completion of this project. Please contact Greg Scott, Community Development Planning Coordinator, at 342-8340, to advise him whether or not the residents intend to participate with the costs of this landscaping so Mr. Scott can proceed with the preparation of the work to be carried out.

Should you have any questions or require further clarification of Council's decision in this regard, please do not hesitate to call me.

Sincerely,


Kelly Kloss
City Clerk



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

MEMO

DATE: November 16, 1998

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER, Manager
Inspections & Licensing Department

RE: MPC DECISIONS

In response to your memo regarding follow up for the above, most MPC decisions involve a physical development and, therefore, a Development and/or Building Permit is required. Until all conditions of the MPC that can be met have been completed, we will not issue the required permits. In the case of those conditions that can't be met prior to construction (e.g. paving of a parking lot), we do follow up inspections on all constructions sites about a year after actual work is complete. Unfortunately the Site Inspector position that was responsible for this follow up work, was cut several years ago because of budget concerns. At present staff do these checks when time is available.

Decisions made that are not associated with specific permits, such as subdivisions or the specific case referred to, have not been followed up on to ensure compliance in past years.

In the 1999 budget we are recommending that the Site Inspector's position be reinstated for at least 9 months yearly. If this request is approved, part of the position's duties would be monitoring all MPC decisions. If the request is not granted, we could assign the work to one of the existing staff, but this means some other responsibilities that staff member is currently doing would either be put further down the priority list or not completed.



RYAN STRADER
Inspections & Licensing Manager
INSPECTIONS & LICENSING DEPARTMENT

RS:kb

Item No. 1
Public Hearing

DATE: September 9, 1998

TO: City Council

FROM: City Clerk

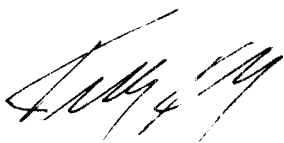
RE: *Land Use Bylaw Amendment 3156/II-98*
North Red Deer / The City of Red Deer/Victory Christian Fellowship of
Red Deer / Alan Watson and Eugene Watson

A Public Hearing has been advertised for the above noted Land Use Bylaw Amendment, to be held on Monday, October 5, 1998 in the Council Chambers at 7:00 p.m.

Meadowglen Developments Ltd. is in the process of acquiring portions of the noted lands to develop a 37 unit townhouse project in four lots and one common property as a bareland condominium. An additional lot is being created to compensate the loss of parking spaces from the Victory Christian Fellowship Church. The redesignation will be from R3-D216 Residential (Multiple Family) District with a density of 216 persons per ha to R2 Residential (Medium Density) District and a PS Public Service (Institutional or Governmental) District, from R2 to Lane and from Road and Lane to R2 District.

Recommendation

That following the Public Hearing, Land Use Bylaw Amendment 3156/II-98 may be given 2nd and 3rd Readings.

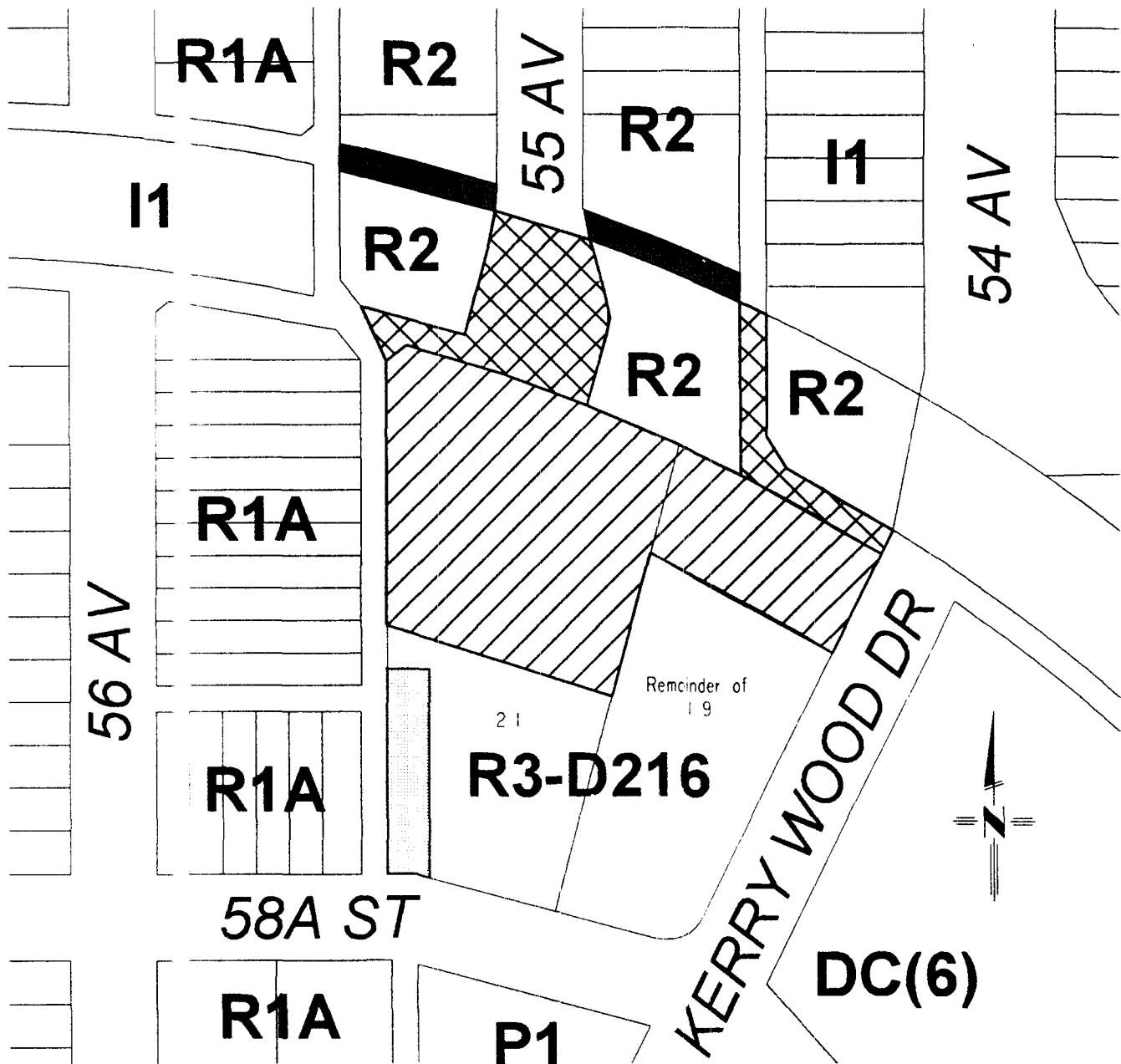


Kelly Kloss
City Clerk

/clr
attchs.

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



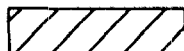
Change from:

R3-D216 to R2

R3-D216 to PS

R2 to Lane

Road & Lane to R2



AFFECTED DISTRICTS:

R2 - Residential (Medium Density)

R3-D216 - Residential (Multiple Family)

Density of 216 Persons Per Hectare

PS - Public Service

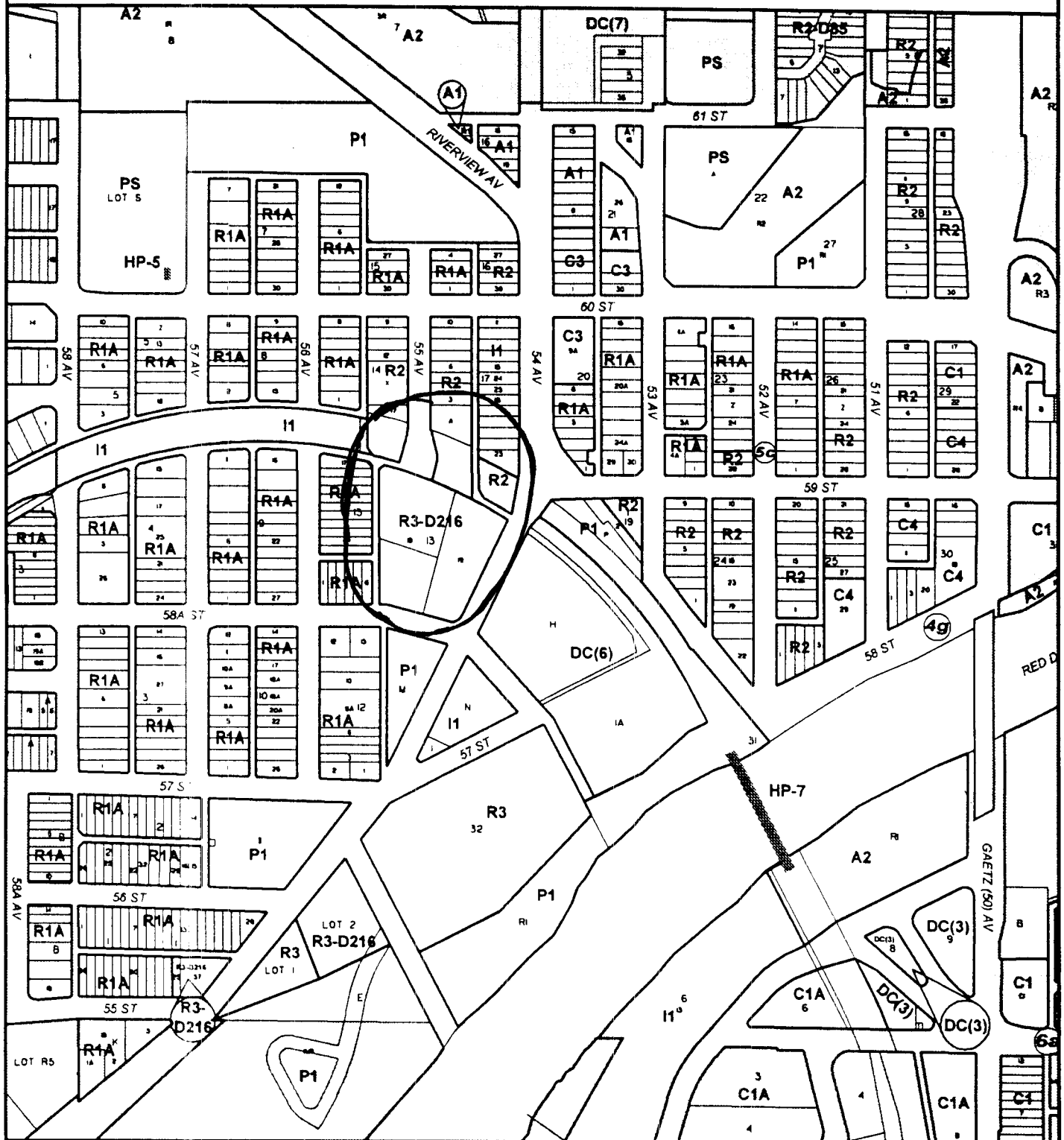
MAP No. 29 / 98

BYLAW No. 3156 / 11 - 98

THE CITY OF RED DEER - LAND USE BYLAW

LAND USE DISTRICTS

F10



BYLAW NUMBER - 3156/96

AMENDMENTS:

2672 / C - 96 09 - April - 1996
 1156 / A - 96 06 - May - 1996



SCALE 1:5000
 27-MAY-1997 15:46

SEE SECTION SIX FOR LANDUSE DISTRICT DEFINITIONS

E11	F11	G11
E10	F10	G10
E9	F9	G9

S.E. ¼ -20-38-27-4

5505-58A St
Red Deer Alta
T4N2M4
Sept 26/98

Re: Land Use Bylaw Amendment 3156/11-98
Victory Christian Fellowship Church
Alan Watson & Eugene Watson

Council Of the City Of Red Deer

we are very much against those
37 townhouses going in. As it
would mean more Traffic, speeders,
Accidents, noise and garbage.

This Area is already
congested with apartments.

And also there was a Bomb
threat in this area a few years
ago.

The City would have to put
up traffic lights at the corner of
58A St and Kerry Wood Drive, which
should be there already, as its
a very busy corner.

We don't want to be crowded
out.

Thankyou

Rodney & Lena
MacArthur

(347-4715)

THE CITY OF RED DEER
OFFICE OF THE CLERK

DATE	9 26 98
BY	980928

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Principal Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/II-98, North Red Deer / The City of Red Deer / Alan Watson and Eugene Watson*

Reference Report: City Clerk, dated September 9, 1998

Bylaw Readings: Land Use Bylaw Amendment 3156/II-98 was given second and third readings. A copy is attached hereto.

Report Back to Council Required: No

Comments/Further Action:

Meadowglen Developments Ltd. is in the process of acquiring portions of the noted lands to develop a 37 unit townhouse project in four lots and one common property as a bareland condominium. An additional lot is being created to compensate the loss of parking spaces from the Victory Christian Fellowship Church. The redesignation is from R3-D216 Residential (Multiple Family) District with a density of 216 persons per ha to R2 Residential (Medium Density) District and a PS Public Service (Institutional or Governmental) District, from R2 to Lane and from Road and Lane to R2 District. This complies with the CPR Right of Way Redevelopment Plan, Bylaw No. 3073/92 adopted in 1992.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/II-98, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Land and Economic Development Manager
 Doug Kutinsky, Graphics Designer
 Administrative Assistant, S. Ladwig



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

October 6, 1998

Meadowglen Developments Ltd.
#2, 7895 - 49 Avenue
Red Deer, AB T4P 3B4

Att: Mr. Alan Trites

Dear Sir:

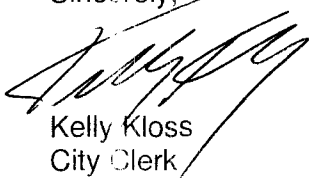
**RE: Land Use Bylaw Amendment 3156/II-98
North Red Deer / The City of Red Deer/Victory Christian Fellowship
of Red Deer/ Alan Watson and Eugene Watson**

At the City of Red Deer's Council Meeting held Monday, October 5, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/II-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/II-98 was given second and third readings, a copy of which is attached hereto.

Meadowglen Developments Ltd. is in the process of acquiring portions of the noted lands to develop a 37 unit townhouse project in four lots and one common property as a bareland condominium. An additional lot is being created to compensate the loss of parking spaces from the Victory Christian Fellowship Church. The redesignation is from R3-D216 Residential (Multiple Family) District with a density of 216 persons per ha to R2 Residential (Medium Density) District and a PS Public Service (Institutional or Governmental) District, from R2 to Lane and from Road and Lane to R2 District. This complies with the CPR Right of Way Redevelopment Plan, Bylaw No. 3073/92 adopted in 1992.

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

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

DATE: September 9, 1998

TO: City Council

FROM: City Clerk

RE: *Land Use Bylaw Amendment 3156/KK-98 / Part of the NE ¼ 14-38-27-4 /
Rosedale Meadows - Phase 5 (Farm Air Properties Inc./Charles Allard)*

A Public Hearing has been advertised for the above noted Land Use Bylaw Amendment, to be held on Monday, October 5, 1998 in the Council Chambers at 7:00 p.m.

Land Use Bylaw Amendment 3156/KK-98 provides for the redesignation of 2.82 (6.97 ac) of land in Phase 5 of the Rosedale Meadows Outline Plan. The redesignation will be from A1 Future Urban Development District to R1 Residential Single Family District, P1 Parks and Recreation District and Road. The amendment is to accommodate 21 single family lots, which is in accordance with the Outline Plan.

Recommendation

That following the Public Hearing Land Use Bylaw Amendment 3156/KK-98 may be given 2nd and 3rd Readings.

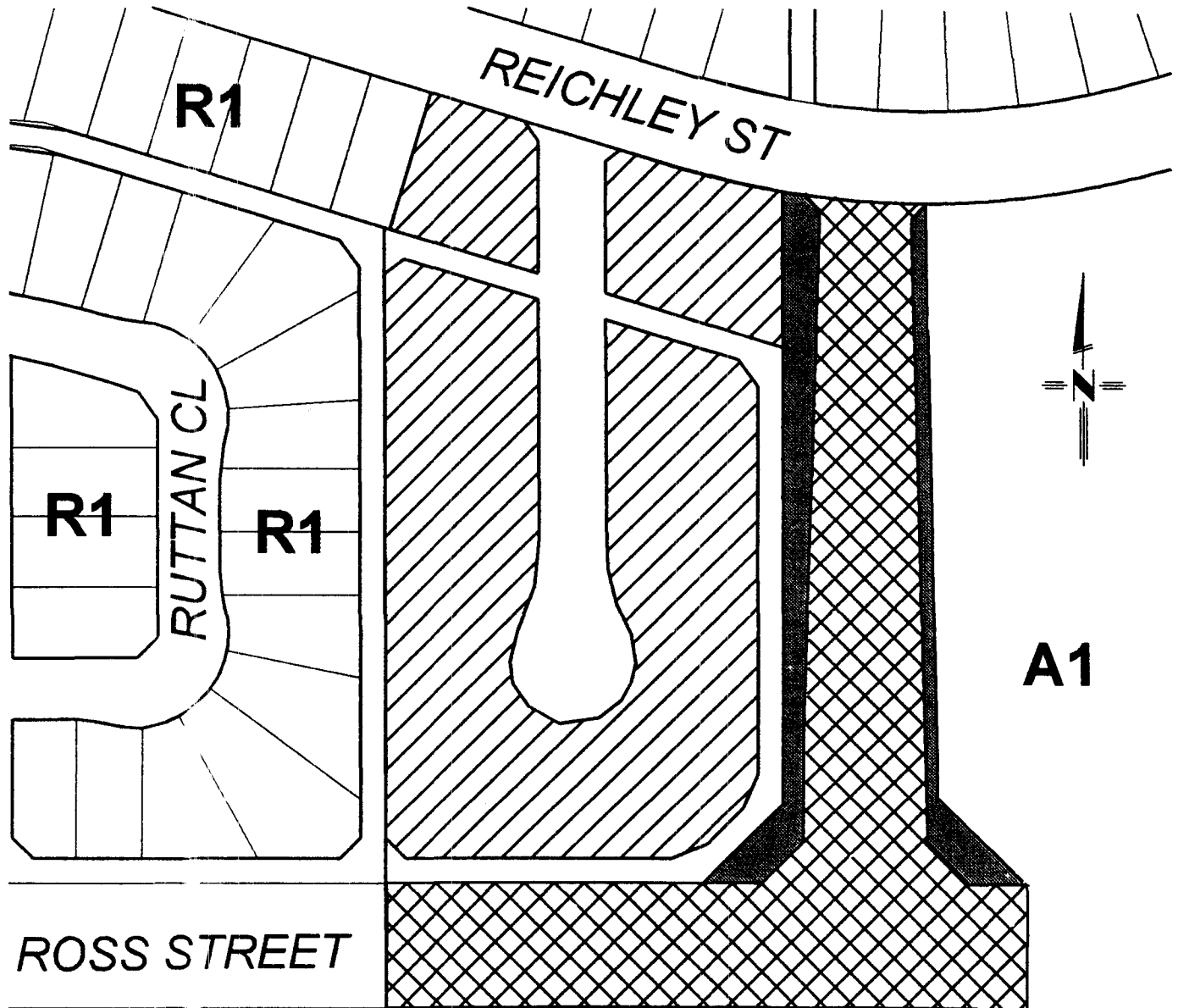


Kelly Kloss
City Clerk


/clr
attchs.


The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A1 to R1 

A1 to P1 

A1 to road 

AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

P1 - Parks & Recreation

MAP No. 31 / 98

BYLAW No. 3156 / KK - 98

This Outline Plan is a digital reproduction of the original hand drawn plan updated to include existing subdivision plans. The statistical table is a verbatim reproduction of the original plan adjusted to reflect the current amendment application only. All statistics are approximate and to be confirmed with the preparation of plans of subdivision for the overall development area.

	HA	AC	%
TOTAL AREA	0.97	2.40	100.0
(R1) RESIDENTIAL LOW DENSITY	0.97	2.40	100

	HA	AC.	%
TOTAL AREA	58.24	143.91	
Less Rose St. Road Widening (8m x 780m = 4680 m^2)	0.48	1.16	
GROSS DEVELOPABLE AREA	57.77	142.75	100.0
(R1) EXISTING DEVELOPMENT	9.23	22.80	15.96
AREA (West of Reinhold Ave. & North of Rooble St.)			
(R1) RESIDENTIAL LOW DENSITY (Proposed)	22.80	56.36	39.43
(R1A) RESIDENTIAL (Semi-detached dwelling)	5.00	12.35	8.66
(R2) MEDIUM DENSITY	2.10	5.18	3.7
CHURCH SITE	0.40	1.00	0.66
COMMERCIAL	0.25	0.61	0.43
AREA OF RESERVE PARKS AND SCHOOL BUFFERS	5.58 0.20	13.80 0.50	10.0
ROAD/LANES	12.20	30.15	21.11

1. All residential roadways are 15.0m.
2. All collector roadways are 22.0m.



UMA Engineering Ltd.
Engineers, Planners, Surveyors
2840 Kensington Road N.W.
Calgary, Alberta
T2N 3S3



Project

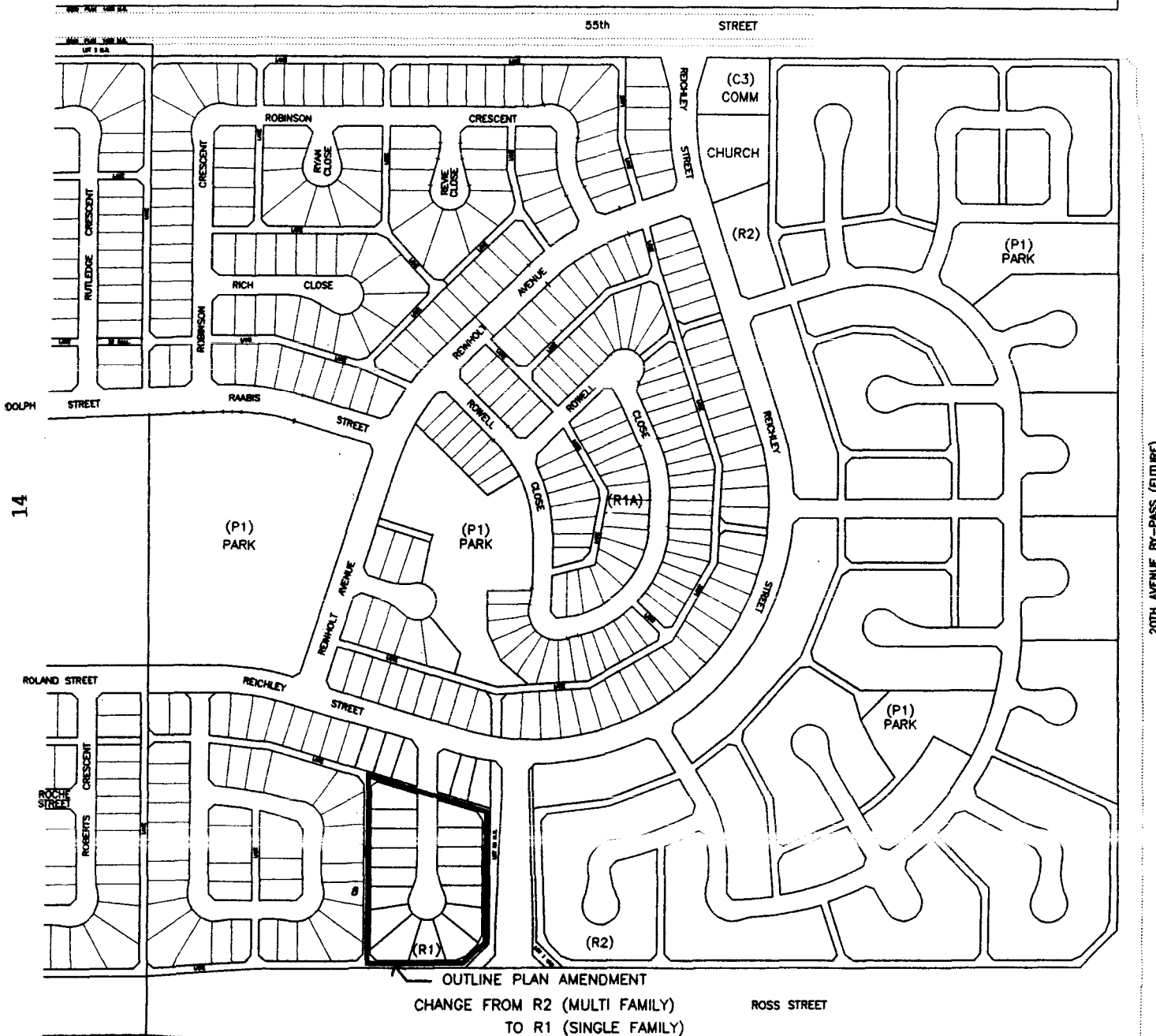
ROSEDALE MEADOWS

PREPARED FOR: ROSEDALE MEADOWS DEVELOPMENT INC

TR-10

OUTLINE PLAN

Design	Scale 1:2000	Drawn
BLB		CFM
Date	File	Dwg. No.
28JULY98	6537 013 00 01	1



FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Principal Planner
FROM: City Clerk
RE: Land Use Bylaw Amendment 3156/KK-98, Part of the NE 1/4 14-38-27-4 /
Rosedale Meadows - Phase 5 (Farm Air Properties Inc.) / Charles Allard

Reference Report: City Clerk, dated September 9, 1998

Bylaw Readings: Land Use Bylaw Amendment 3156/KK-98 was given second and third readings. A copy is attached hereto.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/KK-98 provides for the redesignation of 2.82 ha (6.97 ac) of land in Phase 5 of the Rosedale Meadows Outline Plan. The redesignation is from A1 Future Urban Development District to R1 Residential Single Family District, P1 Parks and Recreation District and Road. The amendment accommodates 21 single family lots.

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/KK-98, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Land and Economic Development Manager
 Doug Kutinsky, Graphics Designer
 Administrative Assistant, S. Ladwig

FILE

Office of the City Clerk

October 6, 1998

Box 5008

Red Deer, Alberta

T4N 3T4

Mr. Charles Allard, c/o
Farm Air Properties Inc.
Suite 210, 5324 Calgary Trail
Edmonton, AB T6H 4J8

Fax: (403) 438-2632

Dear Sir:

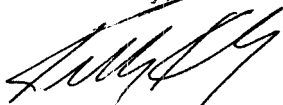
**RE: Land Use Bylaw Amendment 3156/KK-98 / Part of the NE 1/4 14-38-27-4 /
Rosedale Meadows - Phase 5 (Farm Air Properties Inc./Charles Allard)**

At the City of Red Deer's Council Meeting held Monday, October 5, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/KK-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/KK-98 was given second and third readings, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/KK-98 provides for the redesignation of 2.82 ha (6.97 ac) of land in Phase 5 of the Rosedale Meadows Outline Plan. The redesignation is from A1 Future Urban Development District to R1 Residential Single Family District, P1 Parks and Recreation District and Road. The amendment accommodates 21 single family lots.

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

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

The City of Red Deer

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0893
CONNECTION TEL	14034382632
SUB-ADDRESS	
CONNECTION ID	CATHTON HOLDINGS
ST. TIME	10/06 20:51
USAGE T	01'31
PGS.	3
RESULT	OK

FILE

Office of the City Clerk

October 6, 1998

Mr. Charles Allard, c/o
 Farm Air Properties Inc.
 Suite 210, 5324 Calgary Trail
 Edmonton, AB T6H 4J8

Fax: (403) 438-2632

Dear Sir:

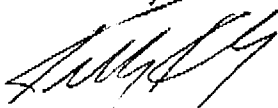
**RE: Land Use Bylaw Amendment 3156/KK-98 / Part of the NE ¼ 14-38-27-4 /
 Rosedale Meadows - Phase 5 (Farm Air Properties Inc./Charles Allard)**

At the City of Red Deer's Council Meeting held Monday, October 5, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/KK-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/KK-98 was given second and third readings, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/KK-98 provides for the redesignation of 2.82 ha (6.97 ac) of land in Phase 5 of the Rosedale Meadows Outline Plan. The redesignation is from A1 Future Urban Development District to R1 Residential Single Family District, P1 Parks and Recreation District and Road. The amendment accommodates 21 single family lots.

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

Sincerely,



Kelly Kloss
 City Clerk

/clr
 attach.



Box 5008
 Red Deer, Alberta
 T4N 3T4

The City of Red Deer

Item No. 3

DATE: September 9, 1998

TO: City Council

FROM: City Clerk

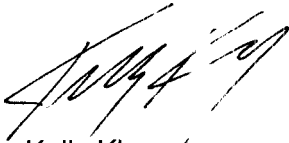
RE: *Land Use Bylaw Amendment 3156/LL-98 / Part of the N ½ 32-38-27-4 /
Kentwood Northeast - Phase 1A / Laebon Developments Ltd. /
Jack's Men's Wear*

A Public Hearing has been advertised for the above noted Land Use Bylaw Amendment, to be held on Monday, October 5, 1998 in the Council Chambers at 7:00 p.m.

Land Use Bylaw Amendment 3156/LL-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Single Family District and PS Public Service (Institutional or Government) District. This proposed amendment would also redesignate previously designated P1 Parks and Recreation land to PS District. The amendment is to accommodate 33 single family lots and a future school/park site of approximately 5.4 ha (13.3 ac).

Recommendation

That following the Public Hearing Land Use Bylaw Amendment 3156/LL-98 may be given 2nd and 3rd Readings.

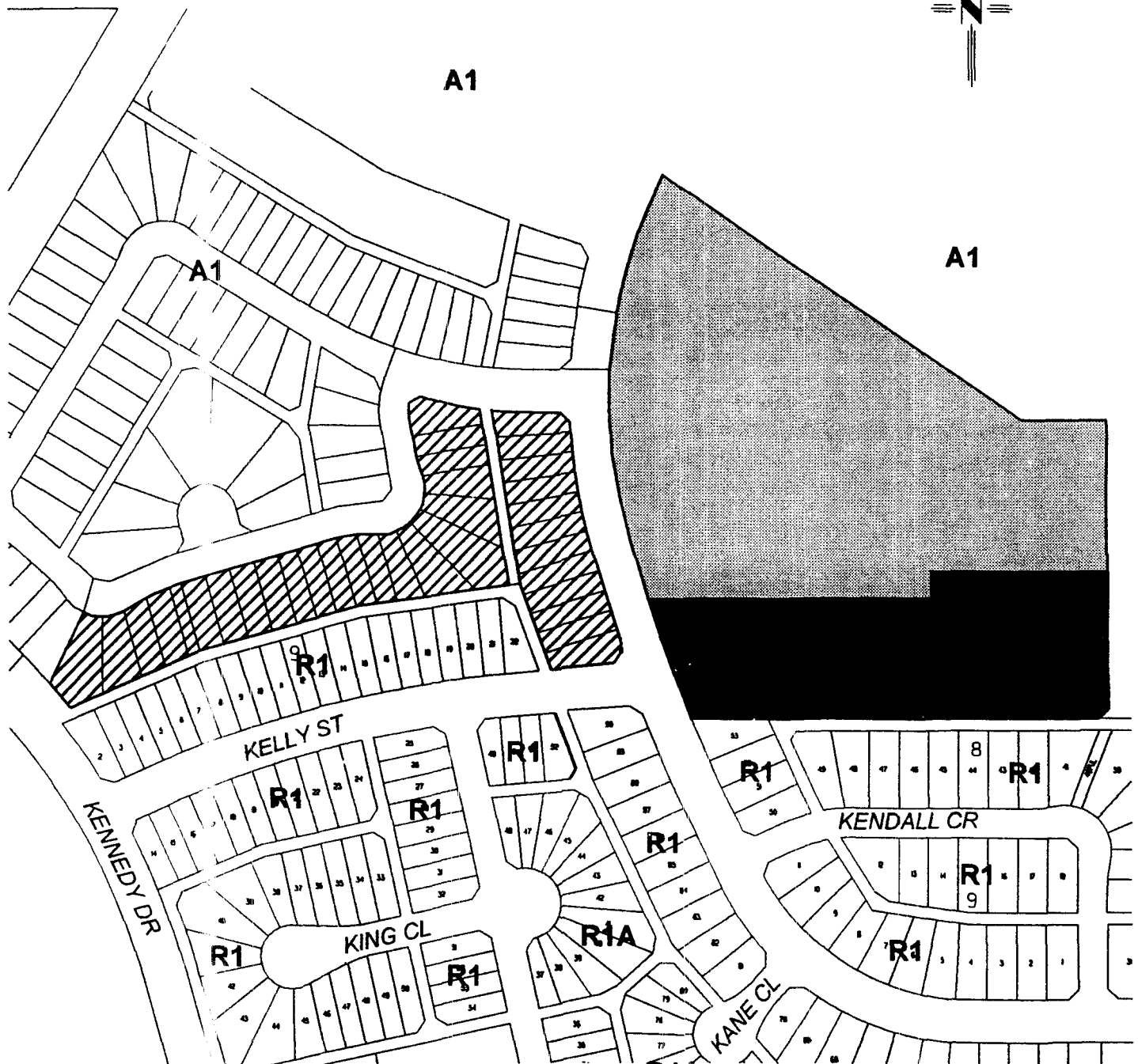


Kelly Kloss/
City Clerk

/clr
attchs.

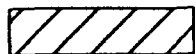
The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A1 to R1



A1 to PS



P1 to PS



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1- Residential (Low Density)

PS - Public Service

MAP No. 32 / 98

BYLAW No. 3156 / LL - 98

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Principal Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/LL-98 / Part of the N ½ 32-38-27-4,
Kentwood Northeast - Phase 1A / Laebon Developments Ltd. /
Jack's Men's Wear*

Reference Report: City Clerk, dated September 9, 1998

Bylaw Readings: Land Use Bylaw Amendment 3156/LL-98 was given second and third readings. A copy is attached hereto.

Report Back to Council Required: No

Comments/Further Action:

Land Use Bylaw Amendment 3156/LL-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Single Family District and PS Public Service (Institutional or Government) District. This amendment redesignates previously designated P1 Parks and Recreation land to PS District. The amendment accommodates 33 single family lots and a future school/park site of approximately 5.4 ha (13.3 ac).

A Public Hearing was held with respect to Land Use Bylaw Amendment 3156/LL-98, following which same was given second and third readings. Our office will now be updating the office consolidation copy of the Land Use Bylaw and distributing same in due course.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Land and Economic Development Manager
 Doug Kutinsky, Graphics Designer
 Administrative Assistant, S. Ladwig



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

October 6, 1998

Laebon Developments Ltd.
5128-52 Street
Red Deer, Alberta
T4N 6Y4

Faxed To: 341-4165

Dear Sir:

**RE: Land Use Bylaw Amendment 3156/LL-98 / Part of the N ½ 32-38-27-4 /
Kentwood Northeast - Phase 1A / Laebon Developments Ltd. /
Jack's Men's Wear**

At the City of Red Deer's Council Meeting held Monday, October 5, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/LL-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/LL-98 was given second and third readings, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/LL-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Single Family District and PS Public Service (Institutional or Government) District. This amendment redesignates previously designated P1 Parks and Recreation land to PS District. The amendment accommodates 33 single family lots and a future school/park site of approximately 5.4 ha (13.3 ac).

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

Sincerely,

Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

Dear Sir:

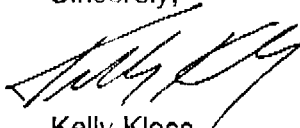
**RE: Land Use Bylaw Amendment 3156/LL-98 / Part of the N ½ 32-38-27-4 /
Kentwood Northeast - Phase 1A / Laebon Developments Ltd. /
Jack's Men's Wear**

At the City of Red Deer's Council Meeting held Monday, October 5, 1998, a Public Hearing was held with respect to Land Use Bylaw 3156/LL-98. Following the Public Hearing, Land Use Bylaw Amendment 3156/LL-98 was given second and third readings, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/LL-98 provides for the redesignation of land from A1 Future Urban Development District to R1 Residential Single Family District and PS Public Service (Institutional or Government) District. This amendment redesignates previously designated P1 Parks and Recreation land to PS District. The amendment accommodates 33 single family lots and a future school/park site of approximately 5.4 ha (13.3 ac).

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

Sincerely,



Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant, S. Ladwig

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4
Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

FILE

TRANSMISSION OK

TX/RX NO 0890

CONNECTION TEL 3414165

SUB-ADDRESS CONNECTION ID

ST. TIME 10/06 20:37

USAGE T 02:28

PGS. 3

RESULT OK

TX REPORT

DATE: September 25, 1998

TO: City Clerk

FROM: Public Works Manager

RE: PILOT FOOD WASTE COLLECTION AND COMPOSTING PROGRAM

1.0 Background

In the Solid Waste Master Plan Update, presented to City Council in June, 1998, it was recommended that the City investigate the feasibility of conducting a pilot program to collect and compost food waste. A food waste collection and composting program could potentially divert 20 - 25 percent of the residential waste stream and 8 - 10 percent of the total waste stream from the landfill. This would assist the City in working towards the Canadian Council of Ministers of the Environment's (CCME) goal of 50 percent waste diversion from landfill by the year 2000. The City of Red Deer had reduced its waste stream by over 20 percent per capita to the end of 1997. However, based on 1998 landfill records there appears to be an increase in waste generation this year, likely due to the economic growth in the area.

In addition to diverting waste from the landfill, composting also has a number of other environmental benefits. Anaerobic decomposition of organic material in landfills produces methane and carbon dioxide which are greenhouse gases. Although composting also generates carbon dioxide as a byproduct, scientific literature indicates that landfilling could theoretically be 25 times more harmful to the environment than composting in terms of greenhouse gas emissions. Composting also generates a useful soil amendment product which can be returned to the land.

2.0 Provincial Experience

Large scale composting of food waste is not wide-spread in Alberta. The Town of Olds has a pilot program in partnership with the Olds College Composting Technology Centre to compost residential food and yard waste. The Town of Jasper has a food waste composting program and the City of Edmonton and TransAlta will be coming on-line with a large scale in-vessel composting program in late 1999. Several other municipalities actively promote backyard composting within the province.

The City of Red Deer currently composts yard waste using a relative low tech/low cost process. This involves placing the material in windrows on an outdoor pad and turning the piles on a regular basis until the material becomes a stable end product. The process has worked very well. It has generated minimal, if any, nuisance impacts.

Olds College has been relatively successful in composting food waste and has composted material year-round. However, they have the benefit of having a self-propelled windrow turner, other feedstocks which can be used to obtain the correct ratio for composting and some of the leading experts in the country to oversee the operation.

September 25, 1998
 City Clerk
 Page 2 of 3

3.0 Pilot Description

The initial estimate of \$150,000 in the Master Plan for a food waste composting pilot program was based on using an automated cart collection system and delivery of the material to Olds College for composting. As an alternative, City staff have considered the addition of food waste to the existing yard waste program. Although this would only divert food waste for six months of the year, it would be a much lower cost alternative and the material could be composted at the City's existing waste management facility. It would also mean that the City would not have to implement an expensive automated collection system and residents would use their current yard waste containers to set out material.

Some of the perceived problems that may occur are as follows:

- more difficult to compost;
- if collected in winter, freezing problems;
- increased potential for insects and rodents (flies, wasps, skunks);
- increased odours;
- compost run-off quality; and
- would increase complexity of yard waste program.

Through a pilot program we would expect to achieve the following:

- survey of public attitudes toward the program;
- determine participation rate;
- verification of how much material could be diverted;
- verification of costs for a full-scale program;
- field experience on composting food waste; and
- practical experience (i.e. validation or invalidation of perceived problems) on all aspects of the program which would be used to assist in making a decision on a full scale program.

A pilot program serving approximately 1,000 homes in the summer months is expected to cost in the order of \$55,000. A breakdown of the costs are given below.

Collection and Composting	\$15,000
Advertising/Information Distribution	10,000
Study Design and Report	10,000
Program Administration	10,000
Contingency (20%)	<u>9,000</u>
Total	\$54,000
Say	\$55,000

September 25, 1998
City Clerk
Page 3 of 3

4.0 Options

Three options for consideration are outlined below:

1. Conduct a pilot program utilizing the combined yard waste/food waste system. (Estimated cost \$55,000.);
2. Do not conduct a pilot program at this time, but monitor other programs in Alberta, and elsewhere, to determine much of the information we anticipate obtaining through a pilot program. It would also be beneficial to monitor the success of the City of Edmonton's large scale facility, which replaces the blue box system with a wet/dry system; or
3. Tender a pilot program and/or a full-scale food waste composting program as an option(s) in the next solid waste collection tender in approximately the year 2002.

RECOMMENDATION

Based on the current status of composting of food waste in Alberta, it is recommended that the City adopt a combination of Options 2 and 3 and monitor the findings of other food waste composting programs in Alberta, and elsewhere, and use the information to determine whether or not to include a pilot or full-scale food waste composting program in the next Solid Waste Collection Tender.



Paul A. Goranson, P.Eng.
Public Works Manager

MKS/blm

c Director of Development Services
Environmental Advisory Board

Comments:

We concur with the recommendations of the Public Works Manager.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Public Works Manager
FROM: City Clerk
RE: *Pilot Food Waste Collection and Composting Program*

Reference Report: Public Works Manager dated September 25, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Public Works Manager dated September 25, 1998 re: Pilot Food Waste Collection and Composting Program, hereby agrees, as follows:

1. That The City not conduct a pilot program at this time;
2. That the Public Works Department monitor the findings of other food waste composting programs in Alberta to determine the feasibility of including a pilot or full scale food waste composting program in the next Solid Waste Collection Tender,

and as presented to Council October 5, 1998."

Report Back to Council Required: Yes

Comments/Further Action:

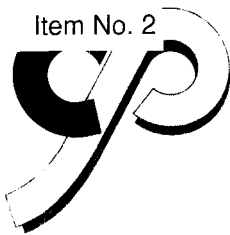
It would be appreciated if Council was kept apprised in this regard.



Kelly Kloss
City Clerk

/clr

c Director of Development Services
Environmental Advisory Board



ARKLAND COMMUNITY PLANNING SERVICES

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Date: September 25, 1998

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/MM-98
Lots 4A – 12B inclusive, Block 17, Plan 1479 TR,
Lots 1 – 24 inclusive, Block 16, Plan 737 TR,
Lots 107 and 108, Block 16, Plan 792 2209,
Lots 1A, 1B, 8A, and 8B, Block E, Plan 3391 RS,
Lot 8, Block 14, Plan 5580 RS,
Lots 59 and 60, Block 14, Plan 832 0515, and
Lot 3, Block E, Plan 4837 MC
NW ¼ Sec. 20-38-27-4
Highland Green

During an inquiry by a Highland Green landowner this summer regarding subdividing an existing semi-detached dwelling into 2 titles, we found that an error had occurred in the 1980 when the City adopted Land Use Bylaw 2672/80. Bylaw 2672/80 was adopted properly but in updating the Land Use Map for Highland Green, a portion was incorrectly zoned. A review of the area revealed that 52 semi-detached dwellings and a 12-suite apartment were zoned R1 Residential Low Density District. This error has made these developments legal, but non-conforming uses. In order to correct this error, we invited all affected landowners and adjacent landowners to attend a public meeting at the G. H. Dawe Community School to discuss a solution to correcting the error by rezoning the affected properties to its proper zones.

Public Meeting

Prior to the public meeting, we received 2 letters and 6 phone calls in support of rezoning the properties to its proper zones.

The public meeting was attended by 6 area residents and after a short presentation, they all are in favor of the rezoning solution. The attendance sheet and comment sheets are enclosed separately for Council's information.

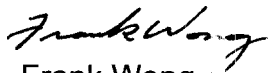
Land Use Bylaw Amendment 3156/MM-98 ...Page 2
September 25, 1998

Recommendation

The 52 semi-detached dwelling units and the 12-suite apartment were all developed legally in the 1970's when Land Use Bylaw 2011/60 (1960 – 1978) and Land Use Bylaw 2588/78 (1978 – 1980) was in effect. An error in converting the maps from Land Use Bylaw 2588/78 to 2672/80 made the above properties legal but non-conforming uses. In order to correct the error, planning staff is recommending that the 52 semi-detached dwelling units be rezoned from R1 Residential Low Density District to R1A Residential (Semi-detached dwellings) District and the 12-suite apartment from R1 Residential to R2 Residential (Medium Density) District.

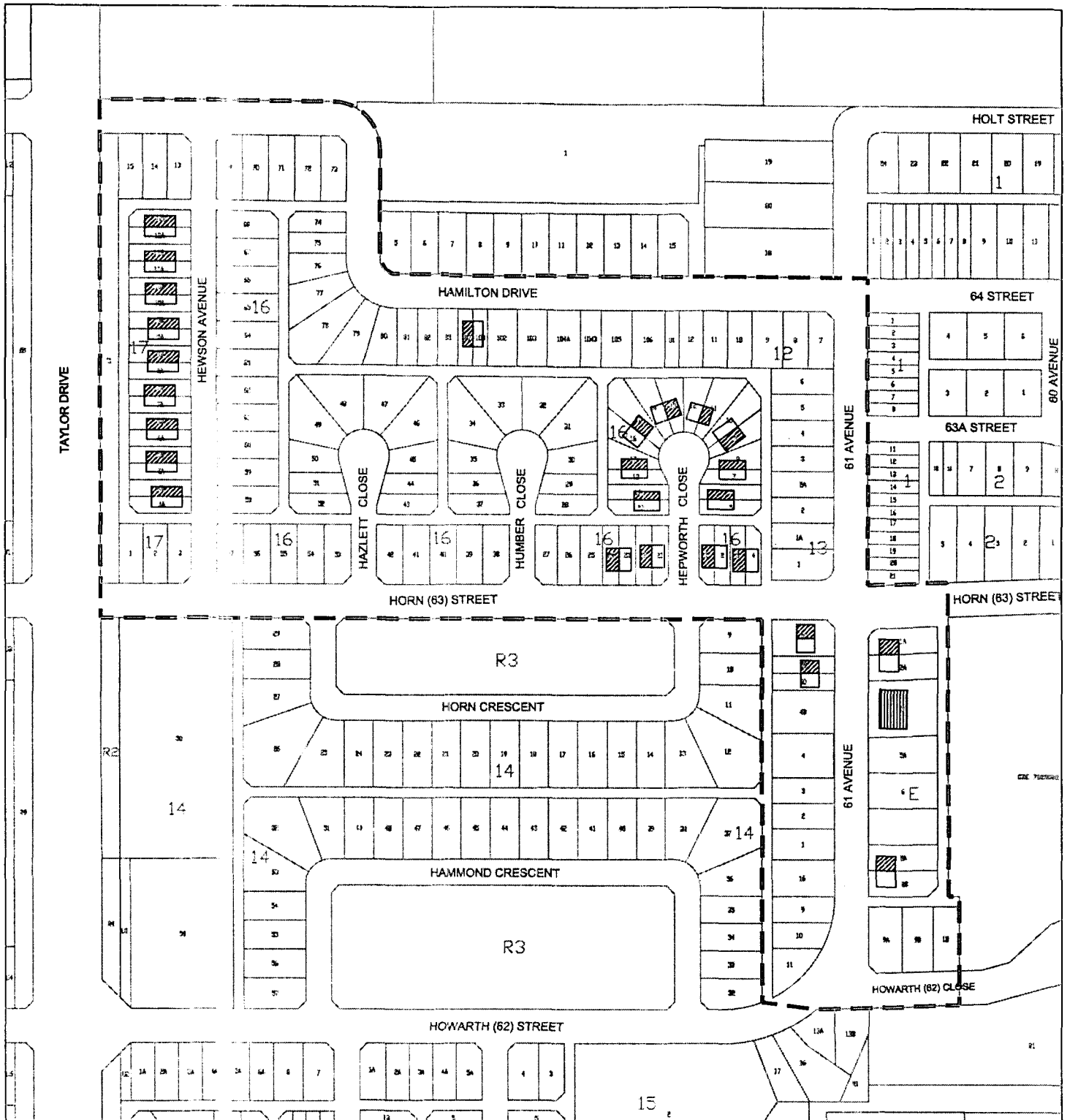
Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/MM-98.

Sincerely,





Frank Wong,
Planning Assistant

Attachment



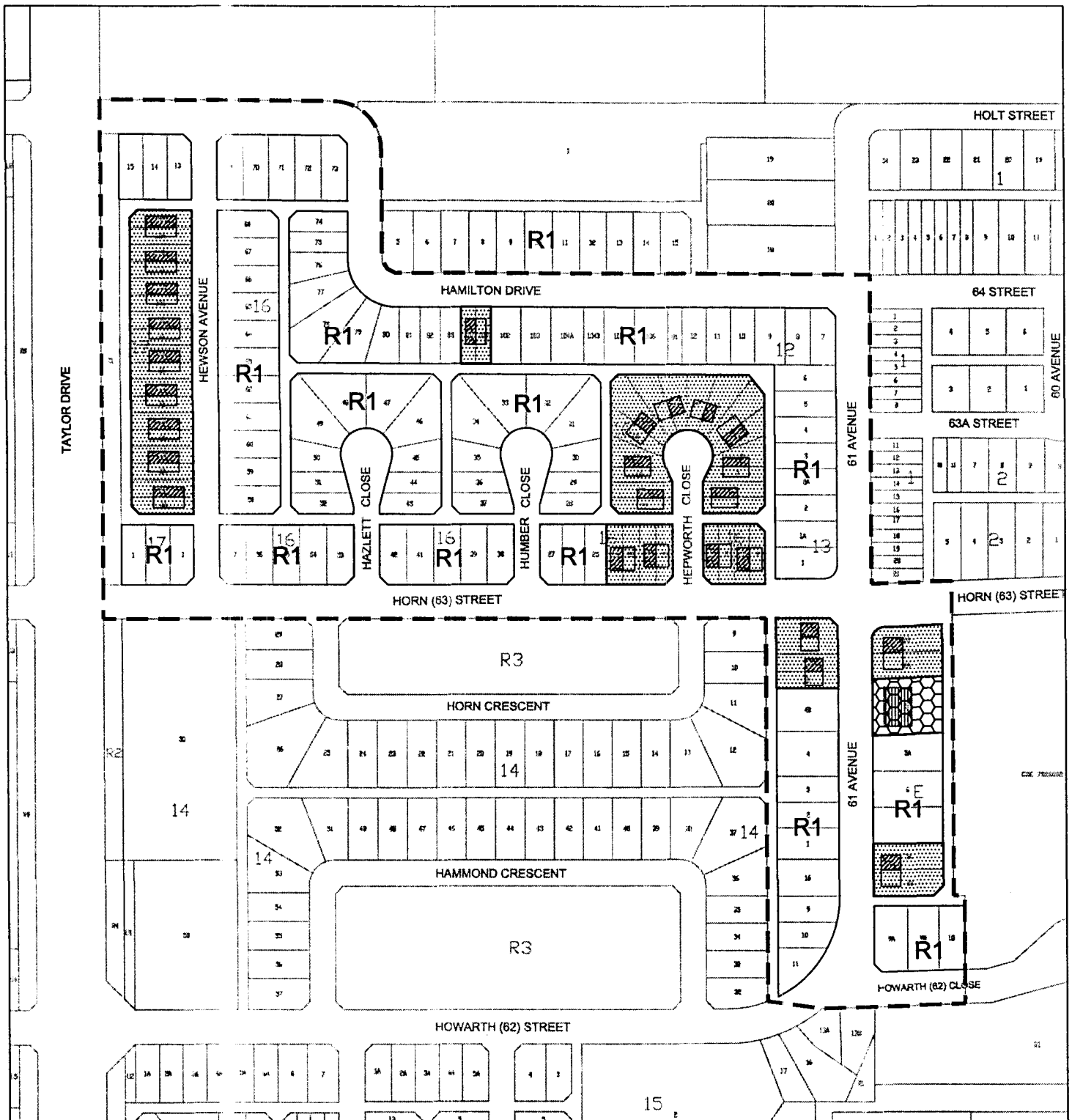
HIGHLAND GREEN ZONING REVIEWLegal But Non-Conforming Uses

- — Study Boundary
-  Semi-detached Dwelling (Duplex)
-  12 Suite Apartment





Scale in metres
0 50 100

Prepared by: P.C.P.S.
September 1, 1998



HIGHLAND GREEN ZONING REVIEWProposed Rezoning

- — Study Boundary
-  From R1 to R1A (Semi-detached dwelling) District
-  From R1 to R2 (Medium Density) District

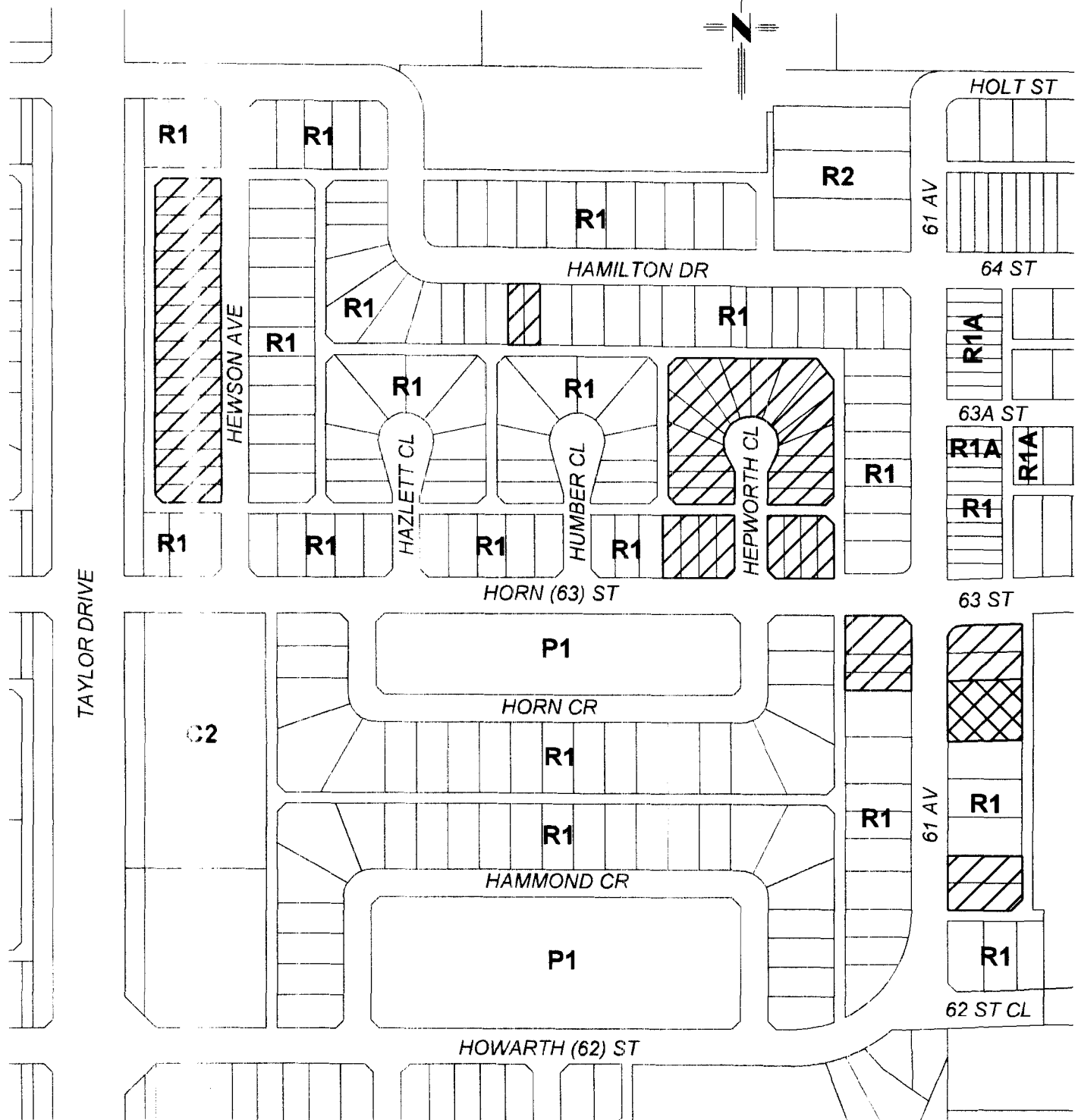


Scale in metres
0 50 100

Prepared by: P.C.P.S.
September 1, 1998

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

R2 - Residential (Medium Density)

Change from: R1 to R1A



R1 to R2



MAP No. 30 / 98

BYLAW No. 3156 / MM-98

Comments:

We concur with the recommendations of Parkland Community Planning Services.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Principal Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/MM-98 / Highland Green /
NW ¼ 20-38-27-4 "et al"*

Reference Report: Planning Assistant, dated September 25, 1998

Bylaw Readings:

Land Use Bylaw Amendment 3156/MM-98 was given 1st Reading, a copy of which is attached hereto.

Report Back to Council Required:

Yes, a Public Hearing is scheduled for Monday, November 9, 1998 at 7:00 p.m. in the Council Chambers.

Comments/Further Action:

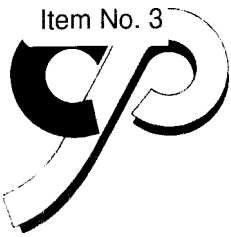
Land Use Bylaw Amendment 3156/MM-98 provides for the redesignation of properties in the Highland Green area so as they become conforming uses. The redesignation will be to change 52 semi-detached dwelling units from R1 Residential Low Density District to R1A Residential (Semi-Detached Dwelling) District and the 12 suite apartment from R1 Residential to R2 Residential (Medium Density) District .

This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
 Director of Community Services
 E. L. & P. Manager
 Fire Chief/Manager Emergency Services
 City Assessor
 Land and Economic Development Manager
 Administrative Assistant, S. Ladwig



**ARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: paps@telusplanet.net

Date: September 28, 1998

To: Kelly Kloss, City Clerk

From: Frank Wong, Planning Assistant

Re: Land Use Bylaw Amendment 3156/NN-98
Lots 1 – 8 inclusive, Block 2, Plan _____
NE ¼ Sec. 3-38-27-4
Anders Southeast (Aspen Ridge) – Stage 1C
Melcor Developments Ltd.

Melcor Developments Ltd. is requesting a Land Use Bylaw amendment to redesignate the above approved but as yet unregistered lots from R1A Residential (Semi-detached dwelling) District to R1 Residential Low Density District. The amendment will allow for the resubdivision of the above 8 semi-detached lots into 6 single family lots.

Recommendation

Planning staff recommend that City Council proceed with first reading of Land Use Bylaw Amendment 3156/NN-98.

Sincerely,

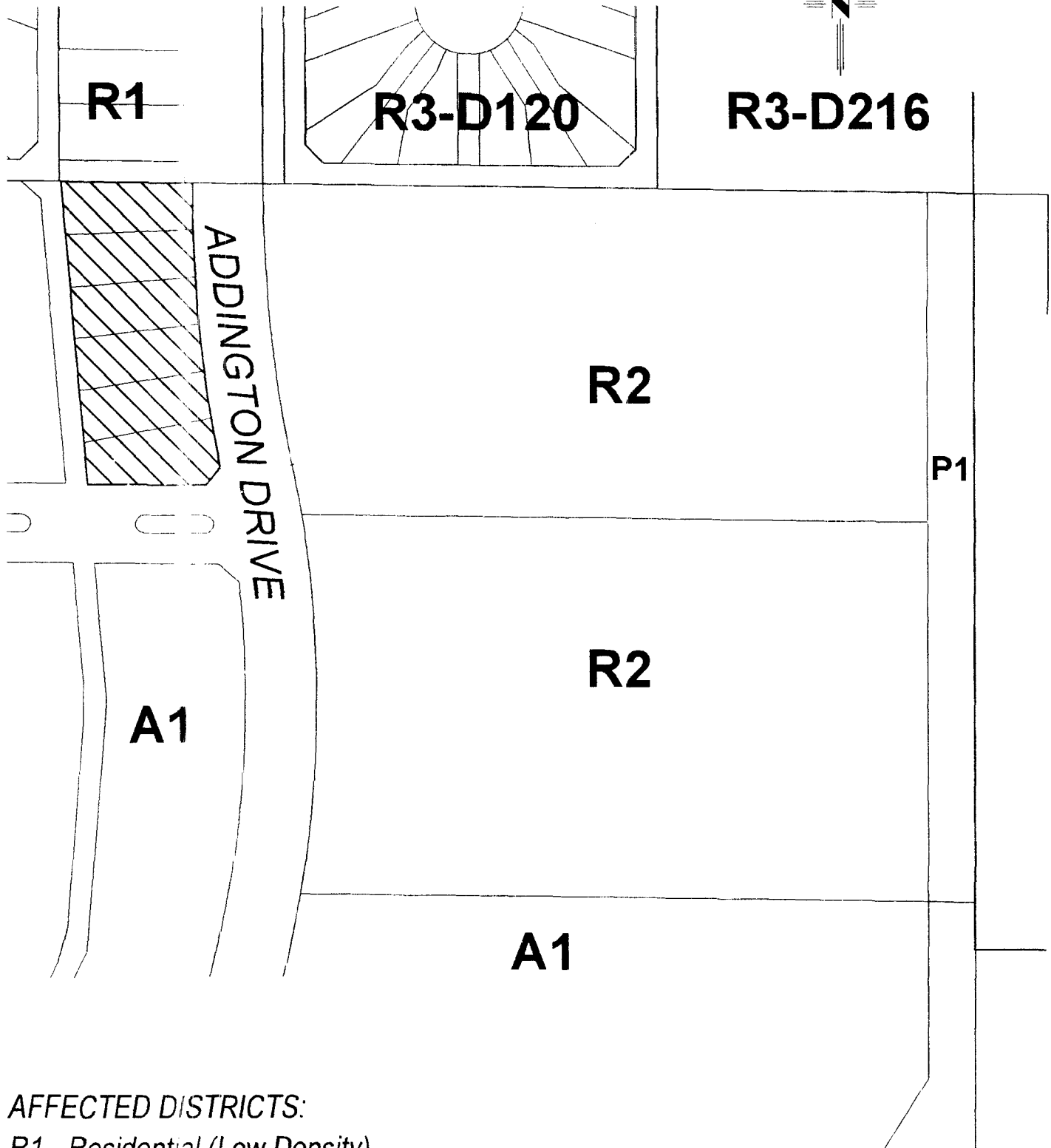
A handwritten signature in cursive script that reads "Frank Wong".

Frank Wong
Planning Assistant

Attachment

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT

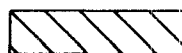


AFFECTED DISTRICTS:

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

Change from: R1A to R1



MAP No. 31 / 98
BYLAW No. 3156 / NN-98

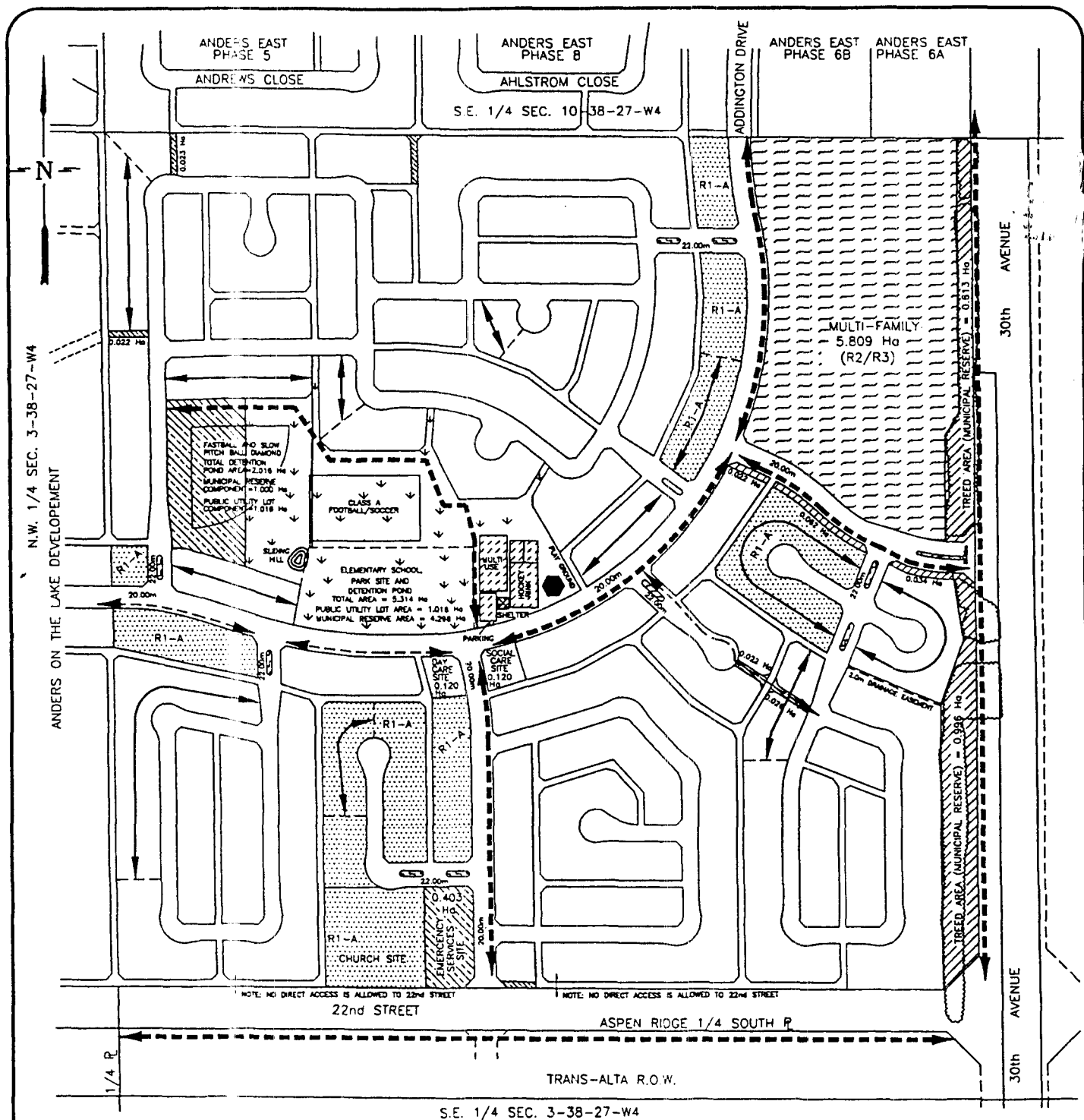


FIGURE 3
DEVELOPMENT
CONCEPT

SCALE 1:5000
REVISED JULY 16/98

AL-TERRA

ENGINEERING LTD.

EDMONTON

RED DEER

Comments:

We concur with the recommendations of Parkland Community Planning Services.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Office of the City Clerk

October 6, 1998

Box 5008
Red Deer, Alberta
T4N 3T4

Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: (403) 343-7510

Att: Mr. Guy Pelletier

Dear Sir:

**Re: Land Use Bylaw Amendment 3156/NN-98 / Lots 1-8, Block 2, Plan _____ ,
NE ¼ 3-38-27-4 / Melcor Developments Ltd. / Anders Southeast (Aspen Ridge) -
Stage 1C**

At the City of Red Deer's Council Meeting held Monday October 5, 1998 1st Reading was given to Land Use Bylaw Amendment 3156/NN-98, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/NN-98 provides for the redesignation of lands from R1A Residential (Semi-detached Dwelling) District to R1 Residential Low Density District. This amendment will allow for the resubdivision of the above 8 semi-detached lots into 6 single family lots.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, November 9, 1998 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$500. We require this deposit by no later than 10:00 a.m., Wednesday, October 14, 1998, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

If you have any questions or require additional information, please do not hesitate to call me.

Sincerely,


Kelly Kloss
City Clerk

/clr
attchs.

c Principal Planner
Administrative Assistant

4914 - 48th Avenue, Red Deer, AB Canada T4N 3T4

Tel: (403) 342-8132 Fax: (403) 346-6195 E-mail: cityclerk@city.red-deer.ab.ca Web: <http://www.city.red-deer.ab.ca>

The City of Red Deer



FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Principal Planner
FROM: City Clerk
RE: *Land Use Bylaw Amendment 3156/NN-98 / Lots 1-8, Block 2, Plan _____,
NE ¼ 3-38-27-4 / Melcor Developments Ltd. / Anders Southeast
(Aspen Ridge) - Stage 1C*

Reference Report: Planning Assistant, dated September 28, 1998

Bylaw Readings:

Land Use Bylaw Amendment 3156/NN-98 was given 1st Reading, a copy of which is attached hereto.

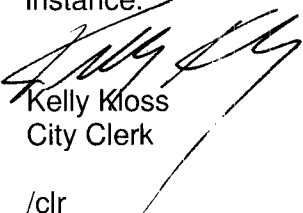
Report Back to Council Required:

Yes, a Public Hearing is scheduled for Monday, November 9, 1998 at 7:00 p.m. in the Council Chambers.

Comments/Further Action:

Land Use Bylaw Amendment 3156/NN-98 provides for the redesignation of lands from R1A Residential (Semi-detached Dwelling) District to R1 Residential Low Density District. This amendment will allow for the resubdivision of the above 8 semi-detached lots into 6 single family lots.

This office will now proceed with the advertising for a Public Hearing. Melcor Developments Ltd. has been advised, via letter, that they will be responsible for the advertising costs in this instance.


Kelly Kloss
City Clerk

/clr
attchs.

c Director of Development Services
Director of Community Services
E. L. & P. Manager
Fire Chief/Manager Emergency Services
City Assessor
Land and Economic Development Manager

Administrative Assistant, S. Ladwig

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0895
CONNECTION TEL 3437510
SUB-ADDRESS
CONNECTION ID MELCOR DEVOLMENT
ST. TIME 10/06 21:15
MESSAGE T 01'27
PGS. 3
RESULT OK

FILE

Office of the City Clerk

October 6, 1998

Melcor Developments Ltd.
#502, 4901 - 48 Street
Red Deer, AB T4N 6M4

Faxed To: (403) 343-7510

Att: Mr. Guy Pelletier

Dear Sir:

**Re: Land Use Bylaw Amendment 3156/NN-98 / Lots 1-8, Block 2, Plan _____ ,
NE ¼ 3-38-27-4 / Melcor Developments Ltd. / Anders Southeast (Aspen Ridge) -
Stage 1C**

At the City of Red Deer's Council Meeting held Monday October 5, 1998 1st Reading was given to Land Use Bylaw Amendment 3156/NN-98, a copy of which is attached hereto.

Land Use Bylaw Amendment 3156/NN-98 provides for the redesignation of lands from R1A Residential (Semi-detached Dwelling) District to R1 Residential Low Density District. This amendment will allow for the resubdivision of the above 8 semi-detached lots into 6 single family lots.

This office will now proceed with the advertising for a Public Hearing to be held on Monday, November 9, 1998 at 7:00 p.m., or as soon thereafter as Council may determine, in the Council Chambers of City Hall.

In accordance with the Land Use Bylaw, you are required to deposit with the City Clerk, prior to public advertising, an amount equal to the estimated cost of advertising, which in this instance is \$500. We require this deposit by no later than 10:00 a.m., Wednesday, October 14, 1998, in order to proceed with the advertising. Once the actual cost of advertising is known, you will either be invoiced for or refunded the difference.

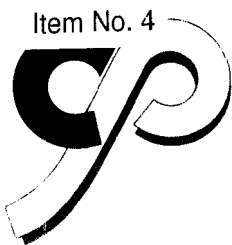
If you have any questions or require additional information, please do not hesitate to call me.



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer



DATE: September 28, 1998

TO: Kelly Kloss, City Clerk

FROM: Nancy Hackett, Parkland Community Planning Services

RE: KENTWOOD NORTHEAST (KINGSGATE) OUTLINE PLAN

The proposed Kentwood Northeast (Kingsgate) Outline Plan was prepared by WNM Engineering Ltd. and RFM Smitten Consulting on behalf of Laebon Developments Ltd. and Quantum IV Developments Inc. It has been processed in a manner consistent with the City of Red Deer's ***Planning and Subdivision Guidelines (1996)***. The Outline Plan process is significant in that, once approved by Council, Outline Plans become the foundation for future development including zoning and subdivision decisions. Any modification to the Outline Plan, once adopted, will require an amendment.

The Kentwood Northeast (Kingsgate) Outline Plan consists of a 45.91 hectare (113.44 acre) parcel located in the Northwest quadrant of the City. It is situated south of Highway 11A west of Gaetz Avenue, and north of the existing Kentwood Neighbourhood. It is adjacent to the recently approved Kentwood West Outline Plan area. Much of the parcel is presently used for farming with some treed and wetland areas. In particular, a portion of a significant wetland area extends onto the upper most northern corner of the plan area.

Background

The proposed Kentwood Northeast (Kingsgate) Outline Plan has been referred to all applicable City Departments and relevant outside agencies for comment and identification of concerns. Through this referral process, it was determined that some minor modifications were required in order to address concerns held by City of Red Deer departments and related outside agencies. Staff from the concerned City departments met at Subdivision Committee on August 26, 1998 to consider possible modifications. Discussion with the developer produced a revised Outline Plan that was then prepared for presentation at a neighbourhood meeting for public review and input.

Neighbourhood Public Meeting

A neighbourhood meeting was held on the evening of September 16, 1998 at Kentwood Alliance Church. The meeting, hosted by Parkland Community Planning Services, was advertised in the Friday September 11, 1998 edition of the *Red Deer Advocate*. In addition, a neighbourhood newsletter was delivered door to door to residents adjacent

to the proposed Kentwood Northeast (Kingsgate) development. Approximately eleven members of the public attended the meeting along with City staff and City Councillors. Staff of Parkland Community Planning Services presented background to the Outline Plan process. WNM Engineering presented the proposed Outline Plan. The City's Recreation, Parks, and Culture Department presented the proposed park plan for the neighbourhood.

There was general support for the plan from residents attending the meeting. Comments and questions during the meeting centred on how the road system would connect to Gaetz Avenue, how proposed trail systems would link with park facilities, and how services would be extended from existing development. The developer/WNM Engineering explained how servicing mains would tie in and discussed proposed traffic patterns. Recreation, Parks, and Culture explained the trail system for the Kentwood area. There was some concern about potential noise from proposed arterial commercial development at Gaetz Avenue/Highway 11A area. Berming and landscaping were discussed.

One written comment sheet was returned to Parkland Community Planning Services. It suggested extending Kennedy Drive north to link into Phase 1 of this development. Kennedy Drive was completely re-designed during the Kentwood West Outline Plan and Northwest Area Structure Plan process. The re-design took into account traffic flow, school busing needs, and park and trail linkages. Changes as suggested are outside the scope of this Outline Plan. Changes to Kennedy Drive would eliminate some of the PUL/park space as proposed in the Kentwood West Outline Plan and would require an amendment to the Area Structure Plan. For these reasons, adjustment to Kennedy Drive is not recommended. Parkland Community Planning Services also received a letter several months ago relating to this area which inquired about tree and park preservation. The developer has agreed to preserve the trees in question and to incorporate a walkway. Written comments received by Parkland Community Planning Services have been provided under confidential cover to City Council for consideration.

From a planning perspective, density remains an outstanding issue. The Plan density is currently proposed to be a maximum of 42 persons/hectare; when the plan was first presented to the City the proposed density was 45 persons/hectare. The maximum permitted within the **Planning and Subdivision Guidelines (1996)** and within the **Northwest Area Structure Plan (1998)** is 45 persons/hectare and the proposed Plan does meet this standard. However, policies within the Municipal Development Plan, the Planning and Subdivision Guidelines, and the Northwest Area Structure Plan specifically point towards a density that will blend with and be consistent with the adjoining developments. Neighbouring developments of Kentwood West and Kentwood East have densities well below 40 persons per hectare. As well, Municipal Development Plan policies indicate that development in the North is to have approximately the same density and features as neighbourhoods in East Red Deer. Typical densities within new neighbourhoods in the southeast part of the City include 37.5 persons/ha in Lancaster South and 37 persons/ha in Deer Park Northeast. Therefore, although our office recommends adoption of this plan it is based on an understanding that individual

subdivision plans will be reviewed with the intent of lowering overall density within the plan if at all possible.


Municipal Planning Commission

The Kentwood Northeast (Kingsgate) Outline Plan was presented at Municipal Planning Commission on September 21, 1998 at which time the Commission recommended approval.

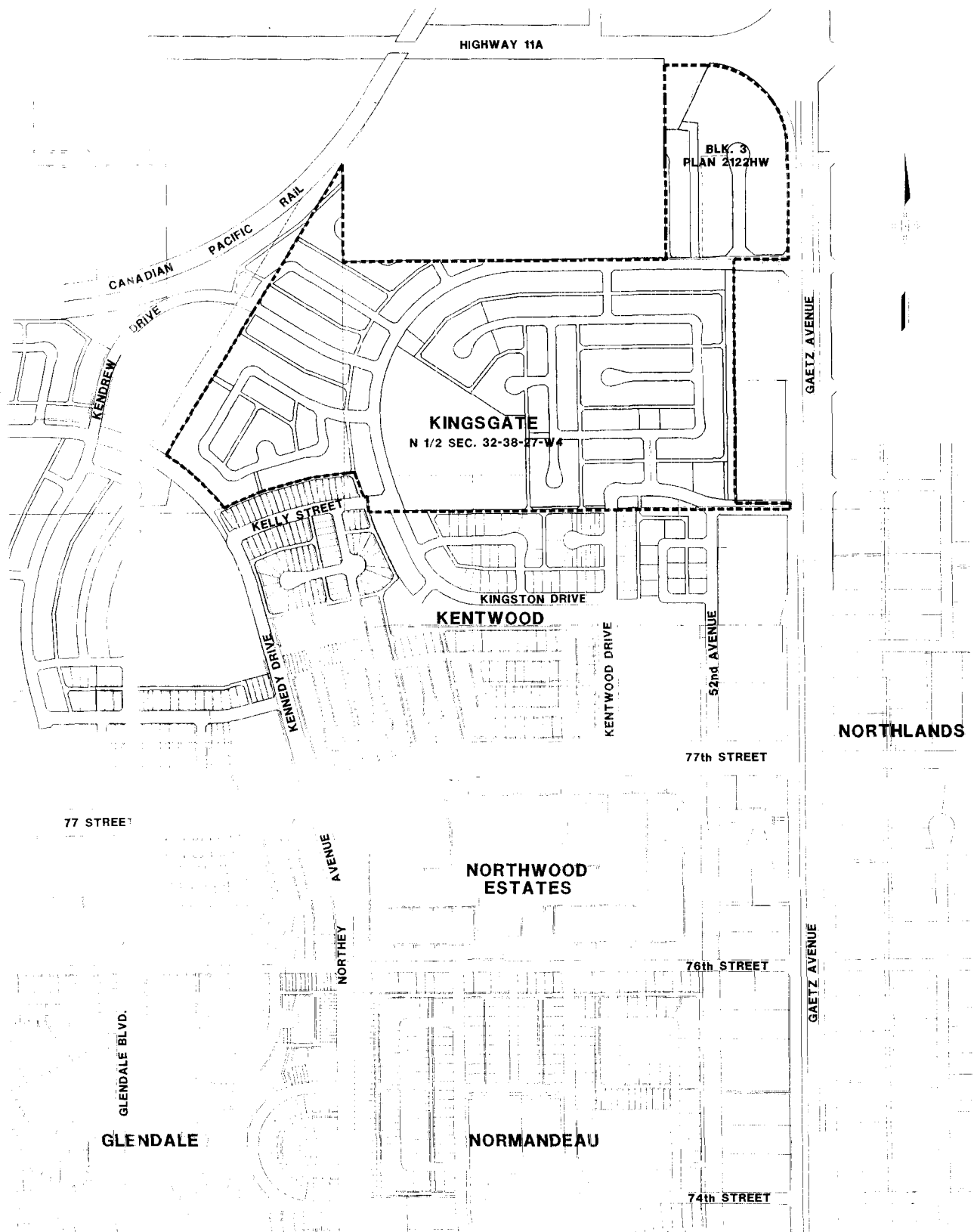
Recommendation

Based on general public support for the proposed Outline Plan, Planning staff recommend approval of the proposed Kentwood Northeast (Kingsgate) Outline Plan. Parkland Community Planning Services intends to continue to review the density issue at the subdivision stage to ensure that it meets the intent of the Municipal Development Plan.

Respectfully Submitted,



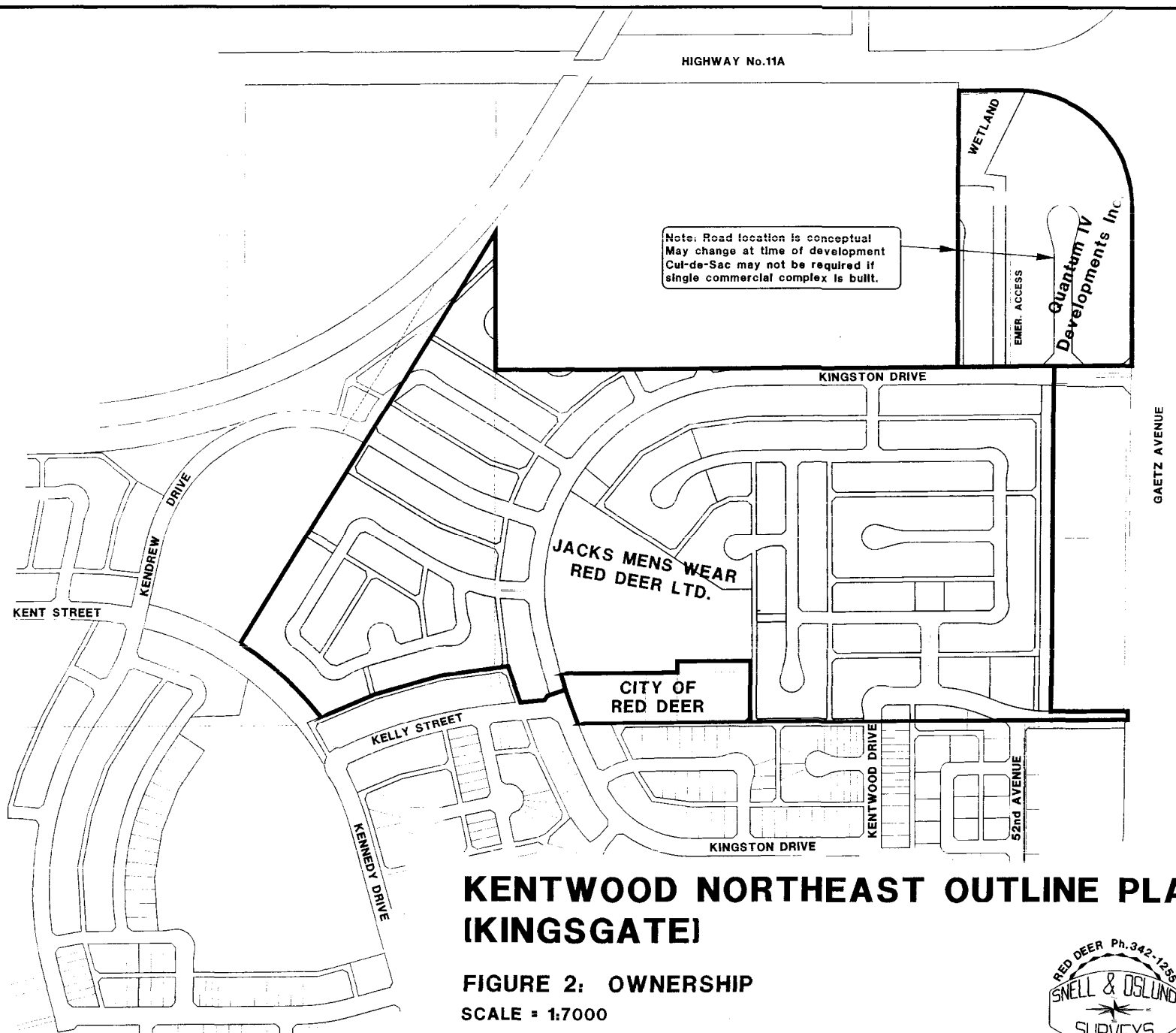
Nancy C. Hackett, B.E.S. M.R.M
PLANNER



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 1: LOCATION PLAN

SCALE 1: 10000



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 2: OWNERSHIP

SCALE = 1:7000

0 50 100 250 500



DATE: September 15, 1998

TO: City Clerk

FROM: NAT SCHNELL, Chairperson
Recreation, Parks & Culture Board

RE: KENTWOOD EAST (KINGSGATE)
PROPOSED NEIGHBOURHOOD SCHOOL & PARK PLAN

The Recreation, Parks & Culture Board passed the following resolution at the regular meeting of September 9, 1998:

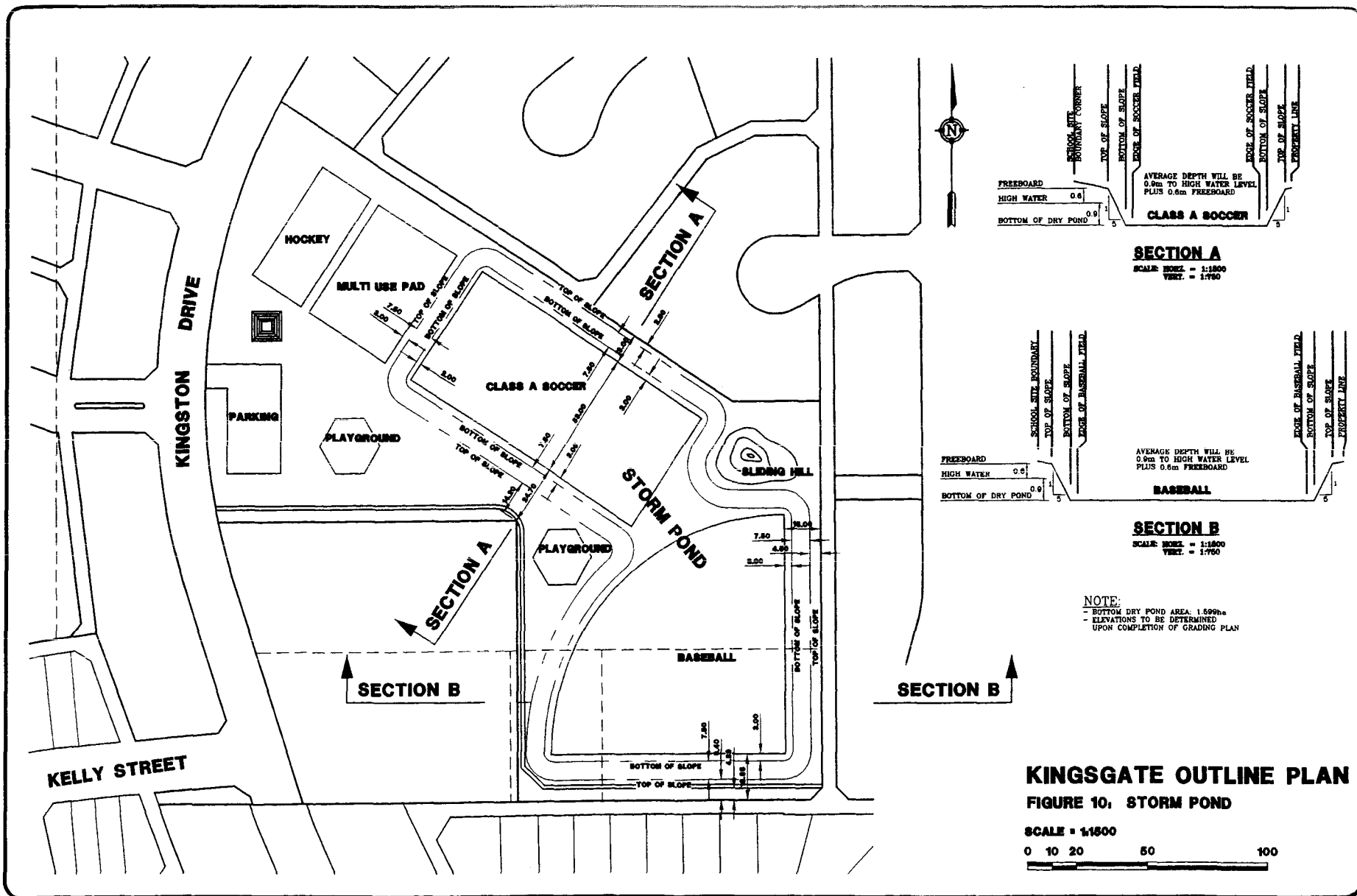
"That the Recreation, Parks, & Culture Board, having considered the Kentwood East proposed School & Park Plan, hereby support the revised Neighbourhood School and Park Plan, subject to any revisions that may be necessary as a result of the public meeting to be held for this neighbourhood plan."

Nat Schnell
NAT SCHNELL, Chairperson
Recreation, Parks & Culture Board

DB:nb

Att.

- c. Lowell Hodgson, Director of Community Services
- Paul Meyette, Parkland Community Planning Services
- Greg Scott, Community Development & Planning Coordinator
- Ray Congdon, Red Deer Public School Board



Comments:

We recommend that Council approve the Outline Plan and Neighbourhood Park Plan. The Outline Plan is provided as an attachment to this agenda.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

CITY COUNCIL INFORMATION BULLETIN

During neighbourhood meetings and consultation with residents in the Kentwood, Glendale, and Normandeau areas regarding the Northwest Area Structure Plan and the Kentwood West Outline Plan, we received written and verbal comments from many residents relating to the disruption caused by the train noise at the Taylor Drive and Highway 11A crossings.

This noise issue is significant not simply because existing residents are disturbed by the whistle, but because as Kentwood develops further, homes will be located closer to the rail crossings and subsequently will experience the effects of the train whistle more intensely. The projected population within Kentwood West is approximately 1,514 people. Proposed populations in the development within Kentwood Northeast total over 2,100 people (Outline Plan is presently being reviewed by the City of Red Deer). Additional residential development on the Ordman-Oslund lands may also occur at some future date with the potential to add many more residents to the Kentwood area. In conjunction with train noise, the north portions of Kentwood are adjacent to loud industrial uses located in the Edgar Industrial Park. Metal finishing, heavy trucks, and industrial manufacturing will aggravate the noise problem.

The City's Subdivision Committee considered a report completed by Parkland Community Planning Services that detailed the noise concerns and looked at the actions of other Alberta communities with regard to noise. This report was forwarded to Senior Management Team along with a recommendation that the City of Red Deer undertake a noise assessment study to determine the expected noise level and impacts for the area. The approved noise assessment will allow the City to determine specific projected noise levels, determine if noise will be a problem, and if so will provide information on how best to mitigate the problem. This type of information is essential in order that proactive steps be taken to eliminate noise issues before residents move into the area as opposed to remedial action after homes and schools have already been constructed.

The study will cost approximately \$12,000 to be paid by Kentwood developers, including the City of Red Deer. A terms of reference for the study is being prepared by Engineering Services and over the next month will be sent to firms with expertise in noise assessment. It is expected the work will be completed this fall with analysis and report review occurring late 1998/early 1999.

If you have any questions or concerns relating to the noise assessment work please contact either Paul Meyette or myself at 343-3394.

Sincerely,



Nancy C. Hackett
PLANNER

c. Norbert Van Wyk
Ken Haslop
Kelly Kloss

COUNCIL MEETING OF OCTOBER 5, 1998

**ATTACHMENT TO REPORT
APPEARING ON THE OPEN AGENDA**

RE:

**Kentwood Northeast Kingsgate
Outline Plan**

KENTWOOD NORTHEAST (KINGSGATE) OUTLINE PLAN

PREPARED FOR:

LAEBON DEVELOPMENTS LTD.

and

QUANTUM IV DEVELOPMENTS INC.

SEPTEMBER 1998

RFM SMITTEN CONSULTING
RED DEER, ALBERTA



E. J. ENGINEERING Ltd.
RED DEER, ALBERTA

Table of Contents

1.0	Introduction	1
	1.1 Location and Landownership	1
2.0	Site Characteristics	1
	2.1 Existing Land Use	1
	2.2 Natural Features	2
	2.3 Servicing	4
	2.4 Access	5
	2.5 Environmental Assessment	5
3.0	Development Concept	6
	3.1 Land Use Distribution	6
	3.2 Residential	6
	3.3 Commercial	6
	3.4 Density	8
	3.5 Open Space	8
	3.6 Social Facilities	11
	3.7 Transportation	12
4.0	Municipal Servicing	14
	4.1 Water Mains	15
	4.2 Sanitary Sewer	15
	4.3 Storm Sewer	15
	4.4 Power, Telephone & Cable Vision	17
	4.5 Natural Gas	17
5.0	Staging of Development	18

LIST OF FIGURES

Figure 1	Location Plan
Figure 2	Ownership
Figure 3	Natural Features
Figure 4	Land Use Distribution
Figure 5	Water Distribution
Figure 6	Sanitary Sewers
Figure 7	Storm Sewers
Figure 8	Overland Drainage
Figure 9	Phasing
Figure 10	Pedestrian Circulation

LIST OF TABLES

Table 1	Outline Plan Statistics - By Owner	7
Table 2	Outline Plan Statistics - Overall	Appendix D

LIST OF APPENDICES

Appendix A	Titles
Appendix B	North Kentwood Natural (Ecospace) Area
Appendix C	Park/School Site Development Concept
Appendix D	Outline Plan Statistics - Overall

(1) INTRODUCTION

This Outline Plan has been prepared on behalf of Laebon Developments Ltd. and Quantum IV Developments Inc. in accordance with the City of Red Deer's 1996 Planning and Subdivision Guidelines and as a precondition for redesignation and subdivision.

1.1 Location and Landownership

The plan area is generally located west of Gaetz Avenue, south of Highway 11A, southeast of the Canadian Pacific Railway and north of the existing Kentwood subdivision (as shown on Figure 1). Specifically the plan area encompasses two separate areas described as follows:

(1) Block 3 Plan 2122 HW

The area is 6.779 hectares in size and is owned by Quantum IV Developments Inc. It is located immediately southwest of the intersection of Gaetz Avenue and Highway 11A.

(2) N ½ of 32-38-27-4

The area is 39.131 hectares in size and encompasses two parcels. One parcel, owned by Jack's Men's Wear (Red Deer) Ltd, is 37.632 hectares in size. A second parcel of 1.499 hectares is owned by the City of Red Deer. The 37.632 hectare parcel is the subject of an agreement for sale between Jack's Men's Wear (Red Deer) Ltd. and Laebon Developments Ltd. The existing titles are bound by the Kentwood subdivision on the south, railway plan C & E 1 on the west, an 18.96 hectare parcel, under separate ownership, on the north and an existing commercial parcel (Plan 800 HW) on the east.

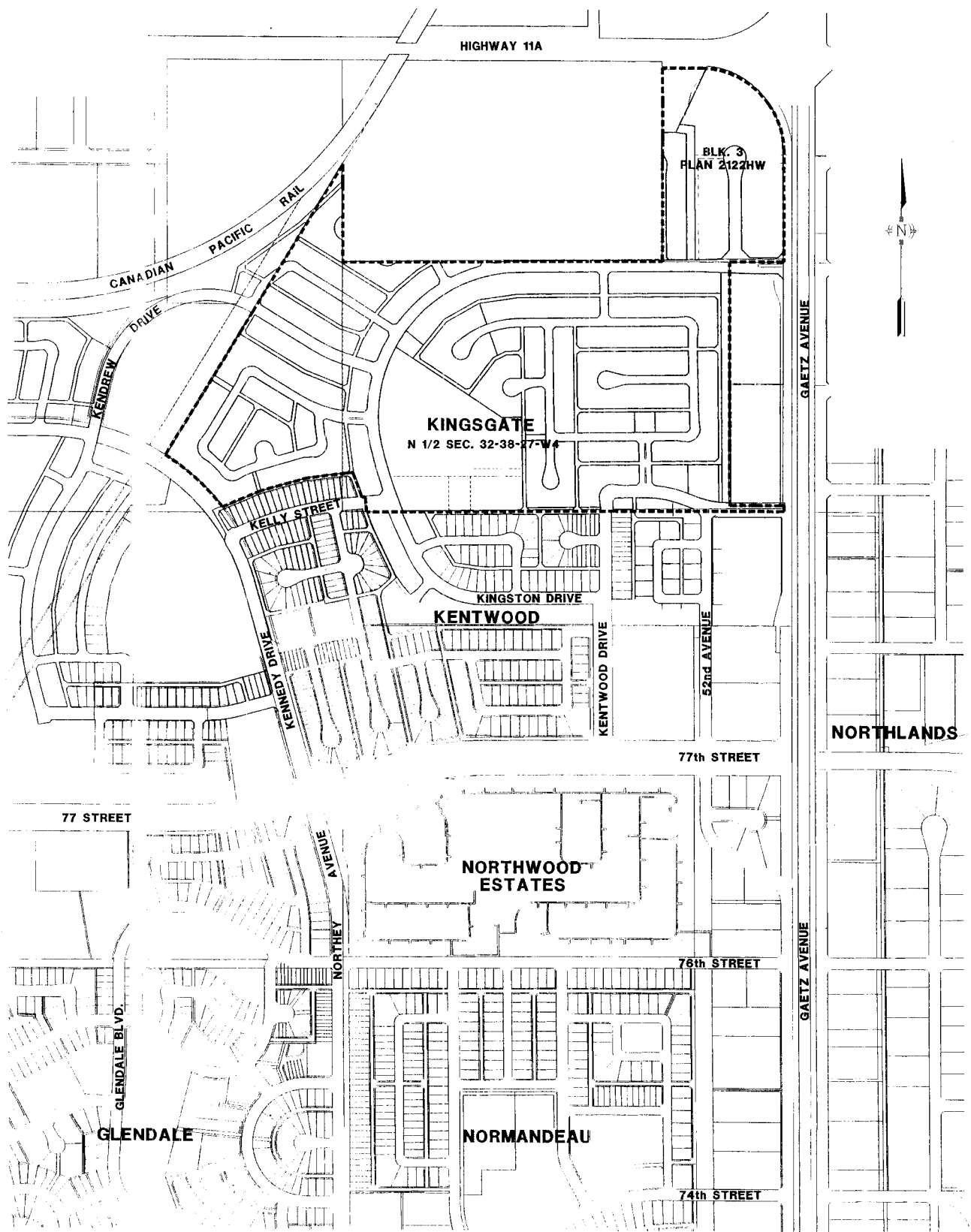
The existing land ownership pattern is shown on Figure 2 and the appropriate titles are included in Appendix A.

(2) SITE CHARACTERISTICS

2.1 Existing Land Use

The plan area is presently designated A-1, Future Urban Development District under the City of Red Deer Land Use Bylaw 3156/96. The general purpose of this District is:

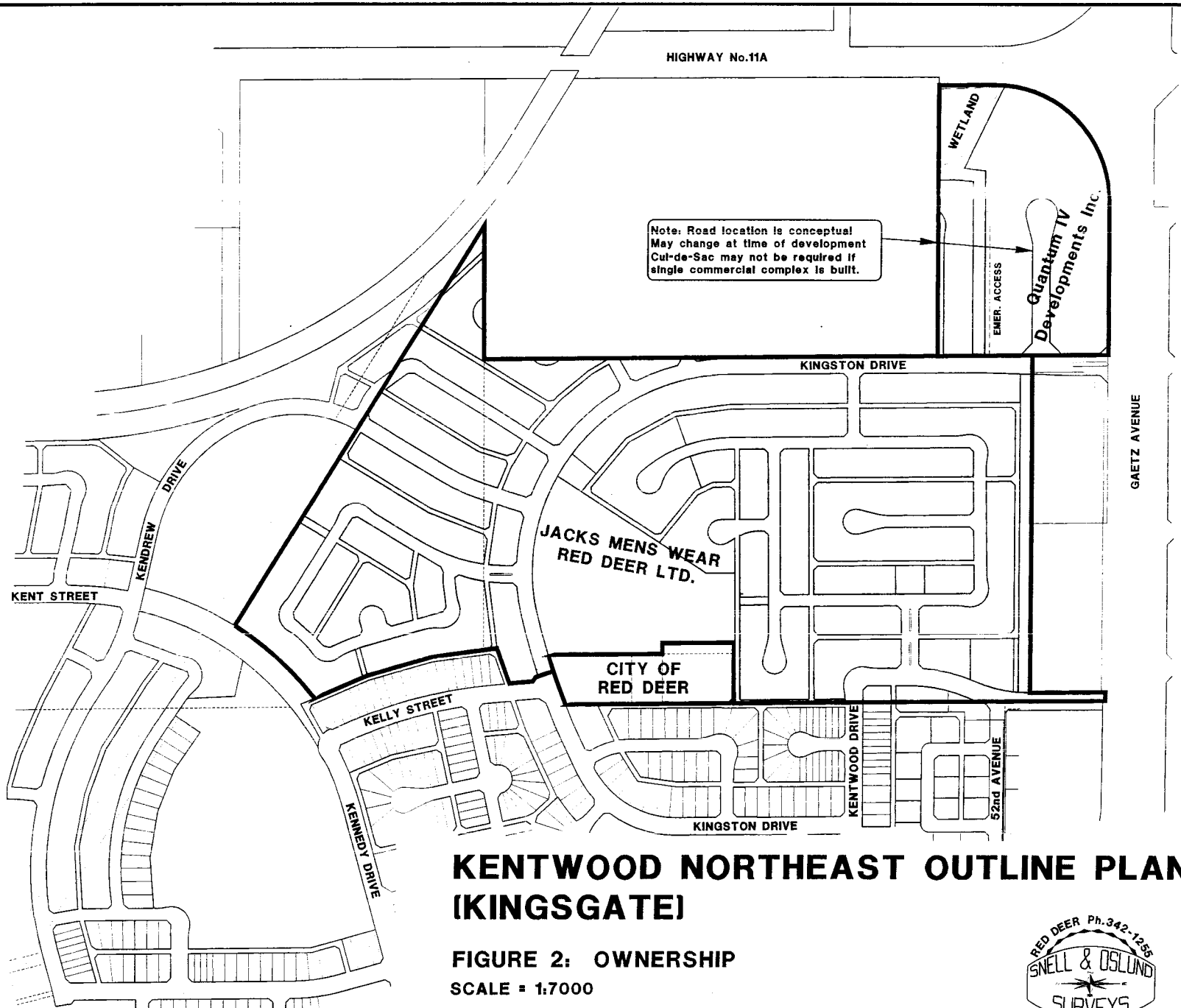
“.... to ensure that development on lands required for future urban development is restricted to ensure that future development may proceed in an orderly and well planned fashion, in keeping with the intent of the General Municipal Plan.”



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 1: LOCATION PLAN

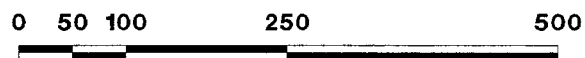
SCALE 1: 10000



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 2: OWNERSHIP

SCALE = 1:7000



The plan area is situated within the boundary of, and is consistent with the objectives of the Northwest Area Structure Plan.

Redesignation to appropriate residential and commercial districts will be required before development can occur.

2.2 Natural Features

This Outline Plan encompasses lands which are generally flat with elevations ranging from a high point of 881 metres on the west portion to a low point of 874 metres on the east portion (see Figure 3). The plan area is presently a mixture of cultivated land, tree covered areas and wetlands.

The City of Red Deer's Ecological Profile of the North Kentwood Natural Area identifies five zones within the Outline Plan area (Appendix B) and provides priority rankings for each zone, for the preservation of natural areas (A is top priority, C is low priority).

- A) Zone 6 (old drive-in site) - Priority A - Recommendation R1. The area is covered by a sporadic growth of poplars intermixed with willows which also line the eastern part of the section. The area is characterized by diverse vegetative growth and is populated by a wide variety of birds. The profile encourages the preservation of as much of the natural habitat as possible.

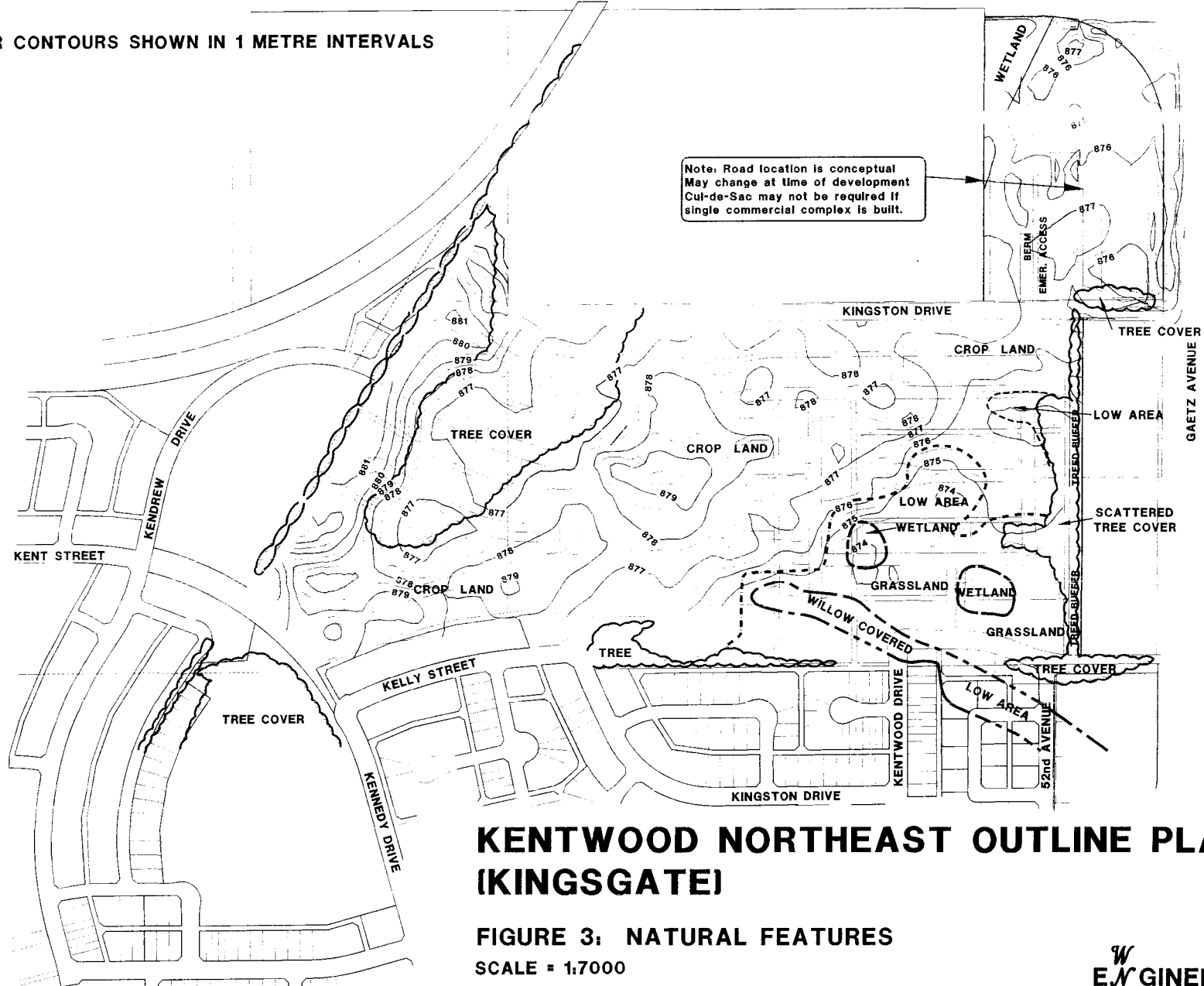
Wetland areas will be retained in their near natural state and will be used for storm water detention/retention during rainfall events which exceed the 1:5 year event. Many of the other features outlined in the Ecological Profile will be lost as a result of commercial and semi-detached housing development.

- B) Zone 7 - Priority A - Recommendation R2. A large mature northwest poplar wind break lines the north boundary of a commercial sales lot at the north end of Zone 7. The western edge of the commercial lot is lined with Manitoba Maple, Aspen Balsam and Willow. A stand of mixed poplar trees runs north to south connecting Zones 6 and 7 along the boundary between the commercial lots on the west side of Gaetz Avenue and the Outline Plan area. The profile encourages preservation of mature poplar tree stands running east and west located at the north and south ends of Zone 7. The ecological profile recommends retaining the tree stands in their entirety and for use as entrance features at the two collector road accesses into the neighbourhood (i.e at the Kingston Drive/Gaetz Avenue intersection and the Kentwood Drive/Gaetz Avenue intersection).

MAJOR CONTOURS SHOWN IN 1 METRE INTERVALS

HIGHWAY No.11A

Note: Road location is conceptual
May change at time of development
Cul-de-Sac may not be required if
single commercial complex is built.



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 3: NATURAL FEATURES

SCALE = 1:7000

0 50 100 250 500

WJ ENGINEERING Ltd.
RED DEER, ALBERTA

The Kingston Drive/Gaetz Avenue intersection requires that additional lands be obtained from third party land owners. The details by which this land may be obtained are outlined elsewhere in this Outline Plan, however it should be noted that the City of Red Deer is currently developing roadway concepts for the Kingston Drive/ Gaetz Avenue intersection. Only those trees which need to be removed to accommodate construction of the roadway will be cleared. The remaining tree stand may be augmented by planting after construction.

Similar efforts to retain as much of the tree stand located at the Kentwood Drive/Gaetz Avenue intersection will be taken. Only those trees which need to be removed to accommodate road construction in the area will be cleared.

Collector road locations are established by the Northwest Area Structure Plan and cannot be changed in this Outline Plan.

The poplar wind break identified along the west edge of the existing commercial area lies in a buffer area as identified in the Outline Plan. The wind break is to be retained in the buffer and a 1.5 metre wide walking trail is proposed to extend from the south end of the buffer to the north end of the buffer.

- C) Zone 8 - Priority B - Recommendation R3. This area is primarily made up of a large tree stand surrounded by a cultivated field. The north and west sides of the zone contain mainly aspen, poplar and various willow species while the east side consists of mixed poplars and a few spruce trees. The profile recommends that the southeast portion of poplar trees be incorporated into residential housing, where possible.

The north side of the zone extends into properties outside of the boundaries of the Outline Plan area and, it is assumed, will remain intact until development in these properties takes place. Extensive grading is required to accommodate residential development in the south east portion of the zone, therefore it is unlikely that the tree cover can be incorporated into the planned residential housing.

- D) Zone 12 - Priority A - Recommendation R4. A small band of poplar trees on the south portion of the area should be dedicated as a walkway lot and municipal reserve.

This zone lies on the south edge of the proposed park/school site and it is feasible to retain a large portion of the stand during development of the park/school site. Where the zone extends eastward from the school site along the rear of proposed residential lots, a four (4) metre wide municipal reserve is provided for. It is understood that services for the proposed residential lots will be extended from the south side to the north side of the four (4) metre treed municipal reserve. The services will be extended through the four (4) metre strip by clearing only those trees which must be cleared to facilitate the lot servicing.

- E) Southeast Wetland - Priority B - Recommendation R5. The area contains a dugout and drainage channel surrounded by semi-aquatic grasses and a number of good quality willows and is part of a habitat area that was removed in 1997. The profile encourages preservation of this area and incorporation into future development as a linear drainage channel and passive walking area or incorporation into a future buffer.

The location of proposed collector roads and development of adjacent lands may impact significantly on the ability to preserve this natural feature. Service mains and roadways planned to access the Outline Plan area will bisect this zone and, therefore, it is anticipated that significant alteration to the natural habitat will result.

2.3 Servicing

Existing municipal water, sanitary sewer and storm water facilities are in place on three sides of the Outline Plan area. Water mains, sanitary sewer trunks and mains and storm sewer trunks and mains will be extended through the Outline Plan areas so as to enable servicing of properties to the north and which are not part of this Outline Plan. The municipal services will be constructed of such size and capacity so as to ensure that existing facilities which are located at the boundaries of the Outline Plan area are fully utilized.

It is the intent of the owners of the Outline Plan properties to maximize the potential for future development of properties outside of the plan area by constructing water, sanitary sewer and storm sewer trunks and mains which can provide service to properties beyond their own.

The site can be serviced with municipal water, sanitary sewer and storm water utilities. An engineering study, required to establish the details of the servicing, will be completed prior to construction taking place in the area. Size and capacity of the municipal water, sanitary sewer and storm sewer trunks and mains will be established by the engineering study.

The Outline Plan area currently has an estimated Emergency Services response time of greater than six and one half (6.5) minutes. With the construction of planned facilities in the Kentwood West area, the response time will be reduced to less than five (5) minutes and will comply with the City of Red Deer's overall Emergency Services response time target.

2.4 Access

The existing 6.779 hectare parcel in the northeast corner of the plan area (Quantum IV lands) presently has access from the existing service roads on the west side of Gaetz Avenue. The remainder of the plan area can be accessed via Kelly Street in the southwest and Kentwood Drive in the southeast.

2.5. Environmental Assessment

A Level 1 Environmental Assessment has been completed by UMA Engineering and submitted to the City of Red Deer under separate cover. The environmental site assessment revealed no significant sources of contamination of the subject property, therefore, no remedial activities are required.

Based on the proximity of industrial/commercial uses to the east, the report encourages further investigation to monitor the impact of nearby commercial land uses and to study the migration of potential contaminants from nearby quarter sections. Monitoring of the areas adjacent to commercial subdivisions where contaminants could originate will continue as development proceeds and encroaches on those areas.

A noise assessment study, undertaken jointly with the City of Red Deer, may be required prior to development of Phases 2 and 7 of the Outline Plan Area. The noise assessment study may be required to establish noise levels impacts due to the proximity of the proposed residential development to industrial lands and the rail line. Municipal reserve areas, slated for use as buffers from the industrial/rail lands, may require enlargement to accommodate construction of berms in an effort to mitigate the noise impacts. The requirement for enlargement (widening) of the municipal reserve areas will be determined by the noise assessment study, should it be undertaken.

The developer of lands near the industrial/rail lands will ensure that homes constructed in the vicinity of industrial/rail lands will be constructed in accordance with reasonable standards which will maximize noise proofing of the homes. Such standards will be based on Canada Mortgage and Housing Corporation guidelines which are currently under review for areas in proximity to rail rights-of-way.

3.0 DEVELOPMENT CONCEPT

The proposed Outline Plan incorporates policies contained in the Northwest Area Structure Plan and other City of Red Deer guidelines and policy documents.

3.1 Land Distribution

The land use and development concept proposed for the outline plan area is shown on Figure 4. The majority of the plan area is proposed for single family residential with some semi-detached development. The northeast portion of the plan area proposes commercial and semi-detached housing land uses. The land use distribution for the outline plan is shown in Table 1.

3.2 Residential








The residential areas will consist mainly of R1 single detached dwellings with some R1A zoning areas which accommodate semi-detached dwellings. The R1A uses are proposed adjacent to collector roads in the north, northwest and northeast portions of the plan area.

It is feasible that the Church Site, shown near the intersection of Kentwood Drive and Gaetz Avenue, will not be required for the proposed use. In that eventuality, the site may be suitable for R2 (Multi Family) zoning.

3.3 Commercial

A 4.297 hectare (10.62 ac) area in the northeast portion of the plan area, on lands owned by Quantum IV Developments, is proposed for C4 Commercial (major arterial) zoning. Development on the Quantum IV property shall be complimentary to the residential development to the west. Uses such as nightclubs and licensed lounges, other than those ancillary to restaurants, which may have a detrimental noise impact will not be allowed. Landscaping and/or berming shall be used to enhance the visual appearance of the commercial development, as viewed from other areas. Landscaping and/or berming will also be used to control the noise impact of commercial development on the residential development.

Development which will affect the wetland/retention pond located in the northwest corner of the Quantum IV Development lands will not be allowed until detailed engineering is completed to define the operation of the storm water retention function of the wetland and to establish acceptable water levels for the wetland areas. The detailed engineering will be completed in consultation with the adjoining landowners to the west.

	R-1	Single Family
	C-4	Commercial
	R-1A	Semi-Detached
	MR	Municipal Reserve
	PUL	Public Utility Lot
	PS	Public Service
	CH/R2	Church/Multi Family

Treed Buffer areas to include
1.5 metre wide walking trails.

HIGHWAY No.11A

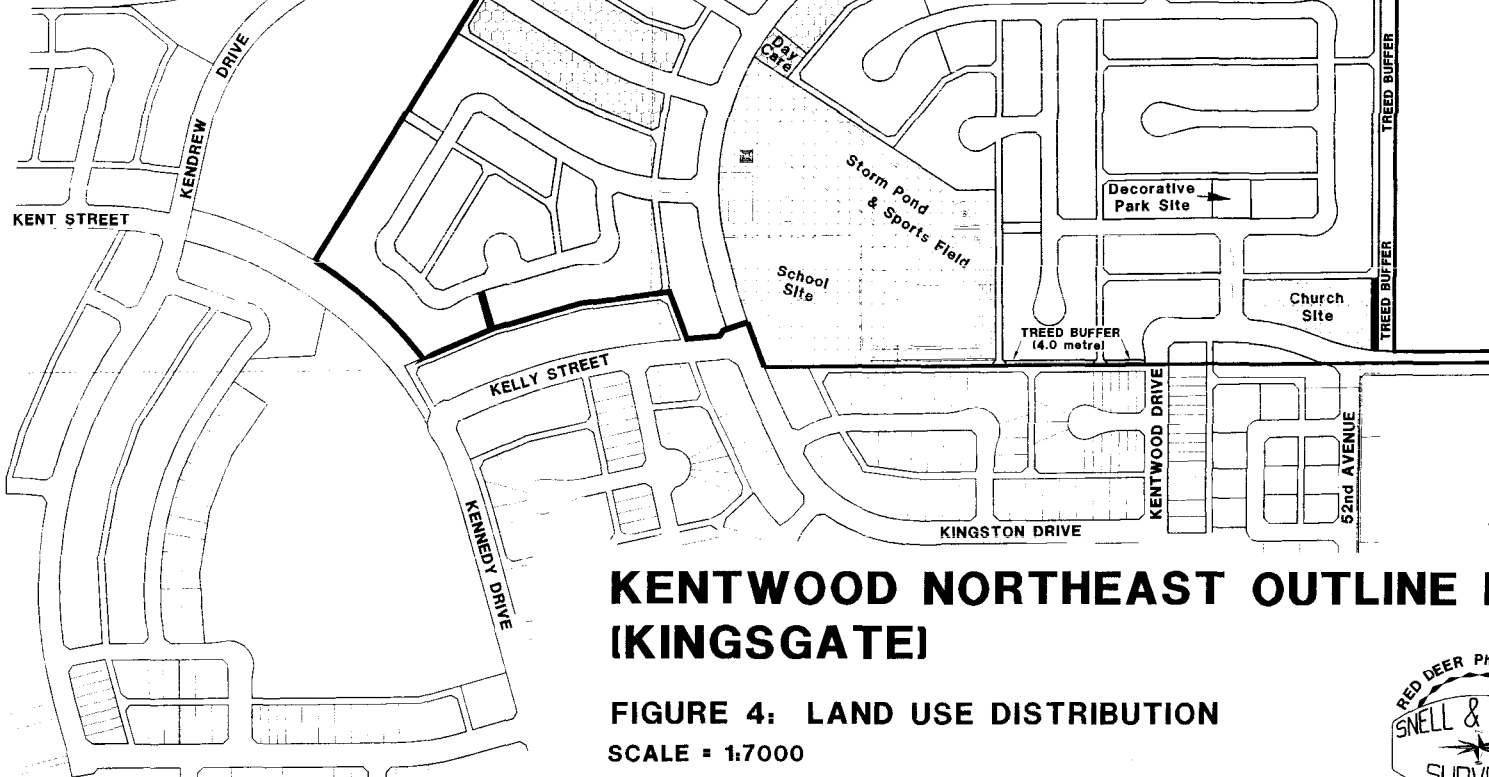
Note: Road location is conceptual
May change at time of development
Cul-de-Sac may not be required if
single commercial complex is built.

WETLAND

BUFFER
EMER. ACCESS

KINGSTON DRIVE

GAETZ AVENUE



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 4: LAND USE DISTRIBUTION

SCALE = 1:7000

0 50 100 250 500



TABLE 1: OUTLINE PLAN STATISTICS - BY OWNER

JACK'S MEN'S WEAR LANDS

LAND USE	ACRES + -	HECTARES + -	PERCENTAGE
Residential - Single family detached dwellings (R1)	45.340 ac	18.349 ha	46.89%
Residential - Semi-detached dwellings (R1A)	8.691 ac	3.517 ha	8.99%
Day Care/Social Care	0.297 ac	0.120 ha	0.30%
Church	1.458 ac	0.590 ha	1.51%
Elementary School / Park Site (Jack's Men's Wear)	9.479 ac	3.836 ha	9.80%
Elementary School / Park Site (City of Red Deer)	3.704 ac	1.499 ha	3.83%
Municipal Reserve, Walkway and Berm	3.855 ac	1.560 ha	3.99%
Streets/Lanes PUL	23.862 ac	9.657 ha	24.68%
Commercial	0.007 ac	0.003 ha	0.01%
Totals	96.693 ac	39.131 ha	100.00%

QUANTUM IV DEVELOPMENTS LANDS

LAND USE	ACRES + -	HECTARES + -	PERCENTAGE
Residential - Semi-detached dwellings (R1A)	2.046 ac	0.828 ha	12.21%
Commercial	10.610 ac	4.294 ha	63.34%
Municipal Reserve, Walkway and Berm	0.924 ac	0.374 ha	5.52%
Streets/Lanes PUL	1.636 ac	0.662 ha	9.77%
Wetlands	1.534 ac	0.621 ha	9.16%
Totals	16.750 ac	6.779 ha	100.00%

NOTE: All areas are approximate and may vary prior to final registration.

3.4 Density

Using the approximate area calculations shown in Table 1, it is estimated that the Outline Plan can accommodate about 368 single family dwellings and 124 duplex dwellings.

Applying the Bylaw standard of 3.4 persons per single family dwelling and 3.3 persons per semi-detached dwelling a total predicted maximum population of about 1,660 can be accommodated in the plan area. A maximum population density of about 41.94 persons per hectare is therefore expected after full development.

It should be noted that the areas slated for use as social care, church and day care facilities have been included in the density calculations. If those areas are eventually used development of housing (R1A or R2) the population density in the area will increase slightly. The commercial areas, roadways accessing the commercial properties and lands dedicated to the City of Red Deer from neighbouring developments have not been used in the density calculations.

3.5 Open Space

The proposed park and open space system includes a neighbourhood park/school site, walkway, a separate municipal reserve parcel, and buffer area.

(i) Neighbourhood park/school site

A neighbourhood park/school site is proposed in the central area of the outline plan to accommodate an elementary school and related playground facilities as identified in the Northwest Area Structure Plan. The site is comprised of 10% of the area titled to Jack's Men's Wear less the area proposed to be dedicated in the buffer areas and proposed municipal reserve parcels. The remaining area of the park/school site is provided by existing and proposed municipal reserve dedication resulting from development of lands to the south of the plan area.

A 10 metre wide walkway extending easterly from the school site to the residential area is proposed to connect the school site to the residential development and is to be dedicated as Municipal Reserve. The details of the development of this walkway are presented in the Municipal Reserve Parcels discussion presented following.

A development concept of the park/school site has been prepared by the City of Red Deer and has been provided as Appendix C. An integral part of the development concept is the storm water detention pond which will encompass the sport fields planned for the park (in particular the ball diamond and soccer pitch). One (1) hectare of the required storm water detention pond will be dedicated as Municipal Reserve (MR). The remainder of the detention pond area will be dedicated as a Public Utility Lot (P.U.L.).

(ii) Buffer

A 0.374 ha (0.924 ac) buffer is proposed to separate the semi-detached residential development from the future commercial development in the north east area of the plan. The buffer through this area may be developed as a berm. Alternatively, some other landscaping feature may be used to effectively screen the residential areas from the commercial development.

Landscaping features which are used to buffer the future commercial areas (Quantum IV Development lands) from future residential areas will be designed to enhance the visual appearance of the commercial development and reduce the potential noise impact of commercial development on the residential areas.

Future residential areas west of the commercial areas fronting Gaetz Avenue will be buffered from the existing commercial lots by a naturally treed 0.604 ha (1.492 ac) Municipal Reserve. The landscaping detail for this buffer is discussed in the Municipal Reserve Parcel section presented following.

(iii) Wetlands

The wetland area in the northwest corner of the Quantum IV Development Inc. parcel will be maintained for aesthetic and future stormwater management purposes. The designation of the area (i.e., public utility lot or environmental reserve) will be subject to negotiations with the City of Red Deer.

The wetland area will be incorporated into an integral storm water management plan for areas included in this Outline Plan and for areas which are beyond the extents of this Outline Plan. The wetland extends into properties which could not be incorporated into this Outline Plan and, therefore, the impact of any storm water management plan which includes these lands has not accurately been determined.

As a result, the eventual limits of the required area for the detention facilities have not been established. The proposed developments which would include the wetlands as part of the required storm water management concept would be developed in such a manner as to ensure there would be no detrimental impact on the natural features in the area.

Prior to development of the future commercial areas located on the east edge of the wetlands, detailed engineering studies will be completed, with cooperation from the landowners to the west of the commercial area, to establish the methods by which the wetlands will be used for storm water retention. Development by the owners of the commercial areas, or by owners of future residential areas to the west, will not be permitted until the developers provide details regarding the operating parameters (including water elevations) for the wetland/retention pond.

(iv) Municipal Reserve Parcel

There are a number of Municipal Reserve Parcels which will be dedicated as the lands are developed. In addition to the neighbourhood park/school site, a Municipal Reserve parcel with appropriate landscaping (decorative park landscaping) is proposed to visually enhance the entrance to the residential neighbourhood from the extension of Kentwood Drive in the southeast portion of the plan area.

The wooded buffer area between the existing commercial developments fronting Gaetz Avenue and the proposed residential areas to the west will incorporate as much of the natural vegetation as possible and will be enhanced by the construction of a 1.5 metre wide walking trail. The walking trail will extend from the south boundary of the plan area to the north where the buffer will intersect with Kingston Drive.

The buffer strip proposed to separate the planned commercial development from future residential development in the northeast corner of the plan area (Quantum IV lands), may be completed as a berm. Other landscaping treatments could be used to effectively screen the commercial development from future residential developments and such landscaping will be discussed prior to development in the area.

A Municipal Reserve parcel is proposed to link the neighbourhood park/school site with residential areas to the east. The link is shown on Figure 4: Land Use Distribution, and is located near the northeast corner of the park/school site. The municipal reserve parcel will include a 1.5 metre wide walking trail.

The planned park area located between Kendrew Drive and the proposed residential developments in the west portion of the plan area will be linked to the residential areas by a Municipal Reserve strip. The Municipal Reserve strip will be landscaped to ensure access from the residential areas to the park.

An additional Municipal Reserve parcel is proposed in the triangular area in the northwest corner of Phase 7 of the Outline Plan area. The Municipal reserve parcel is proposed to ensure adequate buffering from the railway. Suitable landscaping would include the construction of a grassed berm through the parcel. The width and height of the berm will be subject to the recommendations of the previously discussed noise assessment study which may be jointly undertaken.

The proposed trail routes through the Municipal Reserve parcels have been highlighted in Figure 10.

3.6 Social Facilities

In accordance with the City of Red Deer's planning and subdivision guidelines, sites have been provided for a Day Care and/or Social Care Residence and a Church.

(i) Day Care/Social Care Facilities

A 0.120 ha (0.297 ac) site has been provided in the plan area. The site is adjacent to a collector roadway and the neighbourhood school/park site. Should a Day Care or Social Care facility not be constructed, the site will be suitable for R1A zoning (semi-detached dwellings).

(ii) Church Site

A 0.590 ha (1.458 ac) church site is provided in the southeast corner of the plan area adjacent to a proposed collector road for ease of access.

The site would be suitable for R2 zoning uses (multi-attached dwellings) if found unusable for a church site.

3.7 Transportation

The proposed circulation pattern recognizes the existing and proposed roadways surrounding the outline plan area.

(i) Collector Roadways

The Outline Plan contains collector roadways aligned in accordance with the Northwest Area Structure Plan. The plan continues the collector roadway concept contained in the Kentwood West Outline Plan and existing subdivisions to the south.

The main collector roadway is a continuation of the existing Kingston Drive and is proposed to circle through the area from Kelly Street (the current extent of construction) to a proposed intersection at Gaetz Avenue (north end of the Outline Plan area).

To complete the connection of the Outline Plan area to Gaetz Avenue at the north end of the proposed development, Kingston Drive will be constructed on lands which are not presently owned or controlled by either of the owners of the lands which are the subject of this Outline Plan. In order for this plan to be effectively implemented, land required to complete the connection of Kingston Drive to Gaetz Avenue must be obtained by the owners of the Outline Plan lands. The City of Red Deer will assist Laebon Developments Ltd. and Quantum IV Developments Inc. to obtain the lands owned by others under terms that are timely, fair and equitable.

In the event that the required right-of-way cannot be obtained in a timely manner by Laebon Developments Ltd. and Quantum IV Developments Inc. this Outline Plan will be subject to revisions to reflect the replacement of this roadway link.

The second collector road connection to Gaetz Avenue is shown in the Northwest Area Structure plan as an extension of Kentwood Avenue which follows an alignment northward from its existing extent and then curves eastward to a planned intersection with the service road on the west side of Gaetz Avenue.

The City of Red Deer Engineering Services have advised that traffic flow in the Outline Plan area may be accommodated without completing the Kentwood Avenue/Gaetz Avenue service road connection, however, elimination of this connection would be subject to completion of detailed traffic studies by the developer prior to Phase 3 of development.

To eliminate the extension of the Kentwood Avenue to Gaetz Avenue, the Northwest Area Structure Plan would have to be amended. If at some time in the future, such amendment is undertaken, this Outline Plan would be revised to show an alignment for Kentwood Drive which loops from its current end to the north, then east and finally south to connect with the north limit of 52nd Avenue. The proposed church site will be reduced in size as a result of this amendment, but will still exceed the required minimum site area.

Where collector roads intersect with service roads at Gaetz Avenue, service roads will be "bulbed". Intersection designs will be submitted to Engineering Services for review and comment. Complete scaled drawings, showing dimension and significant detail, will be prepared prior to development of the intersections.

Where transit stopping zones are required along collector roads (i.e. Kingston Drive) efforts will be made by the developer to orient corner lots so that stopping zones will be provided at the side of the lots rather than at the front.

(ii) Local Roadways

The system of local roadways provides access to individual lots throughout the plan area. The proposed entrance road from the extension of Kentwood Drive in the southeast portion of the plan area will contain a median. Detailed drawings, indicating road widths will be prepared and submitted to Engineering Services prior to development (typically prior to Development Agreement preparation).

The alignment of the Cul-de-sac in the commercial area located in the northeast corner of the Outline Plan will extend northward from a service road which may be constructed on the west boundary of the existing commercial lots. Concepts for the proposed service road are being prepared by the City of Red Deer and the new service road will connect with the existing service road on the west side of Gaetz Avenue.

It is anticipated that, should the right-of-way lands for Kingston Drive be obtained from third party land owners, the extension of Kingston Drive through this area will be completed as an Area Improvement. In addition any east/west alignment of proposed service roads will also be completed as an Area Improvement.

(iii) Laneways

The majority of lots within the plan area back onto lanes. A few lots with rear yards adjoining the boundary of the neighbourhood park/school site will not have lane access. Also some lots which back onto the 4.0 metre treed walkway between the proposed residential development and the laneway in the existing Kentwood subdivision will have restricted lane access.

(iv) Pedestrian and Bicycle Circulation

The sidewalks proposed to be developed within the road right-of-ways combined with the proposed reserve dedication will link the residential areas to the major park features proposed for the plan area and adjacent lands. There is potential for bicycle-pedestrian pathways through the park/school site.

The proposed location for the bicycle-pedestrian pathway is shown on the development concept drawing for the park/school site, prepared by the City of Red Deer, and included in the Appendix C.

Walkways are proposed to extend through the naturally treed buffer separating the existing commercial lots fronting Gaetz Avenue and the planned residential development as well as through the treed areas separating the Outline Plan from the existing residential developments (Kentwood).

An additional Municipal Reserve will ensure access from the western residential areas (Phase 1) to the park areas between Kendrew Drive and the Outline Plan area.

Within the right-of-way of the collector road on the west boundary of the park/school site (Kingston Drive) a 2.5 metre wide bicycle path/walkway will provide pedestrian access to lands north of the plan area.

4.0 MUNICIPAL SERVICING

The Kentwood Northeast (Kingsgate) Outline Plan area will be serviced from existing sanitary sewer and water mains located on the southern boundaries of the Kentwood East properties.

4.1 Water Mains

The Kentwood Northeast (Kingsgate) Outline Plan area will be serviced by water from four (4) locations. The existing 300 mm westerly main, located with the Kennedy Drive right-of-way, will be extended along the west side of Phase 1. The existing 150 mm main located on the east side of Kentwood Phase 5E will be extended to complete looping.

The existing 200 mm main located along the easterly boundary of the proposed storm dry pond will be extended. The existing 200 mm easterly service located on Kentwood Drive will be extended north.

The water distribution network will be designed to accommodate all future development areas in the Outline Plan area and those areas which have not been included as part of this Outline Plan, lying between Kentwood Northeast and Highway 11A, which may be developed in the future. Looping of mains and cross connections to existing development areas will be completed as necessary to provide an efficient system with adequate fire flows. Figure 5 Schematically shows the network of proposed water mains.

To complete the water main looping shown for Phase 2 of the proposed development, lands outside of the Outline Plan area will have to be acquired from the City of Red Deer.

Those lands which lie immediately to the west of Phase 2 and are between the Plan area and the rail right-of-way will need to be developed to ensure the construction of an integral system. The owners of the Outline Plan lands will negotiate with the City of Red Deer in an effort to acquire the lands needed to complete the system.

4.2 Sanitary Sewers

The Kentwood Northeast (Kingsgate) Outline Plan area will be serviced by sanitary sewer from three (3) main locations. The westerly connection will be made to a 450 mm main located in the Kennedy Drive right-of-way. Another connection to a 200 mm main located on the east side of Kentwood 5E will be completed to service Phase 1 and Phase 2. The easterly connection will be made to a 300 mm main located on Kentwood Drive. The sewer has the capacity to serve the entire catchment area. Figure 6 schematically shows the proposed routing of the sanitary sewer system.

All sanitary sewers will be seated and installed in a suitable bedding material in order to provide long term stability to the pipe. Pipe type will be specified to prevent the ingress of ground water to the system.

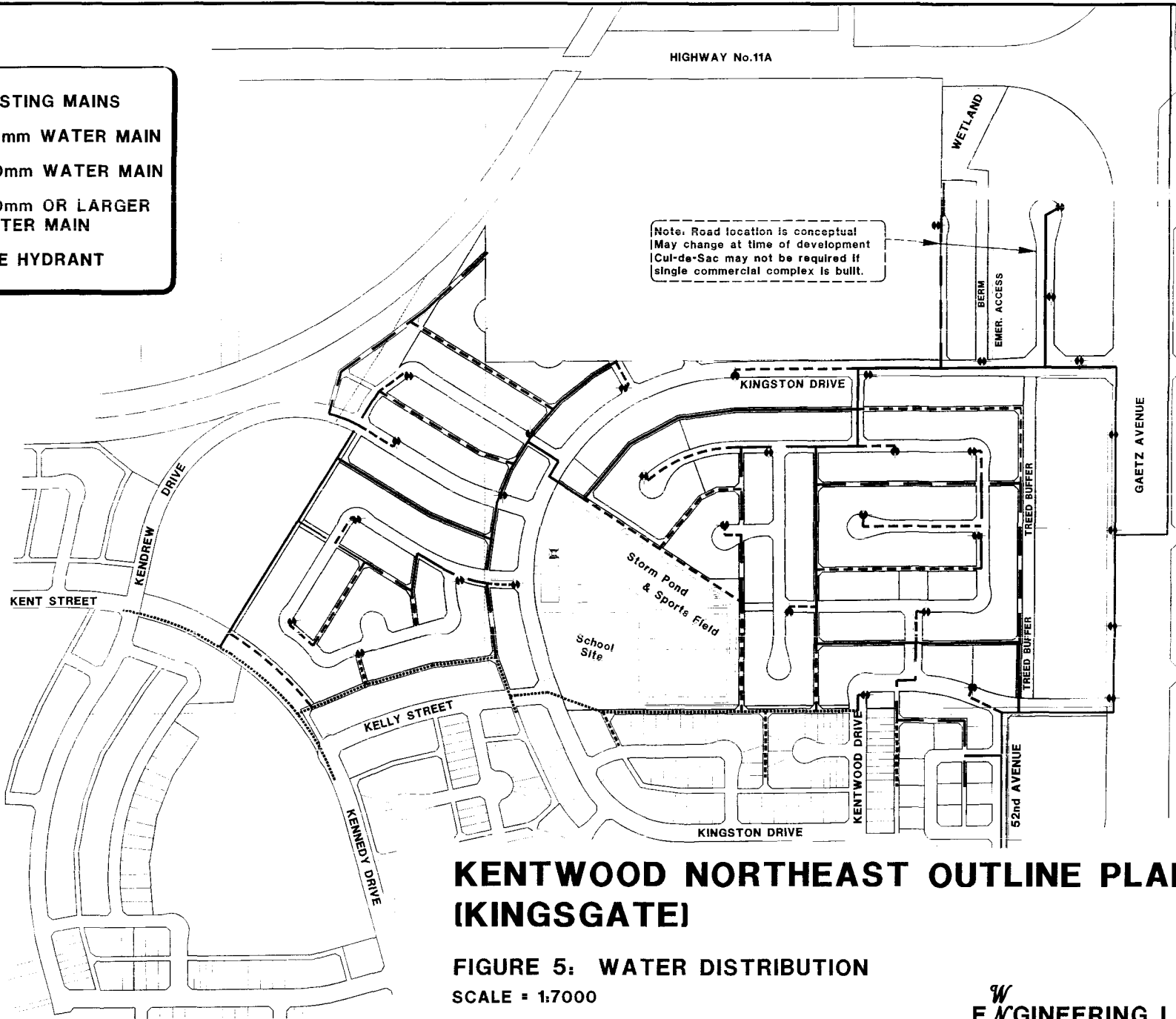
----- EXISTING MAINS

- - - - - 150mm WATER MAIN

— — — 200mm WATER MAIN

———— 250mm OR LARGER WATER MAIN

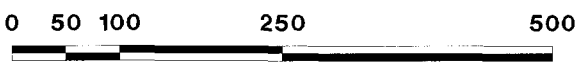
• FIRE HYDRANT

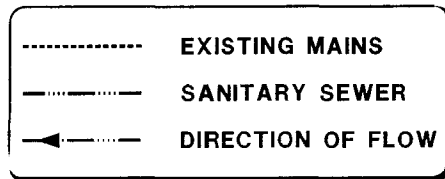


KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

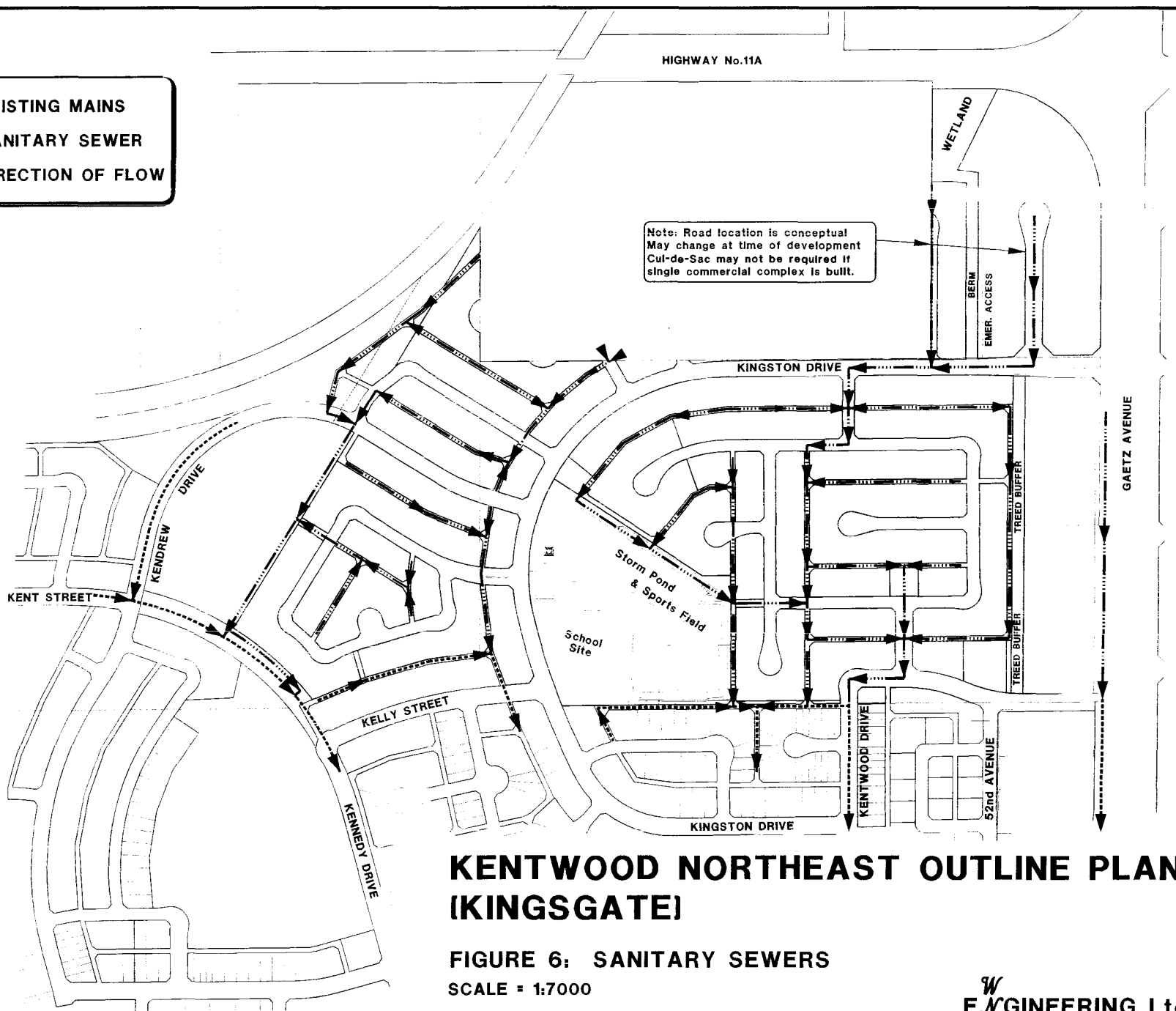
FIGURE 5: WATER DISTRIBUTION

SCALE = 1:7000





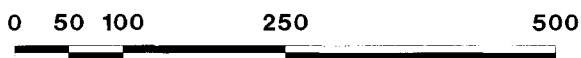
Note: Road location is conceptual
 May change at time of development
 Cul-de-Sac may not be required if
 single commercial complex is built.



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 6: SANITARY SEWERS

SCALE = 1:7000



To complete the construction of the sanitary sewer system shown for Phase 2 of the proposed development, lands owned by the City of Red Deer will have to be acquired. The lands lie immediately west of Phase 2 and between the Outline Plan area and the rail right-of-way. The owners of the Outline Plan lands will negotiate with the City of Red Deer in an effort to acquire the lands needed to complete the system.

4.3 Storm Sewer System

Minor System

Run-off storms up to 1:5 year event will be conveyed by gravity via a piped system to two (2) connections to the existing system. The westerly connection is a 1500 mm storm main located in the Kennedy Drive right-of-way and the easterly connection is a 1200 mm main in Kentwood Drive.

A third connection to the existing system, at the existing 1500 mm diameter storm main located in the 52nd Avenue right-of-way may be required. To complete this third connection the existing main will be extended to the southern boundary of the outline plan area.

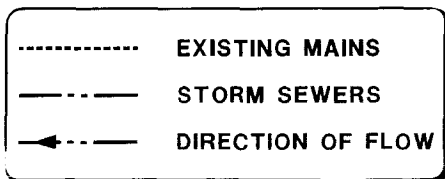
Figure 7 schematically shows the routing of the storm sewer system. Pipe sizes and materials will be designed in accordance with the City of Red Deer Design Guidelines, 1998.

To complete the construction of the sanitary sewer system shown for Phase 2 of the proposed development, lands owned by the City of Red Deer will have to be acquired. The lands lie immediately west of Phase 2 and between the Outline Plan area and the rail right-of-way. The owners of the Outline Plan lands will negotiate with the City of Red Deer in an effort to acquire the lands needed to complete the system.

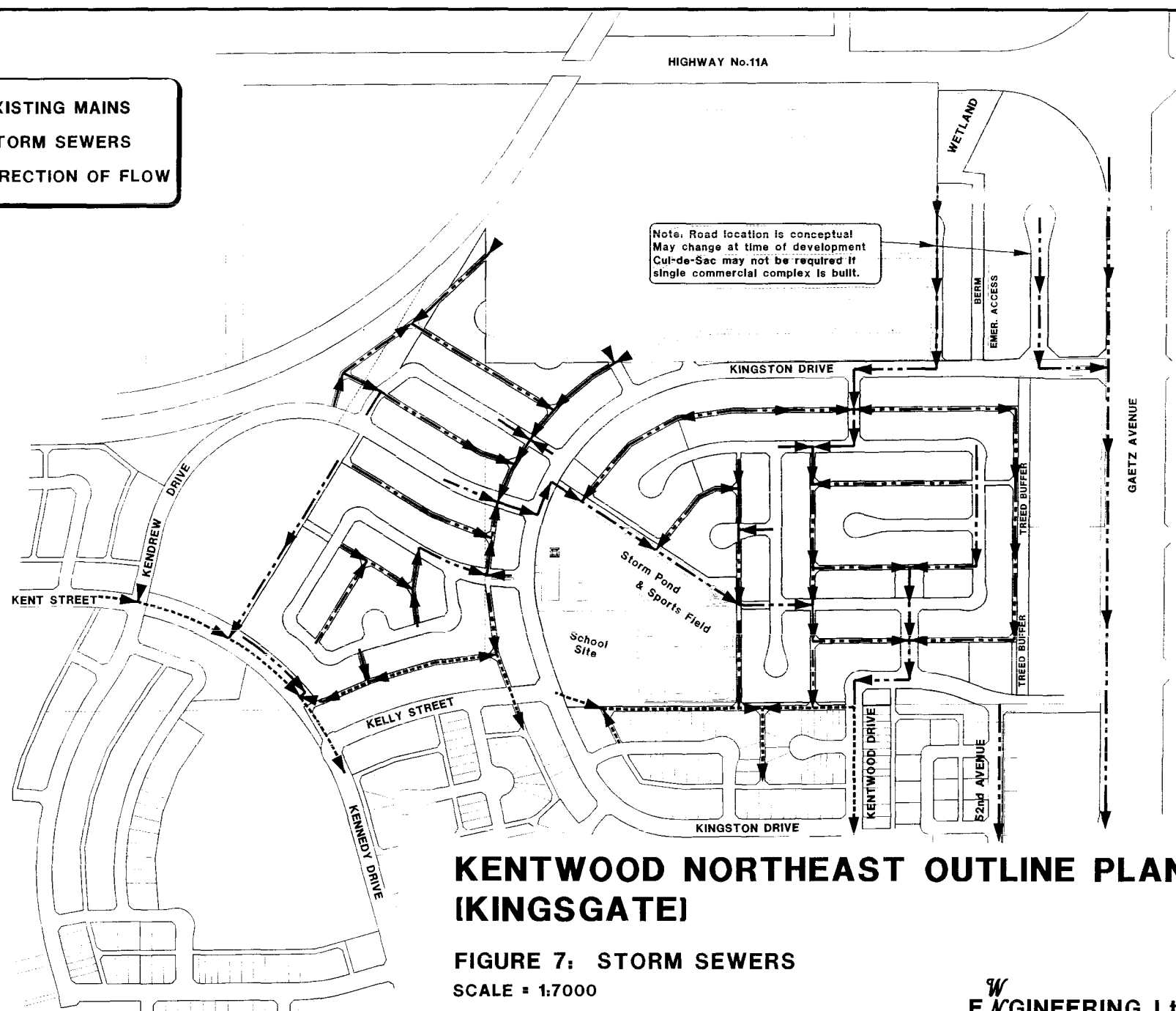
Major System

For storm events in excess of 1:5 year event, roads and laneways will be designed to convey overland flows to storm water ponds located in the northwest, and the south central part of the plan area.

Ponding within roadways or lanes will be permitted in strict accordance with the City of Red Deer Design Guidelines, 1998. Area drainage and overland flow routes are indicated schematically on Figure 8.



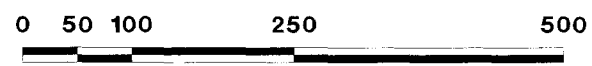
Note: Road location is conceptual
 May change at time of development
 Cul-de-Sac may not be required if
 single commercial complex is built.

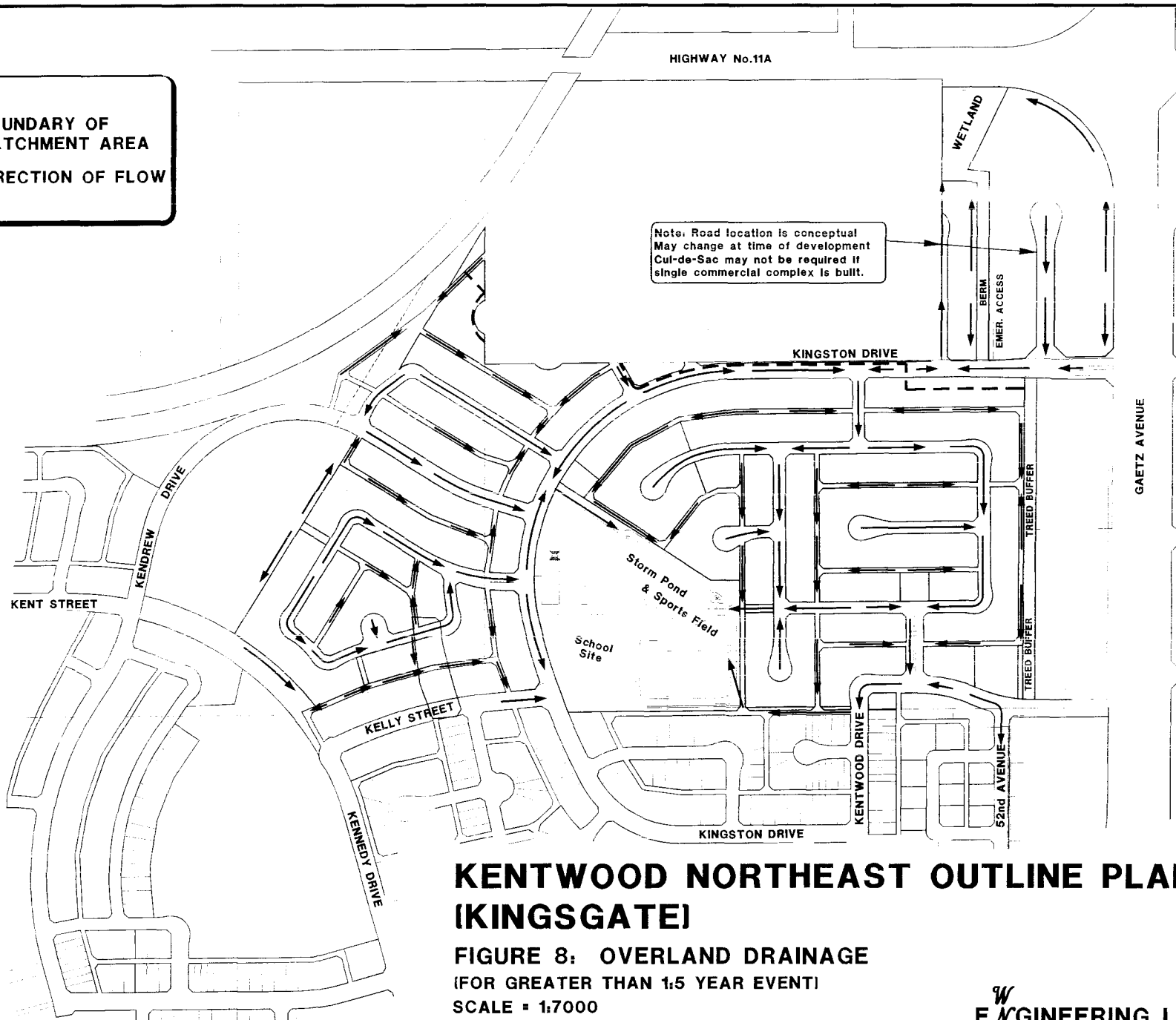
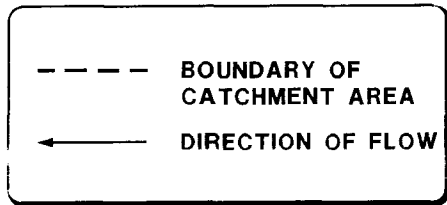


KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 7: STORM SEWERS

SCALE = 1:7000





KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 8: OVERLAND DRAINAGE
(FOR GREATER THAN 1.5 YEAR EVENT)

SCALE = 1:7000

0 50 100 250 500


ENGINEERING Ltd.
 RED DEER, ALBERTA

4.4 Power, Telephone and Cable Vision

Red Deer Electric, Light and Power, Telus and Shaw Cable advise that their networks have sufficient capacity, with some qualification regarding the sequencing of phasing, to fully develop the proposed Kentwood Northeast (Kingsgate) development.

The City of Red Deer Electric Light and Power Department has advised that two (2) main utility lines will require underground alignments on the west side of Gaetz Avenue between 80th Street and Highway 11A. The utility lines will also require an alignment westward from Gaetz Avenue along a portion of Highway 11A. The underground alignments are required prior to the development of the Commercial areas indicated as part of Phase 5 of the Outline Plan.

A third main line will be required to service Phases 4, 5 and 6. This third main line will follow an alignment from 80th Street (at Gaetz Avenue) and along Kingston Drive. Expansion of the existing system will be required to complete the Phase 1, 2 and 3 development. This expansion will include switchgear alignments, currently presumed to be required in the northwest and southwest corners of the park/school site and at Kingston Drive, adjacent to the west boundary of Phase 5.

It is understood that any changes to the planned phasing of the development may require installation of temporary overhead lines to provide appropriate servicing levels.

Telus has advised that infrastructure for telephone service to the area presently exists on the east side of Gaetz Avenue. Therefore, extending service to the Outline Plan area will require extension of the existing infrastructure westward along alignments reserved for collector road rights-of-way (ie. Kingston Drive at the north end and Kentwood Drive at the south end of the Outline Plan area). Should either of these proposed collector roads be re-aligned, easements will be required to complete the extension of service to the area.

To provide telephone service to Phases 1, 2 and 6 prior to Phase 3, temporary aerial lines will have to be installed. The temporary facility costs, and right-of-way requirements, will be the responsibility of the developer.

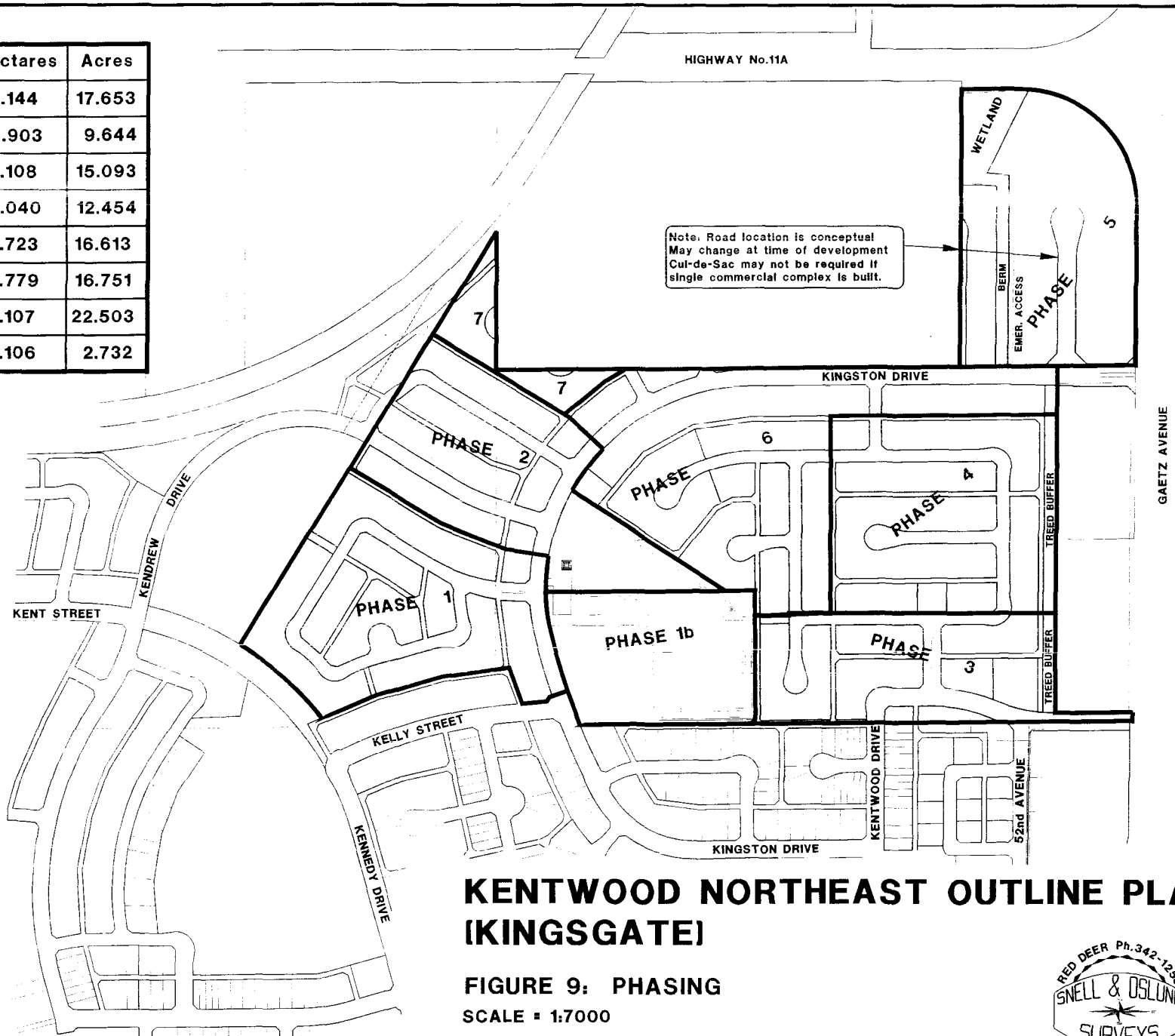
4.5 Natural Gas

Northwestern Utilities Limited advises that they will be able to service the proposed development by extending their existing distribution facilities.

5.0 STAGING AND DEVELOPMENT

Figure 9 illustrates the proposed staging of development. The location of existing utilities dictates the initial stages of development. Market conditions will influence the actual phasing of later developments.

Phases	Hectares	Acres
1	7.144	17.653
1b	3.903	9.644
2	6.108	15.093
3	5.040	12.454
4	6.723	16.613
5	6.779	16.751
6	9.107	22.503
7	1.106	2.732



KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 9: PHASING

SCALE = 1:7000

0 50 100 250 500



----- PEDESTRIAN PATH

HIGHWAY No.11A

Note: Road location is conceptual
May change at time of development
Cul-de-Sac may not be required if
single commercial complex is built.

WETLAND

BERM
EMER. ACCESS

KINGSTON DRIVE

GAETZ AVENUE

KENT STREET

KENDREW DRIVE

KELLY STREET

KENNEDY DRIVE

KINGSTON DRIVE

KENTWOOD DRIVE

52nd AVENUE

TREED BUFFER

KENTWOOD NORTHEAST OUTLINE PLAN (KINGSGATE)

FIGURE 10: PEDESTRIAN CIRCULATION

SCALE = 1:7000

0 50 100 250 500

ENGINEERING Ltd.
RED DEER, ALBERTA

APPENDIX A



North Alberta Land Registration District

LAND TITLE (FAX) SEARCH

SEARCH DATE: 30/06/1998

S
LINC SHOR LEGAL TITLE NUMBER
0026 696 948 4:27 38:32;NW 962 094 596 +2
0026 696 956 4:27 38:32;NE

LEGAL DESCRIPTION

FIRST

MERIDIAN 4 RANGE 27 TOWNSHIP 38
SECTION 32
ALL THAT PORTION OF THE NORTH WEST QUARTER
WHICH LIES SOUTH EAST OF THE RIGHT OF WAY OF THE CALGARY AND
EDMONTON RAILWAY, AS SHOWN ON RAILWAY PLAN C & E NO. 1, CONTAINING
12.0 HECTARES (29.86 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
HECTARES (ACRES) MORE OR LESS
A) PLAN 8121094 - ROAD 0.396 0.98
B) ALL THAT PORTION OF THE SAID QUARTER SECTION WHICH LIES SOUTH AND
WEST OF ROAD PLAN AND SOUTH AND EAST OF RAILWAY PLAN C & E NO. 1,
CONTAINING 0.544 1.3
C) PLAN 9520045 - SUBDIVISION 0.139 0.34
D) PLAN 9523195 - SUBDIVISION 0.020 0.05
E) PLAN 9621393 - SUBDIVISION 0.888 2.00
EXCEPTING THEREOUT ALL MINES AND MINERALS

SECOND

MERIDIAN 4 RANGE 27 TOWNSHIP 38
SECTION 32
ALL THAT PORTION OF THE NORTH EAST QUARTER
WHICH LIES TO THE SOUTH AND WEST OF THE LAND SUBDIVIDED UNDER
PLAN 800HW AND TO THE SOUTH OF THE SOUTH BOUNDARY OF BLOCK
(3) AND THE PRODUCTION THEREOF WESTERLY AS THE SAID SOUTH
BOUNDARY IS SHOWN ON SUBDIVISION PLAN 2122HW CONTAINING
30.5 HECTARES (75.20 ACRES) MORE OR LESS
EXCEPTING THEREOUT:
HECTARES (ACRES) MORE OR LESS
A) PLAN 9422769 - SUBDIVISION 1.39 3.41
B) PLAN 9523195 - SUBDIVISION 0.101 0.25
C) PLAN 9621393 - SUBDIVISION 0.233 0.58
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: CITY OF RED DEER

D.C.T. ISSUED: YES

REFERENCE NUMBER: 95 185 635 +2

REGISTRATION	DATE	REGISTERED OWNER(S)	DOCUMENT TYPE	VALUE	CONSIDERATION
--------------	------	---------------------	---------------	-------	---------------

962 094 596 23/04 1995 SUBDIVISION PLAN

OWNERS

JACKS MENS WEAR RED DEER LTD.
OF C/O 4TH FLOOR, 49 3 ROSS ST

(CONTINUED)

RED DEER
ALBERTA T4N 1Y1

LAND TITLE SEARCH

952 094 595 -2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
1563KW	19/09/ 957	EASEMENT AFFECTED LAND: 4;27;38;32;NE "EXTENDED BY"
3606RJ	19/06/ 1969	UTILITY RIGHT OF WAY GRANTEE - NORTHWESTERN UTILITIES LIMITED. AFFECTED LAND: 4;27;38;32;NE AS TO PORTION OR PLAN: 1239RS
7118RL	08/12/ 1969	MORTGAGE OF UTILITY RIGHT OF WAY MORTGAGEE - MONTREAL TRUST COMPANY. AFFECTS INSTRUMENT: 3606RJ
832 172 982	19/07/ 1983	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF RED DEER. AFFECTED LAND: 4;27;38;32;NW AS TO PORTION OR PLAN: 8322009
942 270 174	30/08 1994	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF RED DEER. AFFECTED LAND: 4;27;38;32;NE AS TO PORTION OR PLAN: 9422767
952 185 559	18/07 1995	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF RED DEER. AS TO PORTION OR PLAN: 9523196
972 381 095	10/12 1997	UTILITY RIGHT OF WAY GRANTEE - THE CITY OF RED DEER. AS TO PORTION OR PLAN: 9724334

TOTAL INSTRUMENTS: 07 *END OF SEARCH *

SR# - J426227 /AR0264



North Alberta Land Registration District

LAND TITLE (FAX) SEARCH

SEARCH DATE: 30/06/1998

S
LINC 0010 537 588 SHORT LEGAL 2122-W;3 TITLE NUMBER 942 032 595

LEGAL DESCRIPTION
PLAN 2122HW
BLOCK 3
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 6.77 HECTARES (16.73 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;27;30;32;NE

MUNICIPALITY: CITY OF RED DEER

O.C.T. ISSUED: NO

REFERENCE NUMBER: 92. 359 715

REGISTRATION	DATE (M/Y)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
942 032 595	03/02 1994	TRANSFER OF LAND	\$256,555	\$256,555

OWNERS

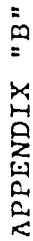
QUANTUM IV DEVELOPMENTS INC..
OF 1927 GAETZ AVENUE
RED DEER
ALBERTA T4Z 1Z4
(DATA UPDATED BY: CHANGE OF NAME 982176366)

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (M/Y)	PARTICULARS
782 199 744	05/01 1978	RESTRICTIVE COVENANT

TOTAL INSTRUMENTS: 001 *END OF SEARCH * SR# - J426264 /AR0264

APPENDIX B

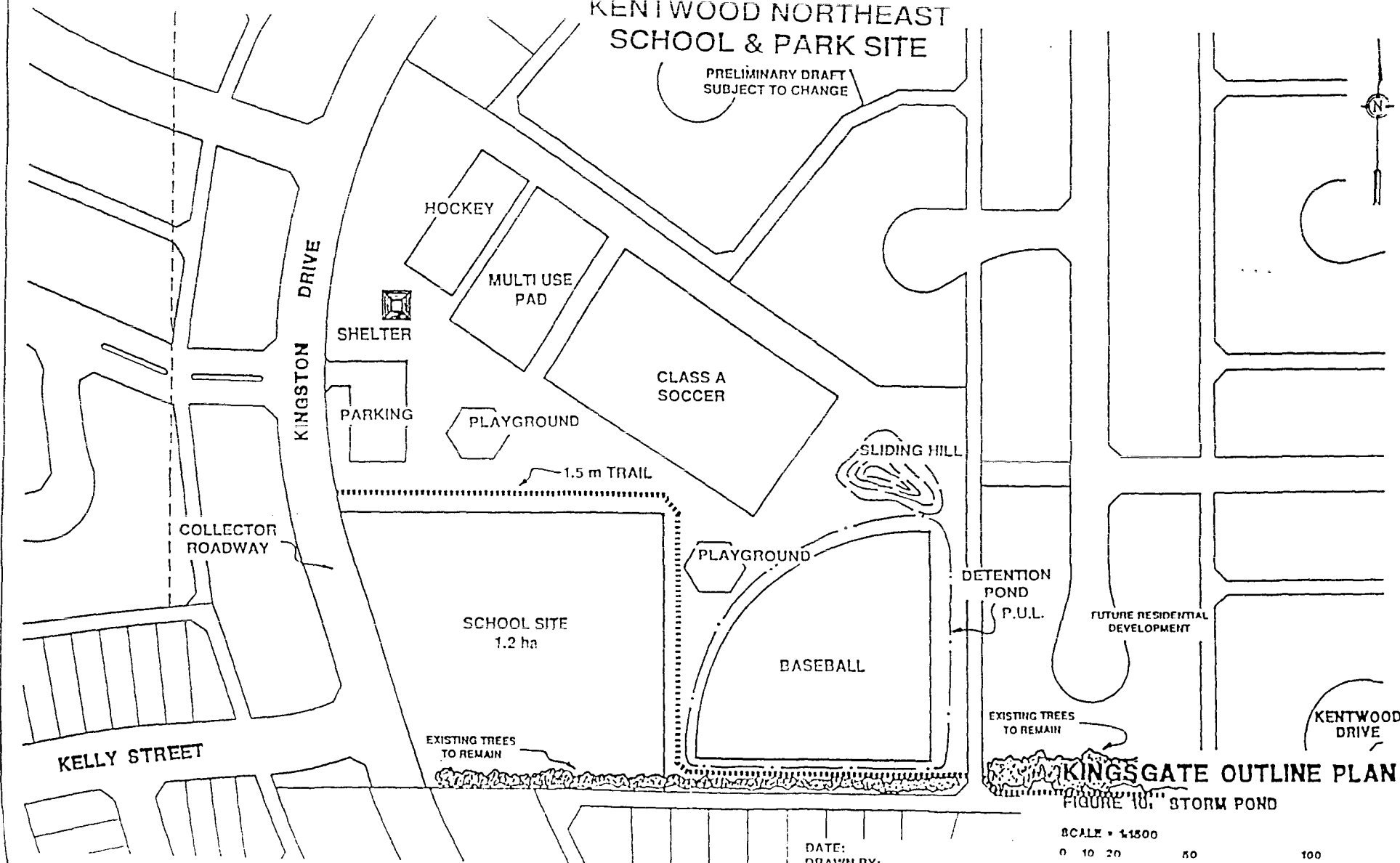


:

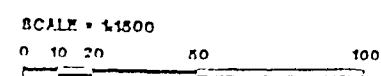
APPENDIX C

KENTWOOD NORTHEAST SCHOOL & PARK SITE

PRELIMINARY DRAFT
SUBJECT TO CHANGE



KINGSGATE OUTLINE PLAN
FIGURE 10. STORM POND

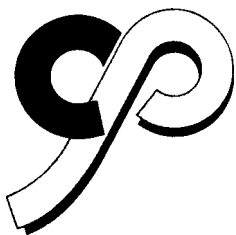


APPENDIX D

TABLE 2: OUTLINE PLAN STATISTICS - OVERALL

LAND USE	ACRES + -	HECTARES + -	PERCENTAGE
Residential - Single family detached dwellings (R1)	45.340 ac	18.349 ha	39.97%
Residential - Semi-detached dwellings (R1A)	10.736 ac	4.345 ha	9.46%
Day Care/Social Care	0.297 ac	0.120 ha	0.26%
Church	1.458 ac	0.590 ha	1.29%
Elementary School / Park Site (Jack's Men's Wear)	9.479 ac	3.836 ha	8.36%
Elementary School / Park Site (City of Red Deer)	3.704 ac	1.499 ha	3.27%
Municipal Reserve, Walkway and Berm	4.779 ac	1.934 ha	4.21%
Streets/Lanes/PUL	25.498 ac	10.319 ha	22.48%
Wetlands	1.534 ac	0.621 ha	1.35%
Commercial	10.618 ac	4.297 ha	9.36%
Totals	113.443 ac	45.910 ha	100.00%

NOTE: All areas are approximate and may vary prior to final registration.



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Suite 500, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Phone: (403) 343-3394
FAX: (403) 346-1570
e-mail: pcps@telusplanet.net

Mr. Bill Manning
WNM Engineering
3-5128 52nd Street
Red Deer AB
T4N 6Y4

October 6 1998

Dear Bill,

At last evening's City of Red Deer Council meeting City Councilors approved the Kentwood Northeast (Kingsgate) Outline Plan subject to a request that some of the wording on page 5 be changed. Comments related to Emergency Services response time at the top of page 5 should be adjusted to read simply:


"The Outline Plan area currently has an estimated Emergency Services response time of greater than six and one half (6.5) minutes."

The revisions remove any reference to construction of future proposed fire/ambulance/emergency service stations in surrounding areas and future expected response times based on these, as yet, un-constructed Emergency Service facilities.

Please submit a complete, revised copy of the plan (unbound) to our office to my attention as soon as possible.

If you have any questions please contact me.

Thank you,


Nancy C. Hackett
PLANNER

- c. Gord Bontje, Laebon Developments
- David Everett, Quantum IV
- Dae Kelly, Emergency Services
- Lowell Hodgson, Community Services
- Kelly Kloss, City Clerks

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998

TO: Principal Planner

FROM: City Clerk

RE: Kentwood Northeast (Kingsgate) Outline Plan

Reference Report: Nancy Hackett, dated September 28, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from Parkland Community Planning Services dated September 28, 1998, re: Kentwood Northeast (Kingsgate) Outline Plan, hereby approves the Kentwood Northeast (Kingsgate) Outline Plan and the Neighbourhood School and Park Plan subject to the deletion of the last sentence of clause 2.3 of said Outline Plan and as presented to Council October 5, 1998."

Report Back to Council Required: No

Comments/Further Action:

Please provide this office with copies of the approved Outline Plan and Neighbourhood School and Park Plan once same has been amended as directed above.



Kelly Kloss
City Clerk

/clr

- c Director of Community Services
- Director of Development Services
- Land and Economic Development Manager
- Public Works Manager
- E. L. & P. Manger
- Fire Chief/Manager
- City Assessor

Date: September 29, 1998
To: City Clerk
From: Director of Corporate Services
RE: COUNCIL POLICY MANUAL
POLICIES 5314 & 5315

Council approval is requested to rescind Council Policy 5314 "Release of Accounts Receivable and Utility Billing Information" and Policy 5315 "Penalty for Non-Payment of Utility Bills", both effective December 1, 1998. This is necessary due to the change of having Canadian Utilities (CU) provide the City's Utility meter reading, billing and collection services.

Our policies have been reflected in the contract and service specifications negotiated with Canadian Utilities. Any policies still necessary, such as the need to control the release of our remaining Accounts Receivable information, will be added to administrative rather than Council policy.

RECOMMENDATION

That Council rescind Council Policies 5314 and 5315 to be effective December 1, 1998



A. Wilcock, B. Comm., C.A.
Director of Corporate Services



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

5314

Page 1 of 2

TITLE:

***Release of Accounts Receivable
and Utility Billing Information***

***Date of Approval:
September 23, 1996***

SECTION:

***Corporate Services
(Treasury)***

Dates of Revision:

POLICY STATEMENT

The purpose of this policy is to identify the parties to whom information can be released from general accounts receivable and utility billing records.

A. Account Information

1. It is recognized the sharing of account information is a necessary part of effective revenue management and is necessary in the normal course of business to secure revenues due the City. In all other respects this information is to be treated as personal and confidential.
2. This policy does not apply to the assessment and tax roll. Information from these rolls will be released as required by the Municipal Government Act upon payment of the fee approved by Council.
3. On each utility application, the customer shall be asked to authorize the release of account information to the Welcome Wagon and/or Hi Neighbour.
4. Information from the general accounts receivable and utility billing records will only be released to the following parties:
 - (a) R.C.M.P.,
 - (b) Other municipalities and levels of government,
 - (c) Welcome Wagon and/or Hi Neighbour (with customer's authorization),
 - (d) Other creditors in a similar line of business such as other utility companies and landlords,



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

5314

Page 2 of 2

TITLE:

***Release of Accounts Receivable
and Utility Billing Information***

***Date of Approval:
September 23, 1996***

SECTION:

***Corporate Services
(Treasury)***

Dates of Revision:

-
- e) To a collection company but only for those accounts placed by the City with the collection company.
 - 5. Before release of information to the parties authorized in (4), the identity of the party must be confirmed.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

5315

Page 1 of 1

TITLE:

**Penalty for Non-Payment
of Utility Bills**

**Date of Approval:
September 9, 1996**

SECTION:

**Corporate Services
(Treasury)**

Dates of Revision:

POLICY STATEMENT

The purpose of this policy is to provide for the administration of the penalty for non-payment of utility bills provision in the City's Utility Bylaw.

Procedures for Administering Penalties - Utility Bills

In administering the penalty for non-payment of utility bills in the City's Utility Bylaw, the following procedures are to be followed:

1. After the due date the following grace days shall be allowed before the penalty is applied:
 - a) Two working days for counter, mail and drop box payments;
 - b) Four working days for payments received by financial institutions.
2. When a penalty is charged it will be cancelled on a one time basis, upon request by the customer, if the customer has paid on time for 12 consecutive months.
3. If a penalty is charged that is not cancelled under (2) above, the Mayor is authorized to cancel the penalty if, in the opinion of the Mayor, it is appropriate to do so.
4. This policy applies to all utility customers (*commercial and residential*).

Comments:

We concur with the Director of Corporate Services. The Council Policy is no longer required as provisions have been made within the contract with Canadian Utilities.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998

TO: Director of Corporate Services

FROM: City Clerk

RE: *Request to Rescind:*

1. *Council Policy No. 5314 - Release of Accounts Receivable and Utility Billing Information*
2. *Council Policy No. 5315 - Penalty for Non-Payment of Utility Bills*

Reference Report:

Director of Corporate Services
dated September 29, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Director of Corporate Services dated September 29, 1998, re: Request to Rescind Council Policy No. 5314 - Release of Accounts Receivable and Utility Billing Information and Council Policy No. 5315 - Penalty for Non-Payment of Utility Bills, hereby agrees to rescind Council Policy No. 5314 and Council Policy No. 5315 and to remove same from the Council Policy Manual."

Report Back to Council Required:

No

Comments/Further Action:

The noted policies will be removed from the Council Policy Manual. The Council Policy Manual amendments are being distributed under separate cover.



Kelly Kloss
City Clerk

/clr

c City Manager
 Director of Community Services
 Director of Development Services

Item No. 6

Date: September 21, 1998

To: City Clerk

From: Treasury Services Manager

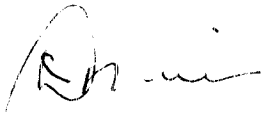
Re: PURCHASING POLICY 5301

Attached is revised Council Purchasing Policy 5301 for Council approval.

For the most part, the changes are of a housekeeping nature in order to make the Purchasing Policy conform to the standard format for Council policies and shift procedural content to the Administrative Purchasing Policy.

There is one change that I would like to bring to Council's attention with respect to the release of tender information (section C). The present policy does not allow for the release of unit prices under any circumstances, and we are recommending that this restriction be relaxed to the extent that unit prices be made available when the requested bids are on a unit price basis.

Respectfully submitted.



D. G. Norris
Treasury Services Manager

cc. Director of Corporate Services
Purchasing Agent

**THE CITY OF RED DEER
COUNCIL POLICY MANUAL****POLICY NO.****5301****Page 1 of 2****TITLE:*****Purchasing and Tendering******Date of Approval:******September 9, 1996*****SECTION:*****Corporate Services
(Treasury)******Dates of Revision:******December 2, 1996******December 16, 1996******October 5, 1998***

POLICY STATEMENT

The purpose is to identify the policies to be used by City staff for the purchase of goods and services.

PURCHASE OF ENVIRONMENTALLY RESPONSIBLE PRODUCTS

The City of Red Deer is committed to the procurement and use of re-usable, recycled and environmentally responsible products in its operations, wherever possible and practical. The City will purchase environmentally preferable products and services when quality and service is equal or better and price is equal to or lower than other less environmentally preferable products and services.

LOCAL PREFERENCE

The City of Red Deer does not give preferential treatment to local bidders; purchases shall be made at the lowest tendered or quoted price consistent with the required quality and service. If all factors are equal and a local firm is involved, preference will be given to the local firm.

PURCHASING AUTHORITY

The City of Red Deer Operating and Capital Budgets are approved by Council resolution at the Department Summary level on an annual basis. The City Manager is authorized to delegate purchasing authority to staff within approved budgets.

A. QUOTATIONS & TENDERS

The City of Red Deer requires that purchasing be done on a competitive basis.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

5301

Page 2 of 2

TITLE:

Purchasing and Tendering

Date of Approval:

September 9, 1996

SECTION:

**Corporate Services
(Treasury)**

Dates of Revision:

December 2, 1996

December 16, 1996

October 5, 1998

B. AWARD OF TENDER

The lowest bid meeting specifications will normally be accepted. Normally, the only reasons acceptable for other than the low bidder being selected are:

1. Low bidder does not meet specifications materially.
2. Low bidder cannot deliver within the time required.
3. Low bidder is unacceptable, based on past performance.
4. Acceptance of low bid would result in a higher overall or end cost.

C. RELEASE OF TENDER INFORMATION

After tenders have closed, a summary of prices tendered may be made available on all product and service related tenders. Unit prices may be made available when the requested bid is on a unit price basis.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. **5301**

Page 1 of 7

TITLE: **Purchasing and Tendering**

Date of Approval:
September 9, 1996

SECTION: **Corporate Services
(Treasury)**

Dates of Revision:
December 2, 1996
December 16, 1996

POLICY STATEMENT

The purpose of this policy is to identify the procedure to be used by City staff for the purchase of goods and services.

Staff designated by their department head are allowed to use LPO's (Low Dollar Purchase Orders) to a limit of \$1,000.00 (excluding purchases from foreign sources).

A. *Purchase of Environmentally Responsible Goods and Services*

1. The City is committed to the procurement and use of re-usable, recycled and environmentally responsible products in its operations, wherever possible and practical.
2. Environmentally responsible or "green" products are those which:
 - (a) achieve a reduction in the project or materials usage or in the waste generated,
 - (b) allow for re-use of the original product or material, and
 - (c) contain recycled materials.

B. *Quotations and Tenders*

1. Quotations may be obtained on an informal basis by telephone or fax when there is an urgent need for an item.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. 5301

Page 2 of 7

TITLE: Purchasing and Tendering

**Date of Approval:
September 9, 1996**

**SECTION: Corporate Services
(Treasury)**

**Dates of Revision:
December 2, 1996
December 16, 1996**

2. For other than urgent requirement the procedure is to be:

(a) **Purchases under \$10,000**

Discretion may be used in requesting formal quotations by a certain date and time. They may be subject to rejection for late submission.

Unless goods are required urgently, the time to be allowed for return of tenders shall not be less than:

- (i) Where only Red Deer suppliers are involved - 7 days
- (ii) Where in Province suppliers are involved -10 days
- (iii) Where out of Province suppliers are involved -12 days
- (iv) Where foreign suppliers are involved -15 days

(b) **Purchases over \$10,000**

When making purchases of over \$10,000.00, formal purchasing procedures are to be used, as follows:

- (i) All prices to be tendered
- (ii) A specified date and time for submission
- (iii) Tenders received after (ii) above, are to be filed unopened (<\$50,000).



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. 5301

Page 3 of 7

TITLE: *Purchasing and Tendering*

Date of Approval:
September 9, 1996

SECTION: *Corporate Services
(Treasury)*

Dates of Revision:
*December 2, 1996
December 16, 1996*

Time to be allowed for submission of tenders shall not be less than as indicated for purchases under \$10,000

(c) Purchases over \$50,000

- (i) Tenders in excess of \$50,000 shall be addressed to the City Clerk and opened after (b)(ii) above, in the presence of the Purchasing Agent and a City representative.
- (ii) Notification shall be given to the City Clerk's Department of all tenders in excess of \$50,000.00.
- (iii) Tenders received after (b)(ii) above, are to be returned to the bidder unopened.

(d) Bids received on FAX Machine

- (i) Bids by FAX for 12:00 o'clock noon openings which are tenders under \$50,000, will be accepted, provided that the FAXED copy is a duly completed and signed copy of The City of Red Deer tender form
- (ii) The bidders use the FAX machine at their sole risk and the City accepts no responsibility in the event of error or omission.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. **5301**

Page 4 of 7

TITLE: **Purchasing and Tendering**

Date of Approval:
September 9, 1996

SECTION: **Corporate Services
(Treasury)**

Dates of Revision:
December 2, 1996
December 16, 1996

(e) Professional Services

Professional services are not normally tendered; the provisions for the engagement of consultants and other professional services are included in Section "E" of this policy.

C. Selection of Tenders

1. The City will purchase environmentally preferable products and services when quality and service is equal or better and price is equal to or lower than other less environmentally preferable products and services.

The low bidder shall normally be accepted unless:

- (a) the low bidder does not meet specifications materially;
- (b) the low bidder cannot deliver in time required;
- (c) the past performance of the low bidder is unacceptable;
- (d) acceptance of the low bid would result in a higher overall or end cost. It is recognized that the original purchase price of products rarely reflects the full environmental cost of production and waste disposal. The City will recognize these costs and purchase products of higher environmental value when it can be demonstrated that any reasonable premium paid would be offset by waste disposal costs associated with less environmentally preferable products.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. **5301**

Page 5 of 7

TITLE: **Purchasing and Tendering**

Date of Approval:
September 9, 1996

SECTION: **Corporate Services
(Treasury)**

Dates of Revision:
December 2, 1996
December 16, 1996

D. Purchase Order Approvals

1. The Purchase Order authorizing the purchase of the good and/or service (except for professional services - see Section "E"), requires the following approvals:

Amount: **Up to \$10,000.00**

Restriction: Where the recommended supplier is other than the lowest acceptable bidder, the purchase must be approved by the Purchasing Agent.

Authority to Purchase: As per the approvals given by the Department Heads, Directors or City Manager.

Amount: **Over \$10,000.00**

Restriction: Where the recommended supplier is other than the lowest acceptable bidder, the purchase must be approved by City Council unless the difference is less than \$500 and/or Council approved a similar purchase in a prior year. To determine the lowest acceptable bidder, the criteria used are:

- (a) must not be significantly deficient on important specifications, or
- (b) must deliver within the required time period, or



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. 5301

Page 6 of 7

TITLE: *Purchasing and Tendering*

Date of Approval:
September 9, 1996

SECTION: *Corporate Services
(Treasury)*

Dates of Revision:
*December 2, 1996
December 16, 1996*

-
- (c) past performance must be acceptable, or
 - (d) must be lowest overall or end cost.

**Authority to
Purchase:**

As per the approvals given by the Department Heads,
Directors or City Manager.

- 2.¹ After tenders have closed, a summary of prices tendered (excluding unit prices) will be released to any member of the public upon request without charge.

E. Professional Consultant Services

- 1. When professional consultant services are required, qualified consultants (normally a minimum of three) shall be requested to submit proposals.
- 2. In circumstances where it is cost effective to approach only one consultant, and the value of the services exceeds \$10,000, the approval of City Council will be required.
- 3. City Council approval shall be required if funds for the engagement of a consultant are not provided in a budget approved by Council.
- 4. A Purchase Order is required to authorize the engagement.

¹ December 2, 1996



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. 5301

Page 7 of 7

TITLE: *Purchasing and Tendering*

Date of Approval:
September 9, 1996

SECTION: *Corporate Services
(Treasury)*

Dates of Revision:
*December 2, 1996
December 16, 1996*

-
- 5.¹ This policy will not apply to the engagement of legal survey firms for other than major subdivision development, as the terms of such engagements are provided in Council Policy No. 4509.

F. Availability of Budget Funds

The Department Head is responsible to ensure funding approved by Council is available to fund Purchase Orders and requisitions issued by the department. If approved funding for the expenditure will be exceeded, the Department Head is responsible to request City Council approval for the overexpenditure prior to the Purchase Order requisition being issued, unless:

- (a) an emergency situation exists, or
- (b) funding approved by Council for the Department in total will be underspent.

¹ December 16, 1996

Comments:

We recommend that Council approve the revised policy. Council should note that the majority of changes are being made to move administrative procedures out of Council policy and into Administrative policy.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Treasury Services Manager
FROM: City Clerk
RE: Request to Amend Council Policy No. 5301 - Purchasing and Tendering

Reference Report: Treasury Services Manager
dated September 21, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Treasury Services Manager dated September 21, 1998 re: Request to Amend Council Policy No. 5301 - Purchasing and Tendering, hereby agrees to amend Council Policy No. 5301 as outlined in the above report and presented to Council October 5, 1998."

Report Back to Council Required: No

Comments/Further Action:

I have attached for your information a copy of amended Council Policy No. 5301 as it will appear in the Council Policy Manual. Copies will follow under separate cover to all Council Policy Manual subscribers.



Kelly Kloss
City Clerk

/clr
attchs.

c City Manager
Director of Community Services
Director of Corporate Services
Director of Development Services



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO.

5301

Page 1 of 2

TITLE:

Purchasing and Tendering

Date of Approval:

September 9, 1996

SECTION:

***Corporate Services
(Treasury)***

Dates of Revision:

December 2, 1996

December 16, 1996

October 5, 1998

POLICY STATEMENT

The purpose is to identify the policies to be used by City staff for the purchase of goods and services

Purchase of Environmentally Responsible Products

The City of Red Deer is committed to the procurement and use of reusable, recycled and environmentally responsible products in its operations, wherever possible and practical. The City will purchase environmentally preferable products and services when quality and service is equal or better and price is equal to or lower than other less environmentally preferable products and services.

Local Preference

The City of Red Deer does not give preferential treatment to local bidders; purchases shall be made at the lowest tendered or quoted price consistent with the required quality and service. If all factors are equal and a local firm is involved, preference will be given to the local firm.

Purchasing Authority

The City of Red Deer Operating and Capital Budgets are approved by Council resolution at the Department Summary level on an annual basis. The City Manager is authorized to delegate purchasing authority to staff within approved budgets.



**THE CITY OF RED DEER
COUNCIL POLICY MANUAL**

POLICY NO. **5301**

Page 2 of 2

TITLE: **Purchasing and Tendering**

Date of Approval:
September 9, 1996

SECTION: **Corporate Services
(Treasury)**

Dates of Revision:
December 2, 1996
December 16, 1996
October 5, 1998

A. *Quotations & Tenders*

The City of Red Deer requires that purchasing be done on a competitive basis.

B. *Award of Tender*

The lowest bid meeting specifications will normally be accepted. Normally, the only reasons acceptable for other than the low bidder being selected are:

1. Low bidder does not meet specifications materially.
2. Low bidder cannot deliver within the time required.
3. Low bidder is unacceptable based on past performance.
4. Acceptance of low bid would result in a higher overall or end cost.

C. *Release of Tender Information*

After tenders have closed, a summary of prices tendered may be made available on all product and service related tenders. Unit prices may be made available when the requested bid is on a unit price basis.

FILE

DATE: October 7, 1998

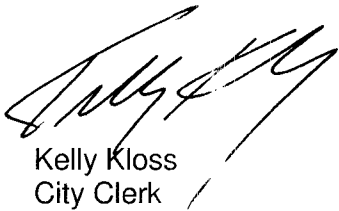
TO: City Manager

FROM: City Clerk

RE: *Tendering Process for City of Red Deer - Local Preference Clause*

At the Council Meeting of October 5, 1998 during consideration of Council Policy No. 5301 - Purchasing and Tendering, concerns were once again raised regarding the local preference clause contained in the policy.

As per your request, this is being submitted as a reminder to review and discuss The City's local preference clause with the Chamber of Commerce.



Kelly Kloss
City Clerk

/clr

Item No. 7

To: CITY CLERK
From: DIRECTOR OF CORPORATE SERVICES
Date: September 28, 1998
Re: UTILITY BYLAW CHANGES

Council will recall that a number of proposed amendments to the City's existing Utility Bylaw were presented to and approved by Council in July of this year. These changes were necessary for the transition to having Canadian Utilities (CU) provide the City's Utility meter reading, billing and collection services. Attached, for information, is a copy of the July report to Council.


We have now completed the task of preparing 'service specifications' with CU which required defining in greater detail the services they will be providing. We are now in a position to finalize the re-write of the bylaw in its' entirety, reflecting the changes listed in my previous report to Council, and generally 'cleaning up' a number of minor wording issues.

The only significant changes made since the July report to Council are:

1. Disconnect/Reconnect Fees. Instead of charging separate \$21 disconnect and re-connect fees, the bylaw has been changed to charge ONLY a \$45 disconnect fee when a property owner requests services to be cut off, and ONLY a \$45 reconnect fee to reconnect services after they have been cut off by the City for reasons such as non-payment of charges. This is consistent with CU's practice.
2. After Hours Calls - We have changed the overtime callout rate to \$105 from the existing charge of \$94.40 to be consistent with CU. These charges are levied infrequently so there will be little impact to our customers.

RECOMMENDATION

That Council approve the New Utility Bylaw 3215/98 to be effective December 1, 1998.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

f:\cul\bylaw revisions\Report to Council Setp 98.doc

Date: July 21, 1998

To: CITY CLERK

From: DIRECTOR OF CORPORATE SERVICES

Re: UTILITY BYLAW CHANGES

The City has entered into an agreement with Canadian Utilities (CU) to have them provide the City's Utility meter reading, billing and collection services starting in December of this year. This opportunity is being used to compare in detail the City's utility billing practices to how CU does business, and we are changing some of what we do in an attempt to make use of the best practices of both CU and the City.

Many changes are service enhancements, such as providing the budget plan to non-residential customers or hand delivering final notices, that don't require bylaw changes. Some of the changes do require Utility Bylaw changes. The following is a summary of major changes proposed to a process defined in the Utility Bylaw:

1. **Elimination of Blanket Deposits/Application Fee Exceptions** - To help offset the cost of administration of opening new accounts, the City charges a \$14 application fee. At one time the City also required signatures on all applications, but wanted to encourage landlords and contractors to put vacant properties in their names. On the other hand, landlords and contractors didn't want the nuisance of having to sign applications. The solution was to accept a \$200 blanket deposit, waiving the \$14 application fee and the need for signatures. This not only saved property owners and contractors time and money, but also accomplished the City's goal of having vacant properties transferred into landlord or contractors names. We have realized, however, that holding such a small deposit gives the City very little security, and actually increases our workload. We are, therefore, proposing that we no longer hold blanket deposits, but that the City Treasurer be given the authority to waive the \$14 application fee for landlords and contractors who are willing to have vacant premises transferred into their names.
2. **Minimum Deposit** - The City currently requires a \$70 minimum deposit from ALL new residential customers (\$200 from commercial customers), unless they can produce a letter of reference from another utility. An INCREASED deposit of three months billings is then charged if payment problems arise. CU does not charge a minimum deposit at all, but instead watch new customers very closely, charging a deposit of 30 % of the annual bill as soon as payment problems begin. In the interests of protecting the City from potential bad debts, we've been treating all new customers as possible bad credit risks. We are proposing to

change our practice to match that of CU and no longer require a minimum deposit. This will protect the City while, hopefully, improving customer relations.

3. **Meter Reads on Final Accounts** - Wherever possible the City has had a meter reader make a special trip to a customer's premises to obtain an actual meter reading for final billing. CU is confident enough in their estimating algorithm that, if an actual meter reading has been obtained in the previous 30 days, they do not require a special meter read. Instead they use the most recent actual read and prorate to determine the final read. CU has had no problem with this practice and we are proposing to change our practice to match that of CU.
4. **Deposit Interest Rate** - Our bylaw has had to be changed on a number of occasions so that interest rates paid on deposits are reasonable. The current bylaw actually includes a variety of rates depending on when the deposit was paid. CU's Natural Gas Service Regulations, approved by the Energy and Utility Board, do not mention a specific rate and instead specify interest "at the rate specified from time to time in the Residential Tenancy Act". This is the rate paid by landlords on damage deposits so this rate would be fair to both the customer and the City, and would eliminate the need to specify and continually update an interest rate in the bylaw.
5. **Periodic Payment of Deposit Interest** - One of the other reasons the deposit interest calculation has had to be specified in the bylaw is because the City only applies deposit interest when the deposit is refunded or applied to the account. We have actually been holding some deposits, and their accrued interest, for 15 years. CU does not accumulate interest as we do, but instead calculates and applies the interest to the customers account each year. We are proposing that the City do the same. The result would be the amount of security held would be decreased by the amount of the interest paid. There would be much less administration and the interest calculation would be much easier to explain to customers.
6. **Deposit Refund Rules** - The City refunds deposits to customers who have been able to make 12 consecutive on time payments. This means the City is constantly refunding deposits whereas CU only review and refund deposits at the beginning of each year. We are proposing to change to CU's practice in order to reduce the extra administration of having to refund deposits on a continual basis. Of course, if a customer closed their account, the deposit and accrued interest would automatically be applied to their account.
7. **Under/Over Billed Account Adjustments** - Occasionally power or water meters malfunction, resulting in over or under charges to customers. The utility bylaw currently allows the City to charge back only 12 months, but to credit back for 36 months. This limits our ability to remedy a problem older than three years. In

addition, if the date the problem began cannot be determined, there can be difficulty determining what the account adjustment should be. CU, however, limit their adjustments to three months, "unless an examination of past meter readings or other information discloses the time at which such error commenced". In such a case an adjustment would be made back to the date the error occurred. This seems to be a reasonable approach and we propose the City adopt this practice.

8. **'Snowbirds'** - There are about 100 'snowbirds' who spend winters away from the City, presumably in warmer climates. The garbage and recycling section of the utility bylaw states that "no charges shall be levied or collected in respect of residential lands when such lands are not in fact occupied and the garbage service is not being used". This means that these customers are exempt for a number of months every year from garbage and recycling charges even though the garbage and recycling trucks are still required to travel the same route. In addition, staff have to turn these services off every year for these customers and then turn them back on again when the customer returns. It is now proposed to not turn off the cost of garbage and recycling services during the winter months.

We are also proposing a number of less significant changes, such as protecting the City from novelty payment methods (e.g. cheques written on plywood) and some minor changes, such as making consistent use of the term 'customer' versus "consumer", changing references to the "City" or "Treasurer" to include reference to an agent, etc.. In addition, the existing Utility Bylaw is ten years old and has been amended dozens of times, resulting in many deleted sections and some problems with the way the bylaw is organized. An amending bylaw to cover such sweeping changes would be almost as long as the original bylaw, and would be cumbersome and difficult to understand. We are, therefore, proposing to repeal the old Bylaw 2960/88 and replace it with a new Utility Bylaw 3215/98 effective December 1, 1998.

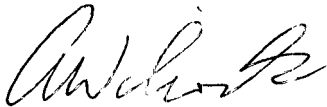
There are some changes that need to be made before December 1 to allow utility staff time to get ready for the changeover. We are, therefore, also submitting an amending bylaw 2960/B-98 to change ONLY those sections of the bylaw that need to be changed prior to December 1. These relate primarily to deposits. Council is being asked at this time to approve amending bylaw 2960/B-98 so the proposed changes to the deposit system can be implemented.

In regard to the new Utility Bylaw 3215/98 to be effective December 1, 1998; Council is only being asked at this time to indicate their approval of the proposed changes. A draft of the proposed bylaw is attached for Council's information. If Council agree to the proposed changes, the bylaw will be finalized and submitted to Council in August for approval.

RECOMMENDATION

That Council:

- approve Bylaw amendment 2960/B-98 effective immediately
- approve by resolution the proposed changes incorporated in the draft of the new Utility Bylaw 3215/98 to be effective December 1, 1998.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

f:\cu\bylaw revisions\Bylaw Report to Council

Comments:

We concur with the recommendations of the Director of Corporate Services. Proposed Utility Bylaw No. 32 5/98 is submitted as an attachment to this agenda.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

DATE: July 20, 1998

TO: Director of Corporate Services

FROM: Charlaine Rausch,
City Clerk's Office

RE: Draft Utility Bylaw No. 3215/98 - Request For Comments

On July 20, 1998, the City Clerk forwarded to my attention, via email, draft Utility Bylaw No. 3215/98. I printed the draft bylaw from my email and perused same as per his instructions. Following are some formatting suggestions I would like to make prior to same being presented to Council:

1. In order to conform with existing City bylaws the preamble needs to be altered somewhat on the first page.
2. The titles and subtitles should be bolded, however, not underlined, in keeping with our bylaw format.
3. The City as a corporation should always be referred to as "City", instead of "city".
4. Unless referring to a title or proper name of a person or place, we are endeavoring to use lower case letters where appropriate, i.e. customer, contract, bylaw, etc.
5. Please use full block paragraph style.
6. Definition sections:
 - (a) Please use lower case when listing, i.e. Application, as opposed to APPLICATION;
 - (b) Please remove the numbering. I apologize for this as I realize that Administrative Policy 9/91 states that it is required, however, this policy is in the process of being amended.
7. The Fire Department should be referred to as the *Emergency Services Department*.
8. Should the definition of Superintendent be listed? (Sections 83 and 85 refer?)
9. Section 136 deals with the burning of garbage "outside" of buildings. This issue was recently raised during the Fire Permit Bylaw review. Should the burning of garbage "inside" a building somehow be dealt with here as well?
10. Please combine sections 144 and 145 as the Schedules form part of the bylaw and become effective the same date in this case.

Director of Corporate Services
July 20, 1998
Page 2

11. Section 146 - ***Bylaw No. 2960/88 is repealed effective December 1, 1998.*** (As per the City Clerk)
12. Throughout the bylaw, there is really no need to refer to other than the bylaw, i.e. the bylaw *and all amendments thereto*. It is understood that any amendment passed forms part of the bylaw. (As per the City Clerk)

I have attached the bylaw I perused and marked a few formatting concerns in green.

Thank you for allowing me the opportunity to comment prior to submission to Council.



Charlaine L. Rausch
City Clerk's Office

/clr
attchs.

c Gary Mullin
City Clerk

To: CITY CLERK
From: DIRECTOR OF CORPORATE SERVICES
Date: June 20, 1998
Re: UTILITY BYLAW CHANGES

COPY
From E-mail
K.

The City has entered into an agreement with Canadian Utilities (CU) to have them provide the City's Utility meter reading, billing and collection services starting in December of this year. This opportunity is being used to compare in detail the City's utility billing practices to how CU does business, and we are changing some of what we do in an attempt to make use of the best practices of both CU and the City.

Many changes are service enhancements, such as providing the budget plan to non-residential customers or hand delivering final notices, that don't require bylaw changes. Some of the changes do require Utility Bylaw changes. The following is a summary of major changes proposed to a process defined in the Utility Bylaw:

1. **Elimination of Blanket Deposits/Application Fee Exceptions** - To help offset the cost of administration of opening new accounts, the City charges a \$14 application fee. At one time the City also required signatures on all applications, but wanted to encourage landlords and contractors to put vacant properties in their names. On the other hand, landlords and contractors didn't want the nuisance of having to sign applications. The solution was to accept a \$200 blanket deposit, waiving the \$14 application fee and the need for signatures. This not only saved property owners and contractors time and money, but also accomplished the City's goal of having vacant properties transferred into landlord or contractors names. We have realized, however, that holding such a small deposit gives the City very little security, and actually increases our workload. We are, therefore, proposing that we no longer hold blanket deposits, but that the City Treasurer be given the authority to waive the \$14 application fee for landlords and contractors who are willing to have vacant premises transferred into their names.
2. **Minimum Deposit** - The City currently requires a \$70 minimum deposit from ALL new residential customers (\$200 from commercial customers), unless they can produce a letter of reference from another utility. An INCREASED deposit of three months billings is then charged if payment problems arise. CU does not charge a minimum deposit at all, but instead watch new customers very closely, charging a deposit of 30 % of the annual bill as soon as payment problems begin. In the interests of protecting the City from potential bad debts, we've been treating all new customers as possible bad credit risks. We are proposing that we no longer require a minimum deposit, and change our practice to match that of CU, protecting the City while, hopefully, improving customer relations.
3. **Meter Reads on Final Accounts** - Wherever possible the City has had a meter reader make a special trip to a customers premises to obtain an actual meter reading for final billing. CU is confident enough in their estimating algorithm that, if an actual meter reading has been obtained in the previous 30 days, they do not require a special meter read but will, instead, use the most recent actual read and prorate to determine the final read. CU has had no problem with this practice and we are proposing to change our practice to match that of CU.
4. **Deposit Interest Rate** - Our bylaw has had to be changed on a number of occasions so that interest rates paid on deposits are reasonable. The current bylaw actually includes a variety of rates depending on when the deposit was paid. CU's Natural Gas Service Regulations, approved by the Energy and Utility Board, do not mention a specific rate and instead specify interest "at the

rate specified from time to time in the Residential Tenancy Act". This is the rate paid by landlords on damage deposits so this rate would be fair to both the customer and the City, and would eliminate the need to specify and continually update an interest rate in the bylaw.

5. **Periodic Payment of Deposit Interest** - One of the other reasons the deposit interest calculation has had to be specified in the bylaw is because the City only applies deposit interest when the deposit is refunded or applied to the account. We have actually been holding some deposits, and their accrued interest, for 15 years. CU does not accumulate interest as we do, but instead calculates and applies the interest to the customers account each year. We are proposing that the City do the same. The result would be that the amount of security held would be decreased by the amount of the interest paid, but that there would be much less administration, and the interest calculation would be much easier to explain to customers.
6. **Deposit Refund Rules** - The City refunds deposits to customers who have been able to make 12 consecutive on time payments. This means that the City is constantly refunding deposits whereas CU only review and refund deposits at the beginning of each year. We are proposing to change to CU's practice in order to reduce the extra administration of having to refund deposits on a continual basis. Of course, if a customer closed their account, the deposit and accrued interest would automatically be applied to their account.
7. **Under/Over Billed Account Adjustments** - Occasionally power or water meters malfunction, resulting in over or under charges to customers. The utility bylaw currently allows the City to charge back only 12 months, but to credit back for 36 months. This limits our ability to remedy a problem older than three years. In addition, if the date the problem began cannot be determined, there can be difficulty determining what the account adjustment should be. CU, however, limit their adjustments to three months, "unless an examination of past meter readings or other information discloses the time at which such error commenced". In such a case an adjustment would be made back to the date the error occurred. This seems to be a reasonable approach and we propose the City adopt this practice.
8. **'Snowbirds'** - There are about 100 'snowbirds' who spend winters away from the City, presumably in warmer climates. The garbage and recycling section of the utility bylaw states that "no charges shall be levied or collected in respect of residential lands when such lands are not in fact occupied and the garbage service is not being used". This means that these customers are exempt for a number of months every year from garbage and recycling charges even though the garbage and recycling trucks are still required to travel the same route. In addition, staff have to turn these services off every year for these customers and then turn them back on again when the customer returns. It is now proposed to not turn off the cost of garbage and recycling services during the winter months.

We are also proposing a number of less significant changes, such as protecting the City from novelty payment methods (e.g. cheques written on plywood) and some minor changes, such as making consistent use of the term 'customer' versus "consumer", changing references to the "City" or "Treasurer" to include reference to an agent, etc.. In addition, the existing Utility Bylaw is ten years old and has been amended dozens of times, resulting in many deleted sections and some problems with the way the bylaw is organized. An amending bylaw to cover such sweeping changes would be almost as long as the original bylaw, and would be cumbersome and difficult to understand. We are, therefore, proposing to repeal the old Bylaw 2960/88 and replace it with a new Utility Bylaw 3215/98 effective December 1, 1998.

There are some changes that need to be made before December 1 to allow utility staff time to get ready for the changeover. We are, therefore, also submitting an amending bylaw 2960/B-98 to change ONLY

those sections of the bylaw that need to be changed prior to December 1. These relate primarily to deposits.

RECOMMENDATION

That Council approve:

- Bylaw amendment 2960/B-98 effective immediately
- New Utility Bylaw 3215/98 to be effective December 1, 1998

A. Wilcock, B. Comm., C.A.
Director of Corporate Services

f:\cu\bylaw revisions\Bylaw Report to Council

EFFECTIVE DECEMBER 1,
1998

UTILITY BYLAW

No. 3215/98

Office Consolidation

TABLE OF CONTENTS

PART 1: ENACTMENT	1
PART 2: DEFINITIONS	1
PART 3: GENERAL PROVISIONS	2
Supervision	2
Supply and Ownership of Facilities and Equipment	3
Assignment of Contract	3
City Responsibility and Liability	3
PART 4: APPLICATION FOR AND CONDITIONS OF SERVICE	3
Application	3
Conditions of Service	4
PART 5: DEPOSITS	4
Deposits - General	4
Interest on Deposits	5
Refund of Deposit	6
PART 6: METERS	7
Measurement by Meter	7
Protection of Meter	7
Meter Installation	7
Non-Registering Meter	7
Testing or Calibration of Disputed Meters	8
PART 7: METER READING	8
Meter Reads	8
Additional Meter Reads	9
PART 8: SERVICE CALLS	9
Service Charge	9
After Hours Calls	9
Disconnection	9
Reconnection	10
PART 9: UTILITY ACCOUNTS	10
Payment of Utility Accounts	10
Late Payment Penalty	10
Novelty Payment Methods	10
Interim Account	11
Enforcement	11
Appeals	11
PART 10: TERMINATION	11
Termination by Customer	11
Termination by City	12
Service Kill	12

PART 11: WATER UTILITY.....	13
Definitions	13
Water Service Levy and Billing Rates.....	14
Rate Payable	14
Exceptions	14
Connection to Public Water Supply.....	14
Administration of Water Supply	15
Restriction of Water Supply.....	16
Restricted Use of City Facilities.....	16
Wastage.....	16
Use of Water.....	16
Investigation into Water Supply Service Failure	17
Noise and Pressure Surges.....	17
Contamination.....	18
Water Meters	18
Installation Responsibility	18
Subsidiary Meter.....	18
Installation.....	18
Meter Chamber.....	19
Meter Size.....	19
Bypasses	19
Meter Valving.....	20
Services and Servicing	20
Number and Depth of Services.....	20
Fire Protection Service	20
Temporary Water Service	20
Thawing Services	21
Winter Installation.....	21
Service Size.....	21
Boilers.....	21
Requested Water Shut Off.....	22
Cross Connections and Backflow Prevention.....	22
PART 12: WASTEWATER UTILITY.....	23
Definitions	23
Sewerage Service Levy and Billing Rates.....	25
Rate Payable	25
Exceptions	25
Use of Sanitary Sewer Required	26
Cleanouts.....	27
Backflow Valve.....	27
Trees and Roots	27
Private Wastewater Disposal.....	27
Building Sewers and Connections.....	28
Use of Public Sewers.....	28
PART 13: ELECTRIC, LIGHT AND POWER UTILITY.....	33
Definitions	33
Electrical Service Levy and Billing Rates.....	34

Transformers.....	34
PART 14: GARBAGE UTILITY.....	36
Definitions	36
Establishment and Contracting.....	36
Garbage Service Charges and Billing Rates.....	37
Administration of Garbage Collection, Removal and Disposal Service.....	37
Use of the Garbage Service and Disposal Grounds.....	38
Hazardous Waste, Dangerous Goods, Special Waste.....	40
Burning.....	40
Miscellaneous	40
PART 15: POWER AND AUTHORITY OF INSPECTORS.....	41
PART 16: OFFENCES AND PENALTIES.....	41
PART 17: EFFECTIVE DATES	42
 SCHEDULE A - WATER AND MISCELLANEOUS RATES	
 SCHEDULE B - WASTEWATER RATES	
 SCHEDULE C - ELECTRIC, LIGHT AND POWER RATES	
 SCHEDULE D - GARBAGE RATES	

BYLAW NO. 3215/98

Being a bylaw of the City of Red Deer, in the Province of Alberta, to regulate and provide for the supply and use of the water, wastewater, electricity and garbage utilities of The City of Red Deer.

PART 1

ENACTMENT

WHEREAS The City of Red Deer has constructed and now maintains utility systems to provide for water, wastewater, electricity and garbage service and facilities; and

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 This bylaw may be called "The Utility Bylaw".

PART 2

DEFINITIONS

- 2 In this bylaw and in the Schedules attached hereto:

"Application" shall mean the application made by the customer to the City for the supply of utility services;

"Apartment Building" or "Multi Family Building" shall mean a residential building containing three or more dwelling units;

"Building Code" shall mean the Alberta Building Code 1985 and amendments thereto or replacements thereof;

"City" shall mean The City of Red Deer or an employee or agent designated by the City

"Customer" shall mean any person, firm partnership, corporation or organization who has entered into a contract with the City for utility services, or who is the owner or occupant of any premises connected to or provided with a utility;

"Director" shall mean the Director of Development Services of the City, or a person or agent authorized by the Director to act on behalf of the Director;

"Dwelling Unit" or "Residential Premises" shall mean one or more rooms useable as a residence operated as a single housekeeping unit and having its own sleeping, cooking and sanitary facilities.

"Financial Institution" shall mean a bank, a trust company, or a credit union, located in the City;

"Non-Residential Customer" shall mean those persons, firm partnership, corporation or organization who use a utility service for any purpose other than exclusively residential purposes.

"Owner" shall mean the registered owner of a property or the purchaser thereof;

"Premises" includes land and buildings;

"Residential Customer" shall mean those persons who occupy a building used exclusively for residential purposes and connected to or provided with a utility;

"Service Connection" for the purpose of this bylaw shall mean all that portion of the pipes, wires, or things that provide a public utility situate between the public utility main and the property line of the property to which such utility is supplied;

"Street" shall mean all those lands situated within a registered road right-of-way at the Land Titles Office, Edmonton, Alberta.

"Treasurer" shall mean the Director of Corporate Services of the City, or an agent or City employee authorized by such Director to act on behalf of the Director;

"Utility" and "Utility Service" shall mean and include, as the context may require:

- (i) the supply of water;
- (ii) the provision of wastewater collection and disposal;
- (iii) the supply of electric power;
- (iv) the provision of garbage collection and disposal.
- (v) the provision of recycling services

PART 3

GENERAL PROVISIONS

SUPERVISION

- 3 (1) The utility services shall be under the general supervision and control of the City Manager.

- (2) The Director and Treasurer shall exercise the powers and perform the duties with respect to the utility services conferred and placed upon them by this bylaw and any other bylaw of the City applicable thereto and any order or direction of the City Manager or Council with respect thereto.

SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

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

ASSIGNMENT OF CONTRACT

- 5 The contract for utility service is not transferable by the customer and shall remain in full force and effect until the customer notifies the City of their desire to terminate the contract or until the said contract shall have been terminated by the City.

CITY RESPONSIBILITY AND LIABILITY

- 6 The City does not guarantee the continuous uninterrupted supply of any utility, and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility and the City, its officers, employees or agents shall not be liable for any damages of any kind due to or arising out of a failure to supply a utility.

PART 4

APPLICATION FOR AND CONDITIONS OF SERVICE

APPLICATION

- 7 (1) Any customer who requires utility services shall apply to the City and pay an application fee of \$14.00 and may be required to sign an application or a contract for service, and to supply information respecting load and the manner in which the services will be utilized, and credit references.
- (2) The utility account shall be set up:
 - (a) in the name of the owner or;

- (b) where there is evidence of a landlord-tenant situation, in the name of the tenant or;
 - (c) in the name of the general contractor in the case of a new building under construction.
 - (3) An application shall be supported by such identification and legal authority of the applicant as the Treasurer may require.
 - (4) The Treasurer may waive the application fee for owners of residential rental properties for the utility services supplied to all rental properties registered in their name, for building contractors constructing property until the property is ready for occupancy, and financial institutions for the utility services supplied to all of its residential foreclosure properties where legal title has been passed to the financial institution pending property liquidation.
- 8 Upon making application, providing all information required by the City, and paying the application fee, deposit and any other sums herein required, there shall thereupon be a binding agreement between the customer and the City, for the utility service applied for, and the provisions of the application and this bylaw shall constitute the terms and conditions of such agreement.

CONDITIONS OF SERVICE

- 9 The City shall not be obligated to provide utility services until access has been provided to the premises to enable the City to obtain an initial meter reading for each utility service which is metered.
- 10 Where the applicant is indebted to the City for any utility services previously provided by the City, the applicant may not be allowed to complete their application, or be entitled to receive utility services, until satisfactory arrangements have been made for payment of such outstanding account and any deposit required.

PART 5

DEPOSITS

DEPOSITS - GENERAL

- 11 (1) No deposits are required in order to establish a utility account, except in the following cases:
- (a) customers who are unable to establish and maintain a credit worthiness satisfactory to the City; or

- (b) where payment of a utility account in the name of the applicant is in arrears; or
 - (c) where service to a property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of an account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's utility account has been written off as a bad debt and the applicant has applied for a new utility account; or
 - (f) where collection proceedings, including legal action or referral to a collection agency, commenced for recovery of the applicant's previous utility account and the applicant has applied for a new utility account; or
 - (g) where there is no evidence of a landlord-tenant relationship, or of a general contractor for new construction situation, and the applicant wishes to set up the utility account in any name other than that of the legal owner, and providing that the City agrees to this action; or
 - (h) where the applicant's existing or previous utility account(s) has not been maintained in good standing
- (2) Before obtaining a utility account, applicants in the foregoing categories shall pay all arrears or previous balances owing, and shall also provide a guarantee of payment in the form of a cash deposit or irrevocable letter of guarantee from a financial institution, in a form suitable to the City, in an amount equal to 30 percent of the estimated annual bill.
 - (3) Customers opening a new account due to a change of residence within the City shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
 - (4) The Treasurer may waive the requirement for a deposit.

INTEREST ON DEPOSITS

- 12 (1) Interest on each customer's cash security deposit calculated annually, not in advance, shall be credited to a cash deposit calculated as follows:
 - (a) In respect to deposits received by the City on or before May 1, 1982:
 - (i) from May 1, 1982 to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,

- (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
 - (b) In respect to deposits received by the City after May 1, 1982 but on or before March 1, 1984:
 - (i) from the date the deposit was received to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,
 - (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
 - (c) In respect to deposits received by the City after March 1, 1984:
 - (i) from the date the deposit was received to May 1, 1992 at a rate of 6% per year,
 - (ii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iii) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (iv) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
- (2) The deposit interest accrued in the cash deposit will be credited to the utility account of the customer beginning in the year 2000 and annually thereafter.

REFUND OF DEPOSIT

- 13 (1) When customers have established and maintained a credit worthiness satisfactory to the City, or upon termination of the contract, the utility account

deposit paid by such customer shall be refunded, together with any accrued interest thereon that has not already been credited to the customer's account as provided for by Section 12, after deducting therefrom all charges outstanding, including the cost of shutting off or discontinuing any utility service for non payment of accounts rendered.

- (2) Deposits may be refunded at the discretion of the Treasurer.

PART 6

METERS

MEASUREMENT BY METER

- 14 All water and electricity supplied by the City to a customer shall be measured by a meter unless otherwise provided for in this bylaw.

PROTECTION OF METER

- 15 (1) Each customer shall provide adequate protection for the meter supplied by the City against freezing, heat or any other internal or external damage, failing which the customer shall pay to the City all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.
- (2) No person other than an authorized City employee shall remove, disconnect, reconnect or tamper with a meter.

METER INSTALLATION

- 16 Every customer who requires the installation of more than one meter for each metered utility, shall pay a fee of \$21.00 for each additional meter.

NON-REGISTERING METER

- 17 (1) If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated and the account rendered based upon such method as the Treasurer considers to be fair and equitable.
- (2) Where it has been determined by the City that the meter is not recording the consumption of a utility, the City, with reasonable notice to the customer, must be allowed to enter the premises to replace the meter.

TESTING OR CALIBRATION OF DISPUTED METERS

- 18 (1) A customer who disputes a meter reading shall give written notice to the City. Following receipt of written notice:
- (a) an electricity meter situated on the customer's premises shall be tested or calibrated by an official designated by the Department of Consumer and Corporate Affairs or such other Department as may from time to time be charged with such responsibility. In the event that the said meter is found to be accurate within the limits prescribed from time to time by the said Department, the expense of such test or calibration shall be borne by the customer; or
 - (b) a water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Director. In the event that the meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense of such test or calibration shall be borne by the customer in the amount designated in Schedule "A".
- (2) In the event that the said meter is found not accurate within the said limits it shall forthwith be repaired or be replaced by one that is accurate and the expense thereof shall be borne by the City.
- (3) In the event that a meter is found not to be accurate within the aforesaid limits then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted to fully take into account such error. Unless an examination of past meter readings or other information discloses the time at which such an error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is the lesser. The amount so determined shall be deemed accepted by the customer and the City as settlement in full of all claims on account of the inaccuracy of such meter.

PART 7**METER READING****METER READS**

- 19 (1) The customer shall permit the City to perform meter reading using automated monitoring equipment.
- (2) The City shall endeavour to read the meters of non-residential customers once every month and to read the meters of residential customers once every two months, or at such other intervals as are reasonable and practicable under the circumstances. If the City cannot gain access safely to read the meter as aforesaid, the consumption of the utility shall be estimated upon such basis as the Treasurer considers to be fair and equitable and the account rendered in

accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, the City may discontinue any or all utility services supplied to the premises until such time as the City is able to obtain an actual meter reading.

- (3) The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.

ADDITIONAL METER READS

- 20 When a customer requests a meter reading at a time other than the regular scheduled time for meter reading, the customer may be assessed a fee of \$21.00 for such reading. Provided, however, if upon such reading, it appears that the previous billed meter reading is incorrect, no service charge shall be required.

PART 8

SERVICE CALLS

SERVICE CHARGE

- 21 When a customer requests that the City attend at their premises with respect to any matter relating to the supply of utility services or the servicing of the same, and for any reason whatsoever the City is unable to enter the said premises, or if the call is for failure of service not attributable to the City utility service, the customer shall pay a fee of \$30.35.

AFTER HOURS CALLS

- 22 Notwithstanding anything herein provided, if a meter is required to be installed or connected, or should a utility service be required to be disconnected or reconnected, or should a service call requested, be required after 4:00 p.m. or before 7:30 a.m., Monday through Friday, or on a Saturday, Sunday, or statutory or civic holiday, a fee of \$105.00 shall be paid by the customer.

DISCONNECTION

- 23 Where a service call is made at the owner's request, for whatever reason, for the purpose of discontinuing a utility service, pursuant to sections 35, 36 and 37 of this bylaw, a disconnection service charge of \$45.00 may be assessed and added to the owner's account.

RECONNECTION

- 24 Where a service call is made for the purpose of restoring services to the customer's account where utility services were previously discontinued pursuant to Sections 35, 36 or 37 of this bylaw, a reconnection service charge of \$45.00 may be assessed and added to the customer's account.

PART 9**UTILITY ACCOUNTS****PAYMENT OF UTILITY ACCOUNTS**

- 25 All rates and charges payable hereunder shall be paid to the City within the time prescribed by this bylaw.
- 26 The entire utility account is due and payable when rendered and if not paid on or before the due date stated on the utility bill is deemed to be in arrears. Failure to receive a utility bill does not relieve the customer of liability to pay the same.
- 27 A customer who has not paid the full utility account rendered on or before the due date stated in the utility account may have the supply of all or any utility services discontinued without notice and such service will not be reinstated until all arrears and charges owed to the City are paid.

LATE PAYMENT PENALTY

- 28 When the customer pays the utility account as rendered after the due date stated in the account, or such due date as may be approved by the Treasurer, such customer shall pay a penalty of 5% of current charges. Payments must be received by the City on or before the due date in order for the customer to avoid the penalty. Payments made at a financial institution must be received by the City on or before the due date in order for the customer to avoid the penalty. The Treasurer may waive late payment penalties.

NOVELTY PAYMENT METHODS

- 29 The City may refuse to accept payment on a customer's account when payment by cheques is drawn on a form other than a bank cheque form. In the event the City accepts a payment by a cheque drawn on any other form, the customer shall be liable for and pay to the City all charges and costs incurred to process the cheque. The City will follow the Bank of Canada rules and regulations of currency acceptance limitations.

INTERIM ACCOUNT

- 30 In any case in which the City has rendered an account based upon an estimate of utility consumption, the City shall, upon reading the meter in respect of which the estimate was made, render an account for such utility service since the time the meter was last read by the City, after crediting all amounts received from the customer in respect of such estimated accounts.
- 31 Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.

ENFORCEMENT

- 32 The Treasurer may enforce payment of all accounts rendered hereunder by whatever means the Treasurer considers appropriate in accordance with the Municipal Government Act.

APPEALS

- 33 Notwithstanding any other provision of this bylaw or the Rate Schedules forming part hereof, any customer who feels himself aggrieved in respect of rates charged to him under this bylaw on the grounds that such rates are unfair, unreasonable or discriminatory, may, by notice in writing delivered to the Director, or a person authorized to act on behalf of the Director, specifying the grounds of this complaint, appeal such rates. Such appeal shall be heard and determined by the Director, or person authorized to act on behalf of the Director, whose decision shall be final.

PART 10**TERMINATION****TERMINATION BY CUSTOMER**

- 34 Upon notification by the customer to the City to terminate the customer's contract, the City shall, when deemed necessary, obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

TERMINATION BY CITY

- 35 When the premises to which utility service is provided become vacant and no new application for service has been made, the City may terminate the contract and, in lieu of disconnecting the service, open a new utility account in the name of the owner. Nothing herein shall prevent the owner from requesting that the City disconnect such utility service provided the owner pays the service charge prescribed herein.
- 36 The City may discontinue the supply of all utility services for any of the following reasons:
- (a) non-payment of any utility accounts; or
 - (b) inability of the City to obtain access to a residential premises to read any meter for a period of six months, or to a non-residential premises to read any meter for a period of three months; or
 - (c) failure by, or refusal of, a customer to comply with any provision of this bylaw; or
 - (d) failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder; or
 - (e) at the owner's request to have services discontinued; or
 - (f) in any other case provided for in this bylaw;
- and in such event the City, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.
- 37 The Director is hereby authorized and directed to enter upon and in any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of a utility to that property, or for the purpose of supplying a utility to that property.

SERVICE KILL

- 38 No permit for the demolition or removal of a building shall be issued by the City nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the City the cost of disconnecting the utility service in the amount required under this bylaw under Schedule 'A', and such utility services have been disconnected. Notwithstanding the foregoing, the Director may, in circumstances which the Director considers appropriate, permit the service to remain connected to the utility service line or main.

PART 11**WATER UTILITY****DEFINITIONS**

39 In this part and in the Schedules attached thereto:

"City Service" or "City Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the water main to the service valve;

"Combined Service" shall mean the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection;

"Fire Line" shall mean a pipe intended solely for the purpose of providing a supply of water for fire protection purpose.

"Private Service" or "Private Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to a meter;

"Remote Reading Device" shall mean a device which is connected to a water meter by the City and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building.

"Service or Service Pipe" shall mean a pipe used or intended to be used for supplying water which extends from the water main to a meter;

"Service Valve" shall mean the valve on a City Service pipe;

"Shut Off" shall mean an interruption in, or discontinuance of, the supply of water;

"Sprinkling" shall mean the distribution of water to the surface or sub-surface of lawns, gardens, street or other areas situated outside the buildings by pipes, hoses, sprinklers or any other method and includes the washing of motor vehicles and the exterior of buildings;

"Water main" shall mean those pipes installed by the City in streets for the conveyance of water throughout the City to which service pipes may be connected;

"Water Utility" shall mean the system of water works owned and operated by the City and all accessories and appurtenances thereto.

WATER SERVICE LEVY AND BILLING RATES

Rate Payable

- 40
- (1) The City hereby levies, and the customer shall pay, for all water supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "A" attached to and forming part of this bylaw.
 - (2) The Director shall determine which rate contained in Schedule "A" shall apply to any particular customer.
 - (3) The rate payable by a customer as set out in Schedule "A" of this bylaw for all water supplied shall be determined by reference to the reading of the meter supplied to each customer.
 - (4) Where a remote reading device is installed in addition to the main water meter, the main meter shall be the official reading.

Exceptions

- 41
- All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of water service, and as a condition of such services, make payment of the following sums of money to the City, namely:
- (a) a sum equal to the off-site water charges based on the rate in force as of the date of the water connections established under the Off-Site Services Bylaw for the Golden West subdivision area, and
 - (b) the estimated cost of the construction of small diameter water main and hydrants and all appurtenances thereto, constructed along and in 65th Avenue between 67th Street and 64th Avenue, distributed on the assessable frontage along 65th Avenue and pro-rated to the Owner based on the frontage of the Owner's land as it related to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the water service to the Owner's property.

CONNECTION TO PUBLIC WATER SUPPLY

- 42
- Within 60 days after a public water supply becomes available, the owner of every building situated on land abutting on any street in which there is a water main shall at the owner's expense connect such building to the water system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.

- 43 At such time as the owner connects to the water main, the owner shall also open a utility account and make payment of all application fees and deposits that may be required under this bylaw.
- 44 Notwithstanding the foregoing, the Director shall have discretion to extend the period of time within which the connection to the public water supply must be made from 60 days up to a maximum of 180 days after a public water supply becomes available.
- 45 A person who has been directed to connect their building to the water system shall have the right to appeal the direction to Council within 30 days of the date that the direction to connect has been served, and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.

ADMINISTRATION OF WATER SUPPLY

- 46 The Director may shut off water for any customer for any reason which, in the opinion of the Director, necessitates such shutting off, provided that the Director shall, if in the Director's opinion it is reasonably practicable to do so, give notice of such shutting off.
- 47 The City does not guarantee the pressure nor the continuous supply of water and the City reserves the right at any and all times without notice to change operating water pressures and to shut off water and the City, its officers, employees or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.
- 48 Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply pressure or quality of water required for their use.
- 49 The City may as a condition to the supply of water inspect the premises of a customer who applies to the City for such supply in order to determine if it is advisable to supply water to such customer.
- 50 The City may, with the permission of the customer, inspect the premises of the customer in order to do any tests on water piping or fixtures belonging to such customer so as to determine if this bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of water to that customer may be shut off.
- 51 The Director may at such times and for such lengths of time as the Director considers necessary or advisable regulate, restrict or prohibit the use of water for use other than human consumption. The Director may cause the water supply to

any customer who causes, permits or allows consumption or sprinkling in contravention of any such regulation, restriction or prohibition to be shut off until such customer undertakes to abide by and comply with such regulation, restriction or prohibition.

RESTRICTION OF WATER SUPPLY

Restricted Use of City Facilities

- 52 No customer shall operate, use, interfere with, obstruct or impede access to the water utility or any portion thereof in any manner not expressly permitted by this bylaw, in default of which, the Director may cause the water being supplied to such customer to be shut off until such customer complies with all of the provisions of this bylaw.

Wastage

- 53 (1) No customer shall cause, permit or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from private service pipe, a faulty plumbing system or otherwise.
- (2) Notwithstanding the foregoing, the Director may under such condition as the Director may consider reasonable allow a customer to discharge water so that it runs waste or useless if such customer's water service would otherwise be susceptible to freezing.

USE OF WATER

- 54 (1) No customer shall:
- (a) lend or sell water;
 - (b) give away or permit water to be taken;
 - (c) use or apply any water to the use or benefit of others or to any other than the customer's own use and benefit;
 - (d) increase the usage of water beyond that agreed upon with the City; or
 - (e) extract or remove any water from any hydrant within the City without first obtaining a letter in writing signed by the Director authorizing such removal.
- (2) During such summer months as the City Manager may designate by Notice published in a newspaper in the City,

- (a) No customer shall use, permit, suffer or allow to be used, any water supplied to any premises, the numerical designation of which (not including the street designation) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number;
 - (b) No customer shall use, permit, suffer or allow to be used any water supplied to any premises, the numerical designation of which ends in an even number (exclusive of the street designation) for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number;
 - (c) Watering as defined in subsections (a) and (b) shall be done only with a hand held hose.
- (3) During such period as the City by Notice published in a newspaper may designate, no customer shall use, permit, suffer or allow to be used, any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.

INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 55
- (1) Any customer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening up and excavating of a street shall, prior to such opening up and excavating, deposit with the Treasurer the costs thereof as estimated by the Director, or sign a work order, agreeing to pay such costs, at the discretion of the Director.
 - (2) In the event that such failure or interruption was caused by the City service, providing that the service is a new service or has been used in the preceding twelve (12) months, the customer shall not be liable for such costs and any deposit paid shall be refunded.
 - (3) In the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the customer and the said deposit shall be applied thereto; any excess shall be refunded to the customer and any deficiency shall be collected in the same manner as water rates.

NOISE AND PRESSURE SURGES

- 56
- No customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the customer's water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the Director, result in annoyance or damage to other customers or to the water utility.

CONTAMINATION

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

WATER METERS

Installation Responsibility

- 58 (1) Water meters supplied by the City being 2 inches (50 millimetres) in size or smaller shall be installed by the City with no direct charge to the customer.
- (2) Water meters supplied by the City being larger than 2 inches (50 (millimetres) in size shall be installed by and at the expense of the customer.

Subsidiary Meter

- 59 A customer may, for their own benefit, install a water meter between the meter supplied by the City and the point of use of the water supply provided that the City shall not maintain such meter, nor shall such meter be read by the City.

Installation

- 60 A customer shall make provision for the installation of a water meter to the satisfaction of the Director and when required shall install a properly valved bypass.
- 61 Unless the Director otherwise approves, the City shall not be obligated to supply more than one water meter for any one building. In the event additional water meters are approved, a separate curb stop will be required for each additional water meter.
- 62 Notwithstanding Section 61 , the City shall supply a separate water meter for each of the two semi-detached dwelling units contained within a duplex residential building. A separate curb stop will be required for each water meter.

63

Any customer:

- (a) whose water is not metered, or
- (b) whose meter is not positioned to the satisfaction of the Director,

shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the customer.

Meter Chamber

64

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

Meter Size

65

The size of the meters shall be determined as follows:

- (a) If the internal diameter of the private service is 1 inch (25 millimetres) or less, a 5/8 inch (16 millimetre) meter shall be used; or
- (b) If the internal diameter of the private service exceeds 1 inch (25 millimetres), the size of the meter shall be one size smaller than the size of the private service; or
- (c) If the private service is combined service the internal diameter of the private service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

Bypasses

66

Any customer having a water meter 2 inches (50 millimetres) in size or larger shall at the customer's own expense construct and maintain a properly valved bypass satisfactory to the Director which bypass shall be sealed by the City and shall be opened by the customer only in case of emergency. The customer shall notify the City within 24 hours after the seal on the bypass is broken, failing which the Director may cause the water supply to such customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

Meter Valving

- 67 Any customer having a meter smaller than 2 inches (50 millimetres) in size shall, at the customer's sole cost and expense, supply and maintain valves on both sides of and within 12 inches (300 millimetres) of the meter.

SERVICES AND SERVICING

- 68 All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the Building Code and any bylaws of the City applicable thereto.

Number and Depth of Services

- 69 Unless the Director otherwise approves,
- (a) there shall not be more than one private service to any building;
 - (b) a private service shall be buried to a depth of at least 9 feet (2.7 metres).

Fire Protection Service

- 70 (1) A water line which provides combined domestic service and fire line service shall not be installed without the prior approval of the Fire Chief of the Red Deer Emergency Services Department.
- (2) A fire line shall be used only for fire protection purposes and the Director shall determine whether or not a meter shall be affixed to such fire line. If the Director requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Director at the sole cost and expense of the customer.
- 71 No trees, shrubs or plant material shall be planted within 3 feet (1 metre) of a fire hydrant. In addition, no tree branches or plant material shall be allowed to encroach within 2 feet (0.7 metres) of a hydrant.

Temporary Water Service

- 72 Any persons requiring a temporary water supply in the course of construction shall make application therefore to the Director and shall pay therefore the sums required by Schedule "A".

Thawing Services

- 73 The cost of thawing a frozen service shall be borne as follows:
- (a) If the private service or the plumbing system connected thereto is frozen, as determined by the Director, by the customer;
 - (b) If the City service is frozen as a result of the negligence of the customer, as determined by the Director, by the customer;
 - (c) If the City service is frozen for any other reason, as determined by the Director, by the City.
- 74 If the Director is of the opinion that a private service or plumbing system has frozen without any negligence on the part of the customer or any other person for whose negligence the customer is responsible, the Director may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15th to May 15th.
- 75 The City shall not thaw a private service or plumbing system unless the customer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the City for any such damage whatsoever except damage caused by the negligence of the City.

Winter Installation

- 76 The cost payable by the customer for installing a service between November 15th of any year and May 15th of the following year unless designated otherwise by the Director shall be increased by the amount designated in the said Schedule "A".

Service Size

- 77 The size of the service required for residential purposes shall be determined in accordance with the Building Code, provided that the City shall not install a service having a size smaller than 1 inch.

Boilers

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

Requested Water Shut Off

- 79 If a customer requires the supply of water to be shut off for their own purposes, the customer shall pay therefore the amount specified in the said Schedule "A".

Cross Connections and Backflow Prevention

- 80 No customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- 81 If a condition is found to exist which is contrary to Section 80, the Inspections and Licensing Manager may issue such order or orders to the customer as may be required to obtain compliance with Section 80.
- 82 Notwithstanding anything herein contained, where in the opinion of the Inspections and Licensing Manager, the configuration of any water connection which creates a high risk of contamination to the water system, the customer, upon being given notice by the Inspections and Licensing Manager, shall install on their water service an approved cross connection control device, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.
- 83 All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Inspections and Licensing Manager by personnel approved by the Inspections and Licensing Manager to carry out such tests to demonstrate that the device is in good working condition. The customer shall submit a report on a form approved by the Inspections and Licensing Manager on any or all tests performed on a cross connection control device within thirty (30) days of a test and a record card issued by the Inspections and Licensing Manager shall be displayed on or adjacent to the cross connection control device. The tester shall record thereon the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self employed) or the name of the testers employer and the tester's license number.
- 84 When the results of a test referred to in Section 83 of this bylaw show that a cross connection device is not in good working condition, the customer shall, when so directed by the Inspections and Licensing Manager, make repairs or replace the device within ninety-six (96) hours. If the customer fails to comply with the direction given, the City may shut off the water service or water services.

- 85 (1) If a customer fails to have a cross connection control device tested, the Inspections and Licensing Manager may notify the customer that the cross connection control device must be tested within ninety-six (96) hours of the customer receiving the notice.
- (2) If a customer fails to have a cross connection control device tested within the time provided in Section 83, the Inspections and Licensing Manager may cause the water service or water services to be terminated until the cross connection control device has been tested and approved as required by Section 83 of this .
- 86 No person shall turn on a water service valve to provide water to the occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved by the Inspections and Licensing Manager.
- 87 No persons other than those who have achieved journeyman or "Certificate of Competency" in the cross connection control program of Alberta may conduct the tests of cross connection control devices, except with special permission from the authority having jurisdiction.
- 88 If the customer to whom the Inspections and Licensing Manager has issued an order fails to comply with that order, the Licensing Manager may:
- (a) Give notice to the customer to correct the fault at the customer's expense within a specified time period and, if the notice is not complied with, the Inspections and Licensing Manager may then shut off the water service or services; or
 - (b) Shut off the water service or services without prior notice.

PART 12

WASTEWATER UTILITY

DEFINITIONS

- 89 In this part:

"Backflow Valve" shall mean a device or a method to prevent backflow;

"B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in parts per million by weight;

"Building Drain" shall mean that part of the lowest horizontal piping which receives the discharge from soil waste or other drainage pipes within a building and conducts it to the building sewer beginning 1 metre outside the building wall;

"Building Sewer" shall mean that part of a wastewater drainage system outside a building commencing at a point 1 metre from the outer face of the wall of the building and connecting the building drain to the sanitary sewer or place of disposal of wastewater;

"Cleanout" shall mean a pipe fitting that has a removable cap or plug and is so constructed that it will permit pipe cleaning;

"C.O.D." (denoting Chemical Oxygen Demand) shall mean the oxygen equivalent of organic matter and related empirically to B.O.D.";

"Combined Sewer" shall mean a sewer which carries sanitary wastewater and storm water;

"Dangerous Goods" shall mean dangerous goods as defined in the Dangerous Goods Control Act;

"Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of foods, and from the handling, storage, and sale of produce;

"Garbage Disposal Unit" shall mean any device, garborator, equipment, or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating garbage to enable the same to be introduced into a public sewer;

"Grease and Oil" shall mean any material recovered as a substance soluble in trichlorotriflourethane and may also include sulphur, organic dyes and chlorophyll, using the "Standard Methods" for the examination of water and wastewater from the latest editions of American Public Health Association, American Water Works Association, and American Water Pollution Control Federation;

"Hydrocarbons" shall mean compounds made up of only carbon and hydrogen;

"Industrial Wastes" shall mean liquid wastes from industrial processes, such as dairies, breweries, packing plants and similar processes;

"Lime Slurry and Residues" shall mean a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre;

"Natural Outlet" shall mean any naturally occurring outlet into a water course, pond, ditch, lake, or other body of surface or groundwater not constructed by any person;

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ion in grams per litre of solution and denotes alkalinity or acidity;

"Phosphates" shall mean a chemical salt classified as orthophosphates, condensed phosphates and poly-phosphates;

"Polluted Wastes" and "Polluted Water" are materials or water that are contaminated with wastes in excess of that permitted in this bylaw;

"Sanitary Sewer" shall mean a sewer located on public property which is designated by the Director to carry wastewater only;

"Sewer" shall mean a pipe or conduit for carrying wastewater;

"Sewerage Works" shall mean all sewers and facilities for collecting, pumping, treating, and disposing of wastewater;

"Storm Sewer or Storm Drain" shall mean a pipe or conduit which is designated by the Director to carry storm, surface drainage, and groundwaters only;

"Suspended Solids" shall mean solids that either float on the surface of, or be in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering;

"Wastewater" shall mean a combination of the water carried wastes from all buildings in the City and without limiting the generality of the foregoing, including residences, business buildings, institutions, and industrial establishments;

"Wastewater Treatment Plant" shall mean any facility used for treating wastewater, and without restricting the generality of the foregoing shall include a wastewater disposal system;

"Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SEWERAGE SERVICE LEVY AND BILLING RATES

Rate Payable

- 90 The City hereby levies a sewerage charge on all persons occupying property connected with the City sewerage works based on volume of wastewater contributed by the customer, to be paid monthly as determined by the Director computed on the rates set forth in Schedule "B" attached hereto and forming part of this bylaw.

Exceptions

- 91 (1) Notwithstanding the provisions of this bylaw, the Director shall have the right to make special agreements on terms fixed by the Director with certain industries or others to whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of wastewater to the City's sewerage works.
- (2) All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of sanitary sewer services, and as a condition of such

services, make payment of the following sums of money to the City, namely:

- (a) a sum equal to the off-site sewer levy based on the rate in force as of the date of sewer connections established under the Off-Site Levies Bylaw for the Golden West Subdivision area, and
- (b) The estimated cost of the construction of sanitary sewers and manholes and all appurtenances thereto, constructed along and in 65 Avenue between 67 Street and 64 Avenue, distributed on the assessable frontage along 65 Avenue and pro-rated to the owner based on the frontage of the owner's land as it relates to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the sewer service to the owner's property.

USE OF SANITARY SEWERS REQUIRED

- 92
- (1) No person shall place, deposit, or permit to be deposited in any manner upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, or other waste, or dangerous goods.
 - (2) No person shall discharge from any natural outlet within the City or to any area under the jurisdiction of the City, any wastewater, industrial waste, dangerous goods, or polluted waters, except where suitable pre-treatment is within the provisions of this bylaw.
 - (3) Within 60 days after sewer service becomes available, the owner of every building situated on land abutting on any street in which there is a sewer main shall at their own expense install toilet facilities and connect the building to the sewer system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.
 - (4) Notwithstanding the foregoing, the Director shall have discretion to extend the period of time within which the connection to the sewer must be made from 60 days up to a maximum of 180 days after access to the sewer main becomes available.
 - (5) A person who has been directed to connect their building to the sewer system shall have the right to appeal the direction to Council within 30 days of the date that the direction to connect has been served, and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.
 - (6) Except as permitted by this bylaw or The Building Code, no person shall construct or maintain in the City any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of wastewater.

CLEANOUTS

- (7) A building sewer that is connected to a sanitary sewer shall be equipped with a main cleanout with a minimum diameter of 4 in. (100 mm) and a building sewer that is connected to a storm sewer shall be equipped with a main cleanout with a minimum diameter of 3 in. (75 mm), each located not more than 80 ft. (25 m) from property line. The main cleanout shall be located as close as practical to the point where the sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (7 feet or 2 metres) for effective rodding and cleaning. The building sewer from cleanout to property line is to be as straight as possible. A maximum of one 45° bend is permitted for the cleanout and a maximum of one additional 45° bend may be used between the cleanout and property line. Total bends shall not exceed 90°.

BACKFLOW VALVE

- (8) Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved flow valve.

TREES AND ROOTS

- (9) No deep rooting trees (without limiting the generality of the foregoing, including willow, poplar and elm) shall be planted over building sewer lines on private property. If it is determined that roots are entering the sewage works from trees upon private property, the trees may be removed by the City at the owner's expense.

PRIVATE WASTEWATER DISPOSAL

- 93 Where a sanitary sewer is not available for connection as required under the provisions of Section 92(3), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the bylaw, The Building Code, and such additional requirements as may be imposed by the Director.
- 94 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.
- 95 After the owner has connected to the sewer system as required by Section 92(3), the owner shall, within 60 days of the date of connection to the sewer system, empty any septic tanks, cesspools and similar private wastewater disposal facilities and shall fill them with fill dirt or other suitable material.

BUILDING SEWERS AND CONNECTIONS

- 96 Any person desiring to connect their premises with a sanitary or storm sewer shall sign and file with the City a written application on a form approved by the Director for a permit to make such connection. The permit application shall be supplemented by any plans, specifications, or other information deemed necessary in the opinion of the Director.
- 97 No person shall uncover, make any connections with or opening into, use, alter, or disturb any sanitary sewer or appurtenances thereof, unless authorized by the Director.
- 98 All building sewers when approved shall be constructed by municipal forces or municipal contractors from the sanitary sewer to the property line.
- 99 All building sewers on private property shall be constructed by the owners' forces to the requirements of this and of The Building Code.
- 100 The City shall maintain the building sewer from the sanitary sewer to the property line at the expense of the City; from the property line to the building connection such sewer shall be maintained by the property owner at their own expense.
- 101 When any sewer connection is abandoned, the owner of the property shall effectively block up the connection at a suitable location within their property so as to prevent wastewater backing up into the soil, or dirt from being washed into the sewer.
- 102 No weeping tile system shall be connected to any building sewer or sanitary sewer unless approved in writing by the Director.
- 103 Where the groundwater table, seasonally adjusted, is within 6.7 feet (2.1 metres) of the top of the footing of any residence constructed after the passage of this , such residence must have a weeping tile system connected to a storm sewer where a storm sewer is available, or upon permission being granted by the Director, connected to the sanitary sewer.

USE OF PUBLIC SEWERS

- 104 No person shall discharge, or cause to be discharged, storm water, surface water, groundwater, roof run-off, subsurface drainage, or cooling water, from any industrial process to any sanitary sewer; provided that the Director may, on application, authorize such discharge where in the Director's opinion exceptional conditions prevent compliance with the foregoing provisions.
- 105 No person shall deposit or permit the deposit of a deleterious substance, as defined by the Director, of any type in the storm sewers of the City of Red Deer.
- 106 No person shall discharge storm water or natural water to any sewer except a

storm sewer, or to a natural outlet approved by the Director.

107 (1) No person shall discharge, cause, or permit to be discharged into any sanitary sewer any:

- (a) dangerous goods;
- (b) ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or other solid or viscous substance capable of causing obstruction, or other interference with, the operation of the sewerage works;
- (c)
 - (i) paunch manure or intestinal contents from horses, cattle, sheep or swine;
 - (ii) animal hooves, toenails, or bone scraps;
 - (iii) animal intestines or stomach casing;
 - (iv) bones;
 - (v) hog bristles;
 - (vi) hides or parts thereof;
 - (vii) animal fat or flesh, in particular larger than will pass through a 6 millimetre screen;
 - (viii) horse, cattle, sheep or swine manure;
 - (ix) poultry entrails, heads, feet, feathers, or eggshells;
 - (x) fleshings and hair resulting from tanning operations;
 - (xi) blood;
- (d) waters or wastes having pH lower than 5.5 or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, biological wastewater treatment processes, and personnel of, the sewerage works;
- (e) Wastewater containing substances in concentrations exceeding the following:

Antimony	1.0 mg/L
Arsenic	1.0 mg/L
Barium	3.0 mg/L
Boron	1.0 mg/L
Cadmium	0.05 mg/L

Chromium	1.0 mg/L
Chlorinated Hydrocarbons	0.02 mg/L
Copper	0.5 mg/L
Cyanide	1.0 mg/L
Lead	1.0 mg/L
Manganese	1.0 mg/L
Mercury	0.1 mg/L
Nickel	0.5 mg/L
Total Pesticides	0.1 mg/L
Phenolic Compounds	0.1 mg/L
Selenium	1.0 mg/L
Silver	1.0 mg/L
Sulphide	1.0 mg/L
Zinc	1.0 mg/L

(f) Wastewater which contains more than:

Suspended Solids	1000 mg/L
B.O.D.	1000 mg/L
C.O.D.	2000 mg/L
Oil and Grease	500 mg/L
Hydrocarbons	100 mg/L
Phosphates	100 mg/L

(g) lime slurry and residues;

(h) any substance which, in the opinion of the Director,

- (i) is or may become harmful to any recipient water course or sewerage system or part thereof;
- (ii) may interfere with the proper operation of the sewerage system;
- (iii) may impair or interfere with any wastewater treatment process; or
- (iv) may become a hazard to persons, property, or animals.

(2) The Director may cause samples of wastewater to be taken to determine the content thereof and, notwithstanding the provisions of Section 107(1)(f), where any person has discharged, caused, or permitted to be discharged into any sanitary sewer any:

- (a) Suspended solids which exceed 200 mg/L; or
- (b) B.O.D. which exceed 200 mg/L; or
- (c) Oil and grease which exceeds 100 mg/L;

then such person shall pay rates for treatment for such substances as set forth in Schedule "B" hereof. Where the discharges of substances do not exceed the amount specified in this subsection, then such person shall pay only the volume rate for discharge of wastewater.

- 108 (1) Grease, oil, and sand interceptions or filters shall be provided on private property for all restaurants, garages, petroleum service stations, vehicle and equipment washing establishments.
- (2) Interceptors will be required for other types of businesses when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients.
- (3) All interceptors shall be of a type and capacity approved by the Director and shall be so located as to be readily and easily accessible for cleaning and inspection and shall be maintained by the owner at the owner's expense in continuously efficient operation at all times.
- (4) Interceptors shall not be required for private residences.
- 109 Should any blockage, either wholly or in part, of the sewerage works be caused by reason of failure, omission, or neglect of a customer, or owner of property, to comply strictly with the provisions of this bylaw, the customer or owner shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay the City for all costs of clearing such blockage as determined pursuant to Schedule "A" and for any other amount for which the City may be held legally liable because of such blockage.
- 110 Any person who contravenes any of the provisions of Section 107(1) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up and removing any of the materials listed in Section 107(1) and removing and cleaning up a contamination resulting from the discharging of any such materials into a sanitary sewer, and for any other amount for which the City may be held legally liable because of such contamination.
- 111 No municipality or person shall discharge or cause to be discharged into any sewer or sanitary sewer, wastewater, or industrial waste in a greater volume than 100,000 cu. ft. (9,300 cubic metres) per month without first obtaining written consent from the Director, but no such consent shall be given by the Director until:
- (a) an application in writing for permission to discharge industrial waste or wastewater into a sewer within or entering the City system is delivered to the Director, and

- (b) the Director has been provided with the chemical and physical analysis, quantity and rate of discharge of wastewater or industrial waste to be so discharged, and any other detailed information that the Director may require, including all pertinent information relating to any pre-treatment before discharge.
- 112
 - (1) The Director may require the person making application to discharge wastewater to provide, at their own expense, such preliminary treatment as may be necessary to change the characteristics of the industrial waste or wastewater to the standards required under the provisions of this bylaw.
 - (2) Where preliminary treatment facilities are provided for any industrial waste or wastewater, they shall be maintained continuously in satisfactory and effective operation by the customer at the customer's own expense.
- 113
 - (1) The installation of a manhole in a wastewater service connection will be required in accordance with the wastewater manhole requirement of the "Design Guidelines" of the Engineering Department.
 - (2) Notwithstanding the above, when required by the Director, the installation of a manhole in a wastewater service connection to an industrial, commercial, or other development will be required:
 - (a) to facilitate the clearing of blockages where, in the opinion of the Director, the risk of sewer blockage is high;
 - (b) for observation, sampling, and measurement of the waste of premises served by a wastewater service connection carrying industrial waste.
 - (3) Without limiting the generality of the foregoing, manholes will be required or, but not limited to:
 - (a) Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, painting shops.
 - (b) Commercial - Shopping centres, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries.
 - (c) Other - Residential dwellings over 6 units, apartment over 6 units, institutions, hospitals, dental labs, funeral homes, churches, schools.
 - (4) Such manholes may be constructed by the City, at cost to the applicant for wastewater services, at the service connection to the sanitary main or such manhole may be constructed at the applicants expense, on property/easement line in accordance with plans approved by the Director and shall be maintained by the applicant so as to be safe and accessible at all times.

- 114 All measurements, tests, and analysis of the characteristics of industrial waste, wastewater or water to which reference is made in this bylaw shall be determined in accordance with the "Standard Methods and Practices for the Examination of Water and Sewage" of the American Public Health Association, and shall be determined from suitable samples taken at the control manhole provided for in Section 113. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sanitary sewer to the point at which the sewer connection enters the sanitary sewer.

PART 13

ELECTRIC, LIGHT AND POWER UTILITY

DEFINITIONS

- 115 In this part:

"Manager" shall mean the Manager of the Electric, Light and Power department of the City;

"Power Consuming Devices" shall mean all instruments and appliances used by the customer and not owned by the City which in any way use and consume the electricity supplied by the City;

"Power Factor" (P.F.) shall mean the ratio of real power (expressed in kilowatts, kW) to apparent power (expressed in kilovoltampere, KVA) for any given load and time, generally expressed as a percentage;

"Watt" (W) shall mean the electrical unit of power or rate of doing work which is the rate of energy transfer equivalent to one ampere flowing under a force of one volt at unity power factor;

"Voltampere" (VA) shall mean the electrical unit of apparent power which is the mathematical product of the volts times amperes;

"Kilowatt - Hour" (kWh) shall mean the unit of electric energy equal to one kilowatt (kW) of power supplied to or taken from an electric circuit steadily for one hour;

"Kilovar - Hour" (KVAH) shall mean the unit of apparent electric energy equal to one kilovoltampere (KVA) of apparent power supplied to or taken from an electrical circuit steadily for one hour.

ELECTRICAL SERVICE LEVY AND BILLING RATES

- 116 (1) The City hereby levies and the customer shall pay for all electricity supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "C" attached hereto and forming part of this bylaw.
- (2) The Manager shall determine which rate contained in Schedule "C" shall apply to any particular customer.
- (3) The amount payable by a customer for all electricity supplied shall be determined by reference to the appropriate rate in Schedule "C" of this bylaw and the reading of the meter supplied to each customer.
- (4) Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.
- 117 (1) In addition to all other rates, tolls and charges to be paid by customers pursuant to this bylaw, in every application for electric power service, the customer shall pay prior to service being provided, an amount as a levy towards the capital cost of service calculated by the Manager, taking into account the following factors:
- (a) current cost of material, equipment and labour;
 - (b) the frontage of the property to be served; and
 - (c) the electrical load density.
- (2) The amount of money levied and to be paid by the customer towards the cost of service shall be calculated and shown upon the work order for the installation and shall be signed by the customer and the Manager.
- (3) The work order showing the amount of money levied and to be paid by the customer and signed by the customer and the Manager shall be deemed to be a binding contract at law and the Council delegates to the Manager the power to enter into such contracts on behalf of Council.
- (4) The amount of money levied and paid by a customer towards the cost of service shall be payable upon written demand.

TRANSFORMERS

- 118 Where an application is made for the supply of electricity by a non-residential customer and the Manager is of the opinion that because of insufficient space or of unsuitability of location, an electric transformer necessary to provide the supply must be located on the property of such a customer, the customer shall as a term and condition of receiving the supply of electric power, provide the necessary space for the transformer on the customer's own property by one of the following methods:

- (a) In a transformer vault having minimum dimensions of 8' x 12' with 7' clear head room, situated inside the customer's premises and built in compliance with the Canadian Electrical Code, and in the event that the transformers to be installed will not be owned by the customer but by the City, such vault shall connect directly to the exterior of the building so as to be accessible at all times to the City, its officers, employees or agents for the purpose of installation, servicing and repairs;
- (b) On a pad outside of the premises provided that such pad shall not be placed upon any setback required by the Land Use Bylaw;
- (c) In an underground vault having minimum dimensions of 8' x 12' with 7' clear head room outside the premises; or
- (d) In such other manner as the Manager may approve.

119 Where an application for the supply of electricity is made by the customer for an apartment, house or any other building containing multiple residential dwelling units, it is a term and condition of the supply of electricity that a transformer pad shall be provided by the customer on the land upon which the apartment or other building is located at a location approved by the Manager.

120 Where a transformer for the supply of electricity to a customer is located on or adjacent to the customer's land, the customer shall, as a term and condition for the supply of electricity, supply and install at their own expense, all secondary conductors, connectors and enclosures from the point of connection of the customer's conductors with the transformer terminals.

121 The Council delegates to the Manager the power to decide, as a term and condition of the supply of electricity, that the supply is to be delivered from either an underground or an overhead distribution system.

122 (1) The City does not guarantee a continuous and uninterrupted supply of electricity and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility, and the City, its officers, employees and agents shall not be liable for any damages of any kind due to the interruption or shutting off of electrical supply

(2) The City is not responsible for the supply, maintenance or repair of any breakers, cables, transformers or power consuming devices or other electrical facilities which are not owned by the City.

(3) When electrical service is disconnected for any reason, it is the responsibility of the applicant or the owner to ensure that the appropriate switches or circuit breakers have been turned off to avoid a hazard to life or property when service is restored.

PART 14**GARBAGE UTILITY****DEFINITIONS**

123 In this part and in the schedules related to this part, the following words shall have the following meanings:

“Container” shall mean a container for garbage which is designed to be emptied by a front loader garbage vehicle;

“Contractor” shall mean the person who is under contract with the City through the Solid Waste Collection Contract or other applicable agreements entered into between the City and the Contractor.;

“Recycling Contractor” shall mean the person who is under contract with the City through the Residential Recycling Contract or other applicable agreements entered into between the City and the Recycling Contractor.

“Dangerous Goods” shall have the meaning set out from time to time in the Transportation of Dangerous Goods Control Act, R.S.A. 1980, Ch. T-6.5 as amended, and the regulations thereunder;

“Disposal Grounds” shall mean the landfill site operated under the authority of the City from time to time;

“Garbage” shall mean discarded material or waste of any kind which is permitted to be disposed of at the City landfill site;

“Hazardous Waste” shall have the meaning set out from time to time in the Environmental Protection and Enhancement Act, R.S.A. 1980, Ch. E 13.3 as amended, and the regulations thereunder;

“Receptacle” shall mean a receptacle for garbage other than a container as defined herein and includes a garbage can and garbage bags;

“Special Waste” shall mean waste which requires special disposal treatment at the Disposal Grounds but does not include garbage, hazardous waste or dangerous goods.

“Vacant Residential Lands” shall mean is a residential parcel of land without a building ready for occupancy.

ESTABLISHMENT AND CONTRACTING

124 The City hereby establishes the garbage utility system for the collection, removal and disposal of all garbage and special waste in the City.

- 125 (1) Except as provided in this part or by any agreement entered into between the City and the contractor, no person other than the contractor shall directly or indirectly remove or dispose of garbage collected within the boundaries of the City.
- (2) Notwithstanding the foregoing, the contractor shall not have any exclusive right to collect, remove and dispose of the following types of garbage:
- (a) residential large household goods;
 - (b) garbage in rolloff containers of a capacity of 20 cubic yards or greater;
 - (c) garbage produced by large scale commercial compactors of a capacity of 20 cubic yards or greater;
 - (d) waste produced in the process of constructing, altering or repairing a building;
 - (e) any waste not accepted at the City Landfill; and
 - (f) those items suitable for recycling or reuse.
- 126 Except as provided in this part or by any agreement entered into between the City and the Recycling Contractor, no person other than the Recycling Contractor shall directly or indirectly remove or dispose of recyclable material from the Residential Recycling Program collected within the boundaries of the City.

GARBAGE SERVICE CHARGES AND BILLING RATES

- 127 (1) The City hereby levies and the customer shall pay for garbage services provided the amounts and charges provided for in this bylaw and in Schedule "D" attached hereto.
- (2) For greater certainty, all customers shall pay the City for basic garbage services notwithstanding any contract such customer may have for additional or special garbage services. The City shall not be responsible to bill or to collect fees for additional or special garbage services.
- (3) Where service is provided for part of a billing period, the rate shown under Schedule "D" for such service shall be prorated and charged for the portion of the period the service is provided.
- (4) No charges shall be levied or collected in respect of residential lands with no improvements.

ADMINISTRATION OF GARBAGE COLLECTION, REMOVAL AND DISPOSAL SERVICE

- 128 The Director shall:

- (a) supervise the collection, removal and disposal of garbage under this bylaw and under any contract entered into by the City;
- (b) require the owner of a property to install a lid on a garbage container when, in the Director's opinion, there is a problem with the containment of garbage which could be resolved by the installation of a lid;
- (c) decide what does or does not constitute garbage or special waste which shall be collected and removed under this bylaw, and
- (d) determine which of the rates set out in Schedule "D" applies to a particular customer in light of the quantity or volume of garbage produced by that customer.

USE OF THE GARBAGE SERVICE AND DISPOSAL GROUNDS

- 129 (1) No material shall be considered to be "garbage" within the meaning of this bylaw unless and until the owner of the same shall have placed it in a receptacle or container for collection.
- (2) All garbage shall be removed to and disposed of in the Disposal Grounds subject to the regulations established by the City therefor and no person shall deposit or dispose of garbage at any location in the City except the Disposal Grounds.
- (3) A person shall not use or permit to be used any vehicle or trailer for the conveyance or storage of waste unless such vehicle or trailer is fitted with a cover capable of preventing the dropping, spilling or blowing off of waste while it is being stored in or transported by the vehicle.
- 130 (1) No owner or occupant of land shall permit garbage to accumulate loosely on such land.
- (2) An owner or occupant of land shall ensure that any garbage produced from such land is held in receptacles or containers in good condition adequate to contain the accumulation of garbage originating from such lands between collection times.
- (3) Garbage receptacles shall be placed as near as practicable to the lane abutting the lands upon which the same are situated so as to be easily accessible to the persons required by this bylaw or any contract pursuant hereto to handle the same, or if a lane does not abut such lands, or for any other reason the placement required by this section is impractical, such receptacles shall be placed in such manner as the Director directs.
- 131 When a building is constructed so that its exterior wall abuts the lane or the lane setback and no alternate location is provided on the site accessible to the lane, a space within the building, accessible to the lane, shall be provided of sufficient dimensions to contain all garbage between periods of collection to the satisfaction of the Director.
- 132 (1) Notwithstanding any other provisions of this bylaw, a receptacle containing garbage shall be sufficiently strong to hold the weight of garbage contained therein without breaking and shall not exceed:

- (a) 25 kilograms (55 pounds) in weight;
 - (b) 1.2 metres (4 feet) in length; or
 - (c) 100 litres (3.6 cubic feet) in volume.
- (2) The City and its contractor are not required to handle, collect or remove a receptacle, or the contents of a receptacle, which does not comply with Section 132 (1) of this bylaw.
- (3) All owners or occupants of land shall remove and dispose of all garbage originating on their lands or premises which are not collected, removed and disposed of pursuant to this bylaw, and in default of their so doing, the City may remove and dispose of such garbage at the expense of such owners or occupants and the owners or occupants shall make payment of such expenses on demand.
- (4) A person shall not put out or permit to be put out animal feces or any other manure type waste unless packaged separately from other waste in a securely tied double plastic bag free of punctures, tears and leaks.
- (5) No person shall dispose of any waste in a receptacle or container owned or leased by another person without the express written consent of the owner of the receptacle or container.
- 133 (1) The owner or occupant of residential lands or premises may remove the garbage therefrom at their own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of this liability to pay to the City the rate levied under this bylaw for removing such garbage.
- (2) The owner or occupant of multi-family residential lands or premises must have hand pick-up or container collection of garbage at least once per week. The joint use or sharing of garbage containers or receptacles between multi-family residential lands or premises, for the collection and disposal of garbage, shall not be permitted except with the prior written permission of the Public Works Manager.
- (3) The owner or occupant of non-residential lands or premises may remove their own garbage at their own cost and expense by employing the services of their own workers or employees, but such owner or occupant shall not contract such work out to any party other than the contractor, except for the removal of the types of garbage listed in Section 125(2).
- (4) Any person who breaches the provisions of subsection (3) hereof, in addition to their liability to be prosecuted for an offence under this bylaw, shall be liable for and make payment to the City of the fees and charges for removal and disposal of garbage which such person would have had to pay had such person used the services of the contractor for such purpose.
- (5) This section does not apply to removal of garbage from the Michener Centre.

HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL WASTE

- 134 (1) The owner or occupant of land which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this bylaw and any regulations of the Governments of Alberta and Canada.
- (2) The owner or occupant of any lands from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- (3) No person shall deposit or mix with any garbage for collection in the garbage service or delivery to the Disposal Grounds any dangerous goods or hazardous waste.
- (4) No person shall place, or cause to be placed, any special waste into the garbage service or Disposal Grounds without obtaining permission from the Director and making payment of the disposal charge specified in Schedule "D".
- (5) Any person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Grounds or any other site in the City and shall make payment of the same to the City on demand.

BURNING

- 135 Except as provided in the City's Fire Permit Bylaw no persons shall burn or attempt to burn any garbage outside of a building in any area of the City.

MISCELLANEOUS

- 136 (1) Notwithstanding anything in this bylaw, no person shall deposit any garbage or refuse at the Disposal Grounds which does not originate from within the boundaries of the City except with the prior written permission of the Public Works Manager or under the authority of a contract with the City.
- (2) The penalty for a breach of this section shall be:
- (a) in the case of a first offence, a fine of not less than \$50.00 and not more than \$100.00 and in default of payment thereof to a term of imprisonment for not more than 5 days;
- (b) in the case of a second offence, a fine of not less than \$150.00 and not more than \$250.00 and in default of payment thereof to a term of imprisonment for not more than 15 days; and

- (c) in the case of a third and any subsequent offence, a fine of \$500.00 and in default of payment thereof to a term of imprisonment for not more than 90 days, or to both fine and imprisonment.

PART 15

POWER AND AUTHORITY OF INSPECTORS

- 137 The Director, any manager of a utility appointed by the Director in charge of administering each utility, the Inspections and Licensing Manager and other duly authorized employees of the City and contractors or agents appointed by the City, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission, or neglect respecting any utility upon the customer's premises, or discloses any defect in the location, construction, design or maintenance of any facility or any connection therefrom to the utility service, the person making such inspection shall, in writing, notify the customer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Director. Such person shall within the time limited rectify such cause of complaint stated in the notice.
- 138 Any person violating any provision of this bylaw may be served by the City with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or such additional time as determined by the Director. Such person shall, within the time stated in such notice, permanently cease all violations.

PART 16

OFFENCES AND PENALTIES

- 139 Any person who:
- (a) breaches Section 92(1), 92(2), 107, or 134 of this bylaw; or
 - (b) fails to act in compliance and accordance with any notice given to him under this bylaw;
- shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than \$500.00 and not more than \$2,500.00, plus court costs and in default of payment of the penalty and costs, to a term of imprisonment not exceeding 6 months.
- 140 The penalty for a breach of Section 129(3) shall be as follows:

- (a) for a first offence, a fine of \$50.00 and, in default of payment, 5 days imprisonment;
- (b) for a second offence, a fine of \$150.00 and, in default of payment, 15 days imprisonment;
- (c) for a third or subsequent offence, a fine of \$500.00 and, in default of payment, imprisonment for a period of 60 days.

141 Except as provided for in Sections 139 and 140 of this bylaw, , any person who breaches or contravenes any other provision of this bylaw is guilty of an offence and is liable to a specified penalty of \$110.00.

142 Where a Peace Officer or Bylaw Enforcement Officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, they may serve upon such person an offence ticket allowing the payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence.

PART 17

EFFECTIVE DATES

143 This bylaw shall come into effect on December 1, 1998

144 Bylaw No. 2960/88 is hereby repealed effective December 1, 1998.

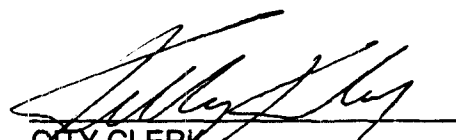
READ A FIRST TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this 5 day of October A.D. 1998.

AND SIGNED BY THE MAYOR AND CITY CLERK this 5 day of October A.D. 1998.


MAYOR


CITY CLERK

SCHEDULE "A"

Page 1 of 5

WATER RATES

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$1.04 for each 100 cubic feet of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	9.68
3/4" (19 mm)	15.50
1" (25 mm)	28.23
1½ " (38 mm)	65.87
2" (50 mm)	159.01
3" (75 mm)	268.47
4" (100 mm)	568.34
6" (150 mm)	1,065.01
8" (200 mm)	1,882.04

MISCELLANEOUS WATER AND WASTEWATER RATES

- | | | | |
|---|---|------------------------|----------------------|
| 1 | New service connection: | | |
| | | From Main In
Street | From Main
In Lane |
| | (a) Basic charge for 1" (25 mm) water
and 6" (150 mm) sanitary | \$3 715.00 | \$3 115.00 |
| | (b) Basic charge for 1" (25 mm) water | \$3 270.00 | \$2 670.00 |

SCHEDULE "A"

Page 2 of 5

(c) Basic charge for 6" (150 mm) sanitary sewer	\$3 270.00	\$2 670.00
(d) Basic charge for 4" (100 mm) storm sewer	\$3 270.00	\$2 670.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$4 000.00	\$3 400.00
(f) Dual service upon approval	\$4 320.00	N/A
(g) Water service renewal upon approval	\$3 500.00	N/A

Extra charge for:

Larger water service:

1.5" (38 mm)	220.00
2" (50 mm)	750.00
4" (100 mm)	2 170.00
6" (150 mm)	3 000.00
8" (200 mm)	3 640.00

Larger sanitary or storm sewer:

8" (200 mm)	120.00
10" (250 mm)	180.00
12" (300 mm)	250.00
15" (375 mm)	400.00
18" (450 mm)	660.00
21" (525 mm)	920.00

2

Additional fee for winter construction of service (Nov. 15 - May 15)

Lane	645.00
Street	900.00

SCHEDULE "A"

3	Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 4000 cubic feet consumption. (Consumption in excess of 4000 cubic feet will be billed at current rate)	50.00
4	Disconnection of service (water kill)	
	up to 50 mm in size	1 020.00
	over 50 mm in size	2 500.00
5	Turn water off or on for repairs or line testing	
	(a) during regular working hours	30.35
	(b) after regular working hours	94.40
6	Other Charges	
	Construction of manhole	2 230.00
	Inspection Chamber	1 500.00
	Cutting and replacing pavement:	
	(a) Single or double service 3" (75 mm) and under	1 720.00
	(b) Single or double service over 3" (75 mm)	2 200.00
	(c) Triple service 3" (75 mm) and under	2 295.00
	(d) Triple service over 3" (75 mm)	2 770.00
	(e) For service kill 3" (75 mm) and under	310.00
	(f) For service kill over 3" (75 mm)	450.00
	(g) For water service renewal	800.00
	Replacing and/or tunnelling sidewalks:	
	(a) Single or double service residential	1 268.00
	(b) Single or double service commercial	2 839.00
	(c) Triple service residential	1 690.00
	(d) Triple service commercial	3 262.00

SCHEDULE "A"

Replacing curb only:

	(a) Single or double service	916.00
	(b) Triple or dual service	1 196.00
	Landscaping Repairs	105.00
7	Clearing plugged sewer	
	(a) During regular working hours	53.95
	(b) After regular working hours	100.00
8	Repairs to water meters	at cost
9	Thawing water service	at cost
10	Repair to damaged stand pipe	at cost
11	Meter Test	47.20
12	Televise sewer lines	
	(a) Service (regular hours only)	108.00
	(b) Mains (regular hours only)	2.00/m
13	Private fire hydrant maintenance	
	(a) Spring inspection (Mar. 2 - June 30)	25.00/hydrant
	(b) Fall inspection (Aug. 1 - Oct. 31)	25.00/hydrant
	(c) Winter inspection (Nov. 1 - Mar. 1)	50.00/hydrant
	(d) Damage evaluation	20.00/hydrant
	(e) Paint	60.00/hydrant

SCHEDULE "A"

Page 5 of 5

14	Use of designated fire hydrant to obtain water	40.00/hydrant
15	Replace valve at water meter at time of water meter replacement	40.00

SCHEDULE "B"

WASTEWATER RATES

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$15.18 per month.
- 2 Where there are more than two dwelling units in residential premises served by a single water meter, the customer shall pay at the rate of \$1.73 per 100 cu. ft. (2.832 cu. metres) of wastewater calculated in the manner herein set forth with a minimum of \$15.18 per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on 109.41 cents per 100 cu. ft. (2.832 cu. metres)
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D.: 15.30 cents per pound (454 grams)

Suspended Solids: 16.53 cents per pound (454 grams)

Grease: 4.72 cents per pound (454 grams)

SCHEDULE "B"

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.

Note: See Schedule "A" for Miscellaneous Wastewater Rates

SCHEDULE "C"

ELECTRIC, LIGHT AND POWER RATES

GENERAL

The kVA of Billing Demand with respect to the monthly billing period will be the greater of:

- 1 the highest kVA metered demand in the monthly billing period; or
- 2 the highest kVA metered demand in the 12 month period including and ending with the monthly billing period.

The kVA metered demand will be measured by either a thermal demand meter having a demand response period of 90% in 15 minutes and a 30 minute test period, or 15 minute interval demand metering equipment.

The kVA of Billing Demand will be re-established on such shorter periods of time as designated by the Electric, Light and Power Manager for the individual customer as warranted by that customer's changing load characteristics

SCHEDULE "C"**RESIDENTIAL - RATE 61**

Applies to all residential premises served by a single meter which contain not more than two dwelling units.

Service Charge	\$8.50 per month
Energy Charge	
- First 150 kWh per month	\$0.0902 per kWh
- Over 150 kWh per month	\$0.0530 per kWh
Minimum Charge	\$8.50 per month

GENERAL SERVICE - RATE 63

Applies to non-residential customers and to residential premises not entitled to Rate 61, plus the "house lights" services (including common area lighting and utility rooms) of apartment buildings where the kVA of Demand is less than 50 kVA. If the kVA of Demand exceeds 50 kVA, Rate 64 will be applied immediately and will be continued to be applied irrespective of future kVA of Demand.

Service to be taken at one of the following nominal voltages:

120/240 Volts, single phase, 3 wire;

120/208Y Volts, network, 3 wire;

120/208Y Volts, three phase, 4 wire;

347/600Y Volts, three phase, 4 wire;

SCHEDULE "C"**Rates:**

Service Charge	\$9.75 per month
First 2025 kWh per month	\$0.1110 per kWh
All additional kWh per month	\$0.0647 per kWh
Minimum Charge	\$9.75 per month

GENERAL SERVICE - RATE 64

Applies to commercial and industrial installations where service is taken at the voltage listed for Rate 63 but where the kVA of Demand is 50 kVA or greater.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand	\$0.0538 per kWh
Over 350 kWh/kVA of Billing Demand	\$0.0254 per kWh

Minimum Charge:

\$5.60/kVA of Billing Demand

SCHEDULE "C"**LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78**

Applies where 4,160 volts or greater is available with adequate system capacity and service is taken at 4,160 volts or greater, balanced three phase and the kVA of Demand is not less than 1000 kVA.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand	\$0.0456 per kWh
-------------------------------------	------------------

Over 350 kWh/kVA of Billing Demand	\$0.0254 per kWh
------------------------------------	------------------

Primary Service Credit:

\$0.51/kVA of Billing Demand per month

The primary service credit is applicable to all customers served on Rates 76 and 77 as of November 15, 1995, and to all subsequent customers on Rate 78.

Minimum Charge:

\$5.60 per kVA of Billing Demand less \$0.51 per kVA Primary Service Credit

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate			
	1.529 cu. m. (2 cu. yds.)	2.294 cu. m. (3 cu. Yds.)	3.058 cu. m. (4 cu. yds.)	4.587 cu. m. (6 cu. yds.)
<u>Service on Demand:</u>				
Container rental	19.81	26.42	33.02	39.62
Lift charge	19.81	26.42	33.02	39.62
<u>Scheduled Service:</u>				
1 lift per month	21.39	25.48	29.56	37.74
1 lift every 2 weeks	29.56	37.74	45.92	62.28
1 lift per week	34.81	52.21	67.88	91.37
2 lifts per week	69.62	104.42	135.75	169.16
3 lifts per week	104.42	156.64	192.15	247.49
4 lifts per week	139.24	208.86	250.63	334.16
5 lifts per week	174.04	261.07	313.28	416.40
6 lifts per week	208.86	313.28	375.94	501.24
Extra lift for scheduled service	19.81	26.42	33.02	39.62

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

Charges for special container services in addition to the above rates will be as follows:

RATES PER CONTAINER

Standard Metal Lid	No charge
Locking Devices on Containers	\$ 5.08 per month
Castors on Containers	\$ 5.08 per month
Extra Cleaning (if more than one per year required)	\$121.92 each time
Fire Damage	\$101.60 each time

2. Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick- Up
	1	2	3	4	5	6	
.383 cu. M. ($<1/2$ cu. yd.)	7.47	14.93	22.39	29.85	37.32	44.78	6.60
.383 cu. m. ($1/2$ cu. yd.)	14.93	29.85	44.78	59.70	74.63	89.55	9.25
.765 cu. m. (1 cu. yd.)	29.85	59.70	89.55	119.40	149.25	179.10	11.89
1.529 cu. m (2 cu. yds.)	59.70	119.40	179.10	238.80	298.50	358.20	14.53
2.294 cu. m (3 cu. yds.)	89.55	179.10	268.65	358.20	447.75	537.30	21.13
3.058 cu. m (4 cu. yds.)	119.40	238.80	358.20	477.60	597.00	716.40	27.74
3.823 cu. m (5 cu. yds.)	149.25	298.50	447.75	597.00	746.25	895.50	34.34
4.587 cu. m (6 cu. yds.)	179.10	358.20	537.30	716.40	895.50	1074.60	40.94

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or an occupant of a dwelling unit in a multiple family building where the owner or agent does not pay charges directly to the City, the charge shall be \$6.33 per month per dwelling unit for one pick-up per week of garbage year round and once a week collection of yard waste for six months per year.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$2.83 per month per dwelling unit.
- (b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$2.37 per month per dwelling unit.
5. The charge for collection of large items up to a maximum load weight of 500 kg. shall be \$100.00 per load, to be invoiced directly by the Contractor.
6. Disposal Grounds Rates for Acceptance of Garbage and Refuse

<i>Description</i>	<i>Rate</i>
(1) Residents hauling residential refuse from their own residences	\$30.00 per metric tonne
(2) Private companies or commercial haulers with commercial or residential refuse	\$30.00 per metric tonne
(3) Liquid waste contained in a water tight box or tank	\$36.00 per metric tonne
(4) Demolition, concrete, asphalt and tree rubble	\$30.00 per metric tonne
(5) Special Waste	\$50.00 per metric tonne

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

<i>Description</i>	<i>Rate</i>
(6) When fractional metric tonnes are delivered the rate charged for the same shall be determined by pro-rating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$5.00 shall apply.	
(7) Cover Material	No Charge
7. Dry Waste Disposal Site	
	<i>Dirt</i>
	<i>Concrete and Asphalt</i>
Single Axle	\$ 5.00
Tandem	\$ 5.00
End Dumps	\$ 10.00
Pups and Trucks	\$ 10.00
Service charge for opening the gate (If special trip is required)	\$15.00/trip

COUNCIL MEETING OF OCTOBER 5, 1998

**ATTACHMENT TO REPORT
ON
OPEN AGENDA**

**RE: PROPOSED
UTILITY BYLAW NO. 3215/98**

TABLE OF CONTENTS

PART 1: ENACTMENT	1
PART 2: DEFINITIONS	1
PART 3: GENERAL PROVISIONS	2
Supervision	2
Supply and Ownership of Facilities and Equipment	3
Assignment of Contract	3
City Responsibility and Liability	3
PART 4: APPLICATION FOR AND CONDITIONS OF SERVICE	3
Application	3
Conditions of Service	4
PART 5: DEPOSITS	4
Deposits - General	4
Interest on Deposits	5
Refund of Deposit	6
PART 6: METERS	7
Measurement by Meter	7
Protection of Meter	7
Meter Installation	7
Non-Registering Meter	7
Testing or Calibration of Disputed Meters	8
PART 7: METER READING	8
Meter Reads	8
Additional Meter Reads	9
PART 8: SERVICE CALLS	9
Service Charge	9
After Hours Calls	9
Disconnection	9
Reconnection	10
PART 9: UTILITY ACCOUNTS	10
Payment of Utility Accounts	10
Late Payment Penalty	10
Novelty Payment Methods	10
Interim Account	11
Enforcement	11
Appeals	11
PART 10: TERMINATION	11
Termination by Customer	11
Termination by City	12
Service Kill	12

PART 11: WATER UTILITY.....	13
Definitions	13
Water Service Levy and Billing Rates	14
Rate Payable	14
Exceptions	14
Connection to Public Water Supply	14
Administration of Water Supply	15
Restriction of Water Supply	16
Restricted Use of City Facilities	16
Wastage	16
Use of Water	16
Investigation into Water Supply Service Failure	17
Noise and Pressure Surges	17
Contamination	18
Water Meters	18
Installation Responsibility	18
Subsidiary Meter	18
Installation	18
Meter Chamber	19
Meter Size	19
Bypasses	19
Meter Valving	20
Services and Servicing	20
Number and Depth of Services	20
Fire Protection Service	20
Temporary Water Service	20
Thawing Services	21
Winter Installation	21
Service Size	21
Boilers	21
Requested Water Shut Off	22
Cross Connections and Backflow Prevention	22
PART 12: WASTEWATER UTILITY.....	23
Definitions	23
Sewerage Service Levy and Billing Rates	25
Rate Payable	25
Exceptions	25
Use of Sanitary Sewer Required	26
Cleanouts	27
Backflow Valve	27
Trees and Roots	27
Private Wastewater Disposal	27
Building Sewers and Connections	28
Use of Public Sewers	28
PART 13: ELECTRIC, LIGHT AND POWER UTILITY.....	33
Definitions	33
Electrical Service Levy and Billing Rates	34

Transformers	34
PART 14: GARBAGE UTILITY.....	36
Definitions	36
Establishment and Contracting.....	36
Garbage Service Charges and Billing Rates.....	37
Administration of Garbage Collection, Removal and Disposal Service.....	37
Use of the Garbage Service and Disposal Grounds.....	38
Hazardous Waste, Dangerous Goods, Special Waste.....	40
Burning.....	40
Miscellaneous	40
PART 15: POWER AND AUTHORITY OF INSPECTORS.....	41
PART 16: OFFENCES AND PENALTIES.....	41
PART 17: EFFECTIVE DATES	42
 SCHEDULE A - WATER AND MISCELLANEOUS RATES	
 SCHEDULE B - WASTEWATER RATES	
 SCHEDULE C - ELECTRIC, LIGHT AND POWER RATES	
 SCHEDULE D - GARBAGE RATES	

BYLAW NO. 3215/98

Being a bylaw of the City of Red Deer, in the Province of Alberta, to regulate and provide for the supply and use of the water, wastewater, electricity and garbage utilities of The City of Red Deer.

PART 1

ENACTMENT

WHEREAS The City of Red Deer has constructed and now maintains utility systems to provide for water, wastewater, electricity and garbage service and facilities; and

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1 This bylaw may be called "The Utility Bylaw".

PART 2

DEFINITIONS

2 In this bylaw and in the Schedules attached hereto:

"Application" shall mean the application made by the customer to the City for the supply of utility services;

"Apartment Building" or "Multi Family Building" shall mean a residential building containing three or more dwelling units;

"Building Code" shall mean the Alberta Building Code 1985 and amendments thereto or replacements thereof;

"City" shall mean The City of Red Deer or an employee or agent designated by the City

"Customer" shall mean any person, firm partnership, corporation or organization who has entered into a contract with the City for utility services, or who is the owner or occupant of any premises connected to or provided with a utility;

"Director" shall mean the Director of Development Services of the City, or a person or agent authorized by the Director to act on behalf of the Director;

"Dwelling Unit" or "Residential Premises" shall mean one or more rooms useable as a residence operated as a single housekeeping unit and having its own sleeping, cooking and sanitary facilities.

"Financial Institution" shall mean a bank, a trust company, or a credit union, located in the City;

"Non-Residential Customer" shall mean those persons, firm partnership, corporation or organization who use a utility service for any purpose other than exclusively residential purposes.

"Owner" shall mean the registered owner of a property or the purchaser thereof;

"Premises" includes land and buildings;

"Residential Customer" shall mean those persons who occupy a building used exclusively for residential purposes and connected to or provided with a utility;

"Service Connection" for the purpose of this bylaw shall mean all that portion of the pipes, wires, or things that provide a public utility situate between the public utility main and the property line of the property to which such utility is supplied;

"Street" shall mean all those lands situated within a registered road right-of-way at the Land Titles Office, Edmonton, Alberta.

"Treasurer" shall mean the Director of Corporate Services of the City, or an agent or City employee authorized by such Director to act on behalf of the Director;

"Utility" and "Utility Service" shall mean and include, as the context may require:

- (i) the supply of water;
- (ii) the provision of wastewater collection and disposal;
- (iii) the supply of electric power;
- (iv) the provision of garbage collection and disposal.
- (v) the provision of recycling services

PART 3

GENERAL PROVISIONS

SUPERVISION

- 3 (1) The utility services shall be under the general supervision and control of the City Manager.

- (2) The Director and Treasurer shall exercise the powers and perform the duties with respect to the utility services conferred and placed upon them by this bylaw and any other bylaw of the City applicable thereto and any order or direction of the City Manager or Council with respect thereto.

SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

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

ASSIGNMENT OF CONTRACT

- 5 The contract for utility service is not transferable by the customer and shall remain in full force and effect until the customer notifies the City of their desire to terminate the contract or until the said contract shall have been terminated by the City.

CITY RESPONSIBILITY AND LIABILITY

- 6 The City does not guarantee the continuous uninterrupted supply of any utility, and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility and the City, its officers, employees or agents shall not be liable for any damages of any kind due to or arising out of a failure to supply a utility.

PART 4

APPLICATION FOR AND CONDITIONS OF SERVICE

APPLICATION

- 7 (1) Any customer who requires utility services shall apply to the City and pay an application fee of \$14.00 and may be required to sign an application or a contract for service, and to supply information respecting load and the manner in which the services will be utilized, and credit references.
- (2) The utility account shall be set up:
 - (a) in the name of the owner or;

- (b) where there is evidence of a landlord-tenant situation, in the name of the tenant or;
 - (c) in the name of the general contractor in the case of a new building under construction.
 - (3) An application shall be supported by such identification and legal authority of the applicant as the Treasurer may require.
 - (4) The Treasurer may waive the application fee for owners of residential rental properties for the utility services supplied to all rental properties registered in their name, for building contractors constructing property until the property is ready for occupancy, and financial institutions for the utility services supplied to all of its residential foreclosure properties where legal title has been passed to the financial institution pending property liquidation.
- 8 Upon making application, providing all information required by the City, and paying the application fee, deposit and any other sums herein required, there shall thereupon be a binding agreement between the customer and the City, for the utility service applied for, and the provisions of the application and this bylaw shall constitute the terms and conditions of such agreement.

CONDITIONS OF SERVICE

- 9 The City shall not be obligated to provide utility services until access has been provided to the premises to enable the City to obtain an initial meter reading for each utility service which is metered.
- 10 Where the applicant is indebted to the City for any utility services previously provided by the City, the applicant may not be allowed to complete their application, or be entitled to receive utility services, until satisfactory arrangements have been made for payment of such outstanding account and any deposit required.

PART 5

DEPOSITS

DEPOSITS - GENERAL

- 11 (1) No deposits are required in order to establish a utility account, except in the following cases:
- (a) customers who are unable to establish and maintain a credit worthiness satisfactory to the City; or

- (b) where payment of a utility account in the name of the applicant is in arrears; or
 - (c) where service to a property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of an account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's utility account has been written off as a bad debt and the applicant has applied for a new utility account; or
 - (f) where collection proceedings, including legal action or referral to a collection agency, commenced for recovery of the applicant's previous utility account and the applicant has applied for a new utility account; or
 - (g) where there is no evidence of a landlord-tenant relationship, or of a general contractor for new construction situation, and the applicant wishes to set up the utility account in any name other than that of the legal owner, and providing that the City agrees to this action; or
 - (h) where the applicant's existing or previous utility account(s) has not been maintained in good standing
- (2) Before obtaining a utility account, applicants in the foregoing categories shall pay all arrears or previous balances owing, and shall also provide a guarantee of payment in the form of a cash deposit or irrevocable letter of guarantee from a financial institution, in a form suitable to the City, in an amount equal to 30 percent of the estimated annual bill.
- (3) Customers opening a new account due to a change of residence within the City shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
- (4) The Treasurer may waive the requirement for a deposit.

INTEREST ON DEPOSITS

- 12 (1) Interest on each customer's cash security deposit calculated annually, not in advance, shall be credited to a cash deposit calculated as follows;
- (a) In respect to deposits received by the City on or before May 1, 1982:
 - (i) from May 1, 1982 to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,

- (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
 - (b) In respect to deposits received by the City after May 1, 1982 but on or before March 1, 1984:
 - (i) from the date the deposit was received to March 1, 1984 at a rate of 10% per year,
 - (ii) from March 1, 1984 to May 1, 1992 at a rate of 6% per year,
 - (iii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iv) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (v) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
 - c) In respect to deposits received by the City after March 1, 1984:
 - (i) from the date the deposit was received to May 1, 1992 at a rate of 6% per year,
 - (ii) from May 1, 1992 to December 1, 1993 at a rate of 5% per year,
 - (iii) from December 1, 1993 to December 1, 1998 at a rate of 4% per year,
 - (iv) from December 1, 1998 to the date the deposit is refunded at a rate no less than that specified from time to time in the Residential Tenancy Act.
- (2) The deposit interest accrued in the cash deposit will be credited to the utility account of the customer beginning in the year 2000 and annually thereafter.

REFUND OF DEPOSIT

- 13 (1) When customers have established and maintained a credit worthiness satisfactory to the City, or upon termination of the contract, the utility account

deposit paid by such customer shall be refunded, together with any accrued interest thereon that has not already been credited to the customer's account as provided for by Section 12, after deducting therefrom all charges outstanding, including the cost of shutting off or discontinuing any utility service for non payment of accounts rendered.

- (2) Deposits may be refunded at the discretion of the Treasurer.

PART 6

METERS

MEASUREMENT BY METER

- 14 All water and electricity supplied by the City to a customer shall be measured by a meter unless otherwise provided for in this bylaw.

PROTECTION OF METER

- 15 (1) Each customer shall provide adequate protection for the meter supplied by the City against freezing, heat or any other internal or external damage, failing which the customer shall pay to the City all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.
- (2) No person other than an authorized City employee shall remove, disconnect, reconnect or tamper with a meter.

METER INSTALLATION

- 16 Every customer who requires the installation of more than one meter for each metered utility, shall pay a fee of \$21.00 for each additional meter.

NON-REGISTERING METER

- 17 (1) If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated and the account rendered based upon such method as the Treasurer considers to be fair and equitable.
- (2) Where it has been determined by the City that the meter is not recording the consumption of a utility, the City, with reasonable notice to the customer, must be allowed to enter the premises to replace the meter.

TESTING OR CALIBRATION OF DISPUTED METERS

- 18 (1) A customer who disputes a meter reading shall give written notice to the City. Following receipt of written notice:
- (a) an electricity meter situated on the customer's premises shall be tested or calibrated by an official designated by the Department of Consumer and Corporate Affairs or such other Department as may from time to time be charged with such responsibility. In the event that the said meter is found to be accurate within the limits prescribed from time to time by the said Department, the expense of such test or calibration shall be borne by the customer; or
 - (b) a water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Director. In the event that the meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense of such test or calibration shall be borne by the customer in the amount designated in Schedule "A".
- (2) In the event that the said meter is found not accurate within the said limits it shall forthwith be repaired or be replaced by one that is accurate and the expense thereof shall be borne by the City.
- (3) In the event that a meter is found not to be accurate within the aforesaid limits then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted to fully take into account such error. Unless an examination of past meter readings or other information discloses the time at which such an error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is the lesser. The amount so determined shall be deemed accepted by the customer and the City as settlement in full of all claims on account of the inaccuracy of such meter.

PART 7**METER READING****METER READS**

- 19 (1) The customer shall permit the City to perform meter reading using automated monitoring equipment.
- (2) The City shall endeavour to read the meters of non-residential customers once every month and to read the meters of residential customers once every two months, or at such other intervals as are reasonable and practicable under the circumstances. If the City cannot gain access safely to read the meter as aforesaid, the consumption of the utility shall be estimated upon such basis as the Treasurer considers to be fair and equitable and the account rendered in

accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, the City may discontinue any or all utility services supplied to the premises until such time as the City is able to obtain an actual meter reading.

- (3) The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.

ADDITIONAL METER READS

- 20 When a customer requests a meter reading at a time other than the regular scheduled time for meter reading, the customer may be assessed a fee of \$21.00 for such reading. Provided, however, if upon such reading, it appears that the previous billed meter reading is incorrect, no service charge shall be required.

PART 8

SERVICE CALLS

SERVICE CHARGE

- 21 When a customer requests that the City attend at their premises with respect to any matter relating to the supply of utility services or the servicing of the same, and for any reason whatsoever the City is unable to enter the said premises, or if the call is for failure of service not attributable to the City utility service, the customer shall pay a fee of \$30.35.

AFTER HOURS CALLS

- 22 Notwithstanding anything herein provided, if a meter is required to be installed or connected, or should a utility service be required to be disconnected or reconnected, or should a service call requested, be required after 4:00 p.m. or before 7:30 a.m., Monday through Friday, or on a Saturday, Sunday, or statutory or civic holiday, a fee of \$105.00 shall be paid by the customer.

DISCONNECTION

- 23 Where a service call is made at the owner's request, for whatever reason, for the purpose of discontinuing a utility service, pursuant to sections 35, 36 and 37 of this bylaw, a disconnection service charge of \$45.00 may be assessed and added to the owner's account.

RECONNECTION

- 24 Where a service call is made for the purpose of restoring services to the customer's account where utility services were previously discontinued pursuant to Sections 35, 36 or 37 of this bylaw, a reconnection service charge of \$45.00 may be assessed and added to the customer's account.

PART 9**UTILITY ACCOUNTS****PAYMENT OF UTILITY ACCOUNTS**

- 25 All rates and charges payable hereunder shall be paid to the City within the time prescribed by this bylaw.
- 26 The entire utility account is due and payable when rendered and if not paid on or before the due date stated on the utility bill is deemed to be in arrears. Failure to receive a utility bill does not relieve the customer of liability to pay the same.
- 27 A customer who has not paid the full utility account rendered on or before the due date stated in the utility account may have the supply of all or any utility services discontinued without notice and such service will not be reinstated until all arrears and charges owed to the City are paid.

LATE PAYMENT PENALTY

- 28 When the customer pays the utility account as rendered after the due date stated in the account, or such due date as may be approved by the Treasurer, such customer shall pay a penalty of 5% of current charges. Payments must be received by the City on or before the due date in order for the customer to avoid the penalty. Payments made at a financial institution must be received by the City on or before the due date in order for the customer to avoid the penalty. The Treasurer may waive late payment penalties.

NOVELTY PAYMENT METHODS

- 29 The City may refuse to accept payment on a customer's account when payment by cheques is drawn on a form other than a bank cheque form. In the event the City accepts a payment by a cheque drawn on any other form, the customer shall be liable for and pay to the City all charges and costs incurred to process the cheque. The City will follow the Bank of Canada rules and regulations of currency acceptance limitations.

INTERIM ACCOUNT

- 30 In any case in which the City has rendered an account based upon an estimate of utility consumption, the City shall, upon reading the meter in respect of which the estimate was made, render an account for such utility service since the time the meter was last read by the City, after crediting all amounts received from the customer in respect of such estimated accounts.
- 31 Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.

ENFORCEMENT

- 32 The Treasurer may enforce payment of all accounts rendered hereunder by whatever means the Treasurer considers appropriate in accordance with the Municipal Government Act.

APPEALS

- 33 Notwithstanding any other provision of this bylaw or the Rate Schedules forming part hereof, any customer who feels himself aggrieved in respect of rates charged to him under this bylaw on the grounds that such rates are unfair, unreasonable or discriminatory, may, by notice in writing delivered to the Director, or a person authorized to act on behalf of the Director, specifying the grounds of this complaint, appeal such rates. Such appeal shall be heard and determined by the Director, or person authorized to act on behalf of the Director, whose decision shall be final.

PART 10**TERMINATION****TERMINATION BY CUSTOMER**

- 34 Upon notification by the customer to the City to terminate the customer's contract, the City shall, when deemed necessary, obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

TERMINATION BY CITY

- 35 When the premises to which utility service is provided become vacant and no new application for service has been made, the City may terminate the contract and, in lieu of disconnecting the service, open a new utility account in the name of the owner. Nothing herein shall prevent the owner from requesting that the City disconnect such utility service provided the owner pays the service charge prescribed herein.
- 36 The City may discontinue the supply of all utility services for any of the following reasons:
- (a) non-payment of any utility accounts; or
 - (b) inability of the City to obtain access to a residential premises to read any meter for a period of six months, or to a non-residential premises to read any meter for a period of three months; or
 - (c) failure by, or refusal of, a customer to comply with any provision of this bylaw; or
 - (d) failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder; or
 - (e) at the owner's request to have services discontinued; or
 - (f) in any other case provided for in this bylaw;
- and in such event the City, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.
- 37 The Director is hereby authorized and directed to enter upon and in any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of a utility to that property, or for the purpose of supplying a utility to that property.

SERVICE KILL

- 38 No permit for the demolition or removal of a building shall be issued by the City nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the City the cost of disconnecting the utility service in the amount required under this bylaw under Schedule 'A', and such utility services have been disconnected. Notwithstanding the foregoing, the Director may, in circumstances which the Director considers appropriate, permit the service to remain connected to the utility service line or main.

PART 11**WATER UTILITY****DEFINITIONS**

39 In this part and in the Schedules attached thereto:

"City Service" or "City Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the water main to the service valve;

"Combined Service" shall mean the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection;

"Fire Line" shall mean a pipe intended solely for the purpose of providing a supply of water for fire protection purpose.

"Private Service" or "Private Service Pipe" shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to a meter;

"Remote Reading Device" shall mean a device which is connected to a water meter by the City and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building.

"Service or Service Pipe" shall mean a pipe used or intended to be used for supplying water which extends from the water main to a meter;

"Service Valve" shall mean the valve on a City Service pipe;

"Shut Off" shall mean an interruption in, or discontinuance of, the supply of water;

"Sprinkling" shall mean the distribution of water to the surface or sub-surface of lawns, gardens, street or other areas situated outside the buildings by pipes, hoses, sprinklers or any other method and includes the washing of motor vehicles and the exterior of buildings;

"Water main" shall mean those pipes installed by the City in streets for the conveyance of water throughout the City to which service pipes may be connected;

"Water Utility" shall mean the system of water works owned and operated by the City and all accessories and appurtenances thereto.

WATER SERVICE LEVY AND BILLING RATES

Rate Payable

- 40
- (1) The City hereby levies, and the customer shall pay, for all water supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "A" attached to and forming part of this bylaw.
 - (2) The Director shall determine which rate contained in Schedule "A" shall apply to any particular customer.
 - (3) The rate payable by a customer as set out in Schedule "A" of this bylaw for all water supplied shall be determined by reference to the reading of the meter supplied to each customer.
 - (4) Where a remote reading device is installed in addition to the main water meter, the main meter shall be the official reading.

Exceptions

- 41
- All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of water service, and as a condition of such services, make payment of the following sums of money to the City, namely:
- (a) a sum equal to the off-site water charges based on the rate in force as of the date of the water connections established under the Off-Site Services Bylaw for the Golden West subdivision area, and
 - (b) the estimated cost of the construction of small diameter water main and hydrants and all appurtenances thereto, constructed along and in 65th Avenue between 67th Street and 64th Avenue, distributed on the assessable frontage along 65th Avenue and pro-rated to the Owner based on the frontage of the Owner's land as it related to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the water service to the Owner's property.

CONNECTION TO PUBLIC WATER SUPPLY

- 42
- Within 60 days after a public water supply becomes available, the owner of every building situated on land abutting on any street in which there is a water main shall at the owner's expense connect such building to the water system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.

- 43 At such time as the owner connects to the water main, the owner shall also open a utility account and make payment of all application fees and deposits that may be required under this bylaw.
- 44 Notwithstanding the foregoing, the Director shall have discretion to extend the period of time within which the connection to the public water supply must be made from 60 days up to a maximum of 180 days after a public water supply becomes available.
- 45 A person who has been directed to connect their building to the water system shall have the right to appeal the direction to Council within 30 days of the date that the direction to connect has been served, and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.

ADMINISTRATION OF WATER SUPPLY

- 46 The Director may shut off water for any customer for any reason which, in the opinion of the Director, necessitates such shutting off, provided that the Director shall, if in the Director's opinion it is reasonably practicable to do so, give notice of such shutting off.
- 47 The City does not guarantee the pressure nor the continuous supply of water and the City reserves the right at any and all times without notice to change operating water pressures and to shut off water and the City, its officers, employees or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.
- 48 Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply pressure or quality of water required for their use.
- 49 The City may as a condition to the supply of water inspect the premises of a customer who applies to the City for such supply in order to determine if it is advisable to supply water to such customer.
- 50 The City may, with the permission of the customer, inspect the premises of the customer in order to do any tests on water piping or fixtures belonging to such customer so as to determine if this bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of water to that customer may be shut off.
- 51 The Director may at such times and for such lengths of time as the Director considers necessary or advisable regulate, restrict or prohibit the use of water for use other than human consumption. The Director may cause the water supply to

any customer who causes, permits or allows consumption or sprinkling in contravention of any such regulation, restriction or prohibition to be shut off until such customer undertakes to abide by and comply with such regulation, restriction or prohibition.

RESTRICTION OF WATER SUPPLY

Restricted Use of City Facilities

- 52 No customer shall operate, use, interfere with, obstruct or impede access to the water utility or any portion thereof in any manner not expressly permitted by this bylaw, in default of which, the Director may cause the water being supplied to such customer to be shut off until such customer complies with all of the provisions of this bylaw.

Wastage

- 53 (1) No customer shall cause, permit or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from private service pipe, a faulty plumbing system or otherwise.
- (2) Notwithstanding the foregoing, the Director may under such condition as the Director may consider reasonable allow a customer to discharge water so that it runs waste or useless if such customer's water service would otherwise be susceptible to freezing.

USE OF WATER

- 54 (1) No customer shall:
- (a) lend or sell water;
 - (b) give away or permit water to be taken;
 - (c) use or apply any water to the use or benefit of others or to any other than the customer's own use and benefit;
 - (d) increase the usage of water beyond that agreed upon with the City; or
 - (e) extract or remove any water from any hydrant within the City without first obtaining a letter in writing signed by the Director authorizing such removal.
- (2) During such summer months as the City Manager may designate by Notice published in a newspaper in the City,

- (a) No customer shall use, permit, suffer or allow to be used, any water supplied to any premises, the numerical designation of which (not including the street designation) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number;
 - (b) No customer shall use, permit, suffer or allow to be used any water supplied to any premises, the numerical designation of which ends in an even number (exclusive of the street designation) for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number;
 - (c) Watering as defined in subsections (a) and (b) shall be done only with a hand held hose.
- (3) During such period as the City by Notice published in a newspaper may designate, no customer shall use, permit, suffer or allow to be used, any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.

INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 55
- (1) Any customer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening up and excavating of a street shall, prior to such opening up and excavating, deposit with the Treasurer the costs thereof as estimated by the Director, or sign a work order, agreeing to pay such costs, at the discretion of the Director.
 - (2) In the event that such failure or interruption was caused by the City service, providing that the service is a new service or has been used in the preceding twelve (12) months, the customer shall not be liable for such costs and any deposit paid shall be refunded.
 - (3) In the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the customer and the said deposit shall be applied thereto; any excess shall be refunded to the customer and any deficiency shall be collected in the same manner as water rates.

NOISE AND PRESSURE SURGES

- 56
- No customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the customer's water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the Director, result in annoyance or damage to other customers or to the water utility.

CONTAMINATION

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

WATER METERS**Installation Responsibility**

- 58 (1) Water meters supplied by the City being 2 inches (50 millimetres) in size or smaller shall be installed by the City with no direct charge to the customer.
- (2) Water meters supplied by the City being larger than 2 inches (50 (millimetres) in size shall be installed by and at the expense of the customer.

Subsidiary Meter

- 59 A customer may, for their own benefit, install a water meter between the meter supplied by the City and the point of use of the water supply provided that the City shall not maintain such meter, nor shall such meter be read by the City.

Installation

- 60 A customer shall make provision for the installation of a water meter to the satisfaction of the Director and when required shall install a properly valved bypass.
- 61 Unless the Director otherwise approves, the City shall not be obligated to supply more than one water meter for any one building. In the event additional water meters are approved, a separate curb stop will be required for each additional water meter.
- 62 Notwithstanding Section 61 , the City shall supply a separate water meter for each of the two semi-detached dwelling units contained within a duplex residential building. A separate curb stop will be required for each water meter.

63

Any customer:

- (a) whose water is not metered, or
- (b) whose meter is not positioned to the satisfaction of the Director,

shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the customer.

Meter Chamber

64

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

Meter Size

65

The size of the meters shall be determined as follows:

- (a) If the internal diameter of the private service is 1 inch (25 millimetres) or less, a 5/8 inch (16 millimetre) meter shall be used; or
- (b) If the internal diameter of the private service exceeds 1 inch (25 millimetres), the size of the meter shall be one size smaller than the size of the private service; or
- (c) If the private service is combined service the internal diameter of the private service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

Bypasses

66

Any customer having a water meter 2 inches (50 millimetres) in size or larger shall at the customer's own expense construct and maintain a properly valved bypass satisfactory to the Director which bypass shall be sealed by the City and shall be opened by the customer only in case of emergency. The customer shall notify the City within 24 hours after the seal on the bypass is broken, failing which the Director may cause the water supply to such customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

Meter Valving

- 67 Any customer having a meter smaller than 2 inches (50 millimetres) in size shall, at the customer's sole cost and expense, supply and maintain valves on both sides of and within 12 inches (300 millimetres) of the meter.

SERVICES AND SERVICING

- 68 All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the Building Code and any bylaws of the City applicable thereto.

Number and Depth of Services

- 69 Unless the Director otherwise approves,
- (a) there shall not be more than one private service to any building;
 - (b) a private service shall be buried to a depth of at least 9 feet (2.7 metres).

Fire Protection Service

- 70 (1) A water line which provides combined domestic service and fire line service shall not be installed without the prior approval of the Fire Chief of the Red Deer Emergency Services Department.
- (2) A fire line shall be used only for fire protection purposes and the Director shall determine whether or not a meter shall be affixed to such fire line. If the Director requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Director at the sole cost and expense of the customer.
- 71 No trees, shrubs or plant material shall be planted within 3 feet (1 metre) of a fire hydrant. In addition, no tree branches or plant material shall be allowed to encroach within 2 feet (0.7 metres) of a hydrant.

Temporary Water Service

- 72 Any persons requiring a temporary water supply in the course of construction shall make application therefore to the Director and shall pay therefore the sums required by Schedule "A".

Thawing Services

- 73 The cost of thawing a frozen service shall be borne as follows:
- (a) If the private service or the plumbing system connected thereto is frozen, as determined by the Director, by the customer;
 - (b) If the City service is frozen as a result of the negligence of the customer, as determined by the Director, by the customer;
 - (c) If the City service is frozen for any other reason, as determined by the Director, by the City.
- 74 If the Director is of the opinion that a private service or plumbing system has frozen without any negligence on the part of the customer or any other person for whose negligence the customer is responsible, the Director may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15th to May 15th.
- 75 The City shall not thaw a private service or plumbing system unless the customer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the City for any such damage whatsoever except damage caused by the negligence of the City.

Winter Installation

- 76 The cost payable by the customer for installing a service between November 15th of any year and May 15th of the following year unless designated otherwise by the Director shall be increased by the amount designated in the said Schedule 'A'.

Service Size

- 77 The size of the service required for residential purposes shall be determined in accordance with the Building Code, provided that the City shall not install a service having a size smaller than 1 inch.

Boilers

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

Requested Water Shut Off

- 79 If a customer requires the supply of water to be shut off for their own purposes, the customer shall pay therefore the amount specified in the said Schedule "A".

Cross Connections and Backflow Prevention

- 80 No customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- 81 If a condition is found to exist which is contrary to Section 80, the Inspections and Licensing Manager may issue such order or orders to the customer as may be required to obtain compliance with Section 80.
- 82 Notwithstanding anything herein contained, where in the opinion of the Inspections and Licensing Manager, the configuration of any water connection which creates a high risk of contamination to the water system, the customer, upon being given notice by the Inspections and Licensing Manager, shall install on their water service an approved cross connection control device, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.
- 83 All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually, or more often if required by the Inspections and Licensing Manager by personnel approved by the Inspections and Licensing Manager to carry out such tests to demonstrate that the device is in good working condition. The customer shall submit a report on a form approved by the Inspections and Licensing Manager on any or all tests performed on a cross connection control device within thirty (30) days of a test and a record card issued by the Inspections and Licensing Manager shall be displayed on or adjacent to the cross connection control device. The tester shall record thereon the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self employed) or the name of the testers employer and the tester's license number.
- 84 When the results of a test referred to in Section 83 of this bylaw show that a cross connection device is not in good working condition, the customer shall, when so directed by the Inspections and Licensing Manager, make repairs or replace the device within ninety-six (96) hours. If the customer fails to comply with the direction given, the City may shut off the water service or water services.

- 85 (1) If a customer fails to have a cross connection control device tested, the Inspections and Licensing Manager may notify the customer that the cross connection control device must be tested within ninety-six (96) hours of the customer receiving the notice.
- (2) If a customer fails to have a cross connection control device tested within the time provided in Section 83, the Inspections and Licensing Manager may cause the water service or water services to be terminated until the cross connection control device has been tested and approved as required by Section 83 of this .
- 86 No person shall turn on a water service valve to provide water to the occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved by the Inspections and Licensing Manager.
- 87 No persons other than those who have achieved journeyman or "Certificate of Competency" in the cross connection control program of Alberta may conduct the tests of cross connection control devices, except with special permission from the authority having jurisdiction.
- 88 If the customer to whom the Inspections and Licensing Manager has issued an order fails to comply with that order, the Licensing Manager may:
- (a) Give notice to the customer to correct the fault at the customer's expense within a specified time period and, if the notice is not complied with, the Inspections and Licensing Manager may then shut off the water service or services; or
- (b) Shut off the water service or services without prior notice.

PART 12

WASTEWATER UTILITY

DEFINITIONS

- 89 In this part:

"Backflow Valve" shall mean a device or a method to prevent backflow;

"B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in parts per million by weight;

"Building Drain" shall mean that part of the lowest horizontal piping which receives the discharge from soil waste or other drainage pipes within a building and conducts it to the building sewer beginning 1 metre outside the building wall;

"Building Sewer" shall mean that part of a wastewater drainage system outside a building commencing at a point 1 metre from the outer face of the wall of the building and connecting the building drain to the sanitary sewer or place of disposal of wastewater;

"Cleanout" shall mean a pipe fitting that has a removable cap or plug and is so constructed that it will permit pipe cleaning;

"C.O.D." (denoting Chemical Oxygen Demand) shall mean the oxygen equivalent of organic matter and related empirically to B.O.D.";

"Combined Sewer" shall mean a sewer which carries sanitary wastewater and storm water;

"Dangerous Goods" shall mean dangerous goods as defined in the Dangerous Goods Control Act;

"Garbage" shall mean solid wastes from the preparation, cooking, and dispensing of foods, and from the handling, storage, and sale of produce;

"Garbage Disposal Unit" shall mean any device, garborator, equipment, or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating garbage to enable the same to be introduced into a public sewer;

"Grease and Oil" shall mean any material recovered as a substance soluble in trichlorotrifluorethane and may also include sulphur, organic dyes and chlorophyll, using the "Standard Methods" for the examination of water and wastewater from the latest editions of American Public Health Association, American Water Works Association, and American Water Pollution Control Federation;

"Hydrocarbons" shall mean compounds made up of only carbon and hydrogen;

"Industrial Wastes" shall mean liquid wastes from industrial processes, such as dairies, breweries, packing plants and similar processes;

"Lime Slurry and Residues" shall mean a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre;

"Natural Outlet" shall mean any naturally occurring outlet into a water course, pond, ditch, lake, or other body of surface or groundwater not constructed by any person;

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ion in grams per litre of solution and denotes alkalinity or acidity;

"Phosphates" shall mean a chemical salt classified as orthophosphates, condensed phosphates and poly-phosphates;

"Polluted Wastes" and "Polluted Water" are materials or water that are contaminated with wastes in excess of that permitted in this bylaw;

"Sanitary Sewer" shall mean a sewer located on public property which is designated by the Director to carry wastewater only;

"Sewer" shall mean a pipe or conduit for carrying wastewater;

"Sewerage Works" shall mean all sewers and facilities for collecting, pumping, treating, and disposing of wastewater;

"Storm Sewer or Storm Drain" shall mean a pipe or conduit which is designated by the Director to carry storm, surface drainage, and groundwaters only;

"Suspended Solids" shall mean solids that either float on the surface of, or be in suspension in water, wastewater, or other liquids, and which are removable by laboratory filtering;

"Wastewater" shall mean a combination of the water carried wastes from all buildings in the City and without limiting the generality of the foregoing, including residences, business buildings, institutions, and industrial establishments;

"Wastewater Treatment Plant" shall mean any facility used for treating wastewater, and without restricting the generality of the foregoing shall include a wastewater disposal system;

"Water Course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

SEWERAGE SERVICE LEVY AND BILLING RATES

Rate Payable

- 90 The City hereby levies a sewerage charge on all persons occupying property connected with the City sewerage works based on volume of wastewater contributed by the customer, to be paid monthly as determined by the Director computed on the rates set forth in Schedule "B" attached hereto and forming part of this bylaw.

Exceptions

- 91 (1) Notwithstanding the provisions of this bylaw, the Director shall have the right to make special agreements on terms fixed by the Director with certain industries or others to whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of wastewater to the City's sewerage works.
- (2) All owners of property fronting on 65 Avenue between 67 Street and 64 Avenue shall, prior to the hook-up of sanitary sewer services, and as a condition of such

services, make payment of the following sums of money to the City, namely:

- (a) a sum equal to the off-site sewer levy based on the rate in force as of the date of sewer connections established under the Off-Site Levies Bylaw for the Golden West Subdivision area, and
- (b) The estimated cost of the construction of sanitary sewers and manholes and all appurtenances thereto, constructed along and in 65 Avenue between 67 Street and 64 Avenue, distributed on the assessable frontage along 65 Avenue and pro-rated to the owner based on the frontage of the owner's land as it relates to the total assessable frontage aforesaid. All such costs shall be calculated as at the current City costs in force as of the date of hooking up the sewer service to the owner's property.

USE OF SANITARY SEWERS REQUIRED

- 92
- (1) No person shall place, deposit, or permit to be deposited in any manner upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, or other waste, or dangerous goods.
 - (2) No person shall discharge from any natural outlet within the City or to any area under the jurisdiction of the City, any wastewater, industrial waste, dangerous goods, or polluted waters, except where suitable pre-treatment is within the provisions of this bylaw.
 - (3) Within 60 days after sewer service becomes available, the owner of every building situated on land abutting on any street in which there is a sewer main shall at their own expense install toilet facilities and connect the building to the sewer system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.
 - (4) Notwithstanding the foregoing, the Director shall have discretion to extend the period of time within which the connection to the sewer must be made from 60 days up to a maximum of 180 days after access to the sewer main becomes available.
 - (5) A person who has been directed to connect their building to the sewer system shall have the right to appeal the direction to Council within 30 days of the date that the direction to connect has been served, and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.
 - (6) Except as permitted by this bylaw or The Building Code, no person shall construct or maintain in the City any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of wastewater.

CLEANOUTS

- (7) A building sewer that is connected to a sanitary sewer shall be equipped with a main cleanout with a minimum diameter of 4 in. (100 mm) and a building sewer that is connected to a storm sewer shall be equipped with a main cleanout with a minimum diameter of 3 in. (75 mm), each located not more than 80 ft. (25 m) from property line. The main cleanout shall be located as close as practical to the point where the sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (7 feet or 2 metres) for effective rodding and cleaning. The building sewer from cleanout to property line is to be as straight as possible. A maximum of one 45° bend is permitted for the cleanout and a maximum of one additional 45° bend may be used between the cleanout and property line. Total bends shall not exceed 90°.

BACKFLOW VALVE

- (8) Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved flow valve.

TREES AND ROOTS

- (9) No deep rooting trees (without limiting the generality of the foregoing, including willow, poplar and elm) shall be planted over building sewer lines on private property. If it is determined that roots are entering the sewage works from trees upon private property, the trees may be removed by the City at the owner's expense.

PRIVATE WASTEWATER DISPOSAL

- 93 Where a sanitary sewer is not available for connection as required under the provisions of Section 92(3), the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the bylaw, The Building Code, and such additional requirements as may be imposed by the Director.
- 94 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the City.
- 95 After the owner has connected to the sewer system as required by Section 92(3), the owner shall, within 60 days of the date of connection to the sewer system, empty any septic tanks, cesspools and similar private wastewater disposal facilities and shall fill them with fill dirt or other suitable material.

BUILDING SEWERS AND CONNECTIONS

- 96 Any person desiring to connect their premises with a sanitary or storm sewer shall sign and file with the City a written application on a form approved by the Director for a permit to make such connection. The permit application shall be supplemented by any plans, specifications, or other information deemed necessary in the opinion of the Director.
- 97 No person shall uncover, make any connections with or opening into, use, alter, or disturb any sanitary sewer or appurtenances thereof, unless authorized by the Director.
- 98 All building sewers when approved shall be constructed by municipal forces or municipal contractors from the sanitary sewer to the property line.
- 99 All building sewers on private property shall be constructed by the owners' forces to the requirements of this and of The Building Code.
- 100 The City shall maintain the building sewer from the sanitary sewer to the property line at the expense of the City; from the property line to the building connection such sewer shall be maintained by the property owner at their own expense.
- 101 When any sewer connection is abandoned, the owner of the property shall effectively block up the connection at a suitable location within their property so as to prevent wastewater backing up into the soil, or dirt from being washed into the sewer.
- 102 No weeping tile system shall be connected to any building sewer or sanitary sewer unless approved in writing by the Director.
- 103 Where the groundwater table, seasonally adjusted, is within 6.7 feet (2.1 metres) of the top of the footing of any residence constructed after the passage of this , such residence must have a weeping tile system connected to a storm sewer where a storm sewer is available, or upon permission being granted by the Director, connected to the sanitary sewer.

USE OF PUBLIC SEWERS

- 104 No person shall discharge, or cause to be discharged, storm water, surface water, groundwater, roof run-off, subsurface drainage, or cooling water, from any industrial process to any sanitary sewer; provided that the Director may, on application, authorize such discharge where in the Director's opinion exceptional conditions prevent compliance with the foregoing provisions.
- 105 No person shall deposit or permit the deposit of a deleterious substance, as defined by the Director, of any type in the storm sewers of the City of Red Deer.
- 106 No person shall discharge storm water or natural water to any sewer except a

storm sewer, or to a natural outlet approved by the Director.

107 (1) No person shall discharge, cause, or permit to be discharged into any sanitary sewer any:

- (a) dangerous goods;
- (b) ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or other solid or viscous substance capable of causing obstruction, or other interference with, the operation of the sewerage works;
- (c)
 - (i) paunch manure or intestinal contents from horses, cattle, sheep or swine;
 - (ii) animal hooves, toenails, or bone scraps;
 - (iii) animal intestines or stomach casing;
 - (iv) bones;
 - (v) hog bristles;
 - (vi) hides or parts thereof;
 - (vii) animal fat or flesh, in particular larger than will pass through a 6 millimetre screen;
 - (viii) horse, cattle, sheep or swine manure;
 - (ix) poultry entrails, heads, feet, feathers, or eggshells;
 - (x) fleshings and hair resulting from tanning operations;
 - (xi) blood;
- (d) waters or wastes having pH lower than 5.5 or higher than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, biological wastewater treatment processes, and personnel of, the sewerage works;
- (e) Wastewater containing substances in concentrations exceeding the following:

Antimony	1.0 mg/L
Arsenic	1.0 mg/L
Barium	3.0 mg/L
Boron	1.0 mg/L
Cadmium	0.05 mg/L

Chromium	1.0 mg/L
Chlorinated Hydrocarbons	0.02 mg/L
Copper	0.5 mg/L
Cyanide	1.0 mg/L
Lead	1.0 mg/L
Manganese	1.0 mg/L
Mercury	0.1 mg/L
Nickel	0.5 mg/L
Total Pesticides	0.1 mg/L
Phenolic Compounds	0.1 mg/L
Selenium	1.0 mg/L
Silver	1.0 mg/L
Sulphide	1.0 mg/L
Zinc	1.0 mg/L

(f) Wastewater which contains more than:

Suspended Solids	1000 mg/L
B.O.D.	1000 mg/L
C.O.D.	2000 mg/L
Oil and Grease	500 mg/L
Hydrocarbons	100 mg/L
Phosphates	100 mg/L

(g) lime slurry and residues;

(h) any substance which, in the opinion of the Director,

- (i) is or may become harmful to any recipient water course or sewerage system or part thereof;
- (ii) may interfere with the proper operation of the sewerage system;
- (iii) may impair or interfere with any wastewater treatment process; or
- (iv) may become a hazard to persons, property, or animals.

(2) The Director may cause samples of wastewater to be taken to determine the content thereof and, notwithstanding the provisions of Section 107(1)(f), where any person has discharged, caused, or permitted to be discharged into any sanitary sewer any:

- (a) Suspended solids which exceed 200 mg/L; or
- (b) B.O.D. which exceed 200 mg/L; or
- (c) Oil and grease which exceeds 100 mg/L;

then such person shall pay rates for treatment for such substances as set forth in Schedule "B" hereof. Where the discharges of substances do not exceed the amount specified in this subsection, then such person shall pay only the volume rate for discharge of wastewater.

- 108 (1) Grease, oil, and sand interceptions or filters shall be provided on private property for all restaurants, garages, petroleum service stations, vehicle and equipment washing establishments.
- (2) Interceptors will be required for other types of businesses when, in the opinion of the Director, they are necessary for the proper handling of wastewater containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients.
- (3) All interceptors shall be of a type and capacity approved by the Director and shall be so located as to be readily and easily accessible for cleaning and inspection and shall be maintained by the owner at the owner's expense in continuously efficient operation at all times.
- (4) Interceptors shall not be required for private residences.
- 109 Should any blockage, either wholly or in part, of the sewerage works be caused by reason of failure, omission, or neglect of a customer, or owner of property, to comply strictly with the provisions of this bylaw, the customer or owner shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay the City for all costs of clearing such blockage as determined pursuant to Schedule "A" and for any other amount for which the City may be held legally liable because of such blockage.
- 110 Any person who contravenes any of the provisions of Section 107(1) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up and removing any of the materials listed in Section 107(1) and removing and cleaning up a contamination resulting from the discharging of any such materials into a sanitary sewer, and for any other amount for which the City may be held legally liable because of such contamination.
- 111 No municipality or person shall discharge or cause to be discharged into any sewer or sanitary sewer, wastewater, or industrial waste in a greater volume than 100,000 cu. ft. (9,300 cubic metres) per month without first obtaining written consent from the Director, but no such consent shall be given by the Director until:
- (a) an application in writing for permission to discharge industrial waste or wastewater into a sewer within or entering the City system is delivered to the Director, and

- (b) the Director has been provided with the chemical and physical analysis, quantity and rate of discharge of wastewater or industrial waste to be so discharged, and any other detailed information that the Director may require, including all pertinent information relating to any pre-treatment before discharge.
- 112
 - (1) The Director may require the person making application to discharge wastewater to provide, at their own expense, such preliminary treatment as may be necessary to change the characteristics of the industrial waste or wastewater to the standards required under the provisions of this bylaw.
 - (2) Where preliminary treatment facilities are provided for any industrial waste or wastewater, they shall be maintained continuously in satisfactory and effective operation by the customer at the customer's own expense.
- 113
 - (1) The installation of a manhole in a wastewater service connection will be required in accordance with the wastewater manhole requirement of the "Design Guidelines" of the Engineering Department.
 - (2) Notwithstanding the above, when required by the Director, the installation of a manhole in a wastewater service connection to an industrial, commercial, or other development will be required:
 - (a) to facilitate the clearing of blockages where, in the opinion of the Director, the risk of sewer blockage is high;
 - (b) for observation, sampling, and measurement of the waste of premises served by a wastewater service connection carrying industrial waste.
 - (3) Without limiting the generality of the foregoing, manholes will be required or, but not limited to:
 - (a) Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, painting shops.
 - (b) Commercial - Shopping centres, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries.
 - (c) Other - Residential dwellings over 6 units, apartment over 6 units, institutions, hospitals, dental labs, funeral homes, churches, schools.
 - (4) Such manholes may be constructed by the City, at cost to the applicant for wastewater services, at the service connection to the sanitary main or such manhole may be constructed at the applicants expense, on property/easement line in accordance with plans approved by the Director and shall be maintained by the applicant so as to be safe and accessible at all times.

- 114 All measurements, tests, and analysis of the characteristics of industrial waste, wastewater or water to which reference is made in this bylaw shall be determined in accordance with the "Standard Methods and Practices for the Examination of Water and Sewage" of the American Public Health Association, and shall be determined from suitable samples taken at the control manhole provided for in Section 113. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sanitary sewer to the point at which the sewer connection enters the sanitary sewer.

PART 13

ELECTRIC, LIGHT AND POWER UTILITY

DEFINITIONS:

- 115 In this part:
- "Manager" shall mean the Manager of the Electric, Light and Power department of the City;
- "Power Consuming Devices" shall mean all instruments and appliances used by the customer and not owned by the City which in any way use and consume the electricity supplied by the City;
- "Power Factor" (P.F.) shall mean the ratio of real power (expressed in kilowatts, kW) to apparent power (expressed in kilovoltampere, KVA) for any given load and time, generally expressed as a percentage;
- "Watt" (W) shall mean the electrical unit of power or rate of doing work which is the rate of energy transfer equivalent to one ampere flowing under a force of one volt at unity power factor;
- "Voltampere" (VA) shall mean the electrical unit of apparent power which is the mathematical product of the volts times amperes;
- "Kilowatt - Hour" (kWh) shall mean the unit of electric energy equal to one kilowatt (kW) of power supplied to or taken from an electric circuit steadily for one hour;
- "Kilovar - Hour" (KVAH) shall mean the unit of apparent electric energy equal to one kilovoltampere (KVA) of apparent power supplied to or taken from an electrical circuit steadily for one hour.

ELECTRICAL SERVICE LEVY AND BILLING RATES

- 116 (1) The City hereby levies and the customer shall pay for all electricity supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "C" attached hereto and forming part of this bylaw.
- (2) The Manager shall determine which rate contained in Schedule "C" shall apply to any particular customer.
- (3) The amount payable by a customer for all electricity supplied shall be determined by reference to the appropriate rate in Schedule "C" of this bylaw and the reading of the meter supplied to each customer.
- (4) Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportionate basis.
- 117 (1) In addition to all other rates, tolls and charges to be paid by customers pursuant to this bylaw, in every application for electric power service, the customer shall pay prior to service being provided, an amount as a levy towards the capital cost of service calculated by the Manager, taking into account the following factors:
- (a) current cost of material, equipment and labour;
 - (b) the frontage of the property to be served; and
 - (c) the electrical load density.
- (2) The amount of money levied and to be paid by the customer towards the cost of service shall be calculated and shown upon the work order for the installation and shall be signed by the customer and the Manager.
- (3) The work order showing the amount of money levied and to be paid by the customer and signed by the customer and the Manager shall be deemed to be a binding contract at law and the Council delegates to the Manager the power to enter into such contracts on behalf of Council.
- (4) The amount of money levied and paid by a customer towards the cost of service shall be payable upon written demand.

TRANSFORMERS

- 118 Where an application is made for the supply of electricity by a non-residential customer and the Manager is of the opinion that because of insufficient space or of unsuitability of location, an electric transformer necessary to provide the supply must be located on the property of such a customer, the customer shall as a term and condition of receiving the supply of electric power, provide the necessary space for the transformer on the customer's own property by one of the following methods:

- (a) In a transformer vault having minimum dimensions of 8' x 12' with 7' clear head room, situated inside the customer's premises and built in compliance with the Canadian Electrical Code, and in the event that the transformers to be installed will not be owned by the customer but by the City, such vault shall connect directly to the exterior of the building so as to be accessible at all times to the City, its officers, employees or agents for the purpose of installation, servicing and repairs;
- (b) On a pad outside of the premises provided that such pad shall not be placed upon any setback required by the Land Use Bylaw;
- (c) In an underground vault having minimum dimensions of 8' x 12' with 7' clear head room outside the premises; or
- (d) In such other manner as the Manager may approve.

119 Where an application for the supply of electricity is made by the customer for an apartment, house or any other building containing multiple residential dwelling units, it is a term and condition of the supply of electricity that a transformer pad shall be provided by the customer on the land upon which the apartment or other building is located at a location approved by the Manager.

120 Where a transformer for the supply of electricity to a customer is located on or adjacent to the customer's land, the customer shall, as a term and condition for the supply of electricity, supply and install at their own expense, all secondary conductors, connectors and enclosures from the point of connection of the customer's conductors with the transformer terminals.

121 The Council delegates to the Manager the power to decide, as a term and condition of the supply of electricity, that the supply is to be delivered from either an underground or an overhead distribution system.

- 122
- (1) The City does not guarantee a continuous and uninterrupted supply of electricity and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility, and the City, its officers, employees and agents shall not be liable for any damages of any kind due to the interruption or shutting off of electrical supply
 - (2) The City is not responsible for the supply, maintenance or repair of any breakers, cables, transformers or power consuming devices or other electrical facilities which are not owned by the City.
 - (3) When electrical service is disconnected for any reason, it is the responsibility of the applicant or the owner to ensure that the appropriate switches or circuit breakers have been turned off to avoid a hazard to life or property when service is restored.

PART 14**GARBAGE UTILITY****DEFINITIONS**

123 In this part and in the schedules related to this part, the following words shall have the following meanings:

"Container" shall mean a container for garbage which is designed to be emptied by a front loader garbage vehicle;

"Contractor" shall mean the person who is under contract with the City through the Solid Waste Collection Contract or other applicable agreements entered into between the City and the Contractor.;

"Recycling Contractor" shall mean the person who is under contract with the City through the Residential Recycling Contract or other applicable agreements entered into between the City and the Recycling Contractor.

"Dangerous Goods" shall have the meaning set out from time to time in the Transportation of Dangerous Goods Control Act, R.S.A. 1980, Ch. T-6.5 as amended, and the regulations thereunder;

"Disposal Grounds" shall mean the landfill site operated under the authority of the City from time to time;

"Garbage" shall mean discarded material or waste of any kind which is permitted to be disposed of at the City landfill site;

"Hazardous Waste" shall have the meaning set out from time to time in the Environmental Protection and Enhancement Act, R.S.A. 1980, Ch. E 13.3 as amended, and the regulations thereunder;

"Receptacle" shall mean a receptacle for garbage other than a container as defined herein and includes a garbage can and garbage bags;

"Special Waste" shall mean waste which requires special disposal treatment at the Disposal Grounds but does not include garbage, hazardous waste or dangerous goods.

"Vacant Residential Lands" shall mean is a residential parcel of land without a building ready for occupancy.

ESTABLISHMENT AND CONTRACTING

124 The City hereby establishes the garbage utility system for the collection, removal and disposal of all garbage and special waste in the City.

- 125 (1) Except as provided in this part or by any agreement entered into between the City and the contractor, no person other than the contractor shall directly or indirectly remove or dispose of garbage collected within the boundaries of the City.
- (2) Notwithstanding the foregoing, the contractor shall not have any exclusive right to collect, remove and dispose of the following types of garbage:
- (a) residential large household goods;
 - (b) garbage in rolloff containers of a capacity of 20 cubic yards or greater;
 - (c) garbage produced by large scale commercial compactors of a capacity of 20 cubic yards or greater;
 - (d) waste produced in the process of constructing, altering or repairing a building;
 - (e) any waste not accepted at the City Landfill; and
 - (f) those items suitable for recycling or reuse.
- 126 Except as provided in this part or by any agreement entered into between the City and the Recycling Contractor, no person other than the Recycling Contractor shall directly or indirectly remove or dispose of recyclable material from the Residential Recycling Program collected within the boundaries of the City.

GARBAGE SERVICE CHARGES AND BILLING RATES

- 127 (1) The City hereby levies and the customer shall pay for garbage services provided the amounts and charges provided for in this bylaw and in Schedule "D" attached hereto.
- (2) For greater certainty, all customers shall pay the City for basic garbage services notwithstanding any contract such customer may have for additional or special garbage services. The City shall not be responsible to bill or to collect fees for additional or special garbage services.
- (3) Where service is provided for part of a billing period, the rate shown under Schedule "D" for such service shall be prorated and charged for the portion of the period the service is provided.
- (4) No charges shall be levied or collected in respect of residential lands with no improvements.

ADMINISTRATION OF GARBAGE COLLECTION, REMOVAL AND DISPOSAL SERVICE

- 128 The Director shall:

- (a) supervise the collection, removal and disposal of garbage under this bylaw and under any contract entered into by the City;
- (b) require the owner of a property to install a lid on a garbage container when, in the Director's opinion, there is a problem with the containment of garbage which could be resolved by the installation of a lid;
- (c) decide what does or does not constitute garbage or special waste which shall be collected and removed under this bylaw, and
- (d) determine which of the rates set out in Schedule "D" applies to a particular customer in light of the quantity or volume of garbage produced by that customer.

USE OF THE GARBAGE SERVICE AND DISPOSAL GROUNDS

- 129 (1) No material shall be considered to be "garbage" within the meaning of this bylaw unless and until the owner of the same shall have placed it in a receptacle or container for collection.
- (2) All garbage shall be removed to and disposed of in the Disposal Grounds subject to the regulations established by the City therefor and no person shall deposit or dispose of garbage at any location in the City except the Disposal Grounds.
- (3) A person shall not use or permit to be used any vehicle or trailer for the conveyance or storage of waste unless such vehicle or trailer is fitted with a cover capable of preventing the dropping, spilling or blowing off of waste while it is being stored in or transported by the vehicle.
- 130 (1) No owner or occupant of land shall permit garbage to accumulate loosely on such land.
- (2) An owner or occupant of land shall ensure that any garbage produced from such land is held in receptacles or containers in good condition adequate to contain the accumulation of garbage originating from such lands between collection times.
- (3) Garbage receptacles shall be placed as near as practicable to the lane abutting the lands upon which the same are situated so as to be easily accessible to the persons required by this bylaw or any contract pursuant hereto to handle the same, or if a lane does not abut such lands, or for any other reason the placement required by this section is impractical, such receptacles shall be placed in such manner as the Director directs.
- 131 When a building is constructed so that its exterior wall abuts the lane or the lane setback and no alternate location is provided on the site accessible to the lane, a space within the building, accessible to the lane, shall be provided of sufficient dimensions to contain all garbage between periods of collection to the satisfaction of the Director.
- 132 (1) Notwithstanding any other provisions of this bylaw, a receptacle containing garbage shall be sufficiently strong to hold the weight of garbage contained therein without breaking and shall not exceed:

- (a) 25 kilograms (55 pounds) in weight;
 - (b) 1.2 metres (4 feet) in length; or
 - (c) 100 litres (3.6 cubic feet) in volume.
- (2) The City and its contractor are not required to handle, collect or remove a receptacle, or the contents of a receptacle, which does not comply with Section 132 (1) of this bylaw.
- (3) All owners or occupants of land shall remove and dispose of all garbage originating on their lands or premises which are not collected, removed and disposed of pursuant to this bylaw, and in default of their so doing, the City may remove and dispose of such garbage at the expense of such owners or occupants and the owners or occupants shall make payment of such expenses on demand.
- (4) A person shall not put out or permit to be put out animal feces or any other manure type waste unless packaged separately from other waste in a securely tied double plastic bag free of punctures, tears and leaks.
- (5) No person shall dispose of any waste in a receptacle or container owned or leased by another person without the express written consent of the owner of the receptacle or container.
- 133 (1) The owner or occupant of residential lands or premises may remove the garbage therefrom at their own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of this liability to pay to the City the rate levied under this bylaw for removing such garbage.
- (2) The owner or occupant of multi-family residential lands or premises must have hand pick-up or container collection of garbage at least once per week. The joint use or sharing of garbage containers or receptacles between multi-family residential lands or premises, for the collection and disposal of garbage, shall not be permitted except with the prior written permission of the Public Works Manager.
- (3) The owner or occupant of non-residential lands or premises may remove their own garbage at their own cost and expense by employing the services of their own workers or employees, but such owner or occupant shall not contract such work out to any party other than the contractor, except for the removal of the types of garbage listed in Section 125(2).
- (4) Any person who breaches the provisions of subsection (3) hereof, in addition to their liability to be prosecuted for an offence under this bylaw, shall be liable for and make payment to the City of the fees and charges for removal and disposal of garbage which such person would have had to pay had such person used the services of the contractor for such purpose.
- (5) This section does not apply to removal of garbage from the Michener Centre.

HAZARDOUS WASTE, DANGEROUS GOODS, SPECIAL WASTE

- 134 (1) The owner or occupant of land which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this bylaw and any regulations of the Governments of Alberta and Canada.
- (2) The owner or occupant of any lands from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- (3) No person shall deposit or mix with any garbage for collection in the garbage service or delivery to the Disposal Grounds any dangerous goods or hazardous waste.
- (4) No person shall place, or cause to be placed, any special waste into the garbage service or Disposal Grounds without obtaining permission from the Director and making payment of the disposal charge specified in Schedule "D".
- (5) Any person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution or contamination of the Disposal Grounds or any other site in the City and shall make payment of the same to the City on demand.

BURNING

- 135 Except as provided in the City's Fire Permit Bylaw no persons shall burn or attempt to burn any garbage outside of a building in any area of the City.

MISCELLANEOUS

- 136 (1) Notwithstanding anything in this bylaw, no person shall deposit any garbage or refuse at the Disposal Grounds which does not originate from within the boundaries of the City except with the prior written permission of the Public Works Manager or under the authority of a contract with the City.
- (2) The penalty for a breach of this section shall be:
- (a) in the case of a first offence, a fine of not less than \$50.00 and not more than \$100.00 and in default of payment thereof to a term of imprisonment for not more than 5 days;
- (b) in the case of a second offence, a fine of not less than \$150.00 and not more than \$250.00 and in default of payment thereof to a term of imprisonment for not more than 15 days; and

- (c) in the case of a third and any subsequent offence, a fine of \$500.00 and in default of payment thereof to a term of imprisonment for not more than 90 days, or to both fine and imprisonment.

PART 15

POWER AND AUTHORITY OF INSPECTORS

- 137 The Director, any manager of a utility appointed by the Director in charge of administering each utility, the Inspections and Licensing Manager and other duly authorized employees of the City and contractors or agents appointed by the City, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission, or neglect respecting any utility upon the customer's premises, or discloses any defect in the location, construction, design or maintenance of any facility or any connection therefrom to the utility service, the person making such inspection shall, in writing, notify the customer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Director. Such person shall within the time limited rectify such cause of complaint stated in the notice.
- 138 Any person violating any provision of this bylaw may be served by the City with written notice stating the nature of the violation and requiring the satisfactory correction thereof within 48 hours, or such additional time as determined by the Director. Such person shall, within the time stated in such notice, permanently cease all violations.

PART 16

OFFENCES AND PENALTIES

- 139 Any person who:
- (a) breaches Section 92(1), 92(2), 107, or 134 of this bylaw; or
 - (b) fails to act in compliance and accordance with any notice given to him under this bylaw;
- shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than \$500.00 and not more than \$2,500.00, plus court costs and in default of payment of the penalty and costs, to a term of imprisonment not exceeding 6 months.
- 140 The penalty for a breach of Section 129(3) shall be as follows:

- ## EFFECTIVE DATES

- READ A FIRST TIME IN OPEN COUNCIL this day of , A.D. 1998.
- READ A SECOND TIME IN OPEN COUNCIL this day of , A.D. 1998.
- READ A THIRD TIME IN OPEN COUNCIL this day of , A.D. 1998.
- AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

CITY CLERK

SCHEDULE "A"

Page 1 of 5

WATER RATES

Every customer shall pay for water supplied to him the aggregate of amount determined as follows:

- 1 A consumption charge of \$1.04 for each 100 cubic feet of water supplied.
- 2 A fixed monthly charge shall be determined by the size of the meter supplied to each customer as follows:

METER SIZE	FIXED MONTHLY CHARGE
5/8" (16 mm)	9.68
3/4" (19 mm)	15.50
1" (25 mm)	28.23
1½ " (38 mm)	65.87
2" (50 mm)	159.01
3" (75 mm)	268.47
4" (100 mm)	568.34
6" (150 mm)	1,065.01
8" (200 mm)	1,882.04

MISCELLANEOUS WATER AND WASTEWATER RATES

- 1 New service connection:

	From Main In Street	From Main In Lane
(a) Basic charge for 1" (25 mm) water and 6" (150 mm) sanitary	\$3 715.00	\$3 115.00
(b) Basic charge for 1" (25 mm) water	\$3 270.00	\$2 670.00

SCHEDULE "A"

(c) Basic charge for 6" (150 mm) sanitary sewer	\$3 270.00	\$2 670.00
(d) Basic charge for 4" (100 mm) storm sewer	\$3 270.00	\$2 670.00
(e) Basic charge for 1" (25 mm) water main, 150 mm sanitary and 4" (100 mm) storm sewer	\$4 000.00	\$3 400.00
(f) Dual service upon approval	\$4 320.00	N/A
(g) Water service renewal upon approval	\$3 500.00	N/A

Extra charge for:

Larger water service:

1.5" (38 mm)	220.00
2" (50 mm)	750.00
4" (100 mm)	2 170.00
6" (150 mm)	3 000.00
8" (200 mm)	3 640.00

Larger sanitary or storm sewer:

8" (200 mm)	120.00
10" (250 mm)	180.00
12" (300 mm)	250.00
15" (375 mm)	400.00
18" (450 mm)	660.00
21" (525 mm)	920.00

2 Additional fee for winter construction of service (Nov. 15 - May 15)

Lane	645.00
Street	900.00

SCHEDULE "A"

3	Temporary water supply for construction purposes includes 5/8" (16 mm) water meter with up to 4000 cubic feet consumption. (Consumption in excess of 4000 cubic feet will be billed at current rate)	50.00
4	Disconnection of service (water kill)	
	up to 50 mm in size	1 020.00
	over 50 mm in size	2 500.00
5	Turn water off or on for repairs or line testing	
	(a) during regular working hours	30.35
	(b) after regular working hours	94.40
6	Other Charges	
	Construction of manhole	2 230.00
	Inspection Chamber	1 500.00
	Cutting and replacing pavement:	
	(a) Single or double service 3" (75 mm) and under	1 720.00
	(b) Single or double service over 3" (75 mm)	2 200.00
	(c) Triple service 3" (75 mm) and under	2 295.00
	(d) Triple service over 3" (75 mm)	2 770.00
	(e) For service kill 3" (75 mm) and under	310.00
	(f) For service kill over 3" (75 mm)	450.00
	(g) For water service renewal	800.00
	Replacing and/or tunnelling sidewalks:	
	(a) Single or double service residential	1 268.00
	(b) Single or double service commercial	2 839.00
	(c) Triple service residential	1 690.00
	(d) Triple service commercial	3 262.00

SCHEDULE "A"

Replacing curb only:

- | | | |
|-----|--------------------------|----------|
| (a) | Single or double service | 916.00 |
| (b) | Triple or dual service | 1 196.00 |

Landscaping Repairs	105.00
---------------------	--------

7 Clearing plugged sewer

- | | | |
|-----|------------------------------|--------|
| (a) | During regular working hours | 53.95 |
| (b) | After regular working hours | 100.00 |

8 Repairs to water meters at cost

9 Thawing water service at cost

10 Repair to damaged stand pipe at cost

11 Meter Test 47.20

12 Televiser sewer lines

- | | | |
|-----|------------------------------|--------|
| (a) | Service (regular hours only) | 108.00 |
| (b) | Mains (regular hours only) | 2.00/m |

13 Private fire hydrant maintenance

- | | | |
|-----|--------------------------------------|---------------|
| (a) | Spring inspection (Mar. 2 - June 30) | 25.00/hydrant |
| (b) | Fall inspection (Aug. 1 - Oct. 31) | 25.00/hydrant |
| (c) | Winter inspection (Nov. 1 - Mar. 1) | 50.00/hydrant |
| (d) | Damage evaluation | 20.00/hydrant |
| (e) | Paint | 60.00/hydrant |

SCHEDULE "A"

Page 5 of 5

14	Use of designated fire hydrant to obtain water	40.00/hydrant
15	Replace valve at water meter at time of water meter replacement	40.00

SCHEDULE "B"

Page 1 of 2

WASTEWATER RATES

- 1 The cost of wastewater service for residential premises connected to the City sewerage system and which contains not more than two dwelling units shall be a flat fee of \$15.18 per month.
- 2 Where there are more than two dwelling units in residential premises served by a single water meter, the customer shall pay at the rate of \$1.73 per 100 cu. ft. (2.832 cu. metres) of wastewater calculated in the manner herein set forth with a minimum of \$15.18 per month.
- 3 Where the Director has tested the discharge of wastewater into the sewerage system pursuant to Clause 91 and found that the wastewater exceeds the limits of B.O.D., suspended solids or grease set out therein, then that customer shall pay for wastewater service at the following rates:
 - (a) A volume charge based on 109.41 cents per 100 cu. ft. (2.832 cu. metres)
 - (b) A treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D.: 15.30 cents per pound (454 grams)

Suspended Solids: 16.53 cents per pound (454 grams)

Grease: 4.72 cents per pound (454 grams)

SCHEDULE "B"

- 4 For the purpose of calculating the sewerage charge payable by a customer, the volume of wastewater contributed by the customer to the sewerage works shall be deemed to be equal to 80% of the water delivered to the customer's premises, whether the water was received from the City or from sources other than the City. Where no meter or other exact means exist to determine the quantity of water consumed by any person, the Director shall make an estimate thereof for the purpose of determining the sewerage service charges. The customer may, at his own expense, install and maintain a meter approved by the Director upon which the service charge shall thereafter be determined.

Note: See Schedule "A" for Miscellaneous Wastewater Rates

SCHEDULE "C"

Bylaw No. 3215/98

Page 1 of 4

ELECTRIC, LIGHT AND POWER RATES

GENERAL

The kVA of Billing Demand with respect to the monthly billing period will be the greater of:

- 1 the highest kVA metered demand in the monthly billing period; or
- 2 the highest kVA metered demand in the 12 month period including and ending with the monthly billing period.

The kVA metered demand will be measured by either a thermal demand meter having a demand response period of 90% in 15 minutes and a 30 minute test period, or 15 minute interval demand metering equipment.

The kVA of Billing Demand will be re-established on such shorter periods of time as designated by the Electric, Light and Power Manager for the individual customer as warranted by that customer's changing load characteristics

SCHEDULE "C"**RESIDENTIAL - RATE 61**

Applies to all residential premises served by a single meter which contain not more than two dwelling units.

Service Charge	\$8.50 per month
Energy Charge	

- First 150 kWh per month	\$0.0902 per kWh
- Over 150 kWh per month	\$0.0530 per kWh

Minimum Charge	\$8.50 per month
----------------	------------------

GENERAL SERVICE - RATE 63

Applies to non-residential customers and to residential premises not entitled to Rate 61, plus the "house lights" services (including common area lighting and utility rooms of apartment buildings where the kVA of Demand is less than 50 kVA. If the kVA of Demand exceeds 50 kVA, Rate 64 will be applied immediately and will be continued to be applied irrespective of future kVA of Demand.

Service to be taken at one of the following nominal voltages:

120/240 Volts, single phase, 3 wire;

120/208Y Volts, network, 3 wire;

120/208Y Volts, three phase, 4 wire;

347/600Y Volts, three phase, 4 wire;

SCHEDULE "C"**Rates:**

Service Charge	\$9.75 per month
First 2025 kWh per month	\$0.1110 per kWh
All additional kWh per month	\$0.0647 per kWh
Minimum Charge	\$9.75 per month

GENERAL SERVICE - RATE 64

Applies to commercial and industrial installations where service is taken at the voltage listed for Rate 63 but where the kVA of Demand is 50 kVA or greater.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand	\$0.0538 per kWh
Over 350 kWh/kVA of Billing Demand	\$0.0254 per kWh

Minimum Charge:

\$5.60/kVA of Billing Demand

SCHEDULE "C"**LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78**

Applies where 4,160 volts or greater is available with adequate system capacity and service is taken at 4,160 volts or greater, balanced three phase and the kVA of Demand is not less than 1000 kVA.

Rates:**Demand Charge:**

\$5.60/kVA of Billing Demand per month

Energy Charge:

First 350 kWh/kVA of Billing Demand \$0.0456 per kWh

Over 350 kWh/kVA of Billing Demand \$0.0254 per kWh

Primary Service Credit:

\$0.51/kVA of Billing Demand per month

The primary service credit is applicable to all customers served on Rates 76 and 77 as of November 15, 1995, and to all subsequent customers on Rate 78.

Minimum Charge:

\$5.60 per kVA of Billing Demand less \$0.51 per kVA Primary Service Credit

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

1. Rates to be applicable for premises when supplied with a container by the contractor engaged by the City. Scheduled Service includes Contractor-provided container.

SOLID WASTE COLLECTION RATES FOR COMMERCIAL FRONT-END CONTAINERS				
Type of Service	Monthly Rate			
	1.529 cu. m. (2 cu. yds.)	2.294 cu. m. (3 cu. Yds.)	3.058 cu. m. (4 cu. yds.)	4.587 cu. m. (6 cu. yds.)
<u>Service on Demand:</u>				
Container rental	19.81	26.42	33.02	39.62
Lift charge	19.81	26.42	33.02	39.62
<u>Scheduled Service:</u>				
1 lift per month	21.39	25.48	29.56	37.74
1 lift every 2 weeks	29.56	37.74	45.92	62.28
1 lift per week	34.81	52.21	67.88	91.37
2 lifts per week	69.62	104.42	135.75	169.16
3 lifts per week	104.42	156.64	192.15	247.49
4 lifts per week	139.24	208.86	250.63	334.16
5 lifts per week	174.04	261.07	313.28	416.40
6 lifts per week	208.86	313.28	375.94	501.24
Extra lift for scheduled service	19.81	26.42	33.02	39.62

SCHEDULE "D"**SCHEDULE OF GARBAGE RATES**

Charges for special container services in addition to the above rates will be as follows:

RATES PER CONTAINER

Standard Metal Lid	No charge
Locking Devices on Containers	\$ 5.08 per month
Castors on Containers	\$ 5.08 per month
Extra Cleaning (if more than one per year required)	\$121.92 each time
Fire Damage	\$101.60 each time

2. Rates to be applicable for premises where the owner or agent is charged and such owner or agent provides receptacles for hand pickup of solid waste.

MONTHLY SOLID WASTE COLLECTION RATES FOR COMMERCIAL HAND PICK-UP							
Volume per Pick-Up	Frequency of Pick-Up per Week						Cost per Extra Pick- Up
	1	2	3	4	5	6	
.383 cu. M. ($<1/2$ cu. yd.)	7.47	14.93	22.39	29.85	37.32	44.78	6.60
.383 cu. m. ($1/2$ cu. yd.)	14.93	29.85	44.78	59.70	74.63	89.55	9.25
.765 cu. m. (1 cu. yd.)	29.85	59.70	89.55	119.40	149.25	179.10	11.89
1.529 cu. m. (2 cu. yds.)	59.70	119.40	179.10	238.80	298.50	358.20	14.53
2.294 cu. m. (3 cu. yds.)	89.55	179.10	268.65	358.20	447.75	537.30	21.13
3.058 cu. m. (4 cu. yds.)	119.40	238.80	358.20	477.60	597.00	716.40	27.74
3.823 cu. m. (5 cu. yds.)	149.25	298.50	447.75	597.00	746.25	895.50	34.34
4.587 cu. m. (6 cu. yds.)	179.10	358.20	537.30	716.40	895.50	1074.60	40.94

SCHEDULE "D"***SCHEDULE OF GARBAGE RATES***

3. For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or an occupant of a dwelling unit in a multiple family building where the owner or agent does not pay charges directly to the City, the charge shall be \$6.33 per month per dwelling unit for one pick-up per week of garbage year round and once a week collection of yard waste for six months per year.
4. (a) For a single family dwelling unit, a semi-detached residential unit, a single family dwelling unit with a basement dwelling unit situated therein, or any dwelling unit otherwise designated as an "R10" account in the utility billing system, the charge for one pick-up per week of recyclable material shall be \$2.83 per month per dwelling unit.
- (b) For a multiple family building, designated as either an "R11" or "R62" account in the utility billing system, the charge for one pick-up per week of recyclable materials shall be \$2.37 per month per dwelling unit.
5. The charge for collection of large items up to a maximum load weight of 500 kg. shall be \$100.00 per load, to be invoiced directly by the Contractor.
6. Disposal Grounds Rates for Acceptance of Garbage and Refuse

	<i>Description</i>	<i>Rate</i>
(1)	Residents hauling residential refuse from their own residences	\$30.00 per metric tonne
(2)	Private companies or commercial haulers with commercial or residential refuse	\$30.00 per metric tonne
(3)	Liquid waste contained in a water tight box or tank	\$36.00 per metric tonne
(4)	Demolition, concrete, asphalt and tree rubble	\$30.00 per metric tonne
(5)	Special Waste	\$50.00 per metric tonne

SCHEDULE "D"***SCHEDULE OF GARBAGE RATES***

<i>Description</i>		<i>Rate</i>
(6)	When fractional metric tonnes are delivered the rate charged for the same shall be determined by pro-rating the above rates per tonne in the same ratio as the weight of such refuse, waste or rubble delivered bears to a metric tonne. In any event, a minimum charge of \$5.00 shall apply.	
(7)	Cover Material	No Charge
7.	Dry Waste Disposal Site	
	<i>Dirt</i>	<i>Concrete and Asphalt</i>
	Single Axle	\$ 5.00
	Tandem	\$ 5.00
	End Dump	\$ 10.00
	Pups and Trucks	\$ 10.00
	Service charge for opening the gate (If special trip is required)	\$ 20.00 \$ 20.00 \$ 40.00 \$40.00 \$15.00/trip

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Director of Corporate Services
FROM: City Clerk
RE: New Utility Bylaw No. 3215/98

Reference Report:

Director of Corporate Services dated September 28, 1998

Bylaw Readings:

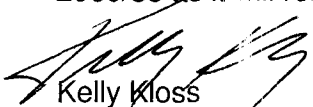
New Utility Bylaw No. 3215/98 was given three readings. A copy of Bylaw No. 3215/98 will follow under separate cover.

PLEASE NOTE: *New Utility Bylaw No. 3215/98 becomes effective December 1, 1998. Until that time Bylaw No. 2960/88 is still in effect. On December 1, 1998 Bylaw No. 2960/88 will be considered repealed.*

Report Back to Council Required: No

Comments/Further Action:

This office will now distribute copies of new Utility Bylaw No. 3215/98 to all Utility Bylaw amendment subscribers, however, subscribers will be reminded at that time to retain Bylaw 2960/88 as it will remain in effect until December 1, 1998.


Kelly Kloss
City Clerk

/clr

c Director of Community Services
Director of Development Services
Treasury Services Manager
Information Technology Services Manager
IFS Project Manager, G. Mullin
Utility Billing Supervisor, T. Bergman (Council Report Attached)
Revenue Accounting Clerk, Mary Bovair
Customer Service Coordinator, B. Guderjan (Utilities)
Customer Service Coordinator, C. Dahrouge
Accounts Receivable Coordinator, J. Devine

*Copies of utility Bylaw 3215/98
attached to this memo to:*

*A. Walcott
T. Bergman
G. Mullin
M. Bovair
J. Devine*

DATE: September 21, 1998

TO: KELLY KLOSS
City Clerk

FROM: COLLEEN JENSEN
Social Planning Manager

RE: RED DEER DAY CARE CENTRE

BACKGROUND

The City has had a long standing history with Red Deer Child Care Society, both in terms of funding and in the provision of facilities. In 1985, The City purchased thirteen trailer units from Alberta Gas Ethylene and moved them to the present site just north of Lindsay Thurber High School. The units were re-constructed with considerable upgrading to become Red Deer Day Care Centre. The City front-ended the cost of the reconstruction, and a subsequent agreement was signed between The City and the Society such that The City could recover their costs. There was also an agreement between The City and Red Deer Public School Board #104 for the lease of the land on which the facility was constructed. As of December 31, 1998, all of funding required to cover the outstanding liability will have been collected.

Over the past several years, The City has spent considerable time reviewing their role in day care in relation to facilities and funding. In 1995, the Day Care Review recommended that "The City, subsequent to December 31, 1998, when loans and debentures are paid in full, be prepared to rent Red Deer Day Care Centre to Red Deer Child Care Society at \$5.33/sq. ft; and provide adequate funding for continued maintenance". This was agreed to in principle at the time.

In 1997, a subsequent review was done which looked at the role of the Social Planning Department. In this review, the recommendation was "That The City divest itself of the buildings it currently owns and rents to Red Deer Child Care Society by turning them over, at a nominal cost, to the Society, as the building debentures are retired or revenues covering debentures are repaid". This recommendation was approved in principle at the August 25, 1997 meeting of Council, with further support given when the "Follow- up/Implementation report to the Review of the Social Planning Department" was approved on December 1, 1997. In a letter dated October 29, 1997 Red Deer Child Care Society indicated that they would be willing to assume ownership of Red Deer Day Care

CURRENT SITUATION

During 1998 Social Planning staff approached Red Deer Child Care Society to reconfirm their willingness to take ownership of the Red Deer Day Care Centre

as of January 1, 1999. At the June 24, 1998 meeting of the Society a resolution was passed which confirmed that they would accept ownership, subject to The City's lease with the Red Deer Public School District #104 being transferred to the Red Deer Child Care Society (see attached resolution).

The Red Deer Public School Board was then approached to request that the transfer of the lease be considered (see attached letter). Discussions took place with Ray Congdon, Assistant Superintendent and with Tom Chapman, City Solicitor in order to facilitate this process moving forward. A draft agreement was prepared for consideration of the Child Care Society and the School Board.

At the September, 16, 1998 meeting of Red Deer Child Care Society, the agreement was approved with some minor amendments requested by the School Board. Both parties are now in agreement to proceed with the signing of a new lease, and the School Board is prepared to terminate the lease between The City and themselves. This is indicated in the attached letter.

RECOMMENDATION:

That Council for The City of Red Deer approve the final termination of the lease between The City and the Red Deer Public School Board #104 for the lease of the land on which Red Deer Day Care is situated, and further that the ownership of Red Deer Day Care be transferred from The City to Red Deer Child Care Society at a cost of \$1.00.



Colleen Jensen
Social Planning Manager

:CS



Red Deer Child Care Society

5216 - 48th Avenue Red Deer, AB T4N 3T9
347-7973 Fax 343-9299

MEMORANDUM

TO: Colleen Jensen

FROM: Martha Dyck
RDCCS

DATE: June 26, 1998

The following motion regarding the ownership of the Red Deer Day Care was passed at a meeting of the Board of Directors of the Red Deer Child Care Society on June 24, 1998.

Motion: Dale Stuart
Seconder: Val Helm

"That the Red Deer Child Care Society accept ownership of the Red Deer Day Care as of January 1, 1999 subject to the City of Red Deer's lease with the Red Deer Public School District #104 being transferred to the Red Deer Child Care Society."

CARRIED

"Providing Choices in Quality Child Care since 1970"

Social Planning Department

August 7, 1998

Ray Congdon
Red Deer Public School District
4747 - 53 St
Red Deer, AB T4N 2E6

Dear Ray,

I am sending this letter to you as the formal administrative request to the Red Deer Public School Board from The City to discontinue our agreement with the School Board with respect to the lease of space upon which Red Deer Day Care is situated. As you are aware, Council approved the Follow up Report to the Review of the Role of the Social Planning Department on December 1, 1997 where one of the follow up recommendations was to turn Red Deer Day Care over to the Red Deer Child Care Society as of January 1, 1999. The Social Planning Department has proceeded with negotiations with Red Deer Child Care Society, and at their June 24, 1998 meeting they passed a motion that indicates their agreement to take possession of Red Deer Day Care.

It is our suggestion that a similar agreement to the one that has been in place between The City and the School Board be negotiated with Red Deer Child Care. In anticipation of this, a draft agreement has been prepared which Red Deer Child Care now has. They should be in touch with you in the near future to discuss terms.

We are hoping to take the final recommendation to Council in September, with a view to having this completed before elections. Given this timeframe, it would be helpful if consideration by the Public School Board could be given as quickly as possible.

Ray, I really appreciate your willingness to meet and discuss this issue, and the way in which we have been able to proceed in such a cooperative manner. I look forward to the School Board's response in the near future, so that this can be finalized by City Council.

Sincerely,

Colleen Jensen, Social Planning Manager

cc. Lowell Hodgson, Director of Community Services



Box 5008

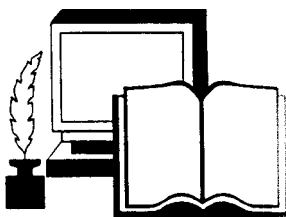
Red Deer, Alberta
T4N 3T4

The City of Red Deer

RED DEER PUBLIC SCHOOL DISTRICT NO. 104

4747 - 53 Street, Red Deer, AB T4N 2E6

Phone (403) 343-1405 Fax (403) 347-8190



Striving for Excellence

Red Deer Public School District #104

September 18, 1998

BOARD OF TRUSTEES

L.D. HARRIS
Chairman
L.E. GODDARD
D.L. HARDY
C.E. JEFFERIES
B. MANNING
G.A. STEWART
W.K. STUEBING

Colleen Jensen
Social Planning Manager
City of Red Deer
4914 - 48 Avenue
Red Deer, AB T4N 3T4

Dear Ms. Jensen:

Re: Red Deer Child Care Society

This will confirm that the Board of Trustees have approved entering into an agreement with the Red Deer Child Care Society to lease space for the day care adjacent to Lindsay Thurber Comprehensive High School.

The agreement will replace the existing agreement between the School District and City of Red Deer, and is expected that it will be signed within the next two weeks.

Yours sincerely,

R. E. Congdon
Assistant Superintendent
Business Services

REC:bef

DATE: September 22, 1998

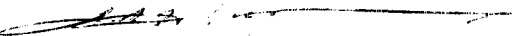
TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: RED DEER DAY CARE CENTRE

I am supportive of the report and recommendation of the Social Planning Manager, wherein, City Council would agree to transfer ownership of the Red Deer Day Care Centre to the Red Deer Child Care Society, at a cost of \$1.00, as of January 1, 1999. At the same time, the lease agreement for the land on which this facility sits will be terminated with the Red Deer Public School District No. 104.

The implementation of recommendations from the Review of the Role of the Social Planning Department has progressed very well, and this reflects one of those recommendations. It puts the facility, free of any encumbrances, into the hands of the society that delivers the service. The City has facilitated the relationship necessary between the society and the school board. These processes take some time to implement and I commend the department, the society and the school board for their commitment to cooperate in completing this matter of facility ownership.



LOWELL R. HODGSON

:dmg

- c. Colleen Jensen, Social Planning Manager
- Noreen Spencer, Exec. Dir., R.D. Child Care Society

Comments:

We concur with the recommendations of the Social Planning Manager.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

COUNCIL MEETING OF OCTOBER 5, 1998

ATTACHMENT TO REPORT APPEARING ON THE OPEN AGENDA

RE:

Red Deer Child Care Society

1. Funding Agreement

2. Lease of Normandeau Day Care

Effective this 31st day of December 31, 1998

BETWEEN:

THE CITY OF RED DEER
a municipal corporation duly incorporated
under the laws of the Province of Alberta
(hereinafter called the "City")

OF THE FIRST PART

- and -

THE RED DEER CHILD CARE SOCIETY
a society duly incorporated under the laws
of the
Province of Alberta
and having its head office in Red Deer,
Alberta
(hereinafter called the "Society")

OF THE SECOND PART

THIS AGREEMENT TO PROVIDE FOR
FUNDING FOR
DAY CARE SUBSIDY

DAY CARE FUNDING AGREEMENT

THIS AGREEMENT made effective this 31st day of December, 1998, to provide funding to ensure access to child care from families with low income, including children with special needs.

BETWEEN

THE CITY OF RED DEER
a municipal corporation duly incorporated
under the laws of the Province of Alberta
(hereinafter called The City)

OF THE FIRST PART

and

THE RED DEER CHILD CARE SOCIETY
a society duly incorporated under the laws of the
Province of Alberta
and having its head office in Red Deer, Alberta
(hereinafter call the Society)

OF THE SECOND PART

WHEREAS

- A. The City recognizes the importance of ensuring that children have access to safe and developmentally appropriate care, regardless of the income level of parents
- B. Red Deer Child Care Society operates several child care programs that provide a safe and caring environment for the care of children, as a complement to parental care

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants herein contained, and the payment of a grant as hereinafter provided the parties hereto covenant and agree together as follows:

1. TERM AND PAYMENT OF GRANT

- 1.1 The City shall pay the Society an annual grant, for a term of one (1) year commencing the 1st day of January, 1999 and terminating on the 31st day of December, 1999, for the provision of program access to children from families with low income, including children with special needs, described as follows:
 - a. in the year 1999, \$99,900If, at the termination of the agreement, the full amount of the grant has not been expended, then the remaining funding will be expended using the same criteria, as per this agreement, until funding is exhausted.

- 1.2 The grant payable by The City to the Society shall be paid in advance by way of equal monthly installments commencing on the 1st day of January, 1999.
- 1.3 The City shall provide operating advances in agreed upon amounts as approved by the City's Director of Corporate Services to meet the Society's needs from time to time.
- 1.4 Nothing herein shall prevent or restrict the Society from receiving or holding funds from sources other than The City and to expend such funds as it deems appropriate or advisable, including interest earned, fundraising revenue and other grants as may be received from time to time for operating purposes or for the establishment of a capital project fund.

2. THE SOCIETY'S COVENANTS

- 2.1 The Society covenants with The City as follows:
 - a. in the provisions of services:
 - i) to operate the programs as a high standard, affordable and accessible service to the residents of the city of Red Deer (herein called the city) and surrounding district;
 - ii) to give preference to low income and single parent residents of the city who require child care, including those with special needs;
 - iii) to comply with all the Federal, Provincial and Municipal regulations including fire and health requirements;
 - iv) to provide to The City an audited statement following the end of each fiscal year of the Society, which tracks the monies provided by The City to ensure that they were expended in assisting low income families to have access to child care;
 - v) to provide to The City's Social Planning Manager all agendas and minutes of all general and special meetings of the Society and its Board of Directors, and annual budget documents and other documents and information as the Manager may require, from time to time, with respect to the operation of the services;
 - vi) to remain in good standing at all times as a registered society pursuant to the Societies Act of Alberta, or any replacement legislation;
 - vii) not to hold itself out as an agent for The City, but shall, at all times represent itself as an independent society.

3. THE CITY'S COVENANTS

- 3.1 The City hereby covenants with the Society that:

- a. The City shall place and maintain, during the term of this agreement, comprehensive public liability insurance protecting and indemnifying the Society and The City against any and all claims for injury or damage to persons or property or for loss of life occurring, such insurance to offer immediate protection of the limit of not less than One Million (\$1,000,000) Dollars and which policy shall name The City as an additional insured, and shall contain a clause that the insurer will not cancel or change the insurance without first giving The City and the Society prior written notice.

4. TERMINATION

- 4.1 Should any of the Society's covenants herein contained not be performed or observed within thirty (30) days of receipt of written notice of a default, or if the Society shall be adjudicated as bankrupt or enter into an agreement for the benefit of its creditors, or suffer any distress or execution be levied on its goods, or if the Society should enter into liquidation or receivership either compulsorily or voluntarily, then this agreement at the option of The City may be terminated.
- 4.2 The Society may terminate this agreement should The City default in payment of the grant to the Society and should such default continue for Thirty (30) days thereafter.
- 4.3 The City may terminate this agreement without notice if any member of the Board of Directors of the Society shall breach the Conflict of Interest provisions of the Bylaw of the Society, and if the Society does not remedy the breach within thirty (30) days of becoming aware of the situation.

5. RIGHT TO RENEW

- 5.1 Renewal of the grant, paid to the Society by The City which is to assist in the provision of program access to children from families with low incomes, including those with special needs, will be reviewed three (3) months prior to the expiration of this agreement. The terms, conditions and provisions related to the grant will also be reviewed and will be agreed to by both parties in any subsequent renewals. Criteria to be considered, but not limited to, in any subsequent renewal will be:
 - a. A significant change in the percentage of subsidized users of day care services
 - b. A major change in provincial day care funding or any major change in the delivery mechanism due to the redesign of children's services
 - c. A major change in the federal day care program
 - d. A significant change in fees to day care users, which would affect reasonable access to the programs.
 - e. The City's role respecting involvement in day care.

6. NOTICE

- 6.1 Any notice may be served under the lease upon the Lessor by personal service upon the City Clerk at City Hall, Red Deer, Alberta or by mailing same in a registered letter addressed to the Lessor at:

Box 5008
Red Deer, Alberta
T4N 3T4

or at such address as the Society may be notified of in writing.

- 6.2 Any notice required to be given to the Society shall be sufficiently given by personal service upon the Chairman of the Society, or by mailing the same in a prepaid registered letter addressed to the Society at;

5216-48 Ave
Red Deer, Alberta
T4N 3T9

or at such address as The City may be notified of in writing.

- 6.3 Such notice shall be deemed to have been received by The City or the Society respectively on the date on which it shall have been so delivered or five (5) days after it is so mailed, provided that in the event that there is an obvious and known disruption of the postal service, then any notice required to be served shall be served by actual delivery to the address for service as herein provided.

7. GENERAL

- 7.1 The City's Social Planning Manager or designate may attend meetings of the Society and of its Board of Directors upon request of either party, but shall not be entitled to vote thereat.
- 7.2 This agreement shall be binding upon the parties hereto, their permitted successors and assigns.
- 7.3 This agreement constitutes the entire agreement between the parties regarding the distribution of funding by the Society, to allow for the access of child care by low income families. There are not now and shall not be any verbal statements, representations, warranties, undertakings or agreements between the parties. This agreement may not be amended or modified in any respect except by written instrument executed by all parties hereto in the same manner and with the same formality as this agreement is executed.

IN WITNESS WHEREOF the parties by their proper officers have executed this agreement the day and year above written.

THE CITY OF RED DEER

Per:_____

Per:_____

THE RED DEER CHILD CARE SOCIETY

Per:_____

Per:_____

Effective this 31st day of December 31, 1998

BETWEEN:

THE CITY OF RED DEER
a municipal corporation duly incorporated
under the laws of the Province of Alberta
(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

THE RED DEER CHILD CARE SOCIETY
a society duly incorporated under the laws
of the
Province of Alberta
and having its head office in Red Deer,
Alberta
(hereinafter called the "Lessee")

OF THE SECOND PART

THIS AGREEMENT TO PROVIDE FOR
LEASE OF
NORMANDEAU DAY CARE

DAY CARE FACILITIES AGREEMENT

THIS AGREEMENT made effective this 31st day of December, 1998 to provide for the lease of City owned facilities

BETWEEN

THE CITY OF RED DEER
a municipal corporation duly incorporated
under the laws of the Province of Alberta
(hereinafter called the "Lessor")

OF THE FIRST PART

and

THE RED DEER CHILD CARE SOCIETY
a society duly incorporated under the laws of the
Province of Alberta
and having its head office in Red Deer, Alberta
(hereinafter call the "Lessee")

OF THE SECOND PART

WHEREAS

- A. The Lessor leases a portion of lands from the Red Deer Public School District, described in Schedule "A" upon which the Lessor has constructed the Normandeau Day Care Centre
- B. The Lessee wishes to lease and utilize Normandeau Day Care Centre, and lands adjoint thereto as outlined in red on Schedule "A" (the facility), to offer quality child care services, including the integration of special needs children.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants herein contained,

1. TERM

- 1.1 The Lessor hereby demises and leases unto the Lessee the facilities for a term of ten(10) years commencing upon the 1st day of January, 1999 (the "commencement date") and terminating on the 31st day of December, 2008.

2. MAINTENANCE

- 2.1 The Lessor shall pay the Lessee an annual sum to cover facility maintenance as agreed upon by both parties from time to time and as outlined in the City Ten Year Capital Planning and Infrastructure Maintenance Plan. Payment will be made upon invoice from the Lessee. Should substantive maintenance be required, which is not economically

feasible in terms of the expected life span of the facility, The City reserves the right to reopen, or terminate, the agreement.

3. LESSEE'S COVENANTS

3.1 The Lessee covenants with the Lessor as follows:

- a. to remain in good standing at all times as a registered society pursuant to the Society's Act of Alberta, or any replacement legislation;
- b. not to hold itself out as an agent for the Lessor, but shall, at all times, represent itself as an independent society.
- c. in the operation and maintenance of the facility:
 - i) to pay the Lessor the rent for Normandeau Day Care Centre as outlined in Schedule "B", or otherwise as agreed upon by both parties from time to time, in writing;
 - ii) to use and occupy the facility only for the purpose of operating programs for children and child care, the services herein provided, and such other programs as the Lessor may approve in writing from time to time;
 - iii) to operate the facility in a manner compatible with the overall objectives of the Society;
 - iv) to operate the facility safely, efficiently and effectively and in a manner that will provide fair and equitable treatment for all users;
 - v) not to carry on or permit to be carried on upon or in the facility, any activity in contravention of the laws of The City, the Province or the Dominion of Canada;
 - vi) to maintain the facility utilizing the money provided by The City for that purpose;
 - vii) to pay all occupancy costs of the facility as set forth in Clause 4;
 - viii) to pay all business, sales, equipment, machinery or other taxes, charges and license fees levied or imposed by any competent authority in respect to the personnel, business, sales, equipment, machinery or income of the Lessee;
 - ix) to repair, maintain and keep the facility, including all chattels and equipment, in good substantial repair, excepting only:
 - A. repairs required by this agreement to made by the Lessor; or
 - B. repairs necessitated by damage from hazards against which the Lessor is required to insure hereunder unless such accepted repairs are necessitated by the acts or omission of the Lessee;
 - x) to observe and comply with all municipal bylaws and regulations made by any duly constituted authority;

- xi) to observe and comply with all provisions contained in any policy of insurance related to the facility of which notice in writing is given by the Lessor to the Lessee;
- xii) to forthwith notify the Facilities Technical Services Coordinator, as the Lessor's agent, of any defect in the structural components of the facility;
- xiii) to permit the Lessor to inspect the facility at all reasonable times;
- xiv) to keep the facility and all of the chattels and equipment therein in good repair and condition;
- xv) to keep the facility in an orderly, clean and sanitary condition and not allow any refuse or garbage to accumulate in or about the facility;
- xvi) to include as part of the operating budget, the pro-rated payment as determined yearly by The City of Red Deer Recreation, Parks and Culture Department, for the services of the Facilities Technical Services Coordinator, in order that the Infrastructure Maintenance Plan, with respect to Normandeau Day Care Centre can be kept current and implemented as intended;
- xvii) to provide The City's Social Planning Manager all agendas and minutes of all general and special meetings of the Society and its Board of Directors and annual budget documents, and other documents and information as the Manager may require, from time to time, with respect to the operation of the facility.

4. OCCUPANCY COSTS

- 4.1 It is the intent of this agreement and agreed by both parties hereto that all and every operating, maintenance, building occupancy and land occupancy cost, expense, rate or charge in any way related to the facility will be borne by the Lessee without variation, set-off or deduction whatsoever.
- 4.2 "Building occupancy cost" as referred to in this agreement shall, without limiting the generality of the foregoing, include:
 - a. the cost of gas, oil, power, electricity, water, sewer, communications, and all other utilities and services, together with the direct cost of administering such utility services
 - b. janitorial costs and services; and
 - c. the cost of servicing and maintaining all heating, air conditioning, plumbing, electrical and other machinery and equipment.
- 4.3 "Land occupancy costs" as referred to in this agreement shall, without limiting the generality of the foregoing, include all insurance, irrigation, landscaping and maintenance thereof.

5. LESSOR'S COVENANTS

- 5.1 The Lessor hereby covenants with the Lessee that:
- a. the Lessee, performing and observing the covenants and conditions herein contained, shall peaceably and quietly hold and enjoy the facility during the said term without any interruption by the Lessor or any person rightfully claiming under or in trust from it;
 - b. the Lessor shall make any required structural repairs to the perimeter wall, roof, bearing structure and foundation of any building included in the facility provided that any and all such repairs necessitated by the fire, explosion, lightning, tempest or other casualty whatsoever shall be made only in accordance with the provisions of Clause 8, and provided always that the Lessor will not be required to make any repairs necessitated by reason of the negligence or default of the Lessee, its servants, agents or licensees
 - c. the Lessor shall place and maintain at its cost, insurance against fire and other risks as are included in a standard fire and extended coverage contract in an amount equal to the full replacement value (excluding excavations and foundations) of the buildings, furniture and fixtures and related equipment constructed on, contained in or affixed to the facility; and
 - d. the Lessor shall place and maintain, during the term of this agreement, comprehensive tenants and public liability insurance protecting and indemnifying the Lessee and the Lessor against any and all claims for injury or damage to person or property or for loss of life occurring upon, in or about the facility, such insurance to offer immediate protection of the limit of not less than One Million (\$1,000,000) Dollars and which policy shall name the Lessor as an additional insured, and shall contain a clause that the insurer will not cancel or change the insurance without first giving the Lessor and the Lessee prior written notice.

6. LEASEHOLD IMPROVEMENTS/EQUIPMENT

- 6.1 Except as herein provided, the Lessee may at any time and from time to time make such changes, alterations or improvements to the facility in such manner as shall, in the opinion of the Lessee, best adapt the facility for the purposes of the Lessee provided that such changes, alterations or improvements to the facility shall not be made without prior written consent of the Lessor, such consent not to be unreasonably withheld. All such improvements shall, upon completion, belong to the Lessor. Requests for such changes, alterations or improvements are to be made to the Lessor's Social Planning Manager.
- 6.2 The Lessee shall not purchase any equipment or effect any parking lot improvements or building expansions or make any capital expenditures upon the facility or lands adjacent thereto in excess of the sum of Ten Thousand (\$10,000) Dollars without the consent of the Municipal Council of The City.

- 6.3 The Lessee shall not, under any circumstances, whether in respect of changes, alterations and improvements of the facility or otherwise, knowingly permit any builder's lien, due to actions of Red Deer Child Care Society, to be filed against the facility and shall forthwith discharge any builder's lien which may be filed.
- 6.4 All leasehold improvements installed by the Lessee as a permanent part of the facility shall belong to the Lessor on termination of this agreement. The Lessee shall be entitled to remove its tenants fixtures and equipment which are installed as a permanent part of the facility.

7. TERMINATION

- 7.1 Should any of the Lessee's covenants herein contained not be performed or observed within thirty (30) days of receipt of written notice of a default, or if the Lessee shall be adjudicated as bankrupt or enter into an agreement for the benefit of its creditors, or suffer any distress or execution be levied on its goods, or if the Lessee should enter into liquidation or receivership either compulsorily or voluntarily, then this agreement at the option of the Lessor may be terminated and it shall be lawful for the Lessor at any time thereafter to re-enter upon the facility and thereupon this agreement shall be absolutely determined.
- 7.2 Either party may terminate this agreement, by giving six (6) months notice to the other party in writing.
- 7.3 Should the lease between The City and the Red Deer Public School District No. 104 be terminated, then this agreement will be terminated by the Lessor.

8. FIRE

- 8.1 If, during the term of this agreement or any renewal thereof, any building forming part of the facility or any part thereof shall be damaged or destroyed by fire, explosion, lightning, tempest or other casualty whatsoever and for which there is insurance coverage in place which is recoverable, then the Lessor shall use its best efforts and exercise reasonable diligence to repair and/or replace that portion of the facility which has been destroyed or damaged, with all reasonable speed. In the event of such damage or destruction, the money payable hereunder shall be adjusted, if appropriate, and be abated in the proportion that the part of the facility rendered unfit for occupancy bears to the whole of the facility, having regard to the method and means by which the money is allocated for the operation of the different programs in the facility as a whole as may be agreed by the parties hereto, until the damage portions of the facility are repaired or rebuilt. In the event of a disagreement between parties, then such disagreement shall be resolved by the Municipal Council of The City.

- 8.2 In the event that any building comprising part of the facility shall be damaged by fire, explosion, lightning, tempest or other casualty whatsoever and for whatever reasons no insurance coverage may be recovered, or the proceeds of insurance so recovered are not sufficient to replace or repair the premises so damaged, then upon written notice by the Lessor this agreement shall cease and be at an end, the Lessee shall surrender possession of the same to the Lessor, and the Lessor shall make payment to the Lessee of the monies payable by it under Clause 2.1, adjusted to the date of termination.

9. RIGHT TO RENEW

- 9.1 Renewal of the use of facilities as per the terms and conditions of this agreement, shall be automatic unless either the Lessor or the Lessee notifies the other party in writing no later than ninety (90) days prior to the expiration of the terms of this agreement that it does not wish to renew. Any monies payable for such renewed terms shall be as mutually agreed between the parties.

10. NOTICE

- 10.1 Any notice may be served under the lease upon the Lessor by personal service upon the City Clerk at City Hall, Red Deer, Alberta or by mailing same in a registered letter addressed to the Lessor at:
Box 5008
Red Deer, Alberta
T4N 3T4
or at such address as the Lessee may be notified of in writing
- 10.2 Any notice required to be given to the Lessee shall be sufficiently given by personal service upon the Chairman of the Society, or by mailing the same in a prepaid registered letter addressed to the Lessee at:
5216-48 Ave
Red Deer, Alberta
T4N 3T9
or such address as the Lessor may be notified of in writing.
- 10.3 Such notice shall be deemed to have been received by the Lessor or the Lessee respectively on the date on which it shall have been so delivered or five (5) days after it is so mailed, provided that in the event that there is an obvious and known disruption of the postal service, then any notice required to be served shall be served by the actual delivery to the address for the service as herein provided.

11. STAFF USE POLICY

- 11.1 Should the Lessee propose to or provide any free or subsidized use of the facilities to any of its employees, the cost of this employee benefit shall be included in the Lessee's budget and be reviewed by Council of The City on an annual basis.

12. ASSIGNMENT

- 12.1 The Lessee shall not sublet the facility and this agreement shall not be assigned by the Lessee without the consent in writing of the Lessor first had and obtained.

13. GENERAL

- 13.1 The Lessor's Social Planning Manager or designate may attend meetings of the Society and of its Board of Directors upon the request of either party, but shall not be entitled to vote thereat.
- 13.2 This agreement shall be binding upon the parties hereto, their permitted successors and assigns.
- 13.3 This agreement, including any schedules hereto, constitutes the entire agreement between the parties regarding the facility. There are not now and shall not be any verbal statements, representations, warranties, undertakings or agreements between the parties. This agreement may not be amended or modified in any respect except by written instrument executed by all parties hereto in the same manner and with the same formality as this agreement is executed.
- 13.4 Should a disagreement arise between the parties, an independent mediator, mutually agreed upon by both parties, will be called upon to resolve the dispute utilizing the Arbitration Act of Alberta.

IN WITNESS WHEREOF the parties by their proper officers have executed this agreement the day and year above written.

THE CITY OF RED DEER

Per: _____

Per: _____

THE RED DEER CHILD CARE SOCIETY

Per: _____

Per: _____

SCHEDULE "A"

Plan Red Deer 8 2 0505
Block R - 14
Lot 1 - SR (school reserve)
Containing 1.53 hectares, more or less
(NE 29 - 38 - 2' W4th)

EXISTING
SCHOOL

TOP OF FLOOR SLAB

Day Care Centre

Playground

CHAIN LINK
FENCING

NEW STORM DRAIN
& MANHOLE BY CITY
OF RED DEER. EXACT
LOCATION TO BE
CONFIRMED

EXIST'G
CONC.
WALK

NEW CONC.
WALK TO
MATCH ADJ.
SLOPES

REMOVE EXISTING BIKE RACKS
& GRAVEL PAD. RELOCATE RACKS
TO OWNER'S DIRECTIONS

EXISTING SIDEWALK

NEW GRADE TO MATCH TOP OF WALK



NOBLE AVE.

SCHEDULE "B"

Rents

Normandeau Day Care Centre - \$6.50/sq. ft. for a total rent of \$34,125/year

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Social Planning Manager
FROM: City Clerk
RE: Red Deer Day Care Centre - Transfer of Ownership

Reference Report:

Social Planning Manager dated September 21, 1998

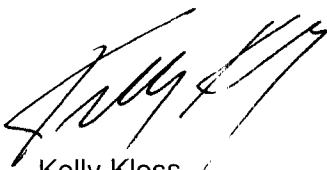
Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Social Planning Manager dated September 21, 1998, re: Red Deer Day Care Centre, hereby:

1. Approves the termination of the lease between The City and the Red Deer Public School Board No. 104 for the lease of the land on which the Red Deer Day Care is situated;
2. Agrees that ownership of the Red Deer Day Care be transferred from The City of Red Deer to the Red Deer Child Care Society for \$1.00."

Report Back to Council Required: No

Comments/Further Action:



Kelly Kloss
City Clerk

/clr

c Director of Community Services

DATE: September 21, 1998

TO: KELLY KLOSS
City Clerk

FROM: COLLEEN JENSEN
Social Planning Manager

RE: DAY CARE FUNDING AGREEMENT
DAY CARE FACILITY AGREEMENT (Normandeau Day Care)

BACKGROUND

Since April, 1979 The City has been involved in the area of day care, first through provincial agreements and later through the provision of additional subsidy funding and in developing appropriate facilities to rent to Red Deer Child Care Society. Over the years there have been many changes in management structure and relationships between The City and the Society.

In 1990, The City entered into a three year Management Agreement with Red Deer Child Care Society, where it was agreed that The Society would operate programs out of the two City-owned facilities (Red Deer Day Care and Normandeau Day Care), and that The City would provide funding which would be used for subsidy to allow access to affordable, quality care for low income families and children with special needs. The agreement was renewed for two further three year terms in 1993 and in 1996. In 1996 there was also funding designated to provide subsidy to families that accessed child care at licensed for-profit child care programs.

The 1996 agreement with Red Deer Child Care Society will be coming to its end on December 31, 1998, and as a result decisions had to be made with respect to the City's future involvement.

The Review of the Role of the Social Planning Department, completed in June 1997 recommended that

- a) "the current subsidies be maintained until such time as the Provincial Government, through Children's Service's Redesign, clarifies the funding role of the Regional Authority for Children's Services".
- b) "that subsidy funding and quality of service assurance contracts be maintained if, after the Regional Authority for Children's Services are operational, it is determined that Provincial (Regional) subsidy levels are insufficient to meet the needs of those it is meant to assist".

Council was not comfortable with these recommendations, and in the Follow-up/Implementation Report that was approved on December 1, 1997 it was suggested that funding be maintained for 1999, until such time that Children's Services was more defined, and further that a message needed to be sent that The City wished to divest itself of subsidy support to day care.

CURRENT SITUATION

In the approved 1998-2000 budget of the Social Planning, money is allocated for funding of day care subsidies, both to Red Deer Child Care Society and to the for-profit centres, until the end of 1999. The funding (\$133,000) is then designated for review within Social Planning priorities for further implementation of the Review of the Role of the Social Planning Department, also considering the context of the newly developing Children's Services Authorities.

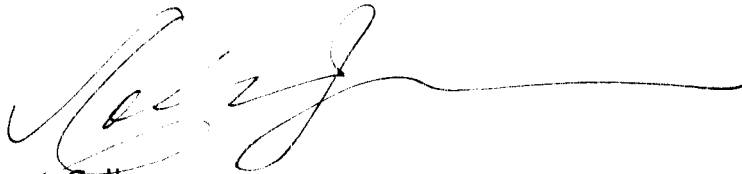
The current Management Agreement with Red Deer Child Care Society that ends December 31, 1998 includes provisions for both facilities and subsidy funding. In view of the fact that it is likely that funding will only be for a duration of one more year, the decision has been made to separate the agreement into two agreements, one specific to funding and one specific to facilities.

To this end a one year agreement has been negotiated for continued funding to Red Deer Child Care Society, to be used such that low income families have access to affordable, quality care. A second agreement has been negotiated specific to the lease of Normandeau Day Care Centre to the Red Deer Child Care Society until 2008, at which time The City can review whether they wish to transfer ownership of the facility to Red Deer Child Care Society. Both of these agreements are attached for Council's review. Council will note that Red Deer Day Care is no longer included as a part of the facility agreement as it is being recommended in additional correspondence, that ownership of Red Deer Day Care Centre be transferred to Red Deer Child Care Society.

Red Deer Child Care Society approved both of the agreements, as attached, at their Board meeting of September 16, 1998.

RECOMMENDATION:

That Council for The City of Red Deer approve the funding agreement and the facility agreement between Red Deer Child Care Society and The City as submitted.

A handwritten signature in black ink, appearing to read 'Colleen Jensen', with a long horizontal flourish extending to the right.

Colleen Jensen
Social Planning Manager

:cs

DATE: September 22, 1998

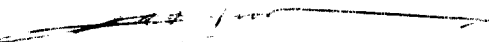
TO: KELLY KLOSS
City Clerk

FROM: LOWELL R. HODGSON
Community Services Director

RE: NORMANDEAU DAY CARE CENTRE:
- DAY CARE FUNDING AGREEMENT
- DAY CARE FACILITY AGREEMENT

I have participated in these negotiations with the Red Deer Child Care Society, leading to the recommendation of our Social Planning Manager, Colleen Jensen, wherein, The City would approve a one-year funding agreement for subsidy to families of low-income and families with children with special needs. The lease of the Normandeau Day Care Centre to the Red Deer Child Care Society until 2008 is also recommended, by which time, the debenture on this facility will have been paid.

During this one-year (1999) of continued funding for subsidy, we will have seen the new regional Children's Services Authority become operational and it will be much clearer as to the services they will deliver. Also, The City's resolve to divest itself of subsidy support to day care should be realized.



LOWELL R. HODGSON

:dmg

- c. Colleen Jensen, Social Planning Manager
Noreen Spencer, Exec. Dir., R.D. Child Care Society

Comments:

We concur with the recommendations of the Social Planning Manager. The Agreements are submitted as attachments to this agenda.

“G. D. Surkan”
Mayor

“N. Van Wyk”
City Manager

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Social Planning Manager
FROM: City Clerk
RE: *Day Care Funding Agreement & Day Care Facility Agreement -
(Normandeau Day Care)*

Reference Report:

Social Planning Manager
dated September 21, 1998

Resolution:

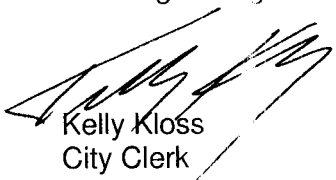
"RESOLVED that Council of The City of Red Deer, having considered report from the Social Planning Manager dated September 21, 1998, re: Day Care Funding Agreement / Day Care Facility Agreement - Normandeau Day Care, hereby approves the Funding Agreement and the Facility Agreement between the Red Deer Child Care Society and The City as presented to Council October 5, 1998."

Report Back to Council Required:

No

Comments/Further Action:

Please forward the above noted Agreements to this office for signing. I will retain one original of each signed Agreement for our files.



Kelly Kloss
City Clerk

/clr

c Director of Community Services

DATE: September 28, 1998

TO: City Clerk

FROM: PETER INNES, Chairman
Environmental Advisory Board

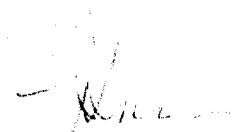
RE: WILDLIFE CORRIDOR AND GEOTECHNICAL STUDIES;
GAETZ LAKE SANCTUARY / MICHENER CENTRE LANDS

At the Regular Meetings of May 26 and September 23, 1998, the Environmental Advisory Board considered the Wildlife Corridor and Geotechnical Reports for the Gaetz Lake Sanctuary/Michener Centre Lands, as prepared by AGRA Earth & Environmental.

These studies were commissioned by City Council on September 3, 1997 with the intent of using the study recommendations to determine a suitable development setback from the edge of the escarpment, and to identify development guidelines that would apply to proposed residential development being planned for this area. At the meeting of September 23, the board passed the following resolution:

"That the Environmental Advisory Board, having considered the written and verbal report by AGRA Earth & Environmental re: Gaetz Lakes Sanctuary/Michener Centre Geotechnical Site Assessment, hereby support and recommend to Council of the City of Red Deer approval of said report.

Further, the Board recommends to Council that the development setback of a minimum 45 metres from the top of bank be approved and that the recommendations outlined in the Wildlife Corridor Study and Geotechnical Study be adopted in principle, to be incorporated into the Michener Centre Development & Subdivision Guidelines."



PETER INNES

DB:nb

Encs.

- c. Lowell Hodgson, Director of Community Services
Paul Meyette, Parkland Community Planning Services
Ron Borge, Gaetz Lake Sanctuary Committee
Ken Haslop, Engineering Services Manager

DATE: September 17, 1998

TO: Environmental Advisory Board

FROM: DON BATCHELOR
Recreation, Parks & Culture Manager

RE: GEOTECHNICAL STUDY - GAETZ LAKE SANCTUARY

Attached is the Geotechnical Study for the lands east of and adjoining the Gaetz Lake Sanctuary, as prepared by AGRA Earth & Environmental. This study was commissioned by City Council on September 3, 1997 based on a recommendation by the Environmental Advisory Board.

The purpose of this study was to:

- a) assess the stability of the slope on the east side of the sanctuary.
- b) assess the impact of urban development on the escarpment.
- c) determine impacts on water levels in the Gaetz Lake.
- d) determine a suitable top of bank setback for all development.

The report was completed separately, but at the same time as the "Wildlife Corridor Study for the Gaetz Lake Sanctuary." The Environmental Advisory Board supported the Wildlife Corridor Study at their regular meeting of May 26, 1998. This report recommends and identifies various wildlife corridors, but specifically related to the area along the east escarpment of the Gaetz Lake Sanctuary, a 30 - 50 m wide zone is recommended to provide for wildlife movement.

With regard to the second half of the studies, the Geotechnical Study, Mr. John Laxdal, Senior Geotechnical Engineer (AGRA) will present the study and the recommendations. This study is recommending, based on geotechnical criteria, a 45 m wide setback from the top of the bank for all development.

Between the two studies ("Wildlife" and "Geotechnical"), it is apparent that in order to plan and design a compatible residential development on the east side of the Sanctuary which will not jeopardize the integrity of wildlife on the escarpment, a 45 m setback from the top of the bank should be enforced.

With this information, the Michener Center Development & Subdivision Guidelines (Council October 21, 1996) should be amended to include the recommendations contained in the studies and the 45 m setback requirement. The Michener Center Board, respective developers, and consultants would be advised of these requirements.

RECOMMENDATIONS:

1. That the Environmental Advisory Board support and recommend to City Council that the Gaetz Lake Geotechnical Report be approved.
2. That the Environmental Advisory Board recommend to City Council that the development setback of 45 m from the top of bank, as well as the recommendations outlined in the Wildlife Corridor Study and Geotechnical Study be adopted as development requirements and be incorporated in the Michener Center Development & Subdivision Guidelines.



DON BATCHELOR

:nb

- c. Lowell Hodgson, Director of Community Services
Paul Meyette, Parkland Community Planning Services
Ken Haslop, Engineering Services Manager
Wendy Martindale, Fort Normandeau Society
Ron Bjorge, Alberta Forestry
Jim Robertson, Park Naturalist

**GAETZ LAKE SANCTUARY/MITCHENER CENTRE
GEOTECHNICAL SITE ASSESSMENT
RED DEER, ALBERTA**

**Submitted To:
The City of Red Deer
Red Deer, Alberta**

**Submitted By:
AGRA Earth & Environmental Limited
4, 5551-45 Street
Red Deer, Alberta T4N 1L2
Telephone:(403)343-8566
Fax:(403)342-5850**

September 3, 1998

AEE File: RX05900

SUMMARY

This report presents the results of a Geotechnical Site Assessment conducted by AGRA Earth & Environmental Limited (AEE) for the Gaetz Lake Sanctuary/Mitchener Centre Lands in Red Deer, Alberta. The agreed scope of services for the assessment is documented in the Terms of Reference prepared by The City of Red Deer and dated October 7, 1997.

The subject site is a ± 16.7 ha parcel of land described as Lot 2, Block 1, Plan 792-1758 in Red Deer, Alberta. The *East Hill Area Structure Plan*, City of Red Deer Bylaw No. 3075/A93, has designated a portion of this lot for residential development. The western portion of the lot will be protected from development by incorporating it into the Gaetz Lake Sanctuary.

The majority of the site is relatively flat prairie upland. Immediately west of the site is the Red Deer River valley escarpment. The Gaetz lakes are oxbow lakes within this flood plain. This escarpment below the site is the subject slope with respect to the slope stability assessment.

The main purposes of the present geotechnical study are to:

- assess stability of the river valley escarpment slope below Lot 2
- determine a top-of-bank setback
- assess the impact of urbanization (lawn watering, surface drainage etc.) on stability of the escarpment
- assess the impact of the residential development on the water levels in the Gaetz lakes

In order to explore subsurface soil and groundwater conditions, a total of six boreholes were drilled, three at the crest of slope and three within the flood plain.

The boreholes at the crest of the slope and in the river flood plain represent two distinct geological settings. Those at the crest encountered topsoil followed by interbedded glaciolacustrine clay and sand overlying clay till. In the flood plain the boreholes encountered topsoil followed by alluvial clay, silt, sand and gravel.

The stability of the escarpment was assessed by site observation, reviewing the previous geotechnical information, local geology, soil and groundwater conditions, airphoto interpretation and computer modelling.

Based on airphoto interpretation and field reconnaissance, the slopes are considered to be generally stable at present. However, they are not considered to have a high enough factor of safety to allow residential construction immediately adjacent to the slope crest. A top-of-bank setback is commonly used to passively protect buildings in the event of slope failure. The top-of-bank setback line is chosen such that the lands up-slope have a factor of safety of at least 1.5 against slope instability. The resulting top-of-bank setback is 45 m. This is illustrated in the report.

The most profound impact of up-slope development on the stability of the river valley slope is likely to result from an increase in soil moisture and groundwater levels within the slope. Soil moisture and groundwater levels tend to increase as a result of land development.

Recommendations for development aimed at reducing the impact of development on soil moisture and groundwater levels and therefore reducing the impact on slope stability include:

- Building lot cross-fall should be maximized to promote run-off.
- Sewer and water main materials and methods should be selected such that the potential for leakage is minimized.
- Water retention structures such as man made lakes and retention ponds should have engineered linings to control leakage losses.
- Site grading fills should be limited to that required to restore proper run-off downslope of the setback line.
- Run-off up-slope of the setback line should be routed to the storm sewer system with the exception of extreme flows.
- Any earthworks proposed on the slope should be reviewed by a qualified geotechnical engineer.
- No watering should be allowed downslope of the setback line.
- Runoff down the slopes should not be channelized except for the extreme events.
- The current overland drainage through the setback area and down the slopes should be maintained as much as possible in the present natural condition.
- Overland outfalls for the excess water from the extreme events should be designed to limit erosion.
- AEE should review the overland drainage plan.

The Gaetz Lakes are oxbow lakes which are former meanders of the Red Deer River now cut-off from the main channel. The sources of recharge for the lakes are:

- direct precipitation,
- run-off from surrounding uplands,
- inflow of intermittent creeks/streams from above, and,
- recharge from groundwater in the pervious alluvial gravels in the Red Deer River valley bottom.

The impact of development on the Gaetz Lakes water levels has been assessed. Groundwater inflow and outflow from the lakes is a dynamic process which is a function of soil permeability, lake level, precipitation, river level, surface water run-in and evaporation. Since the gravel that is present beneath the lakes is pervious, lake levels will tend to respond directly to changes in the level of the Red Deer River, however, the response is attenuated.

The geological data suggests that lake levels are directly influenced by the Red Deer River level. However, the hydrogeological data collected over the study period is not sufficient to confirm this conclusion. It is recommended that the lake levels be monitored for a one year period to confirm the response to changes in river level. The monitoring program should include measurement of groundwater levels in the standpipes and river level on each occasion that the lake levels are measured. It should also include collection of climate and river flow data over the study period.

A comprehensive Master Drainage Plan should be developed for the proposed developments within the catchment area including Lot 2 and the up-slope catchment area. The plan should offer alternatives for discharge of storm water including direct discharge to the river, and detention alternatives. The feasibility of detention pond(s) at the top of bank and at the bottom should be evaluated. The impact of each alternative on the Gaetz Lakes and Red Deer River water quality should be addressed. The impact on the Gaetz Lakes water levels should be further assessed.

GAETZ LAKES WILDLIFE CORRIDOR STUDY

Submitted To:

City of Red Deer

Red Deer, Alberta

Submitted By:

AGRA Earth & Environmental Limited

Calgary, Alberta

May 1998

RX05900

EXECUTIVE SUMMARY

The City of Red Deer Planning and Subdivision Guidelines specify that all new proposed developments acknowledge and incorporate the recommendations of the Ecospace Evaluation Process. In compliance with these guidelines, the Recreation, Parks & Culture Department of the City of Red Deer has requested AGRA Earth & Environmental Limited (AEE) to conduct a study on the movement patterns of wildlife to and from the Gaetz Lakes Sanctuary (GLS) in order to determine wildlife corridors. The GLS extends on its western part into the Michener Centre Natural Area (Section 22, Tp. 38, Range 27; City of Red Deer 1998).

Both the winter tracking survey and the browse survey conducted for the present study indicated that the ungulate density in the Gaetz Lakes Sanctuary is unusually high. It was found that wildlife movements are heavily affected by urban developments surrounding the Sanctuary. In particular, fences effectively prevent the movement of wildlife. The most significant wildlife movements occurred in the north-east corner of the Sanctuary, but this is a small portion of effective wildlife corridors which existed in 1950, as determined from aerial photographs. Given this increased segregation of the Sanctuary from surrounding regional populations, it is suggested in this report that the high density of ungulate populations in the Sanctuary is due to the poor exchange of ungulates between the Sanctuary and the surrounding populations.

The recommendations presented in the ecological profile of the Michener Centre Natural Area presented by the City of Red Deer were reviewed with the assumption that the environmental integrity of the Gaetz Lakes Sanctuary is to be protected. The results of the present study indicate that the most important condition to be fulfilled to protect environmental integrity is to maintain ecologically viable wildlife corridors. Because the last important remaining corridor appears to be in the north-east section of the Sanctuary, it is suggested in this report that future development incorporates in its design a corridor of at least 200 m in width. This corridor can easily be established by taking advantage of the present wetlands and forest patches in that area. This corridor should be protected from human activities and not be used as a recreational area which would include trails and lawns. Contrary to the guidelines in an attachment to the Ecological Profile, it is suggested here that fences around the Sanctuary be avoided. Although AEE agrees with the effort to prevent people from entering the Sanctuary in an uncontrolled fashion, fences would block the remaining corridors, effectively rendering the Sanctuary into a habitat island. To avoid undesired disturbance at the periphery of the Sanctuary, it was suggested that a simple cable, chain or a wooden rail about 1 m above ground be erected. In addition, signs should be posted and a no-trespassing policy enforced.

Comments:

We concur with the recommendations of the Environmental Advisory Board. The Executive Summaries of the Studies have been placed on this agenda, however, the complete Studies have been submitted as attachments.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

COUNCIL MEETING OF OCTOBER 5, 1998

**ATTACHMENT TO REPORT
APPEARING ON THE OPEN AGENDA**

RE:

**Gaetz Lake Sanctuary
Geotechnical Site Assessment &
Wildlife Corridor Study**

**GAETZ LAKE SANCTUARY/MITCHENER CENTRE
GEOTECHNICAL SITE ASSESSMENT
RED DEER, ALBERTA**

**Submitted To:
The City of Red Deer
Red Deer, Alberta**

**Submitted By:
AGRA Earth & Environmental Limited
4, 5551-45 Street
Red Deer, Alberta T4N 1L2
Telephone:(403)343-8566
Fax:(403)342-5850**

September 3, 1998

AEE File: RX05900

SUMMARY

This report presents the results of a Geotechnical Site Assessment conducted by AGRA Earth & Environmental Limited (AEE) for the Gaetz Lake Sanctuary/Mitchener Centre Lands in Red Deer, Alberta. The agreed scope of services for the assessment is documented in the Terms of Reference prepared by The City of Red Deer and dated October 7, 1997.

The subject site is a ± 16.7 ha parcel of land described as Lot 2, Block 1, Plan 792-1758 in Red Deer, Alberta. The *East Hill Area Structure Plan*, City of Red Deer Bylaw No. 3075/A93, has designated a portion of this lot for residential development. The western portion of the lot will be protected from development by incorporating it into the Gaetz Lake Sanctuary.

The majority of the site is relatively flat prairie upland. Immediately west of the site is the Red Deer River valley escarpment. The Gaetz lakes are oxbow lakes within this flood plain. This escarpment below the site is the subject slope with respect to the slope stability assessment.

The main purposes of the present geotechnical study are to:

- assess stability of the river valley escarpment slope below Lot 2
- determine a top-of-bank setback
- assess the impact of urbanization (lawn watering, surface drainage etc.) on stability of the escarpment
- assess the impact of the residential development on the water levels in the Gaetz lakes

In order to explore subsurface soil and groundwater conditions, a total of six boreholes were drilled, three at the crest of slope and three within the flood plain.

The boreholes at the crest of the slope and in the river flood plain represent two distinct geological settings. Those at the crest encountered topsoil followed by interbedded glaciolacustrine clay and sand overlying clay till. In the flood plain the boreholes encountered topsoil followed by alluvial clay, silt, sand and gravel.

The stability of the escarpment was assessed by site observation, reviewing the previous geotechnical information, local geology, soil and groundwater conditions, airphoto interpretation and computer modelling.

Based on airphoto interpretation and field reconnaissance, the slopes are considered to be generally stable at present. However, they are not considered to have a high enough factor of safety to allow residential construction immediately adjacent to the slope crest. A top-of-bank setback is commonly used to passively protect buildings in the event of slope failure. The top-of-bank setback line is chosen such that the lands up-slope have a factor of safety of at least 1.5 against slope instability. The resulting top-of-bank setback is 45 m. This is illustrated in the report.

The most profound impact of up-slope development on the stability of the river valley slope is likely to result from an increase in soil moisture and groundwater levels within the slope. Soil moisture and groundwater levels tend to increase as a result of land development.

Recommendations for development aimed at reducing the impact of development on soil moisture and groundwater levels and therefore reducing the impact on slope stability include:

- Building lot cross-fall should be maximized to promote run-off.
- Sewer and water main materials and methods should be selected such that the potential for leakage is minimized.
- Water retention structures such as man made lakes and retention ponds should have engineered linings to control leakage losses.
- Site grading fills should be limited to that required to restore proper run-off downslope of the setback line.
- Run-off up-slope of the setback line should be routed to the storm sewer system with the exception of extreme flows.
- Any earthworks proposed on the slope should be reviewed by a qualified geotechnical engineer.
- No watering should be allowed downslope of the setback line.
- Runoff down the slopes should not be channelized except for the extreme events.
- The current overland drainage through the setback area and down the slopes should be maintained as much as possible in the present natural condition.
- Overland outfalls for the excess water from the extreme events should be designed to limit erosion.
- AEE should review the overland drainage plan.

The Gaetz Lakes are oxbow lakes which are former meanders of the Red Deer River now cut-off from the main channel. The sources of recharge for the lakes are:

- direct precipitation,
- run-off from surrounding uplands,
- inflow of intermittent creeks/streams from above, and,
- recharge from groundwater in the pervious alluvial gravels in the Red Deer River valley bottom.

The impact of development on the Gaetz Lakes water levels has been assessed. Groundwater inflow and outflow from the lakes is a dynamic process which is a function of soil permeability, lake level, precipitation, river level, surface water run-in and evaporation. Since the gravel that is present beneath the lakes is pervious, lake levels will tend to respond directly to changes in the level of the Red Deer River, however, the response is attenuated.

The geological data suggests that lake levels are directly influenced by the Red Deer River level. However, the hydrogeological data collected over the study period is not sufficient to confirm this conclusion. It is recommended that the lake levels be monitored for a one year period to confirm the response to changes in river level. The monitoring program should include measurement of groundwater levels in the standpipes and river level on each occasion that the lake levels are measured. It should also include collection of climate and river flow data over the study period.

A comprehensive Master Drainage Plan should be developed for the proposed developments within the catchment area including Lot 2 and the up-slope catchment area. The plan should offer alternatives for discharge of storm water including direct discharge to the river, and detention alternatives. The feasibility of detention pond(s) at the top of bank and at the bottom should be evaluated. The impact of each alternative on the Gaetz Lakes and Red Deer River water quality should be addressed. The impact on the Gaetz Lakes water levels should be further assessed.

TABLE OF CONTENTS

	<u>Page</u>
1.0 INTRODUCTION	1
2.0 PROJECT & SITE DETAILS	1
3.0 INVESTIGATION DETAILS	2
3.1 Field Investigation	2
3.2 Laboratory Program	3
4.0 SUBSURFACE SOIL AND GROUNDWATER	3
4.1 Soil	3
4.2 Groundwater	4
5.0 Slope Stability	4
5.1 General	4
5.2 Top-of-Bank Setback	5
5.3 Impact of Upland Development on Slope Stability	6
5.4 Slope Stability Recommendations	7
6.0 GAETZ LAKES WATER LEVELS	8
6.1 Discussion	8
6.2 Recommendations	8
7.0 LIMITATIONS	9
8.0 CLOSURE	9

APPENDICES

Appendix A	-Terms of Reference
Appendix B	-Figure 1, Site Location Plan
	-Figure 2, Site Plan
	-Figure 3, Slope Cross Section
	-Figure 4, Top-of-bank Setback
	-Borehole Logs

1.0 INTRODUCTION

This report presents the results of a Geotechnical Site Assessment conducted by AGRA Earth & Environmental Limited (AEE) for the Gaetz Lake Sanctuary/Mitchener Centre Lands in Red Deer, Alberta.

The agreed scope of services for the assessment is documented in the Terms of Reference prepared by The City of Red Deer and dated October 7, 1997. The Terms of Reference are provided in Appendix A. The wildlife corridor study has been presented in a separate report.

2.0 PROJECT & SITE DETAILS

The subject site is a ± 16.7 ha parcel of land described as Lot 2, Block 1, Plan 792-1758 in Red Deer, Alberta. It lies south of 67 Street, west of a cultivated field, north of the existing Mitchener Centre buildings and east of the Gaetz Lakes Sanctuary. Figure 1 in Appendix B presents a site location plan for reference. The property is presently owned by the Province of Alberta. The *East Hill Area Structure Plan*, City of Red Deer Bylaw No. 3075/A93, has designated a portion of this lot for residential development. The western portion of the lot will be protected from development by incorporating it into the Gaetz Lake Sanctuary.

The majority of the site is relatively flat prairie upland. Immediately west of the site is an escarpment which falls off approximately 35 m in elevation to the flood plain of the Red Deer River. The Gaetz lakes are oxbow lakes within this flood plain. This escarpment below the site is the subject slope with respect to the slope stability assessment. A site plan is presented as Figure 2 (Appendix B).

The escarpment is relatively rugged terrain and is densely vegetated with deciduous and coniferous trees and brush. The only significant development on the escarpment is a walking path which traverses the slope. The overall slope gradient is approximately 3.9 horizontal to one vertical (3.9H:1V).

As documented in the Terms of Reference and AEE's proposal, the main purposes of the present geotechnical study are to:

- assess stability of the river valley escarpment slope below Lot 2
- determine a top-of-bank setback
- assess the impact of urbanization (lawn watering, surface drainage etc.) on stability of the escarpment
- assess the impact of the residential development on the water levels in the Gaetz lakes

As indicated above, The City of Red Deer intends to develop the eastern portion of Lot 2 for residential use. The majority of the land will be for single family lots. The remainder will be for multi-family, commercial and institutional use.

Development of the serviced lots will include:

- stripping and stockpiling organic topsoil for later reuse,
- rough grading cuts and fills,
- underground construction for storm and sanitary sewers, gas lines, cable, electricity and telephone, and,
- surface works including construction of roadways, sidewalks and swales.

AEE carried out a previous *Geotechnical Study of Slope Stability, Mitchener Centre Property, Red Deer, Alberta* in 1982 (AEE File No. RX02038). At that time two slope failures had occurred (1981) and the study purpose was to evaluate the cause, and provide recommendations for remedial measures. This study has been reviewed in preparation of the present report.

3.0 INVESTIGATION DETAILS

3.1 Field Investigation

In order to explore subsurface soil and groundwater conditions, a total of six boreholes were drilled with auger type rigs equipped with 150 mm diameter solid stem augers. Three of the boreholes were drilled to depths of approximately 30 m from the crest of the escarpment on December 12, 1997. The other three were drilled in the flood plain near the north end of East Gaetz Lake on February 2, 1998. The drilling was contracted to Mobil Augers Ltd. of Edmonton and observed by representatives of AEE's Red Deer office. Two truck mounted auger rigs were used for the drilling at the crest of slope. The boreholes in the flood plain were drilled with a small track mounted auger. Figure 2 (Appendix B) presents the borehole locations.

Standard penetration tests were performed at selected intervals during borehole drilling. Split-spoon soil samples were obtained from the standard penetration tests. Disturbed bulk soil samples were obtained at selected intervals. The soil samples were preserved in plastic bags and returned to AEE's Red Deer office for subsequent laboratory testing and storage.

Five of boreholes were completed with 25 mm diameter PVC standpipes to allow subsequent monitoring of groundwater levels. An extra shallow standpipe (No. 97-1a) was installed immediately adjacent to BH97-1 to check for perched groundwater within the upper soil profile. The standpipes were field slotted and were backfilled with native cuttings. A 300 mm thick (approximate) bentonite surface seal was provided for each standpipe to prevent surface water ingress. The remainder of the boreholes were backfilled with native cuttings.

The borehole logs are presented in Appendix C.

3.2 Laboratory Program

Selected soil samples were tested in the laboratory for index properties. The laboratory program included:

- natural moisture content, and,
- Atterberg limits.

The test results are presented on the borehole logs. The soil samples will be stored for 60 days following issuance of this report. The samples will then be discarded unless AEE is instructed otherwise.

4.0 SUBSURFACE SOIL AND GROUNDWATER

4.1 Soil

The boreholes at the crest of the slope (BH97-1, -2 and -3) and in the river flood plain (BH97-4, -5 and -6) represent two distinct geological settings. Those at the crest encountered topsoil followed by interbedded glaciolacustrine clay and sand overlying clay till. In the flood plain the boreholes encountered topsoil followed by alluvial clay, silt, sand and gravel.

Topsoil was present at ground surface in each borehole. It was generally 0.1 to 0.3 m thick.

The glaciolacustrine clay and sand encountered in Boreholes BH97-1, -2, and -3 was present to 16.5 to 20.7 m below ground surface. The clay layers were generally silty, firm to very stiff, low to medium plastic, and moist to wet. The sand layers were generally compact to dense and moist to saturated.

The clay till encountered in Boreholes BH97-1, -2 and -3 is a heterogenous mixture of silt, sand and gravel size particles interspersed in a clay matrix. Cobbles and boulders are randomly present. The till was generally hard, low to medium plastic and damp to moist. Occasional saturated sand layers or lenses were encountered. The till was present to the maximum depth penetrated in the boreholes, 29.7 m.

The alluvial clay in the flood plain was generally soft to firm, medium plastic and moist to wet. It extended to depths of 2.3 to 2.7 m below ground surface.

Beneath the clay, silt and sand was encountered in BH97-4. It was fine grained, loose, and saturated. In BH97-5, sand was encountered beneath the clay and it was loose, fine grained, and saturated.

Sand and gravel was present underlying the silt and sand in BH97-4, the sand in BH97-5 and directly beneath the clay in BH97-6. It extended to the maximum depth penetrated in the flood plain boreholes, 5.4 to 6.4 m. The sand and gravel was generally well graded, compact to dense and saturated.

4.2 Groundwater

Some seepage was encountered during drilling of each borehole. The depth to groundwater in the standpipes has been checked on several occasions since installation. The results are presented in the following table:

TABLE 1
MEASURED GROUNDWATER DEPTHS

DATE (yy-mm-dd)	GROUNDWATER DEPTH (m)					
	BH 97-1	BH 97-1a (shallow)	BH 97-2	BH 97-4	BH 97-5	BH 97-6
98-03-03				1.65	1.85	1.45
98-03-27	14.40	6.30	16.30	1.00	1.50	1.10
98-04-06				1.00	1.60	0.90
98-05-13				0.50	0.90	0.48
98-05-26				0.40	0.80	0.40
98-05-29				0.40	0.90	0.40
98-06-01				0.40	0.90	0.40
98-06-03				0.40	0.80	0.35
98-06-05				0.20	0.80	0.50
98-06-09	14.40	dry	16.70	0.30	0.90	0.40
98-06-22				0.30	0.90	0.40

Groundwater levels will fluctuate seasonally, in response to precipitation and as a result of development

5.0 Slope Stability

5.1 General

The stability of the escarpment was assessed by site observation, reviewing the previous geotechnical information, local geology, soil and groundwater conditions, airphoto interpretation and computer modelling.

The surficial material at prairie level has been described as being coarse grained sand and silt lake deposits (Geological Survey of Canada, *Surficial Geology Red Deer-Stettler*, Map 1081A, 1960). The recent and past AEE boreholes at prairie level encountered sand and silt layers, however, clay layers were also present.

The published surficial geology map indicates that deposits in the flood plain should consist of coarse gravel and sand alluvium. This is reasonably consistent with AEE's borehole findings, however, the boreholes encountered clay and silt as well as sand and gravel.

The subject slope is the scarp of ancient slope failures that occurred when the Red Deer River's channel was at the toe of the slope and undermined it. The only significant recent slope failures are the two documented in the 1982 report, these are understood to have last been active in 1981. The larger of the two failures is understood to have started between 1952 and 1967. The location of these slope failures are shown in Figure 2.

The failed slopes from the 1982 report do not appear active at present. The failures are understood to be the result of over-steepening from fill material being deposited over the crest of slope, and, possibly, a high groundwater condition. It is understood that the tree nursery above the slope has not been irrigated. However, the cultivation of the land for the nursery (and up-slope of the nursery) may have caused an increase in groundwater levels due to increased infiltration of precipitation.

5.2 Top-of-Bank Setback

Based on airphoto interpretation and field reconnaissance, the slopes are considered to be generally stable at present. However, they are not considered to have a high enough factor of safety to allow residential construction immediately adjacent to the slope crest. For land development projects at the crest of a slope in Alberta, a top-of-bank setback is commonly used to passively protect buildings and in the event of slope failure. The top-of-bank setback line is chosen such that the lands up-slope have a factor of safety of at least 1.5 against slope instability. The factor of safety is the ratio by which the strength of the soil must be reduced to result in a state of limiting equilibrium (impending failure). A factor of safety less than one indicates failure. A factor of safety greater than one indicates a stable slope.

The top-of-bank setback required to provide a factor of safety of 1.5 has been calculated using a computer model. The soil strength parameters for the analysis were estimated based on the observed soil type, published correlations with the soil index properties and back analysis of the failed slope. The groundwater conditions chosen for the analysis were based on measured present conditions with an allowance for future increases due to up-slope development. The slope topography was derived from a 1:5 000 orthophoto of the site which has one metre contour intervals. Figure 3 presents a typical cross section of the slope. The location of the cross section is shown on Figure 2.

The resulting top-of-bank setback is 45 m. The top-of-bank at any slope cross section should be considered the point up-slope of which is less than a 15% gradient and down-slope of which is greater than a 15% gradient. This is illustrated in Figure 3.

The top-of-bank setback will not insure that the slopes will remain stable. It is intended to provide passive protection for lands up-slope of the setback in the event of slope failure. Factors that tend to reduce the stability of a slope include: increases in soil moisture content and groundwater, placement of fill at the crest, and removal of soil at the toe. Earthworks downslope of the top-of-bank setback will be controlled as the land will be incorporated into the Gaetz Sanctuary. However, up-slope developments will most likely influence groundwater levels and this could result in a slope failure. This is discussed in the following subsection.

5.3 Impact of Upland Development on Slope Stability

The most profound impact of up-slope development on the stability of the river valley slope is likely to result from an increase in groundwater levels within the slope. Groundwater levels tend to increase as a result of land development because:

- elements such as pavements, sidewalks, driveways and buildings are relatively impervious to water vapour and tend to cut-off evaporation/evapotranspiration of soil moisture when compared to the pre-development case,
- leakage of underground utilities including water, and sewers provide additional sources of water,
- leakage of man-made ponds and lakes, and,
- lawn watering provides an additional source of water.

The area of influence for groundwater changes (recharge area) due to urbanization is not limited to Lot 2. If areas up-slope of Lot 2 are developed this will also impact groundwater levels at the slope in the long term and, therefore, reduce the stability of the slope. The recharge area has not been defined in the present study, but may be estimated to be roughly equivalent to the pre-development catchment area for storm water runoff.

It should be noted that Alberta Environmental Protection (AEP)'s *Storm Water Guidelines for the Province of Alberta* of April 1998 encourage infiltration of storm runoff to: attenuate flow rates to downstream areas; reduce runoff volumes; and improve water quality in receiving water bodies. This is achieved by using reduced lot grading cross-falls on building sites and other measures. As indicated above, increased infiltration will tend to reduce the stability of the slopes.

5.4 Slope Stability Recommendations

The Terms of Reference request 'Development conditions, limitations and building requirements on the upland area that are recommended to ensure perpetual stability of the slope..'. There have been active recent (1981) landslides and this suggests that the slope has a low factor of safety given the present condition of the upland. It is possible that slope failures could occur from natural conditions such as prolonged rainfall even without any up-slope development. The slope could be re-contoured to improve the stability and satisfy the Terms of Reference but this would be expensive and would clearly conflict with the desire to maintain the sanctuary in a natural condition.

It is considered sensible to design the up-slope development such that impacts on groundwater levels (and therefore slope stability) will be reduced and, if a slope fails, re-grade and restore it locally on an as-required basis. The recommended top-of-bank setback (45 m) will provide reasonable protection against loss of infrastructure or private property.

Recommendations for development within the catchment area aimed at reducing the impact of development on groundwater levels and therefore reducing the impact on slope stability include:

- Building lot grading should be maximized to promote run-off.
- Sewer and water main materials and methods should be selected such that the potential for leakage is minimized.
- Water retention structures such as man-made lakes and retention ponds should have engineered linings to control leakage losses.
- Site grading fills should be limited to that required to restore proper run-off downslope of the setback line.
- For minor storm events, run-off up-slope of the setback line should be routed to the storm sewer system.
- Runoff generated by major storm events (events in excess of the storm sewer capacity) should be detained in trapped, hard surfaced low areas within the subdivision or in detention ponds.
- Any earthworks proposed on the slope should be reviewed by a qualified geotechnical engineer.
- No watering should be allowed downslope of the setback line.
- Runoff down the slopes should not be channelized.
- The current overland drainage through the setback area and down the slopes should be maintained as much as possible in the present natural condition.
- Overland outfalls for the excess water from the extreme events should be designed to limit erosion.
- AEE should review the Master Drainage Plan and the overland drainage plans.

As indicated above, recommendations intended to reduce impacts on slope stability may conflict with AEPs guidelines intended to reduce impacts on receiving water bodies. The storm run-off design for the subdivisions above the slope should be reviewed by AEE to allow comment on the potential impacts on slope stability.

6.0 GAETZ LAKES WATER LEVELS

6.1 Discussion

The Gaetz Lakes are oxbow lakes which are former meanders of the Red Deer River now cut-off from the main channel. The sources of recharge for the lakes are:

- direct precipitation,
- run-off from surrounding uplands,
- groundwater from up-slope areas,
- inflow of intermittent creeks/streams from above, and,
- groundwater in the pervious alluvial gravels in the Red Deer River valley bottom.

Groundwater inflow to and outflow from the lakes is a dynamic process which is a function of soil permeability, lake level, river level, surface water inflows, precipitation, and evaporation. Since the gravel that is present beneath the lakes is pervious, lake levels will tend to respond directly to changes in the level of the Red Deer River, however, the response is attenuated.

6.2 Recommendations

The geological data suggests that lake levels are directly influenced by river levels. However, the hydrogeological data collected over the study period is not sufficient to confirm this conclusion. It is recommended that the lake levels be monitored for a one year period to confirm the response to changes in river level. The monitoring program should include measurement of groundwater levels in the standpipes and river level on each occasion that the lake levels are measured. It should also include collection of climate and river flow data over the study period.

A comprehensive Master Drainage Plan should be developed. It would become the framework for subsequent detailed design for proposed developments within the area of influence including Lot 2 and the up-slope catchment area. The plan should evaluate various storm water management options including direct discharge to the river, and/or detention alternatives with detention pond(s) at the top-of-bank or at the bottom. The impact of each alternative on the water quality of Gaetz Lakes and the Red Deer River should be addressed. Preferably, the Master Drainage Plan should not only address the geographic area formed by Lot 2 and the up-slope catchment area, but also adjacent areas to evaluate the benefits of creating joint drainage facilities outside of the direct area of influence. The presence of well defined drainage courses to the north and east of the project site (Figure 1) indicate the potential for an effective integrated approach. AEE should review the Master Drainage Plan.

7.0 LIMITATIONS

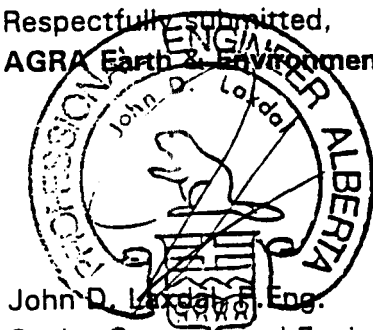
This report has been prepared for the exclusive use of The City of Red Deer for specific application to the project described in Section 2. It was prepared in accordance with generally accepted geotechnical engineering practices. No other warranty, expressed or implied, is made.

Recommendations presented in this report are based on findings at the site and recognized professional engineering standards. If conditions other than those reported are observed during subsequent stages of the project, AEE should be notified and given the opportunity to review the current recommendations in light of the new findings. The recommendations may not be valid if an adequate level of inspection is not provided during construction, or if relevant building code requirements are not met.

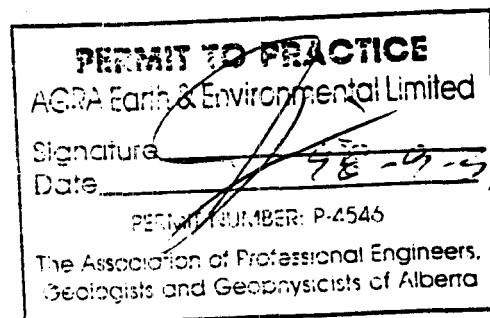
8.0 CLOSURE

We trust that this information satisfies your present requirements. Should you have questions, please contact this office.

Respectfully submitted,
AGRA Earth & Environmental Limited



John D. Loxton, P.Eng.
Senior Geotechnical Engineer



Reviewed By:

Ken Toovey, P.Eng.
Senior Geotechnical Engineer

Bert van Duin, M.Sc., P.Eng.
Urban Drainage Specialist

APPENDIX A
TERMS of REFERENCE

Recreation, Parks & Culture Department

October 22, 1997

Agra Earth & Environmental
Attn: Mark Brotherton
4, 5551- 45 Street
Red Deer, AB T4N 1L2

Dear Mark:

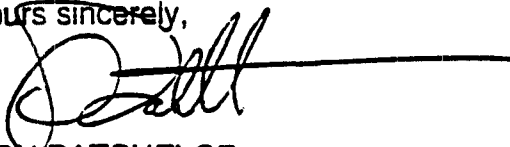
RE: HYDRO GEO-TECHNICAL STUDY

I have attached the Terms of Reference for a hydro geo-technical study adjacent to the east side of the Gaetz Lakes Sanctuary. This study has been authorized both by Red Deer City Council, and by the Province of Alberta. The purpose of the study is primarily to establish a suitable new property line that would separate the Gaetz Lakes Sanctuary from the proposed residential development on the present Michener lands. The Province of Alberta and the City of Red Deer have agreed that this hydro geo-technical study will be the basis from which a new property line is established, and land transferred from the ownership of the Province to that of the City.

This Terms of Reference has been forwarded to you on the basis of the extensive work completed by your firm on this area in the early 1980s, your familiarity with soil and geo-technical work in the Red Deer River Valley, your preliminary cost estimate of November 16, 1996, for a limited effort study, and the confidence I have in you and your firm for this type of study.

Please review the Terms of Reference in detail, and provide a detailed proposal with an upset fee limit for this project. I am anxious to proceed with this project this fall; please provide me with your response by October 31, 1997. If you require further clarification, please contact me at 342-8165.

Yours sincerely,



DON BATCHELOR
Manager

:ad

Atts.

- c. Lowell R. Hodgson, Community Services Director
Jim Robertson, Naturalist, K.W.N.C.
Ron Bjorge, Fish & Wildlife

Box 5008
Deer, Alberta
T4N 3T4

The City of Red Deer

**Gaetz Lakes Sanctuary/Michener Centre
Hydro-Geotechnical Study
Lot 2, Block 1, Plan 792-1758**

**TERMS OF REFERENCE
October 7, 1997**

Red Deer City Council Resolution

On September 23, 1997, Council of The City of Red Deer, authorized a hydro-geotechnical study to be undertaken for the purpose of determining a suitable development setback area adjacent to the Gaetz Lakes Sanctuary.

Overview

The Province of Alberta is the registered owner of Lot 2, Block 1, Plan 792-1758. This land is presently agricultural, with some storage facilities in the south portion of the area, some tree nursery stock in the middle of the site and escarpment and trees along the west property line.

The City of Red Deer is the owner of the adjacent parcel, Lot 4ER, Plan 912-0819. This land is part of the Gaetz Lakes Sanctuary and is preserved in its natural state, excepting a 1.5m wide gravel interpretive walking trail.

The East Hill Area Structure Plan (Bylaw 3075/A93) designates a portion of lot 2 to be developed for residential purpose and a portion of the west side of lot 2 to be incorporated as part of the Gaetz Lakes Sanctuary. In addition, City Council has established the Michener Centre Outline Plan Guidelines, which identify issues, conditions and concerns that must be addressed in any development proposal for this area. These guidelines will provide for orderly development of this area, while preserving the environmental integrity of the Gaetz Lakes Sanctuary.

The interface between lot 4ER and lot 2 has a recorded history of bank instability and slumpage. An evaluation of the slope and slump areas was conducted by Hardy and Associates in a report, *Geotechnical Investigation of Slope Stability, Michener Centre Property, Red Deer, February 10, 1982*. The results of this study were incorporated in the *Erosion Control Study* completed by Associated Engineering Services Limited, March 23, 1984.

The City of Red Deer adopted a Gaetz Lakes Sanctuary Management Plan on October 6, 1997. This plan outlines specific operational and management practices for the sanctuary, which includes all environmental factors.

Purpose

To complete a hydro-geotechnical study for the lands contained in lot 2 and extreme west portion of lot 4ER, adjacent to the Gaetz Lakes Sanctuary, using the information contained in the above studies/reports and new field investigation and analysis to determine:

1. Slope stability.
2. Information on groundwater movement.
3. Effects of future residential development, lawn sprinklers, surface drainage on adjacent escarpment.
4. Wildlife movement along the top of the escarpment.
5. Development conditions, limitations and building requirements on the upland area that are recommended to ensure the perpetual stability of the slope and to maintain wildlife movement.
6. A recommended development setback from the top of escarpment that would define:
 - a) land that should be protected from development and transferred to the ownership of The City of Red Deer
 - b) land that can be incorporated into a proposed residential development, including any recommendations regarding development conditions (see (5) above)
7. Determine all sources of water recharge to the Gaetz Lakes and the potential effect of the proposed future residential development on water entering the sanctuary. Some water flow may be necessary to ensure recharge of the Oxbow Lakes.

Consulting Services

1. Review all existing documents, plans, studies, aerial photography, bylaws, erosion control studies, geotechnical and survey information concerning the subject area.
2. Conduct supplementary field inspections, geotechnical investigations, surveys and hydrological studies as may be required.
3. Identify and assess wildlife movements and corridors in the immediate vicinity of the escarpment.
4. Undertake a field drilling program in locations along the crest of the slope in the proposed development area and the toe of the slope (confined to along the existing trail only - no disruption of existing vegetation).
5. Install and monitor seepage meters and mini-piezometers to determine groundwater movements.
6. Complete a detailed slope stability analysis and develop setback requirements to ensure slope stability and that the natural integrity of the Gaetz Lakes and the sanctuary are preserved. The setback requirement should incorporate the necessary corridor for wildlife movement along the top of the escarpment.
7. Prepare necessary soil profiles, cross section draws, maps and charts as required.
8. Prepare a preliminary draft report and final report.
9. Conduct one presentation of the final report.

Schedule

Review of all relevant information, monitoring analysis and conclusions is to take place from November 1997 to April 30, 1998, with a final report by May 30, 1998.

Available Information

1. Legal plans of subdivision
2. East Hill Area Structure Plan - Bylaw 3075/A93
3. Michener Centre Outline Plan Guidelines
4. Geotechnical Investigation of Slope Stability, Michener Centre property, Feb. 10, 1982
5. Erosion Control Study (Level 1 Study and Executive Summary; Associated Engineering Services Limited, March 1984)
6. Gaetz Lakes Sanctuary Management Plan (City Council, October 1997)
7. Waskasoo Park Level III - Natural History Inventory

Contacts

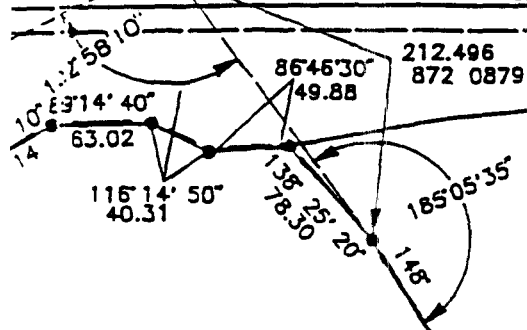
All inquiries regarding this proposal call and throughout the hydro-geotechnical and wildlife study should be directed to:

- ↔ Don Batchelor
Recreation, Parks & Culture Manager
The City of Red Deer
Box 5008
Red Deer, AB T4N 3T4
Tel: (403) 342-8165
Fax: (403) 342-8222

A.S.C.M. 793+16.12.1

ROAD ALLOWANCE

R/W PLAN 962 K.S.

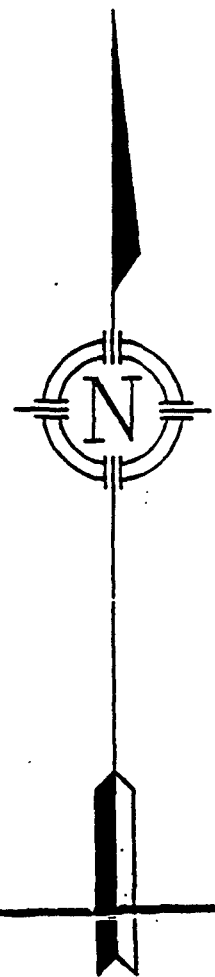


212.496
872 0879

LOT 2
PLAN 792 1758

678.59
20°

N.E. 1/4 Sec. 22-
38-27-4



LOT 1, BLOCK 1
PLAN 792 1758



ER
hc.

LOT 4 E.R.
PLAN 912-0819

North ↑

MAJOR SLUMP

MINOR SLUMP

CLEARING

TEMPORARY
TREE NURSERY
(LEASE AREA)

TOP OF SLOPE

PLAN 792-1758, NW¼ 22-38-27-W4
EAST HILL AREA STRUCTURE PLAN/
MICHENER LANDS (41.29 acres)

PREPARED BY
CITY OF RED DEER
PARKS DEPARTMENT

NOTE:
TOP OF SLOPE FOLLOW
TREE LINE, EXCEPT AS

79.05

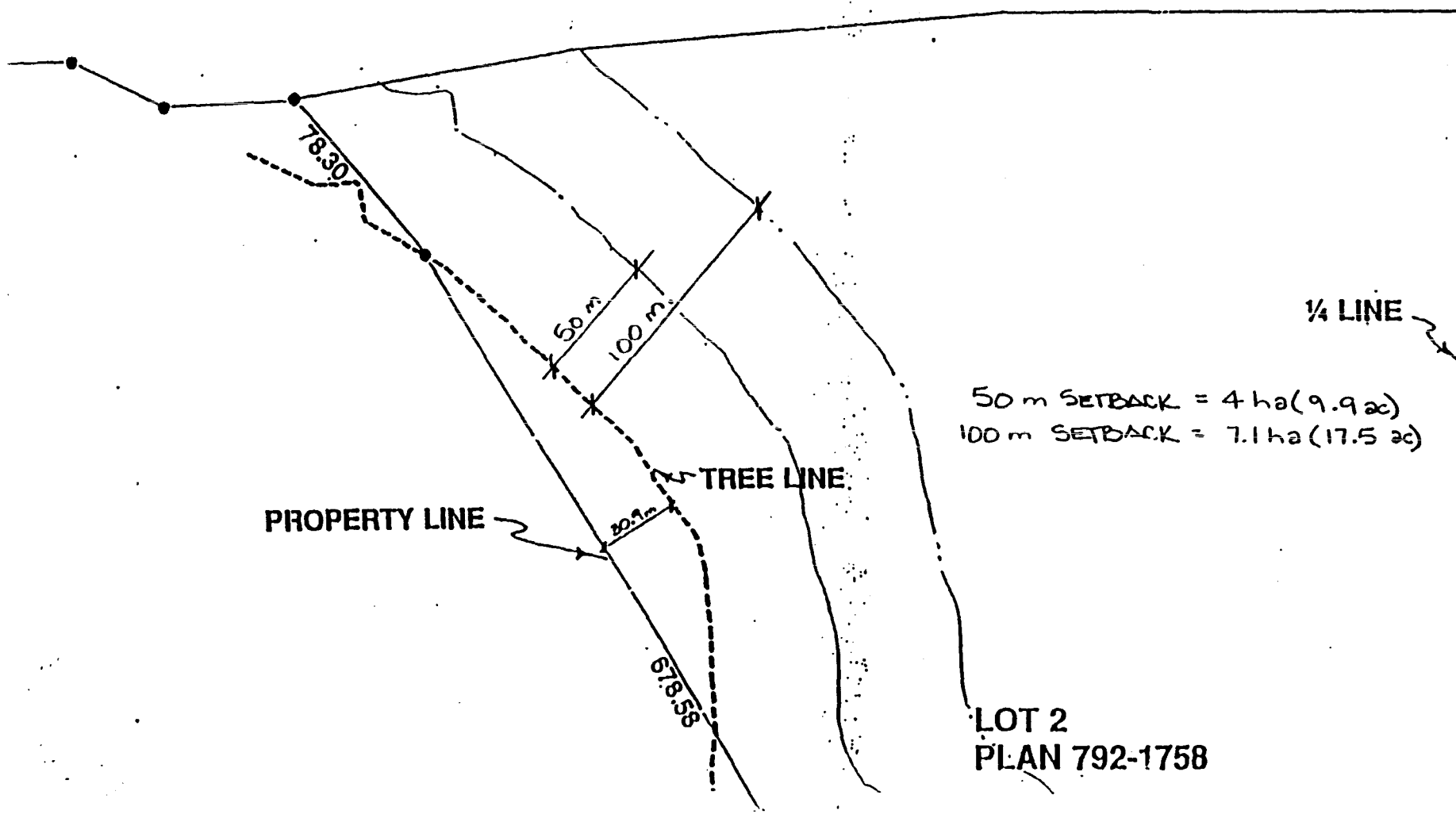
ASCM 793+16.12.1



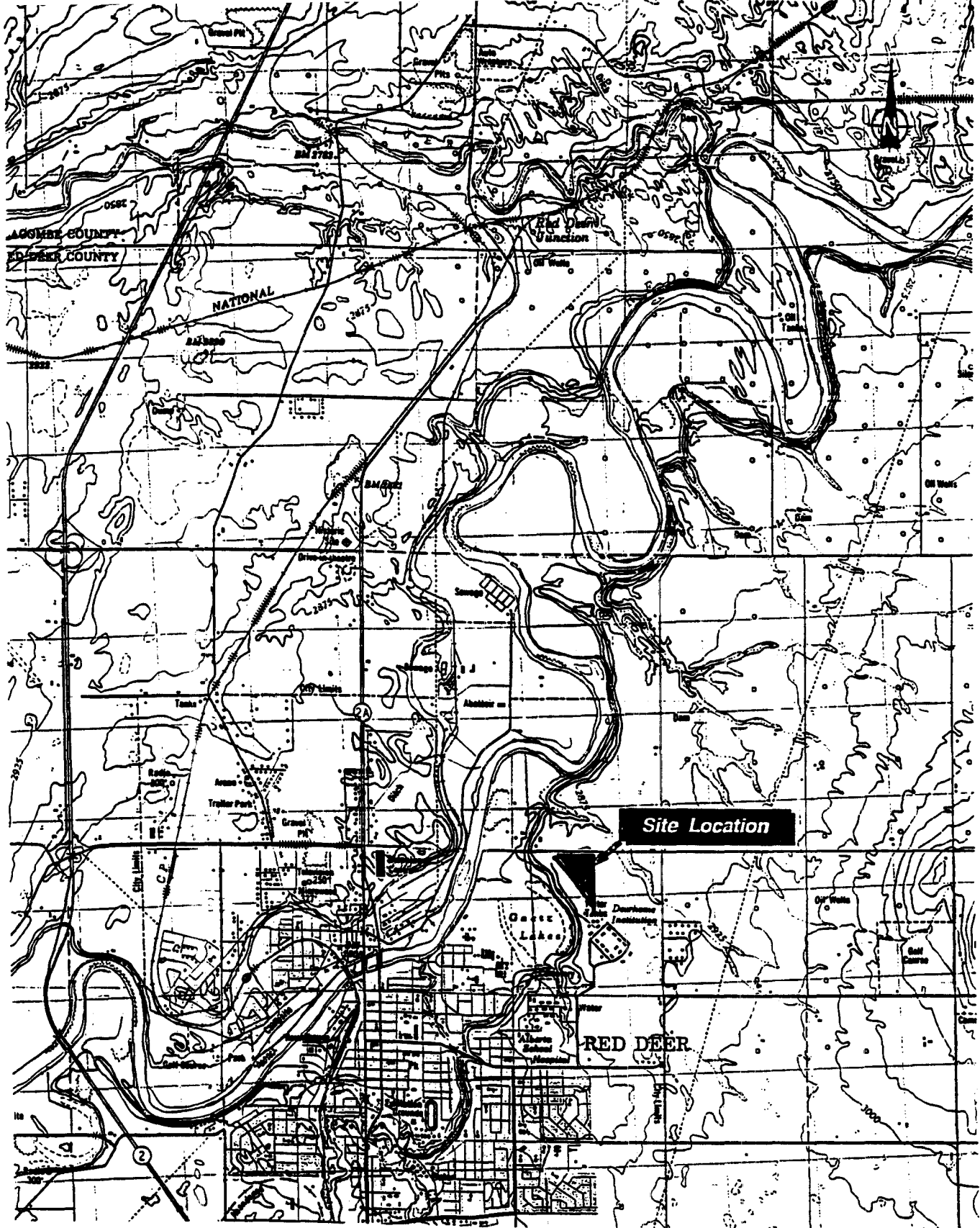
67 STREET ROAD ALLOWANCE

R/W PLAN 962 K.S.

PLAN 072 0879



APPENDIX B
FIGURE 1, SITE LOCATION
FIGURE 2, SITE PLAN
FIGURE 3, SLOPE CROSS SECTION
FIGURE 4, TOP-OF-BANK SETBACK
BOREHOLE LOGS

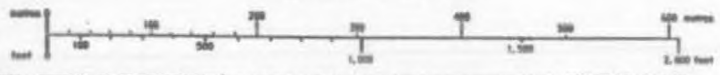


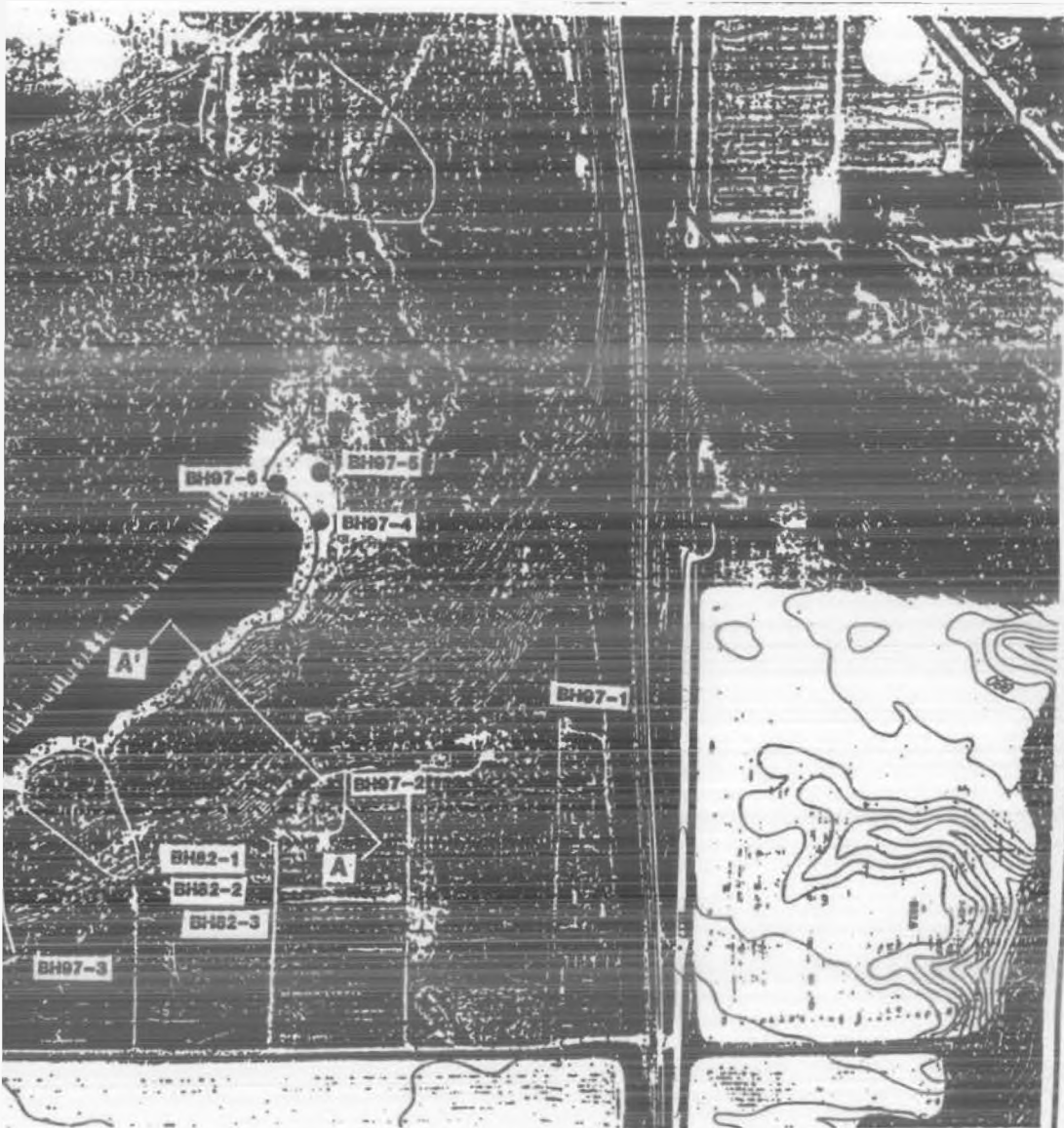
Scale 1:50 000



Slope Failures
From 1982 Report

SCALE 1:5 000





AGRA Earth & Environmental
ENGINEERING GLOBAL SOLUTIONS

Client:

The City of Red Deer

Project:

Geez Lake Sanctuary / Michener Centre
Geotechnical Site Assessment

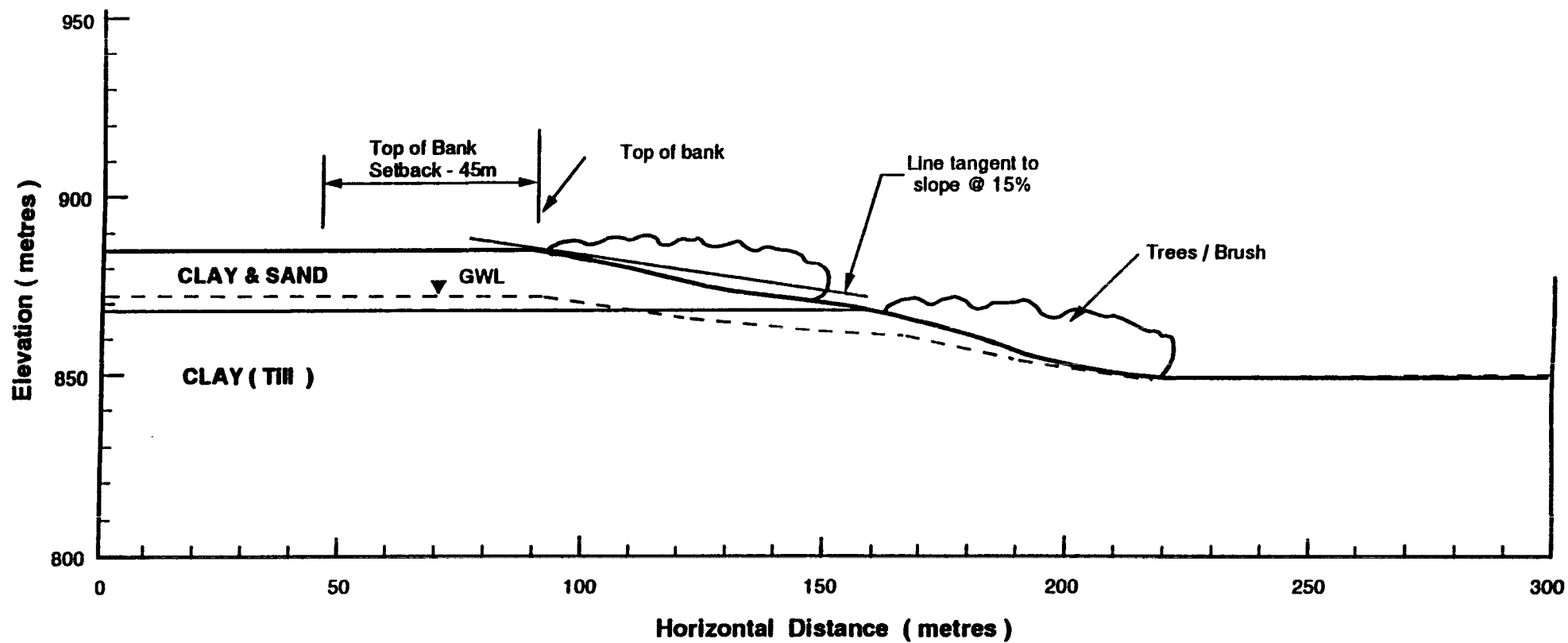
Site Plan Showing Borehole Locations

Date: JUNE 1998

Work Order: RX05800

File: RX05800JL

Figure 2



AGRA Earth & Environmental
ENGINEERING GLOBAL SOLUTIONS

Client: The City of Red Deer
Project: Gaetz Lake / Michener Centre - Slope Stability

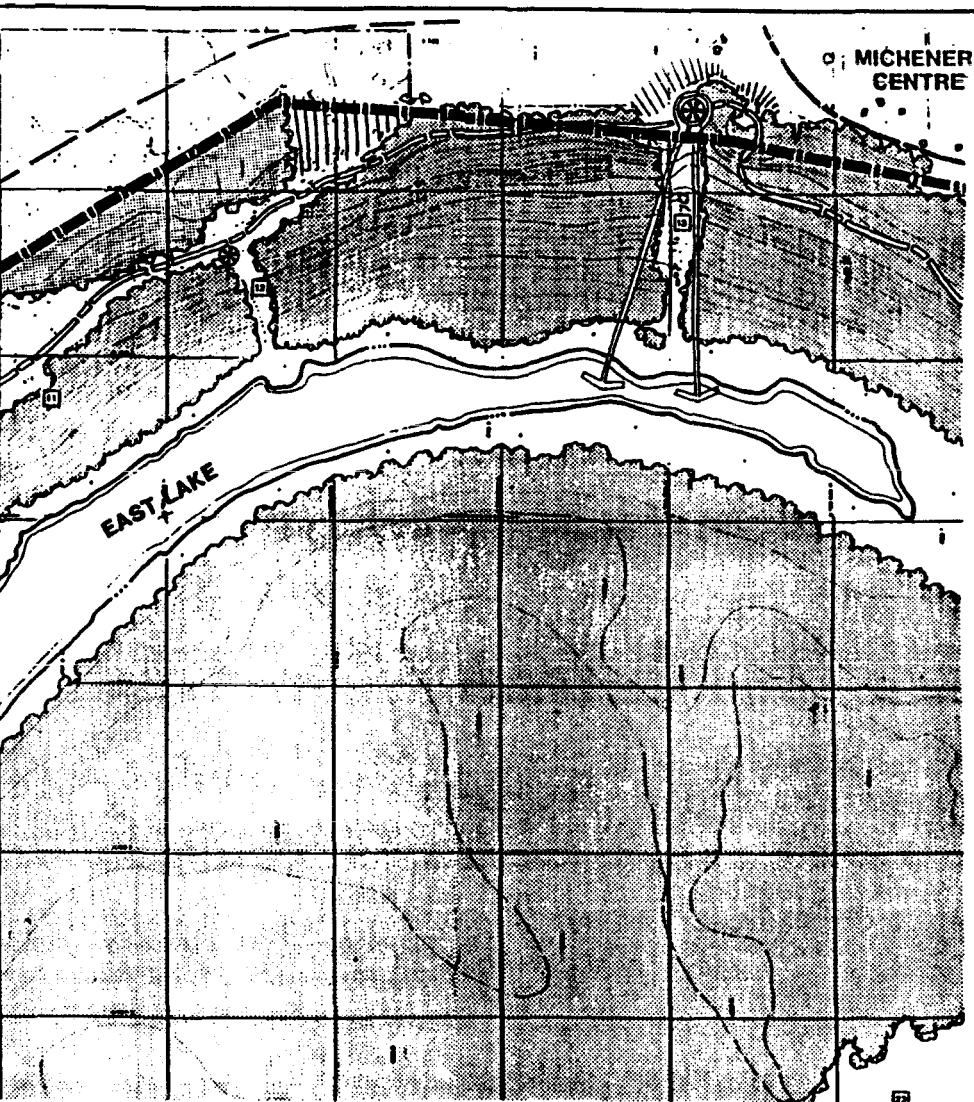
Slope Cross - Section A - A'

Date: Sept. 1998

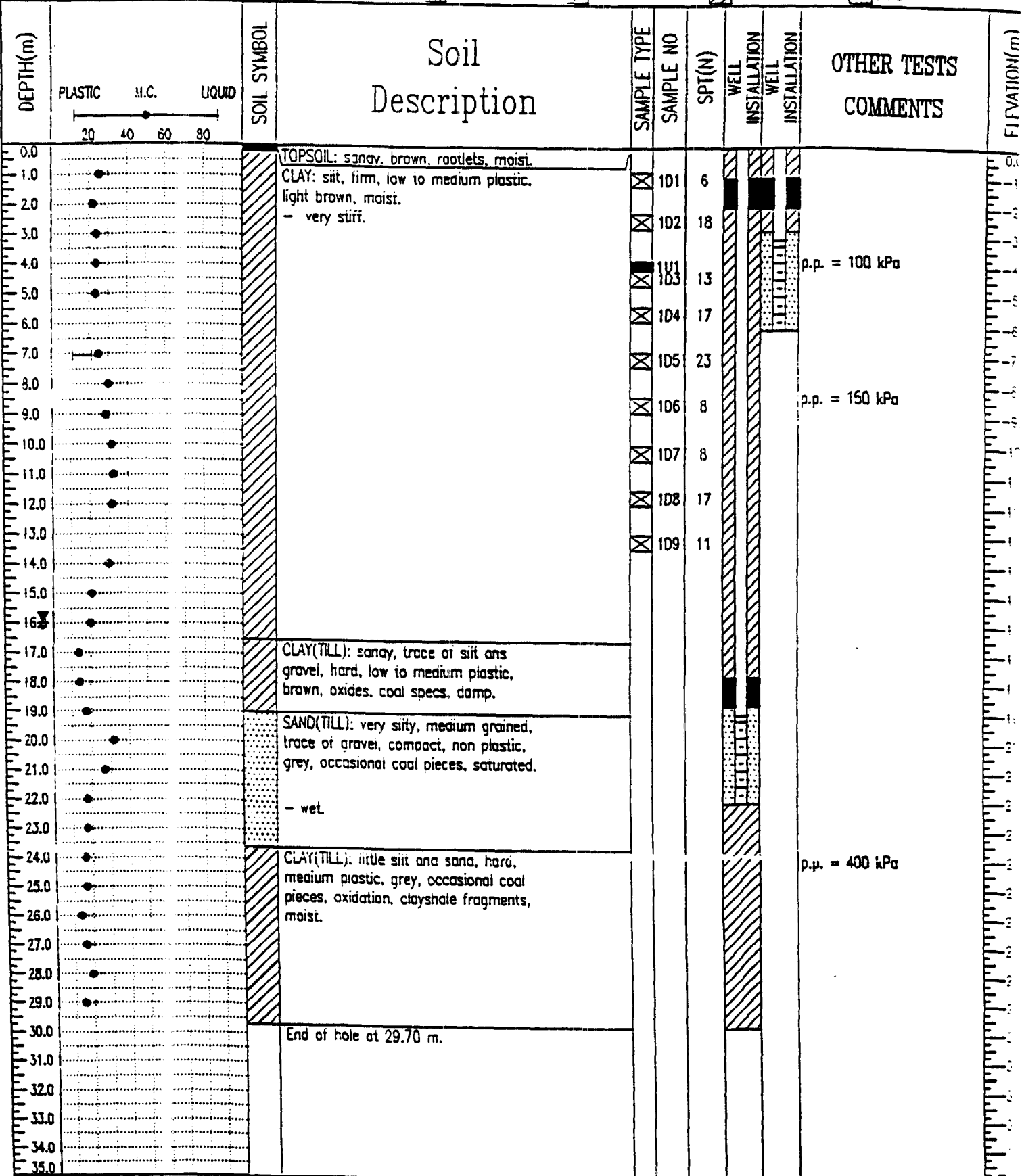
Work Order: RX05900

File: HD2/RX05900/JL

Figure 3



SAMPLE TYPE ☒ Shelby Tube ☒ No Recovery ☒ SPT Test ☒ Grab Sample ☒ Split Pen ☒ Core Sample
 BACKFILL TYPE ☒ BENTONITE ☒ PEA GRAVEL ☒ SLOUGH ☒ GROUT ☒ DRILL CUTTINGS ☒ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: AGC

REVIEWED BY: JL

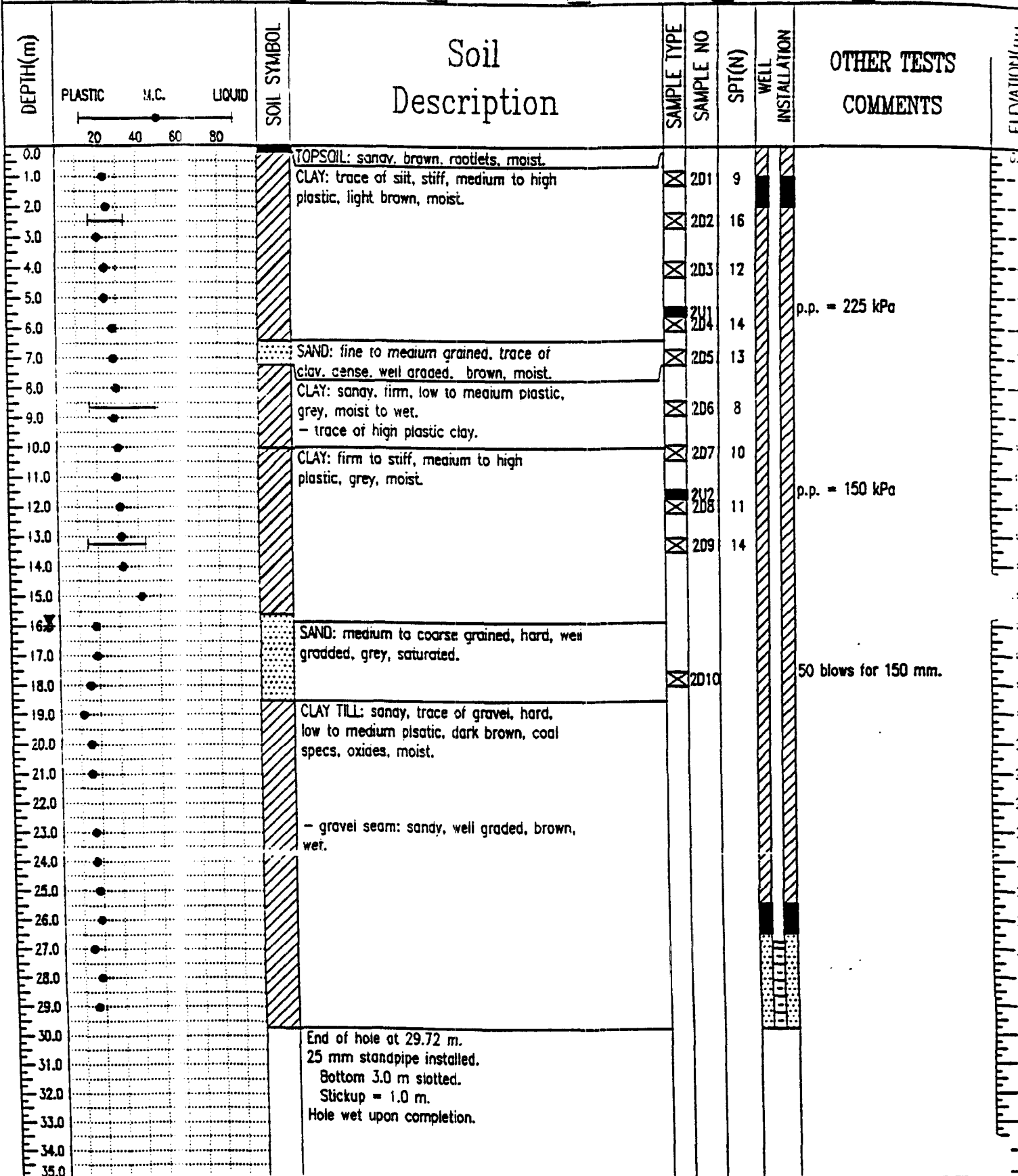
Fig. No:

COMPLETION DEPTH: 29.7 m

COMPLETE: 97/12/05

Page 1 of

SAMPLE TYPE ☒ Shelby Tube ☒ No Recovery ☒ SPT Test ☐ Grab Sample ☐ Split Pen ☐ Core Sample
 BACKFILL TYPE ☒ BENTONITE ☐ PEA GRAVEL ☐ SLOUGH ☐ GROUT ☐ DRILL CUTTINGS ☐ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: AGC

REVIEWED BY: JL

Fig. No:

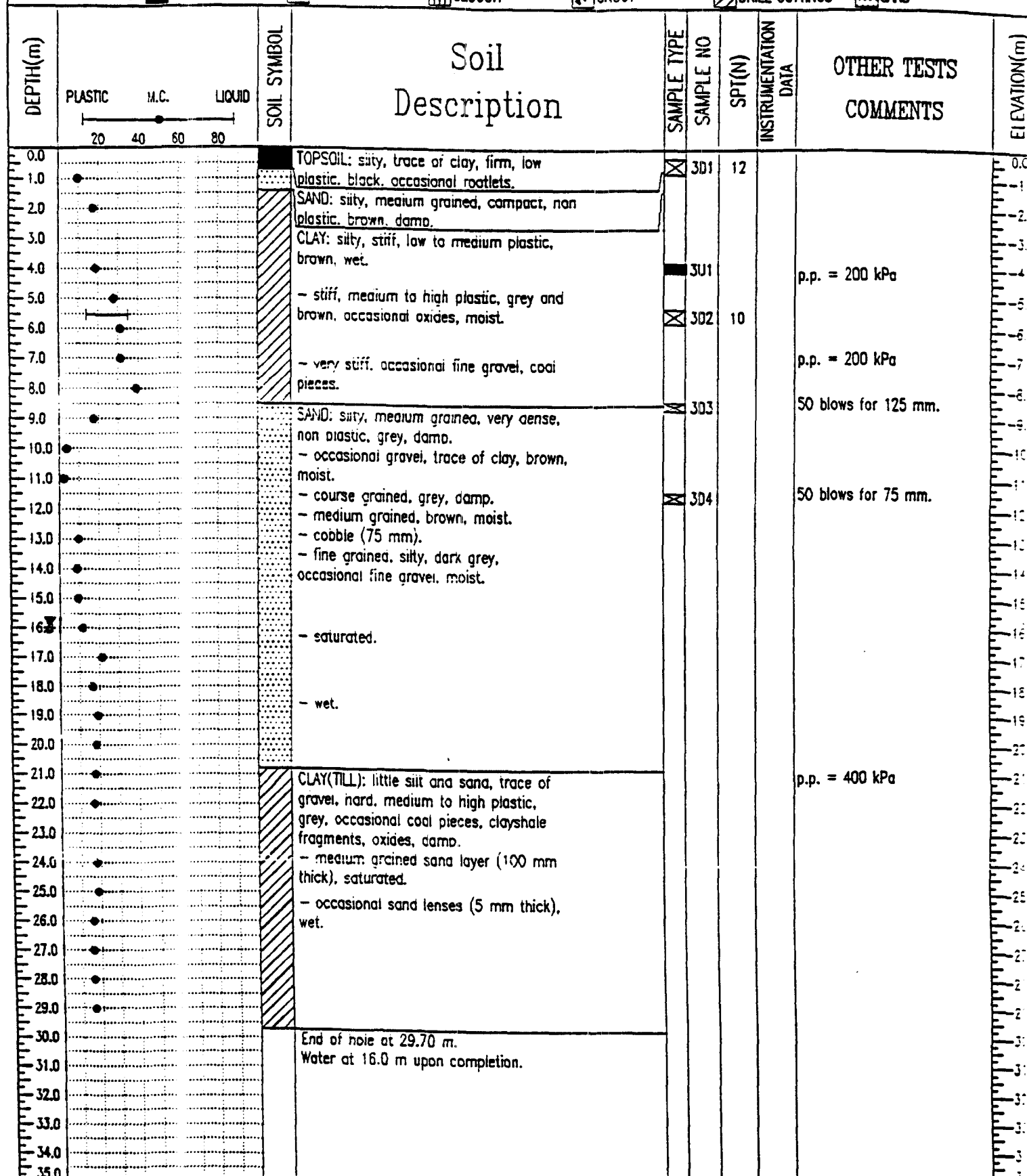
COMPLETION DEPTH: 29.72 m

COMPLETE: 97/12/05

Page 1 of

SAMPLE TYPE ☒ Shelby Tube ☐ No Recovery ☒ SPT Test ☐ Grab Sample ☐ Split Pen ☐ Core Sample

BACKFILL TYPE ☒ BENTONITE ☐ IPEA GRAVEL ☐ SLOUGH ☐ GROUT ☐ DRILL CUTTINGS ☐ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: AGC

REVIEWED BY: JL

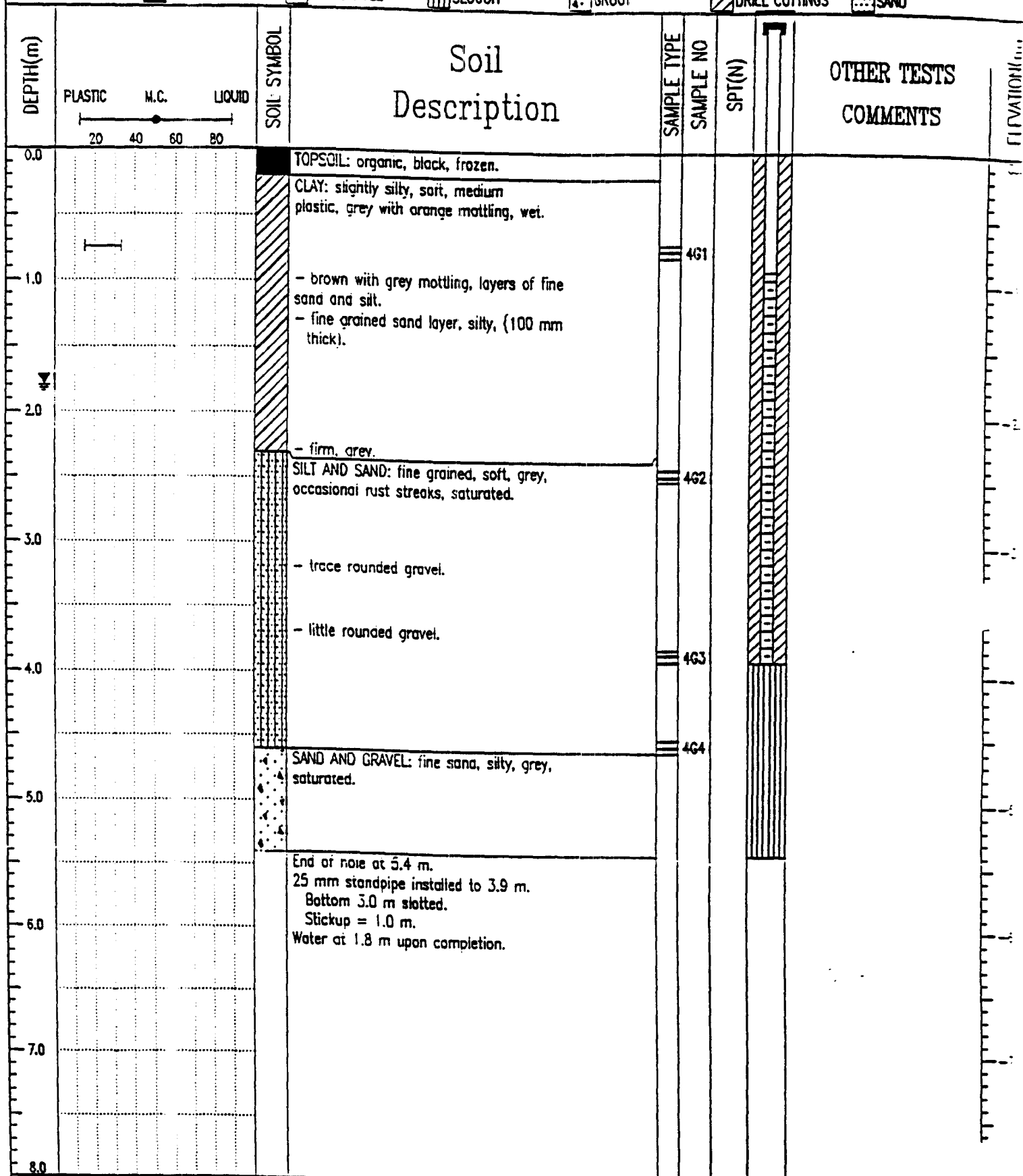
Fig. No:

COMPLETION DEPTH: 29.7 m

COMPLETE: 97/12/05

Page 1 of

SAMPLE TYPE ☒ Shelby Tube ☒ No Recovery ☒ SPT Test ☒ Grab Sample ☒ Split Pen ☒ Core Sample
 BACKFILL TYPE ☒ BENTONITE ☒ PEA GRAVEL ☒ SLOUGH ☒ GROUT ☒ DRILL CUTTINGS ☒ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: CP

REVIEWED BY: JL

Fig. No:

COMPLETION DEPTH: 5.4 m

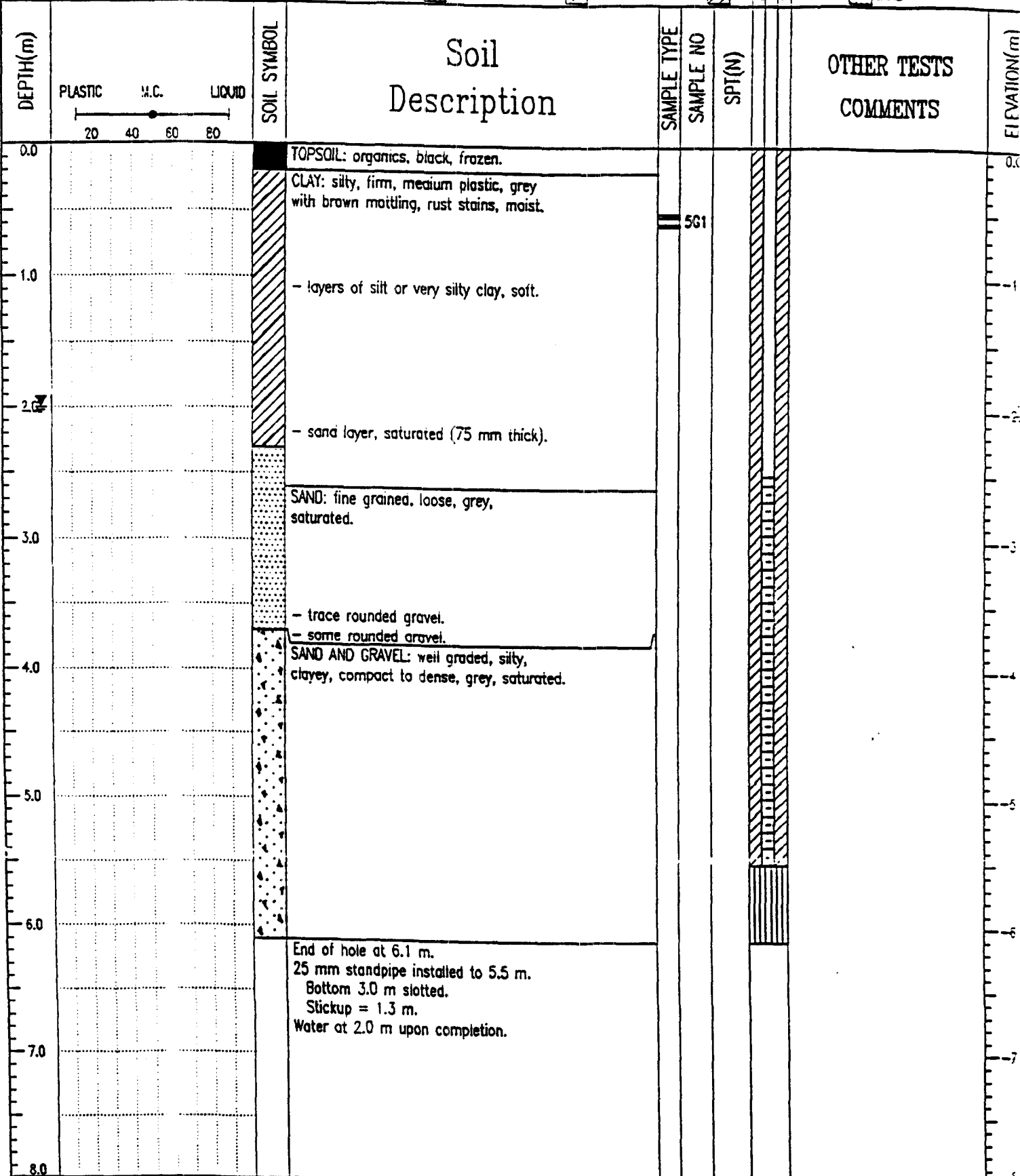
COMPLETE: 9B/02/24

Page 1 of 1

ELEVATION:

SAMPLE TYPE ☒ Shelby Tube ☐ No Recovery ☒ SPT Test ☐ Grab Sample ☐ Split Pen ☐ Core Sample

BACKFILL TYPE ☒ BENTONITE ☐ PEA GRAVEL ☐ SLOUGH ☐ GROUT ☐ DRILL CUTTINGS ☐ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: CP

REVIEWED BY: JL

Fig. No:

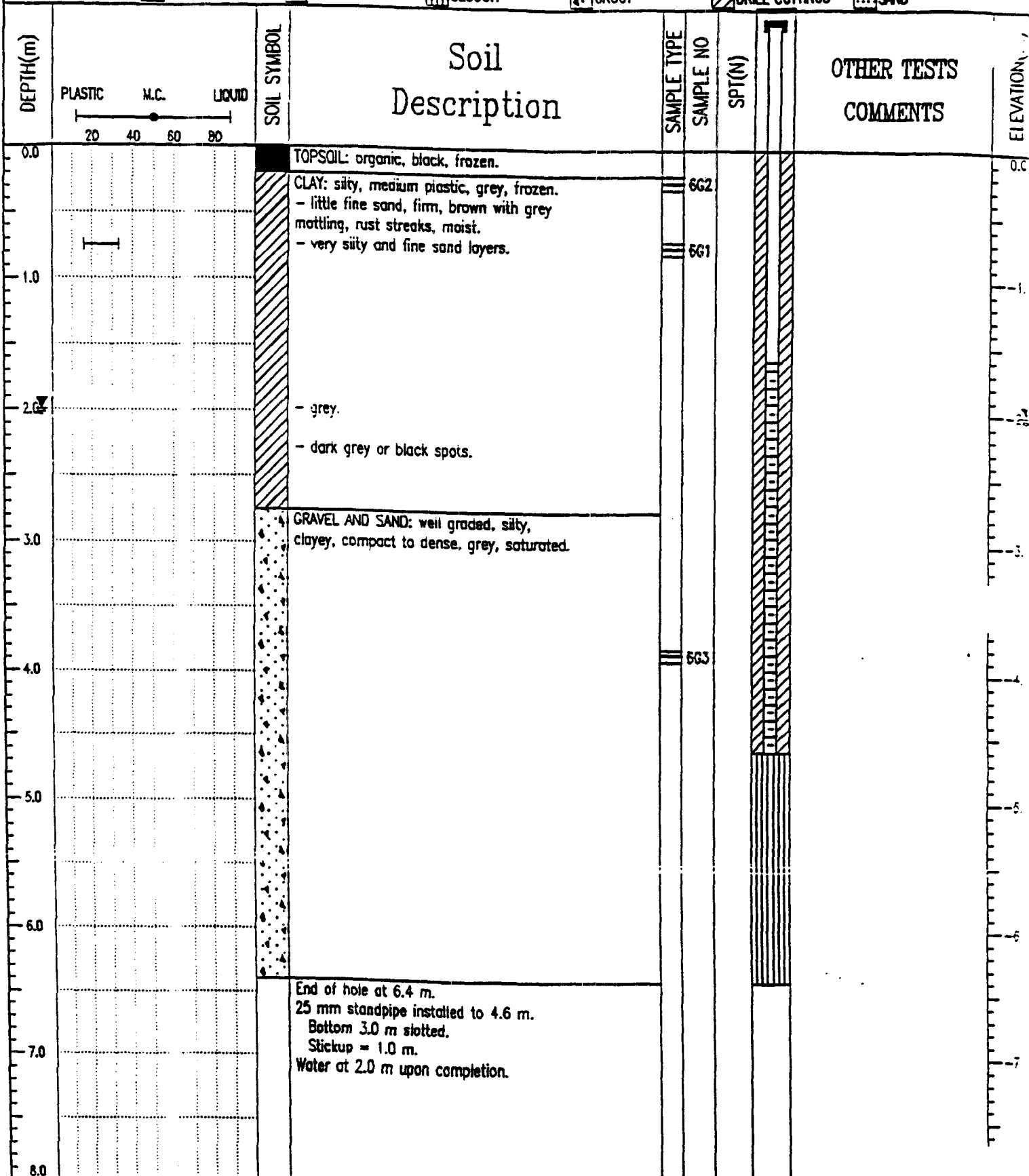
COMPLETION DEPTH: 6.1 m

COMPLETE: 98/02/24

Page 1 of

SAMPLE TYPE ☒ Shelby Tube ☐ No Recovery ☒ SPT Test ☐ Grab Sample ☐ Split Pen ☐ Core Sample

BACKFILL TYPE ☒ BENTONITE ☐ PEA GRAVEL ☐ SLOUGH ☐ GROUT ☒ DRILL CUTTINGS ☐ SAND



Agra Earth & Environmental Limited
Red Deer, Alberta

LOGGED BY: CP

REVIEWED BY: JL

Fig. No:

COMPLETION DEPTH: 6.4 m

COMPLETE: 98/02/24

Page 1 of

EXPLANATION OF TERMS AND SYMBOLS

The terms and symbols used on the borehole logs to summarize the results of field investigation and subsequent laboratory testing are described in these pages.

It should be noted that materials, boundaries and conditions have been established only at the borehole locations at the time of investigation and are not necessarily representative of subsurface conditions elsewhere across the site.

TEST DATA

Data obtained during the field investigation and from laboratory testing are shown at the appropriate depth interval.

Abbreviations, graphic symbols, and relevant test method designations are as follows:

*C	Consolidation test	*ST	Swelling test
D _R	Relative density (formerly specific gravity)	TV	Torvane shear strength
Fines	Percentage by weight smaller than #200 sieve	VS	Vane shear strength (undisturbed-remolded)
k	Permeability coefficient	w	Natural water content (ASTM D 2216)
*MA	Mechanical grain size analysis and hydrometer test	w _l	Liquid limit (ASTM D 423)
N	Standard penetration test (CSA A119.1-60)	w _p	Plastic limit (ASTM D 424)
N _d	Dynamic cone penetration test	ε _f	Unit strain at failure
NP	Non plastic soil	γ	Unit weight of soil or rock
pp	Pocket penetrometer strength	γ _d	Dry unit weight of soil or rock
*q	Triaxial compression test	ρ	Density of soil or rock
q _u	Unconfined compressive strength	ρ _d	Dry density of soil or rock
*SB	Shearbox test	→	seepage
SO ₄	Concentration of water-soluble sulphate	∇	observed water level

**The results of these tests usually are reported separately*

SOIL CLASSIFICATION AND DESCRIPTION

Soils are classified and described according to their engineering properties and behaviour.

The soil of each stratum is described using the Unified Soil Classification System¹ modified slightly so that an inorganic clay of "medium plasticity" is recognized.

The use of modifying adjectives may be employed to define the actual or estimated percentage range by weight of minor components. This is similar to a system developed by D.M. Burmister.²

The soil classification system is shown in greater detail on page 2.

SAMPLE TYPE — The type of sample is shown at the appropriate depth interval using the following abbreviations:

- A auger sample
- B block sample
- C rock core, or frozen soil core
- D drive sample/SPT sample
- P pitcher tube sample
- U tube sample (usually thin-walled)
- W wash or air return sample
- O other (see report text)
- indicates no sample recovery

1. "Unified Soil Classification System". Technical Memorandum 3-357 prepared for Office, Chief of Engineering, by Waterways Experiment Station, Vicksburg, Mississippi, Corps of Engineers, U.S. Army. Vol 1, March 1963.

2. American Society for Testing and Materials. Procedures for Testing Soils. "Suggested Methods of Testing for Identification of Soils". 4th Ed. pp 221-233, Dec. 1964.

MAJOR DIVISION			GROUP SYMBOL	GRAPH SYMBOL	TYPICAL DESCRIPTION	LABORATORY CLASSIFICATION CRITERIA			
COARSE-GRAINED SOILS (MORE THAN HALF BY WEIGHT LARGER THAN 200 SIEVE)	GRAVELS MORE THAN HALF GRAVELS GRAINS LARGER THAN NO. 4 SIEVE	CLEAN GRAVELS (LITTLE OR NO FINES)	GW		WELL GRADED GRAVELS, LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > 4$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1$			
			GP		POORLY GRADED GRAVELS, AND GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS			
		DIRTY GRAVELS (WITH SOME FINES)	GM		SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES	CONTENT OF FINES EXCEEDS 12%	ATTERBERG LIMITS BELOW "A" LINE OR P.I. LESS THAN 4		
			GC		CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES		ATTERBERG LIMITS ABOVE "A" LINE P.I. MORE THAN 7		
	SANDS MORE THAN HALF FINE GRAINS SMALLER THAN NO. 4 SIEVE	CLEAN SANDS (LITTLE OR NO FINES)	SW		WELL GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	$C_u = \frac{D_{60}}{D_{10}} > 6$ $C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = 1$ to 3			
			SP		POORLY GRADED SANDS, LITTLE OR NO FINES	NOT MEETING ABOVE REQUIREMENTS			
		DIRTY SANDS (WITH SOME FINES)	SM		SILTY SANDS, SAND-SILT MIXTURES	CONTENT OF FINES EXCEEDS 12%	ATTERBERG LIMITS BELOW "A" LINE P.I. LESS THAN 4		
			SC		CLAYEY SANDS, SAND-CLAY MIXTURES		ATTERBERG LIMITS ABOVE "A" LINE P.I. MORE THAN 7		
FINE-GRAINED SOILS (MORE THAN HALF BY WEIGHT PASSES 200 SIEVE)	SILTS BELOW "A" LINE NEGLECTIBLE ORGANIC CONTENT	$w_L < 50\%$	ML		INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY SANDS OF SLIGHT PLASTICITY	CLASSIFICATION IS BASED UPON PLASTICITY CHART (SEE CHART)			
		$w_L > 50\%$	MH		INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS, FINE SANDY OR SILTY SOILS				
	CLAYS ABOVE "A" LINE ON PLASTICITY CHART NEGLECTIBLE ORGANIC CONTENT	$w_L < 30\%$	CL		INORGANIC CLAYS OF LOW PLASTICITY, GRAVELLY, SANDY, OR SILTY CLAYS, LEAN CLAYS			WHENEVER THE NATURE OF THE FINE CONTENT HAS NOT BEEN DETERMINED, IT IS DESIGNATED BY THE LETTER "F". E.G. SF IS A MIXTURE OF SAND WITH SILT OR CLAY	
		$30\% < w_L < 50\%$	CI		INORGANIC CLAYS OF MEDIUM PLASTICITY, SILTY CLAYS				
		$w_L > 50\%$	CH		INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS				
	ORGANIC SILTS & CLAYS BELOW "A" LINE ON CHART	$w_L < 50\%$	OL		ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY				
		$w_L > 50\%$	OH		ORGANIC CLAYS OF HIGH PLASTICITY				
	HIGHLY ORGANIC SOILS			PT		PEAT AND OTHER HIGHLY ORGANIC SOILS	STRONG COLOR OR ODOR, AND OFTEN FIBROUS TEXTURE		

SPECIAL SYMBOLS					
	BEDROCK (Unconsolidated)		VOLCANIC ASH		
SOIL COMPONENTS					
FRACTION	U.S. STANDARD SIEVE SIZE	DEFINING RANGES OF PERCENTAGE BY WEIGHT OF MINOR COMPONENTS			
	PASSING	RETAINED	PERCENT		
GRAVEL	coarse	75 mm	19 mm	50 - 35	sand
	fine	19 mm	4.75 mm		
SAND	coarse	4.75 mm	2.00 mm	35 - 20	some
	medium	2.00 mm	425 µm		
	fine	425 µm	75 µm	20 - 10	little
SILT (non plastic) or CLAY (plastic)	75 µm		10 - 5	trace	
OVERSIZE MATERIAL					
Rounded or subrounded COBBLES 75 mm to 200 mm BOULDERS > 200 mm			Not rounded ROCK FRAGMENTS > 75 mm ROCKS > 0.76 cubic metre in volume		

PLASTICITY CHART FOR SOILS PASSING 425 µm SIEVE

1. ALL SIEVE SIZES MENTIONED ON THIS CHART ARE U.S. STANDARD, A.S.T.M. E.11.

2. BOUNDARY CLASSIFICATIONS POSSESSING CHARACTERISTICS OF TWO GROUPS ARE GIVEN COMBINED GROUP SYMBOLS. E.G. GW-GC IS A WELL GRADED GRAVEL SAND MIXTURE WITH CLAY BINDER BETWEEN 5% AND 12%.

AGRA
Earth & Environmental

GAETZ LAKES WILDLIFE CORRIDOR STUDY

Submitted To:

City of Red Deer

Red Deer, Alberta

Submitted By:

AGRA Earth & Environmental Limited

Calgary, Alberta

May 1998

RX05900

EXECUTIVE SUMMARY

The City of Red Deer Planning and Subdivision Guidelines specify that all new proposed developments acknowledge and incorporate the recommendations of the Ecospace Evaluation Process. In compliance with these guidelines, the Recreation, Parks & Culture Department of the City of Red Deer has requested AGRA Earth & Environmental Limited (AEE) to conduct a study on the movement patterns of wildlife to and from the Gaetz Lakes Sanctuary (GLS) in order to determine wildlife corridors. The GLS extends on its western part into the Michener Centre Natural Area (Section 22, Tp. 38, Range 27; City of Red Deer 1998).

Both the winter tracking survey and the browse survey conducted for the present study indicated that the ungulate density in the Gaetz Lakes Sanctuary is unusually high. It was found that wildlife movements are heavily affected by urban developments surrounding the Sanctuary. In particular, fences effectively prevent the movement of wildlife. The most significant wildlife movements occurred in the north-east corner of the Sanctuary, but this is a small portion of effective wildlife corridors which existed in 1950, as determined from aerial photographs. Given this increased segregation of the Sanctuary from surrounding regional populations, it is suggested in this report that the high density of ungulate populations in the Sanctuary is due to the poor exchange of ungulates between the Sanctuary and the surrounding populations.

The recommendations presented in the ecological profile of the Michener Centre Natural Area presented by the City of Red Deer were reviewed with the assumption that the environmental integrity of the Gaetz Lakes Sanctuary is to be protected. The results of the present study indicate that the most important condition to be fulfilled to protect environmental integrity is to maintain ecologically viable wildlife corridors. Because the last important remaining corridor appears to be in the north-east section of the Sanctuary, it is suggested in this report that future development incorporates in its design a corridor of at least 200 m in width. This corridor can easily be established by taking advantage of the present wetlands and forest patches in that area. This corridor should be protected from human activities and not be used as a recreational area which would include trails and lawns. Contrary to the guidelines in an attachment to the Ecological Profile, it is suggested here that fences around the Sanctuary be avoided. Although AEE agrees with the effort to prevent people from entering the Sanctuary in an uncontrolled fashion, fences would block the remaining corridors, effectively rendering the Sanctuary into a habitat island. To avoid undesired disturbance at the periphery of the Sanctuary, it was suggested that a simple cable, chain or a wooden rail about 1 m above ground be erected. In addition, signs should be posted and a no-trespassing policy enforced.

TABLE OF CONTENTS

	PAGE
1.0 INTRODUCTION	1
2.0 METHODS	3
3.0 RESULTS AND DISCUSSION	5
3.1 TRAIL DENSITY AND HABITAT USE OF UNGULATES	5
3.2 CURRENT WILDLIFE CORRIDORS	8
3.3 THE HISTORICAL DEVELOPMENT OF BARRIERS TO WILDLIFE MOVEMENTS	11
4.0 RECOMMENDATIONS	13
4.1 MANAGEMENT GOALS	13
4.2 COMMENTS ON THE AREA AND ZONE DESIGNATION IN THE MICHENER CENTRE NATURAL AREA	13
4.2.1 Development and Subdivision Guidelines (Attachment 2 in RCPD 1998)	14
4.2.2 Zones Under the Ecological Profile	15
4.2.3 Recommendations Under the Ecological Profile	16
4.3 SUGGESTED FEATURES OF WILDLIFE CORRIDOR DESIGN	17
4.3.1 The Corridors	17
4.3.2 The Barriers	18
4.3.3 Managing Human Disturbance in Corridors and the GLS	19
5.0 CLOSURE	20
6.0 REFERENCES	21

LIST OF TABLES

Table 1	Trail Densities at the Periphery of the Gaetz Lakes Sanctuary (GLS), Compared to Jasper Townsite (Ross 1994) and the Foothills Northwest of Red Deer (AGRA 1998)	5
Table 2	Number of Ungulate Tracks Parallel and Perpendicular to the Periphery of the GLS	8

1.0 INTRODUCTION

The City of Red Deer Planning and Subdivision Guidelines specify that all new proposed developments acknowledge and incorporate the recommendations of the Ecospace Evaluation Process. This process incorporates a database that provides detailed on site inventories of all natural areas identified through the Red Deer and Integrated Ecospace Management Area Plan.

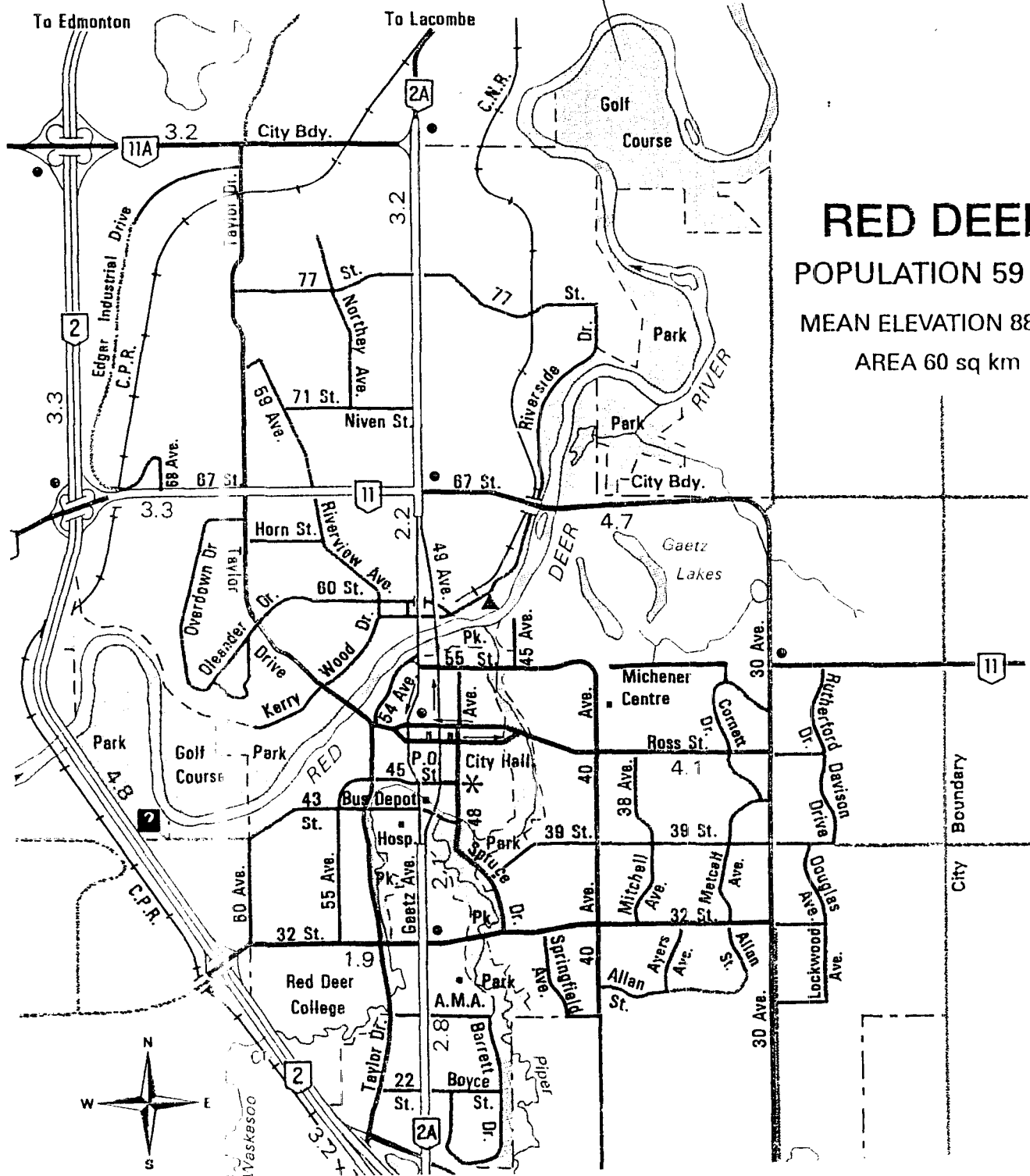
In compliance with these guidelines, the Recreation, Parks & Culture Department of the City of Red Deer has requested AGRA Earth & Environmental Limited (AEE) to conduct a study on the movement patterns of wildlife to and from the Gaetz Lakes Sanctuary (GLS) in order to determine wildlife corridors. The GLS extends on its western part into the Michener Centre Natural Area (Section 22, Tp. 38, Range 27; RPCD1998).

The GLS abuts urban development to the south and west where natural movement and dispersal patterns of wildlife could be heavily compromised (Figure 1). In addition, some developments to the north and east, particularly the upgrading of 67 Street and 30 Avenue, may limit wildlife movements. Finally, future developments may further limit the exchange of wildlife populations between the GLS and other natural populations in the region.

According to the land use plan presented by UMA (1998, Map 4), the area to the north and east of GLS are designed for collector roads, residences, parks, and a district commercial centre (Figure 1). In an Ecological Profile of the Michener Centre Natural Area prepared by the Recreation, Parks & Culture Department of the City of Red Deer (1998: RPCD 1998), a number of ecological considerations categorized by zones and areas were put forward. Recommendations for potential developers were also compiled for use in a decision process in future developments.

This report will first present the results of a field survey where wildlife movement patterns associated with the GLS were recorded. These movement patterns will be put in a regional and historical perspective. The results from the field survey will then be interpreted in the light of the above Ecological Profile and amendments to the recommendations will be suggested.

River Bend
Recreational Area



RED DEER

POPULATION 59 834

MEAN ELEVATION 880 m

AREA 60 sq km

CLIENT: City of Red Deer

PROJECT: Wildlife Corridor Study

DATE: April 24, 1998

JOB No: RX05900

2.0 METHODS

Field surveys were conducted on January 9 and March 11, 1998, each time two days after a snowfall. This delay would allow for optimal accumulation of animal tracks. The proposed survey approach was based on two assumptions. The first assumption was that wildlife activity (especially ungulates) in the vicinity of the Gaetz Lake Sanctuary (GLS) is the greatest during winter. During winter, animal numbers and movements are more likely to be concentrated in the Red Deer River valley where the well-vegetated escarpment provides a natural travel corridor and feeding site, and good thermal cover.

The number of tracks and their direction were recorded to evaluate the importance of corridors in their function to connect the GLS with other wildlife habitats in the region. These were identified using aerial photographs and interviews with regional biologists.

The second assumption is that wildlife movements to and from the GLS would be best identified by surveying the perimeter of the sanctuary and identifying areas of heavy use. In addition, trails were followed for up to 500 m to identify the direction and continuity of use. The various areas of use will be compared statistically to identify most and least important corridors.

The perimeter of the sanctuary was walked by survey personnel and all animal trails were recorded on a map. Notes were made on the following information:

- location of trails in relation to habitat and disturbance factors;
- number of animals;
- species;
- direction of travel; and
- areas of particularly high use.

Because the objective of the study was to identify corridors, the survey focussed on large mammals, i.e. > 1kg. Corridors which are adequate for these large mammals, are assumed to be also adequate for smaller ones. Records of tracks were presented as the number of tracks per km surveyed and per day since last snow fall.

To obtain an estimate of the importance of the GLS in the region, an evaluation of browse plant utilization was conducted in both the GLS and in habitats surrounding the River Bend golf course recreational area, approximately 4 km north of the GLS. This evaluation was conducted in two habitat types: shrubland (dominant vegetation: willows, dogwood, young and occasionally mature aspen), and spruce stands (dominant vegetation: white spruce, mature aspen [5% cover], prickly rose). For each habitat type, six independent plots of a 5 m radius were selected. In each plot, the amount of browse on shrubs was determined by

3.0 RESULTS AND DISCUSSION

3.1 TRAIL DENSITY AND HABITAT USE OF UNGULATES

During the January survey a total of 11.7 tracks per km-day were recorded. The highest number of tracks were produced by deer followed by moose, coyote, and porcupine (Table 1).

Table 1
Trail Densities at the Periphery of the Gaetz Lakes Sanctuary (GLS), Compared to Jasper Townsite (Ross 1994) and the Foothills Northwest of Red Deer (AGRA 1998)

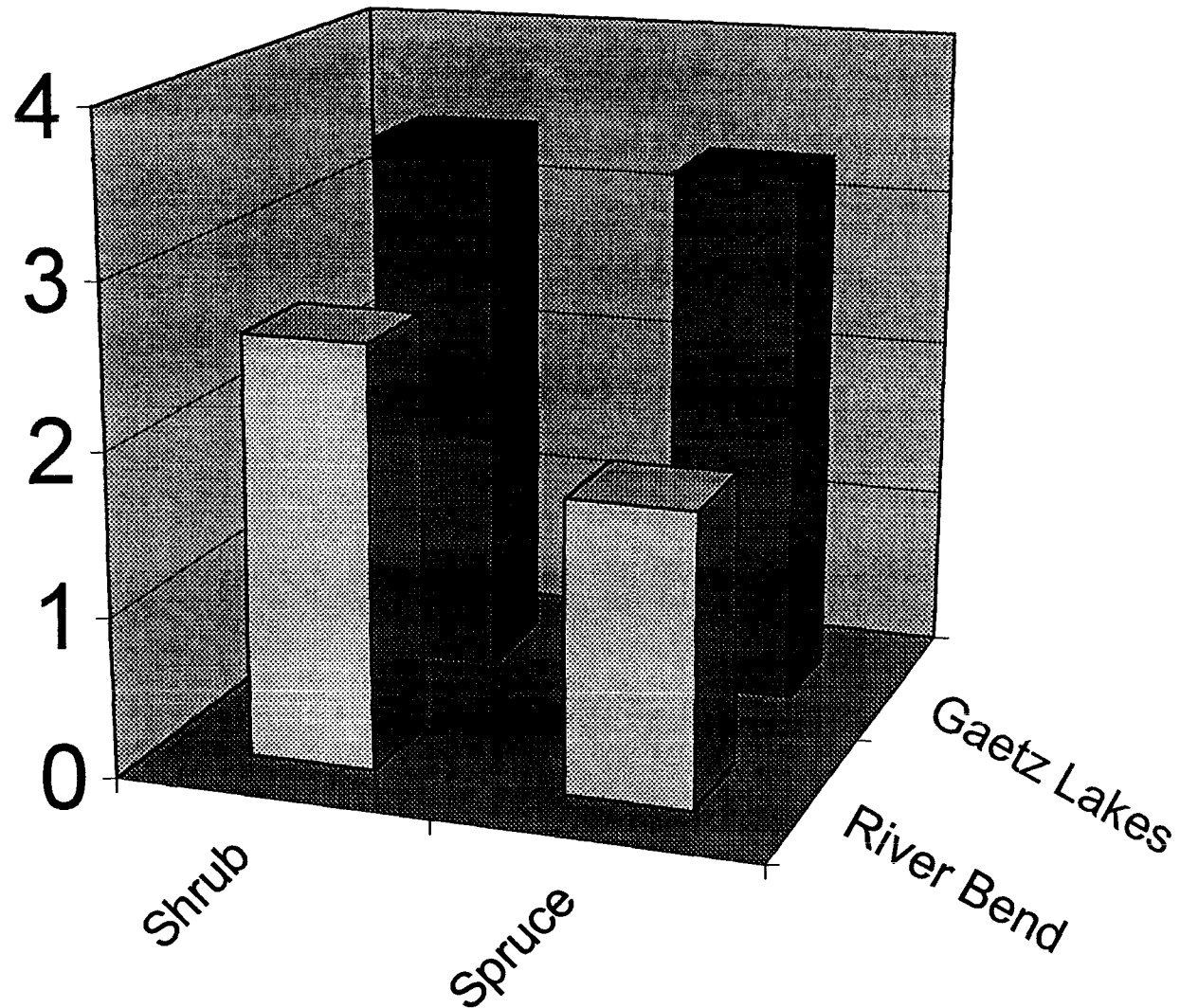
Species	Number of Trails per km-day in GLS	Number of Trails per km-day in Jasper	Number of Trails per km-day in Foothills
Deer (mule or white-tailed)	10.32	5.97	2.90
Moose	0.54	0.19	0.95
Coyote	0.55	2.45	0.85
Porcupine	0.22	0	0

These results suggest that deer density is unusually high. To compare the survey to one conducted in the townsite of Jasper, as an example of another area of urban development where great care is devoted to the protection of wildlife resources, the GLS shows nearly twice as many deer tracks as Jasper (Ross 1994). In an area in the foothills which is nearly undisturbed by human developments, deer track density is only about 1/3 of that in the GLS (AEE 1998). However, both comparison sites included other ungulates (namely elk and bighorn sheep) not found in the GLS. Considering all ungulate trails, Jasper exhibited about two times higher density of trails than the GLS, while the ungulate trail density in the foothills was still only about half of that in the GLS.

These comparisons are useful to indicate the potential for ungulate densities on other sites. They suggest that at least one other urban area which includes green zones suitable for wildlife can support much higher ungulate densities than the ones found at the GLS, but that these densities are probably unusually high for completely natural areas. For management decisions this implies that densities can be increased artificially, but that to maintain a natural state, densities should probably be lowered. From the above results alone, however, it would be premature to speculate on the mechanisms (such as forage availability, cover, species composition, and predation pressure) which may produce these differences.

Similarly to the trail density, the browse survey comparing the GLS and the River Bend Golf Course shows that ungulate density in the GLS is higher than in areas less affected by urban

Scores of Browse Plant Utilization



3.2 CURRENT WILDLIFE CORRIDORS

In order to assess the importance of existing corridors the number of trails either perpendicular or parallel to the periphery of the GLS were compared. It is evident that most trails perpendicular, i.e., leading to or from the GLS are in areas where movement is not hindered by fences (Figure 3). The difference between the areas was significant in both track surveys (Table 2).

Table 2
Number of Ungulate Tracks Parallel and Perpendicular to the Periphery of the GLS

January Survey	Parallel	Perpendicular
with fence	23	3
without fence	31	47
		$\chi^2 = 18.54;$ $df = 1;$ $P < 0.001$
March Survey	Parallel	Perpendicular
with fence	15	2
without fence	5	22
		$\chi^2 = 20.45;$ $df = 1;$ $P < 0.001$

Fences around the GLS are usually associated with major urban developments, such as the Michener Centre to the east and the upgrading of 67th Street to the north. It is evident from Figure 3 that only two major zones of ungulate movements to and from the sanctuary exist. The corridor to the south, crossing 55th Street is in all likelihood merely a connection between GLS and the small forest patch to the south of 55th Street, because this patch is entirely surrounded by urban development. Only on the west side of this forest patch is urban development sufficiently open to possibly allow for some west-east movement of ungulates. However, 40th Avenue (Figure 1) which turns westward into 55th Street is designed for relatively heavy traffic and we have not observed deer tracks crossing it. In both surveys two deer tracks paralleled the road. This road represents an obvious heavy barrier which animals are reluctant to cross. Once crossed, however, the rather thin strip of forest and shrub leading south west from this road may represent a link to the Piper Creek ravine and other ungulate populations in the region.



LEGEND: (SHOWS CONDITIONS IN 1998)

- HEAVY BARRIER
- - - - - MOVEMENT POSSIBLE (LIMITED MOSTLY BY TRAFFIC DEVELOPMENT)
- · — · — LIMITED MOVEMENT POSSIBLE
- ↔ SIGNIFICANT UNGULATE MOVEMENTS

SOURCE: 1994 PHOTO



AGRA Earth & Environmental
ENGINEERING GLOBAL SOLUTIONS

THE CITY OF RED DEER

GAETZ LAKES SANCTUARY: WILDLIFE CORRIDORS

TITLE

**WILDLIFE MOVEMENTS IN AND
OUT OF THE SANCTUARY**

DATE: APRIL 1998

JOB NO.: FOX05800

COORD. FILE: 05900A00

FILE NO.: FIGURE 3

REV: A

The most significant movement to and from the GLS is clearly on the north-east side of the GLS (Figure 3; Area 1, *in*: RPCD 1998). The significance of this area is in allowing for movements perpendicular to the GLS periphery, not along the side of it. This is because movements parallel to the periphery are common throughout (Figure 3, Table 2). As such, this area currently forms the most important remaining link between the wildlife populations in the GLS and others in the region. Observations on ungulate movements within this area and crossing 30th Avenue are regularly reported (Ron Bjorge, pers. comm.).

Within this area, the forest patches to the north and the wetland north-east of the Michener Centre (Zones 6 and 4, respectively, *in*: RCPD 1998) appear to be important for the east-west movements of ungulates, because they included tracks of deer and moose in our field surveys, but also well established trails.

It is apparent that the forested area north of 67th Street harbours the closest important ungulate population to the GLS. The high traffic load of the street and a parallel fence prevent much of the movement between the two areas. However, tracks indicated that deer move between the two areas wherever there is a hole in the fence. They also cross 67th Street at the east end of the fence (Figure 3). This is supported by regular sightings of deer moving through this area (Ron Bjorge, pers. comm.) There was no evidence in either of our surveys that deer would use the underpass along the shore of Red Deer river. Only one coyote track was recorded in the January survey, passing under 67th Street, but the track was on the ice of the river, not on the underpass. These findings indicate that the underpass is ineffective for wildlife movements. This is also supported by records of the Natural Resource Service (Ron Bjorge, pers. comm.).

Similarly, no large mammal tracks were recorded along the river shore, where a small road leads south-westwards to Waskasso Creek which may function as a link to wildlife populations in the south of Red Deer. This is in contrast to the records of the Natural Resource Service (Ron Bjorge, pers. comm.) which indicate that deer use the road. These long term records are important because they can adequately reflect frequent as well as rare events. However, since we have not found any tracks in our surveys, we conclude that this link to the GLS is relatively less important than others reported here which corroborate previous observations. In summary, it is apparent that roads around the GLS greatly limit wildlife movements. These roads are probably an even greater obstacle for small animals, including small mammals, reptiles, amphibians, and invertebrates.

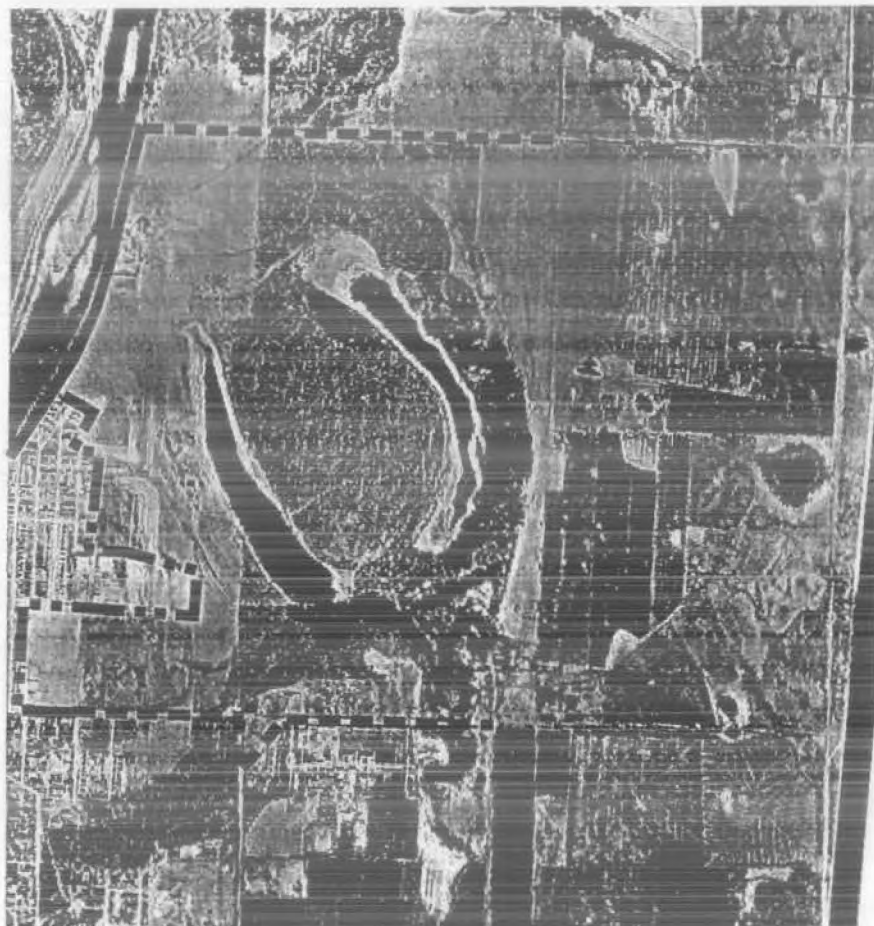
3.3 THE HISTORICAL DEVELOPMENT OF BARRIERS TO WILDLIFE MOVEMENTS

From 1950 to 1994 the GLS was increasingly surrounded by urban development (Figure 3 and Figure 4). In 1950, today's 67th Street and 30th Avenue appeared to be minor rural roads presenting only a negligible obstacle to wildlife. By 1983, Michener Center, 40th Avenue and residential areas to the south and south-east were well developed, but the northern and north-eastern areas were still poorly developed presenting a good connection for wildlife between the GLS and populations in the northern parts of the region. In the current situation, only the north-east portion of the GLS periphery presents a major connection for wildlife.

It appears that even this connection would be hampered by traffic on 67th Street and 30th Avenue. However, our own records indicate that ungulates relatively readily cross these roads. Our observations are supported by records of the Natural Resource Service (Ron Bjorge, pers. comm.). Moreover, there are no traffic incidents involving deer and moose reported for 67th Street and 30th Avenue (Sgt. Bob Blaire, pers. comm.). This suggests that wildlife movements from the GLS northward and eastward are successful, and involve no mortality caused by traffic. This is in contrast to Highway 11, northeast of the GLS, where deer collisions occur. This suggests that as traffic will increase, in accordance with the planned twinning of 67th Street, wildlife movements may be more limited by these roads. From the point of view of traffic safety, the sections of 67th Street and 30th Avenue closest to the GLS will present a point of concern. This is because animals will likely attempt to use this important corridor.

Under the scenario of increasing difficulty of wildlife in the GLS to reach wildlife populations in the region, the GLS will be increasingly separated from the region to form a habitat island. Islands that represent small areas can maintain only small populations of animal species (MacArthur & Wilson 1967). Small populations, in turn, are more likely to go extinct than large ones due to environmental and demographic fluctuations such as weather extremes, disease outbreaks, or random changes in population characteristics (Primack 1993). That this isolation is already apparent is indicated by the unusually high density of ungulates in the GLS (see Section 3.1). Given current development plans, the effect will increase in the future. In the short term, the effect can be counteracted by intensive management. However, wildlife management of small areas can only address certain species of focus, but can not address biodiversity as a whole. This is because biodiversity depends on a large-scale intricate network of all biota, all of which require the continuous exchange of individuals between sub-populations.

1950



1983



LEGEND:

- HEAVY BARRIER
- - - - - MOVEMENT POSSIBLE (LIMITED MOSTLY BY TRAFFIC DEVELOPMENT)
- . . . - LIMITED MOVEMENT POSSIBLE



AGRA Earth & Environmental
ENGINEERING GLOBAL SOLUTIONS

CLIENT:

THE CITY OF RED DEER

PROJECT: GAETZ LAKES SANCTUARY: WILDLIFE CORRIDORS

TITLE:

URBAN DEVELOPMENT RED DEER

DATE:
APRIL 1998

JOB No.:
RX05900

COREL FILE:
05900A01

FIGURE No.:
FIGURE 4

REV.
A

4.0 RECOMMENDATIONS

4.1 MANAGEMENT GOALS

There are essentially two opposing management goals possible for the GLS:

- Maintenance of the current status quo, while attempting to maximize the connectivity between the GLS and other populations in the region.
- Accepting the GLS as a habitat island and intensifying the management of target wildlife species.

Both goals would provide the possibility for the GLS to function as an educational centre presenting natural phenomena to the public. However, the important difference would be that wildlife (and plant) populations would be regulated naturally under the first goal, while under the second goal wildlife would have to be regulated artificially. This would include the culling of large wildlife, or any animal species that does not suffer enough natural mortality. The detailed design of such intensive management is beyond the scope of the present study. However, we deem it fundamentally important to point out the various implications of our findings. For example, both management goals imply costs, both monetary and social, which would need to be considered.

In the following , we outline how the proposed Land Use Plan (UMA 1998) can be modified to minimize negative impacts on wildlife movements to and from the GLS. In this outline, we assume that the maintenance of the *status quo* is the desired outcome. We will show that by relocating some of the planned developments and by emphasizing the importance of planned maintenance and construction of wetlands (*In: RPCD 1998*) the wildlife movements can be maintained, and perhaps improved. We will follow the Area and Zone designation as defined in the RPCD document.

4.2 COMMENTS ON THE AREA AND ZONE DESIGNATION IN THE MICHENER CENTRE NATURAL AREA

In the following we will list only those areas, zones, and recommendations, which AEE suggests to amend, and for which AEE proposes alternative recommendations (for zones and areas see Appendix A).

Area	Guideline	AEE Recommendations
Area 4	<p>As in "Area 1", fencing of the GLS is proposed.</p> <p>As in "Areas 1 and 3", the wildlife corridor along the top of the slope is to be preserved.</p> <p>As in "Area 2", the guideline includes the enhancement of the channel creek and the construction of wetlands for the purpose of storm water management and water purification.</p> <p>The guidelines include the preservation of tree stands and the establishment of a municipal reserve.</p>	<p>As for "Area 1", AEE strongly discourages fencing, and recommends the alternative of signs and some form of enforcement.</p> <p>As in "Area 1 and 3", AEE recommends that a corridor perpendicular to the slope rather than parallel be maintained. This corridor should be 200 m wide at its narrowest position.</p> <p>As in "Area 2", constructed and natural wetlands can be included in a design of wildlife corridors.</p> <p>AEE supports this guideline.</p>

4.2.2 Zones Under the Ecological Profile

Zone 1	This is currently the most important exit and entry passage for large mammals in the GLS.
Zone 2	This zone is less important for wildlife movements because it is nearly completely surrounded by urban development. Its significance is currently in its forage and cover and in its function as a stepping stone for wildlife to penetrate westwards through urban development to reach the ravine of Piper Creek.
Zone 3	This zone offers an important connection between the GLS and Zone 2 and Zone 4. Its potential as a wildlife corridor could easily be enhanced by increasing vegetation cover.
Zone 4	Particularly the 6WE and 3WE portions of this zone, which include wetlands, are currently probably the most important habitat patches used by wildlife to move between the GLS and the habitat east of the city boundary.
Zone 5	This zone is significant as a source of cover and forage for wildlife. It could also have an important function in linking zone 4 with the vegetated area south of college park.
Zone 6	Together with Zone 4, we consider this zone to be the most important remaining habitat to provide stepping stones for wildlife in its dispersal to and from the GLS. Currently, there is no equivalent corridor allowing for wildlife movements associated with the GLS.
Zone 7	This zone is currently of limited value for wildlife movements associated with the GLS. However, it could function as a connection to the north. It has the potential to be enhanced and to increase in this function by improving vegetation cover.
Zone 8	This zone is undoubtedly important as a resource for wetland species. In connection with wildlife movements to and from the GLS its value is limited.

- speed reduction, limited to night time hours, when traffic volume is low
- stop signs or flashing red lights which may be in effect only during night time hours, when traffic volume is low (this may be a very effective alternative given that much of the wildlife activity coincides with low human activity)
- reflectors on trees which reflect the light of approaching cars and discourage wildlife from crossing the road at that time (this alternative may not be as effective in an urban area as it is in rural areas where vehicles are less frequent and the wildlife less habituated to their lights)
- culverts of 1 to 2 m in diameter under the road to allow small animals to pass; it is important that these culverts would be kept dry; artificial substrate such as straw and woody debris in the culverts may offer the perception to small animals that this is a safe habitat structure (given the very large number of small animals including mice, voles, shrews, amphibians, reptiles, and invertebrates this alternative may be very effective to maintain biodiversity in the GLS).

To minimize the number of road crossings, a corridor alternative to the one along the stream associated with Zone 7 could be established and lead from College Park to the Wetlands in Zone 8 and then to Mackenzie Trails and Park. This would involve a strip of shrubby and treed habitat running east and north of 67th Street and 30th Avenue. To discourage large animals from using Zone 7 (hence minimizing road crossings), vegetation should be kept low, 50 cm maximum. This is an alternative movement passage for large mammals, but small animals, particularly those that depend on moist habitats would still prefer to use Zone 7. Culverts at these road crossings should therefore be considered.

4.3.3 Managing Human Disturbance in Corridors and the GLS

Guidelines and recommendations presented in the RCPD (1998) document and its attachments attempt to minimize uncontrolled use of the GLS. Setbacks of 30 to 50 m around the GLS and wildlife corridors would be beneficial because they would render the habitat within the actual protected areas more effective for wildlife. Bike- and footpaths, as well as residential backyards and parking lots should adhere to this setback.

While fencing would prevent people from entering the protected areas, it is also very effective at preventing wildlife from passing through. Therefore, a system should be established which will minimize human disturbance while allowing for animal movements. We recommend that no trespassing signs be erected, that the signs be enforced, and that by education the public be encouraged to oblige. In addition, a one-strand fence at about 1 m height would serve as a physical reminder that people are not allowed to enter in this location. This fence could be represented by a simple cable, a chain, or a wooden rail. However, essentially all animals could pass this fence without difficulty.

Given the currently high density of ungulates in the GLS, it should be noted that the vegetation in the GLS could be affected, by over-browsing, and, to some extent, trampling. If biodiversity, which includes plant diversity, is to be maximized in the GLS, it would be unwise to keep the ungulate density at exceedingly high levels. Viable wildlife corridors would effectively allow for self-regulation of animal populations in the GLS.

5.0 CLOSURE

AGRA Earth & Environmental Limited is pleased to submit this wildlife corridor report. This report was presented for the exclusive use of the City of Red Deer and was conducted in accordance with the environmental screening standards established by the CEAA. Further detailed information would be required to fully assess the potential for environmental impacts.

Respectfully submitted,

AGRA Earth & Environmental Limited

Reviewed by

Petr E. Komers, Ph.D., P. Biol.
Senior Wildlife Biologist

Douglas N. Meeking, M.Sc., P.Biol.
Senior Environmental Consultant

6.0 REFERENCES

AGRA Earth & Environmental Limited. 1998. *Sphinx West Wildlife Study*. AGRA Earth & Environmental Limited. Prepared for Manalta Coal Ltd.

Hobbs, N.T and T.A. Hanley. 1990. *Habitat Evaluation: Do Use/availability Data Reflect Carrying Capacity?* J. Wildl. Manage. 54:515-522.

MacArthur, R.H. and E.O. Wilson. 1967. *The Theory of Island Biogeography*. Princeton: Princeton University Press.

Primack, R.B. 1993. *Essentials of Conservation Biology*. Sunderland: Sinauer Associates Inc.

RCPD. 1998. *Ecological Profile of the Michener Centre Natural Area*. Recreation, Parks & Culture Department, The City of Red Deer.

Ross, I. 1994. *Wildlife Tracking Program, Winter 1992-1994: Jasper Townsite Area, Jasper National Park*. Prepared by Associated Resource Consultants Ltd. for Parks Canada, Western Region Office.

Stelfox, J.B. 1993. *Hoofed Mammals of Alberta*. Vancouver, Lone Pine.

UMA. 1998. *East Hill Area Structure Plan*. UMA Engineering Ltd., Prepared for The City of Red Deer.

Personal Communications

Ron Bjorge, Head of Wildlife Management, Natural Resource Service, Red Deer (phone: 403 / 340-7699)

Sgt. Bob Blaire, in charge of traffic accidents, Red Deer Police Force (phone: 403 / 341-2008)

APPENDIX A

MAP OF THE MICHENER NATURAL (ECOSPACE) AREA (Source: Ecological Profile of the Michener Centre Natural Area, The City of Red Deer)

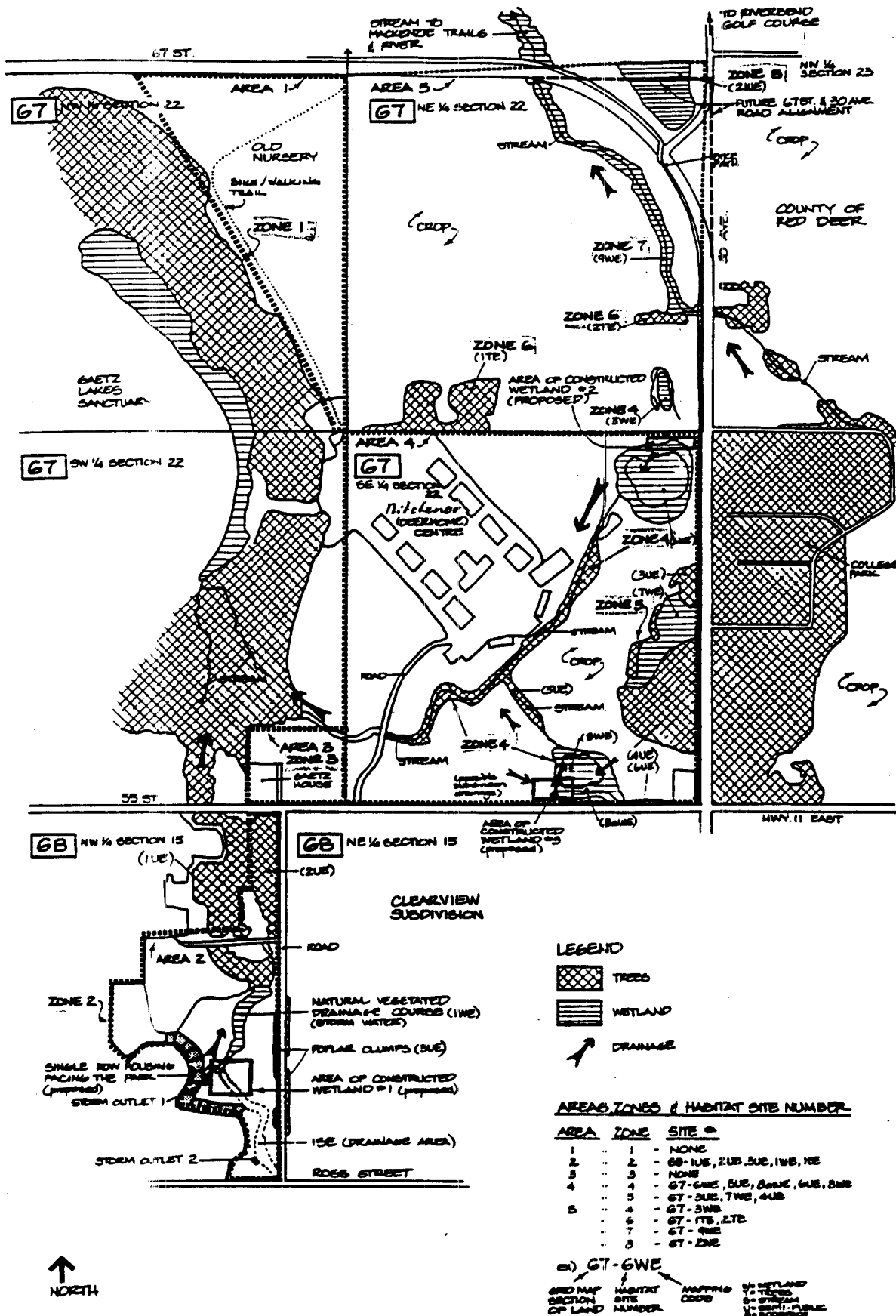


FIGURE 1
MICHENER NATURAL (ECOSPACE) AREA

APPENDIX B

PROPOSED WILDLIFE CORRIDOR NETWORK



SOURCE: 1994 PHOTO

LEGEND: (SHOWS CONDITIONS IN 1998)

----- Suggested Wildlife Corridors



AGRA Earth & Environmental
ENGINEERING GLOBAL SOLUTIONS

THE CITY OF RED DEER

PROJECT: GAETZ LAKES SANCTUARY: WILDLIFE CORRIDORS

TITLE: Proposed Wildlife Corridor Design Connecting the GLS with Populations in the North, East and South

DATE: APRIL 1998 JOB NO.: R2005900 CORREL. FILE: 05600A00 PROJECT FILE: FIGURE B-1 A

FILE

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Environmental Advisory Board
FROM: City Clerk
RE: *Wildlife Corridor and Geotechnical Studies:
Gaetz Lake Sanctuary / Michener Centre Lands*

Reference Report: Environmental Advisory Board dated September 28, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Environmental Advisory Board dated September 28, 1998, re: Wildlife Corridor and Geotechnical Studies; Gaetz Lake Sanctuary/Michener Centre Lands hereby:

1. Approves the Gaetz Lakes Sanctuary/Michener Centre Geotechnical Site Assessment as presented to Council October 5, 1998;
2. Approves the development setback of a minimum of 45 metres from the top of bank and that the recommendations outlined in the Gaetz Lakes Wildlife Corridor Study and Geotechnical Study be adopted in principle and incorporated into the Michener Centre Development and Subdivision Guidelines,

and as presented to Council October 5, 1998."

Report Back to Council Required: No

Comments/Further Action:

By way of a copy of this memo I will be requesting the Mr. Paul Meyette, Principal Planner, to amend the Michener Centre Development and Subdivision Guidelines and to provide this office with a copy of those amended guidelines.


Kelly Kloss
City Clerk

/clr

c Director of Community Services Principal Planner
 Engineering Services Manager
 Gaetz Lakes Sanctuary Committee, R. Bjorge

Item No. 1
Correspondence

Box 2020, Drumheller, Alberta T0J 0Y0

September 16, 1998

Dear Mayor & Council

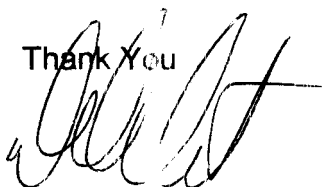
My name is Darrell Kohut and on behalf of Hi-Way 9 Express Ltd., we are asking if you would give consideration to the re-zoning of our previous facility. We have relocated to 4120 - 78 Street Crescent, and our old facility still remains vacant.

The current zoning is I1 and we are asking for permission to re-zone this lot to permit repair, reconditioning, and re-sell of used vehicles. We currently have a tenant interested in this site, but with the current zoning he is not allowed to have more than three (3) vehicles on the lot for sale. This property has good access from both the north and east streets and shouldn't cause a restriction in traffic flow. Our tenant would use the main building offices for sales, the repair building for reconditioning and he also has a courier outfit interested in using the warehouse facility. We are also requesting permission to remove the extremely large spruce trees on the corner as they create a "blind" spot for people entering the intersection.

The description of the above property is Lot 15A, Block 3, Plan 3140 TR, and the address is 6898 - 52 Avenue.

We thank you for taking the time to look at this request and look forward to hearing your reply. I can be reached at 342-4266 or by mail to 4120 - 78 Street Crescent Red Deer, AB T4P 3E3.

Thank You



Darrell Kohut
Operations Director

SEP 17 1998

CITY OF

MEMO

DATE: September 28, 1998

TO: KELLY KLOSS
City Clerk

FROM: RYAN STRADER
Inspections & Licensing Manager

RE: 6898 - 52 Avenue, Red Deer
LOT 15A , BLOCK 3, PLAN3140 T.R.

In response to your memo regarding the above site, we have the following comments for Council's consideration.

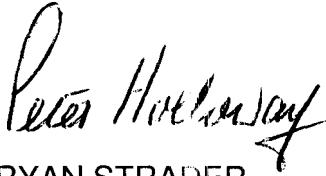
SUBJECT SITE: The subject site, presently zoned I1 Industrial (Business Service) District, is approximately 6150 m² (66,200 sq. feet) in area, and is located at the intersection of Niven (71st.) Street & 52nd Avenue. Until recently, the use from the property was as a truck/ freight terminal occupied by the former K&K Transportation company, and later Highway 9 Express Ltd. There are presently 2 permanent buildings on site, a 312 m² (3,358 sq. feet) office & warehouse, a 268 m² (2,885 square feet) storage building, and 2 temporary structures (office & loading dock) approved by the Municipal Planning Commission in 1996. (subject to annual review).

The condition of the property appears very unkempt, with little of the site paved, and sparse landscaping in front of the office building. Over the past years the City received numerous complaints from the adjacent residential property owners, as to the sites unsightly appearance, and open storage of dilapidated vehicles. With the relocation of Highway 9 Express, this outside storage has now been removed.

PROPOSED USE: The existing Bylaw allows the repair and servicing of vehicles as a permitted use, with accessory sales of used trucks, used automobiles, and used holiday trailers being allowed, provided collectively there are not more than three units on the site at any given time. The owner of the property is requesting approval to rezone the site to allow for the retail sales of more than three vehicles in connection with a repair and reconditioning business.

Further, the applicant is requesting permission to remove some of the landscaped area (spruce trees) at the intersection of 71 Street & 52 Avenue for visual site lines at this location.

RECOMMENDATION: We recommend the application for the sales of more than three vehicles from this site be denied, as this type of use is more suited to the major arterial districts (C4 Commercial). Also, as the existing landscaping on-site does not comply with requirements of the Bylaw, we could only support the removal of the trees if the landscaped area on the site was upgraded to satisfy the requirements of the City Parks Department.

A handwritten signature in black ink, appearing to read "Ryan Strader". The signature is written in a cursive, flowing style.

RYAN STRADER
Inspections & Licensing Manager
INSPECTIONS & LICENSING DEPARTMENT



Date: September 29, 1998

To: Kelly Kloss
City Clerk

From: Paul Mayette
Principal Planner

RE: REZONING REQUEST – 52ND AVENUE

Highway 9 Express Limited owns property at the northwest corner of 52nd Avenue and 71st (Niven) Street. They are requesting a rezoning to allow commercial use.

BACKGROUND INFORMATION

The issue of commercial use on 52nd Avenue was studied earlier this year by PDP Consulting. That study reached the following conclusions:

- a) Rezoning would impact negatively on the majority of existing business's, due to their becoming non-conforming uses.
- b) Rezoning would restrict the expansion and alteration of property due to the restrictions placed on them by a) above.
- c) The increased site requirements required by the Land Use Bylaw, in relation to site area, parking, etc., could not be met under the regulations pertaining to commercial zoning unless some additional provision is included in the Bylaw to 'soften' the strict compliance to the regulations. This would add significantly to the administration of development control in the area.
- d) Rezoning to commercial use would have a serious impact on traffic movement. Commercial usage would increase the traffic movements in the area only on 52nd Avenue itself, but would also impact on traffic in the adjacent residential areas and on the signal controlled access's to Gaetz Avenue and 67th Street.
- e) The lack of demand to locate commercial activities in this area, except the Save-on-Foods store and the present application indicate that the area is not ideally suited to commercial use. The demand for light industrial use in this area, and other light industrial sites is high.
- f) Although there are some business's which could meet the requirements of the commercial (C3) zone, mainly related to the auto industries, they form only a minor percentage of the total floor space, the intrusion is insufficient to greatly influence the need for wholesale rezoning.
- g) Many units located in this area are relatively small, between 200 and 300 sq.m., and house new business's, or branch operations. This type of unit forms an important part of the business development pattern by often providing initial space during the 'start up' phase, and is therefore an important factor in economic development of the community.

PDP Consulting made the following recommendations:


- a) That zoning redesignation be permitted on the site which is at the north east corner of 52nd Avenue and 68th (Nash) Street.
- b) That the corner lot only at the north east corner of 52nd Avenue and 67th Street, across from Save-on-Foods, and the south east corner of 52nd Avenue and 68th (Nash) Street be redesignated from industrial to commercial as and when requests for rezoning is made by the owners of the affected properties.
- c) That the existing zoning on the remaining lands within the study area be retained as Industrial (I.1) for the present, and reconsideration of the zoning be revisited in the future, say five years. At the time any further rezoning should be subject to traffic studies to determine the impact of the change in the area, particularly in relation to 68th (Nash) Street and 71st (Niven) Street and the adjacent residential areas.

PLANNING COMMENTS

The planning study undertaken by PDP Consulting does not support the rezoning requested by Highway 9 Express. The study indicated that the majority of owners along 52nd Avenue do not support further commercial land use redesignations. Furthermore the PDP study identifies potential traffic and land use bylaw conformity issues with any rezoning, and the study recommends that spot zoning should not be contemplated; the PDP study recommends that any further rezoning should be on a planned basis which would comprehensively address issues in the neighbourhood.

PLANNING RECOMMENDATION

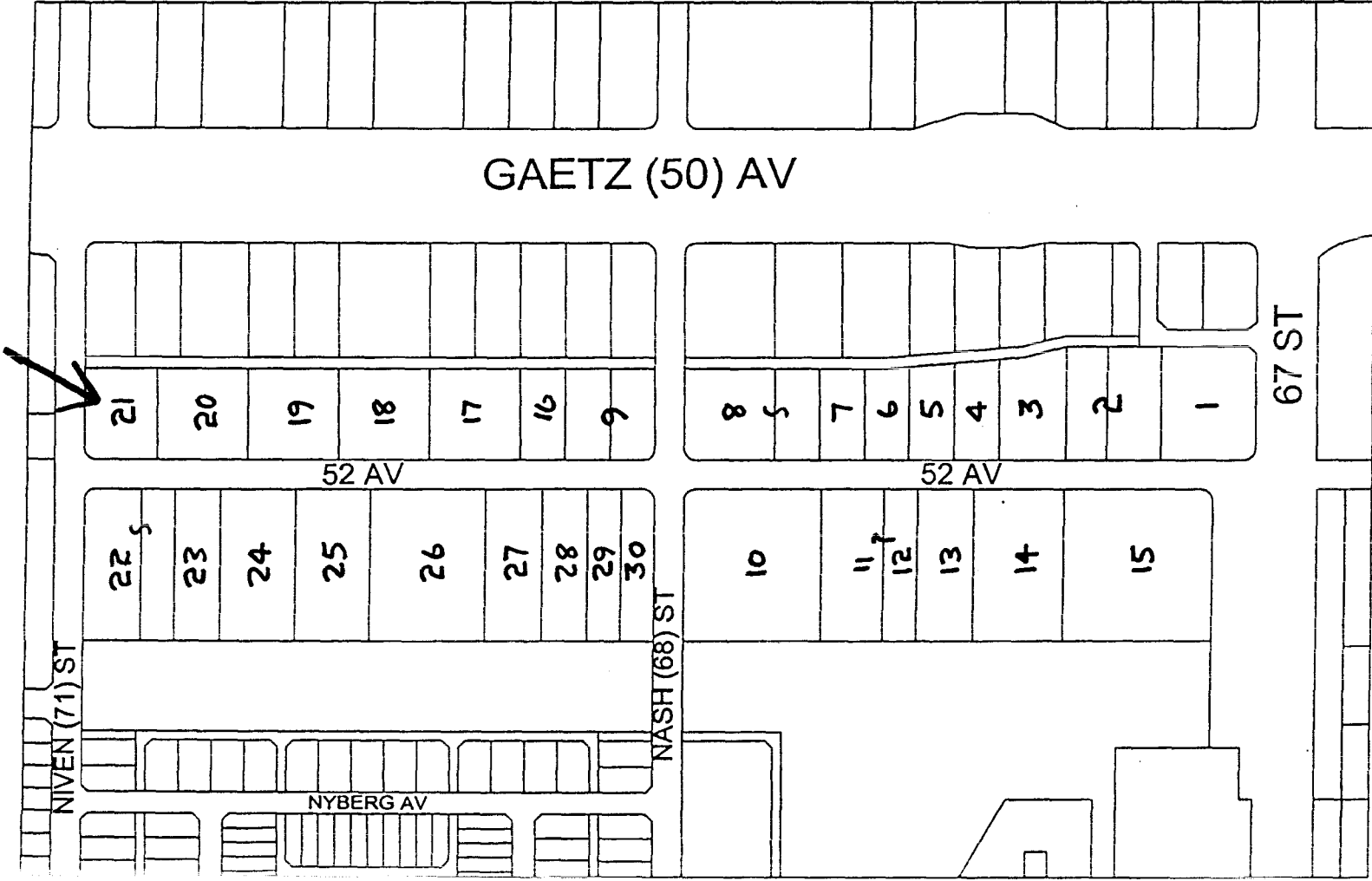
Planning staff strongly recommend that this request be denied as it is contrary to the recently completed planning study.



Paul Meyette, ACP, MCIP
Principal Planner

/tb

enc.



PDP CONSULTING

4754 56 Street, Red Deer, Alberta, T4N 2K3.
Telephone 346 2715.

April 7th, 1998

Parkland Community Planning Services
Suite 500, 4808 Ross Street,
Ross Street, Red Deer, Alta., T4N 1X5.

Attn. Paul Meyette

Re. 52nd Avenue Rezoning Study Report

As requested, I am pleased to submit the attached report relating to the proposal to re- designate Lands on 52nd Avenue from Light Industrial (C.1) to Commercial (C.4) zoning.

The study has examined all the relevant factors pertaining to the site including ; a survey of the lands in question relating to land usage, business uses and the physical and administrative problems relating to the proposed re-designation of the area from Industrial to Commercial use.

In addition to the above a public 'open house' was held on April 1st, 1998 in the area to enable affected property owners and the owners/occupiers of adjacent residential properties to express their opinions.

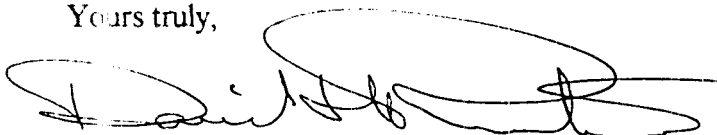
Various alternatives were examined to determine the most beneficial course of action to be taken resulting in the following recommendations;

a) that zoning re-designation be permitted on the site which is the subject of the present application for commercial use at the north east corner of 52nd Avenue and 68th (Nash) Street. (Alternative 2).

b) That the corner lot only at the north east corner of 52nd Avenue and 67th Street, across from Save-on- Foods, and the south east corner of 52nd Avenue and 68th (Nash) Street be re-designated from industrial to commercial as and when requests for re-zoning is made by the owners of the affected properties. (Alternative 3)

c) That the existing zoning on the remaining lands within the study area be retained as Industrial (I.1) for the present, and reconsideration of the zoning be revisited in the future, say five years. At that time any further rezoning should be subject to traffic studies to determine the impact of the change in the area, particularly in relation to 68th (Nash) Street and 71st (Niven) Street and the adjacent residential areas.

Yours truly,



David H. Plumtree

Comments:

We concur with the recommendations that this request be denied. Council will recall that during the Study the input of businesses in the area was an important consideration. The consensus was that the area remain largely light industrial. The actual 52nd Avenue Study is submitted as an attachment to this agenda.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

DATE: September 21, 1998
TO: DIRECTOR OF COMMUNITY SERVICES
DIRECTOR OF CORPORATE SERVICES
X DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
X FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
X INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR - C/O: WENDY
RECREATION, PARKS & CULTURE MANAGER
SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
X PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

FROM: CITY CLERK
RE: Rezoning request

Please submit comments on the attached to this office by Monday, September 28, 1998
for the Council Agenda of Monday, October 5, 1998.

"Kelly Kloss
City Clerk



Box 5008

Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

September 21, 1998

Attention: Darrell Kohut, Operations Director
Hi-way 9 Express Ltd.
Box 2020
Drumheller, AB T0J 0Y0

FILE

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

Dear Mr. Kohut:

I am in receipt of your letter dated September 16, 1998 re: Request for Rezoning of Lot 15A, Block 3, Plan 31409 TR, 6898 - 52 Avenue. Your letter will be placed on the Red Deer City Council Agenda of Monday, October 5, 1998.

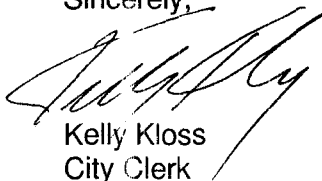
Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, October 2, 1998.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, October 2nd and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,



Kelly Kloss
City Clerk

KK/fm



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

October 6, 1998

Hi-Way 9 Express Ltd.
Box 2020
Drumheller, AB T0J 0Y0

Att: Mr. Darrell Kohut,
Operations Director

Dear Sir:

**Re: Request to Rezone Lot 15A, Block 3, Plan 3140 TR (6898 - 52 Avenue)
to Permit Repair, Reconditioning and Re-Sell of Used Vehicles**

At the City of Red Deer's Council meeting held Monday, October 5, 1998, Council considered your request for the above lands to be redesignated. For your information, I have attached the Administrative comments and the PDP Consulting Study that appeared on the Council agenda.

As you are aware, a Planning Study of this area along 52 Avenue was recently conducted. The Study indicates that the majority of owners along 52 Avenue do not support further commercial land use redesignations. The Study identifies potential traffic and Land Use Bylaw conformity issues with any potential rezoning and recommends that spot zoning requests such as yours not be contemplated. The Study also recommends that any further rezoning should be on a planned basis to comprehensively address issues in the neighbourhood. Based on this information, Council *denied* your request for rezoning.

Please do not hesitate to contact me should you require any further information or clarification regarding the above.

Sincerely,

Kelly Kloss
City Clerk

/clr
attch:

c Director of Development Services
Inspections & Licensing Manager
Principal Planner

COUNCIL MEETING OF OCTOBER 5, 1998

ATTACHMENT TO REPORT APPEARING ON THE OPEN AGENDA

RE:

**Darrell Kohut (Hi-Way 9 Express Ltd)
Rezoning Request
52nd Avenue Zoning Study**

52 nd AVENUE ZONING

STUDY

To examine the potential
for the re-designation
from
Industrial (I.1)
to
Commercial (C.4)
Use.

Prepared by
PDP Consulting, Red Deer.
April 8th, 1998

INTRODUCTION

The need for this study arose from the development application for the re-zoning of vacant land west of Arby's restaurant from Industrial (I.1) to Commercial (C.4) at the junction of 52nd Avenue and 68th (Nash) Street.

Both sides of 52nd Avenue between 67th Street and 71st (Niven) Street, with the exception of the lands occupied by Save-on-Foods, are at present zoned for light industrial uses.

City Council at a recent meeting tabled consideration of the above application to enable a planning study of the area to be done. The terms of reference for the project are, inter alia, to examine the potential for re-designation of the industrial zoning to commercial on a planned approach, following consultation with the property owners in the two block area.

To put the study in context and to better understand the implications of re-designation of the zoning change, the general purpose for each zone, as set down in the City of Red Deer -Land Use Bylaw is defined for information purposes;

I.1 Industrial (Business Service) District to provide for a limited range of light industrial, warehousing, storage, and industrial support services, the operation of which do not create or emit noises odours, dust, fumes or other factors which are regarded as nuisances. Provide for certain other business's which are incompatible in commercial districts.

C.4 Commercial (Major Arterial) District to facilitate the development of the primary location for trade and service related to automotive transportation and the automobile traveler, and other commercial land uses which are built at low densities, in planned centres, generally, to serve the City and the region.

As an integral part of the Study an open house was held on April 1st, 1998 to enable the affected property owners, together with owner/occupiers of properties in the adjacent residential area, to express their opinions on the

proposal. The resulting comments have been taken into account in the final recommendations.

HISTORY

The area was originally designated for light industrial development in the mid sixties to the mid seventies to meet the demand for business uses associated mainly with the oilfield and agriculture services in the Region. The original area designated was from the west side of Gaetz Avenue to the east side of 52nd Avenue between 67th Street in the south to 71st Street in the north. The West side of Gaetz Avenue being the first area to be developed followed by the east frontage to 52nd Avenue. The area has changed significantly in emphasis since the initial development phase with many of the original business's relocating to larger sites in the more recently designated industrial area in 'Northlands Industrial' site to meet the growing demands on their services.

As the structure of the uses changed on the Gaetz Avenue frontage it was re-designated for commercial use (C4) in the mid 1970's. With the re-designation, many sites have been subject to redevelopment and expansion of buildings. More important has been the changes to the nature of the business land uses which has occurred, resulting in a decline from industrial and commercial structure with a regional orientation to business's which service more the needs of the local market. Some light industrial uses are still evident on the Gaetz frontage, but it is understood that at least two are actively considering relocation options.

The same process has been occurring in the area now under consideration, especially on the eastern side of 52nd Avenue, where commercially defined uses have been slowly infiltrating the industrial zone. Again some business's are seeking alternative locations.

The west side of 52nd Avenue, which was designated for light industrial (I.1) in the mid seventies comprises of buildings which are more recent and substantial in their construction and house for the most part the larger business's.

The most recent change in the area is located on land at the north-west corner of 67th Street and 52nd Avenue, where a land zoning amendment was approved in 1997 to facilitate the redevelopment of the site to Commercial (C.4) for Save-On Foods new store.

LAND USES

A recent survey of the area indicates that much of the area proposed for re-designation conforms to approved or discretionary uses permitted under the light industry (I.1) zoning, with only a few uses which could justifiably fall within the commercial (C.4) zoning, namely, those business's associated with the automotive trades.

A number of other business's which are wholesale suppliers, do have access by the public for retail sales. However, this represents at present only a small portion of their sales and they could not be classified as wholly retail operations, as such they fall within the light industrial (I.1) classification.

Overall it is considered that very little non-compliance is occurring in the survey area.

A list of business's, together with a location map is shown in appendix A.

RE-DESIGNATION CONSIDERATIONS

In considering any re-zoning it is necessary to examine the impacts, both beneficial and detrimental, such an action will cause.

Most of the changes will, it is felt, have a negative effect on many of the existing business's if implemented. However it is recognized that some business's are already contemplating changes either to their existing site, or relocating to new premises elsewhere in the City or Region. In the latter case the opportunity for re-designation may be completed without problems.

The major impact that will be felt if re-zoning is carried out, is that the majority of property and uses will immediately become '*non-conforming*' thereby restricting the development potential of the site/building/use should an owner/occupier want to expand in the present location. It is appreciated

that a rider could be included in the re-designated zoning bylaw that could exempt existing uses from compliance with the requirements for that general area or a specific site. However with such a large number of potentially non conforming uses within the area under consideration, it is considered that re-designation could result in severe administrative problems and an unsatisfactory mix of conflicting uses.

Another problem relating to non-conformity is that many of the buildings are of relatively recent construction and again whilst complying with the site requirements for light industrial zone, they would not meet many of the requirements of a commercial (C.4) zone. This is especially pertinent in respect of the following;

	<u>Light Industrial (I.1)</u>	<u>Commercial (C.4)</u>
Floor Area	- n/a	- 1/3rd of site area
Building Height	- n/a	- 3 stories
Front Yard	- Min. 6m.	- Min. 15m.
Side Yard	- Min. 6m. one side	- Nil, when there is a constructed lane. - 3.8m. one side when no constructed lane. - 3.0m. abutting a street.
Parking *	- 3 per 93sq.m but not less than 4 for industrial. - 1 to 5.1 per 93 sq.m warehousing, repair services, etc..	- 2.5 to 5.1 per 93sq.m depending on type of commercial activity.
Site Area	- Min. 1393 sq.m. Max. 4.0 ha	- Min. 929 sq.m.
Frontage	- Min. 30m.	- 22 m.

* Generalized (see land use bylaw for specifics)

Unless exceptions to these were spelled out in the bylaw any requested changes to buildings could fall in the non-conforming category.

Other problems which should be borne in mind in determining any change in designation to commercial use relate to the existing physical layout regarding the road, site and parking access, increase in traffic and changes in traffic patterns.

The City Engineer has expressed some concerns relating to the increase in traffic generation, the necessity to examine changes to traffic signals in the locale and potential increase in traffic flow through adjacent residential areas. His comments are shown in full in Appendix B.

Increase in commercial use would possibly result in higher pedestrian movement in the area; as 52nd Avenue has no sidewalks and provision in the future would be difficult in the existing circumstances due to building location and existing parking layout. This could result in a potentially dangerous situation

Existing parking in some instances require vehicles to reverse directly onto the street. With the anticipated increase in traffic using 52nd Avenue with the re-zoning to commercial, this again could lead to an increase in the potential for vehicular accidents. It should also be noted that no on street parking is permitted on the whole length of 52nd Avenue which is being considered. It is assumed that this was implemented because of the direct offstreet parking situation

Only with major redevelopment of the affected sites could some of the above problems be resolved.

The location of the adjacent residential subdivision, which is separated by an open space utility easement, is unlikely to cause serious objections except for the traffic problems discussed above. However any change of use on the west side of 52nd Avenue which would permit entertainment uses, such as bars, nightclubs, etc.. could give rise to complaint. If re-designation occurs these type of uses should possibly be excluded from the permitted uses.

POTENTIAL ACTIONS

Four alternative solutions have been examined to determine the best strategy for the future of the area;

- Alternative 1. Re-designate the whole area for Commercial (C.4) uses
- Alternative 2. Designate the site which is subject to a current application for Commercial (C.4) use.
- Alternative 3. Designate specific sites, which are contiguous with the Commercial (C.4) zone on Gaetz Avenue.
- Alternative 4. No Change. Leave in existing Industrial (I.1) zoning.
- Alternative 5. This alternative provides for acceptance of one of the alternatives 1,2 or 3 and the phased introduction of additional lands based on demand.

Detailed examination of each of the above options follows;

Alternative 1. The implementation of this option would enable the total site to be available for conversion to Commercial uses. This action would regularize the legal situation for some of the business's who would meet the regulations under the (C.4) designation, and those business's who could be classed in a designation not covered specifically in the land use bylaw, which could be defined as *retail warehouse*. This category would include warehouse operations with high public retail access function, and which reflects a new trend in retail marketing.

Conversely, re-designation would have a negative effect on those business's who meet the existing criteria for locating in an Industrial (I.1) zone, in that they would immediately become non-conforming uses and could be restricted in their capacity to expand and/or improve their business and buildings, unless special exemptions were included to permit any physical changes to occur during the life of the business in the zone.

The problems discussed previously relating to traffic and physical street environment, and parking would be immediately be compounded.

See map 1.

Alternative 2 This alternative would deal with the immediate situation regarding the application for the development of a retail strip mall on land at the north east corner of 52nd Avenue and 68th Street (Nash). The site is vacant, although it is being used temporarily as a truck/trailer parking lot.

The proposed development would be contiguous with the Commercial (C.4) zoning on the Gaetz Avenue.

See map 2

Alternative 3 This alternative would expand the area contained in alternative 2 to include two additional areas located at;

a) the existing land and building on the south east corner of 52nd Avenue and 68th Street (Nash)

b) the existing land and buildings on the north east corner of 52nd Avenue and 67th Street, opposite the new Save-on-Foods development.

The first site, a), has an existing three/four unit building housing uses which are of a more commercial nature and could easily meet the requirements of a C.4 zone. The site also has adequate off street parking.

Site b) the area already contains a use which is compatible to a Commercial (C.4) area, and two other sites, one, which is a developed site but it is understood could become available as the business is considering relocating and the other is at present an open storage area. This site would, if redeveloped, also contribute greatly to an improvement to the visual environment on this strategic corner and complement the Save -on-Food development opposite.

It is felt that the traffic impact would have minimal negative repercussions if these two sites were re-zoned.

See map 3.

Alternative 4 This alternative would maintain the status-quo, that is the existing Industrial (I.1) zoning would remain unchanged.

Alternative 5 This alternative is put forward to give guidance for long term planning objectives and would require no formal commitment at this time but would ensure that if demand arises for commercial (C.4) uses from existing owners or new owners wishing to convert from industrial to commercial, the window of opportunity for consideration would be available.

This option would enable the phasing in of re-zoning on block by block basis over a period of years, say at five year intervals, dependent on the assessed demand.

This study has not attempted to venture into, or anticipate, what the market demand for commercial use is, but it is felt that before committing to any re-designation other than alternatives 1 to 3 above, a more detailed study should be undertaken of lands at present available or potentially available for C.4 development elsewhere in the City.

However, if the demand for light industrial land is measured by the rate of absorption of the new properties in the C.N industrial area, it would suggest that to remove zoning for industrial use at this time could have repercussions.

CONCLUSION

In considering the future of this area the following points, outlined above should be taken into account;

- a) re-zoning would impact negatively on the majority of existing business's, due to their becoming non-conforming uses.
- b) re-zoning would restrict the expansion and alteration of property due to the restrictions placed on them by a) above.
- c) the increased site requirements required by the Land Use Bylaw, in relation to site area, parking, etc., could not be met under the regulations pertaining to commercial zoning unless some additional provision is included in the Bylaw to 'soften' the strict compliance to the regulations. This would add significantly to the administration of development control in the area.
- d) re-zoning to commercial use would have a serious impact on traffic movement. Commercial usage would increase the traffic movements in

the area, not only on 52nd Avenue itself, but would also impact on traffic in the adjacent residential areas and on the signal controlled access's to Gaetz Avenue and 67th Street.

e) the lack of demand to locate commercial activities in this area, except the Save-on-Foods store and the present application indicate that the area is not ideally suited to commercial use. The demand for light industrial use in this area, and other light industrial sites is high.

f) although there are some business's which could meet the requirements of the commercial (C.3) zone, mainly related to the auto industries, they form only a minor percentage of the total floorspace, the intrusion is insufficient to greatly influence the need for wholesale re-zoning.

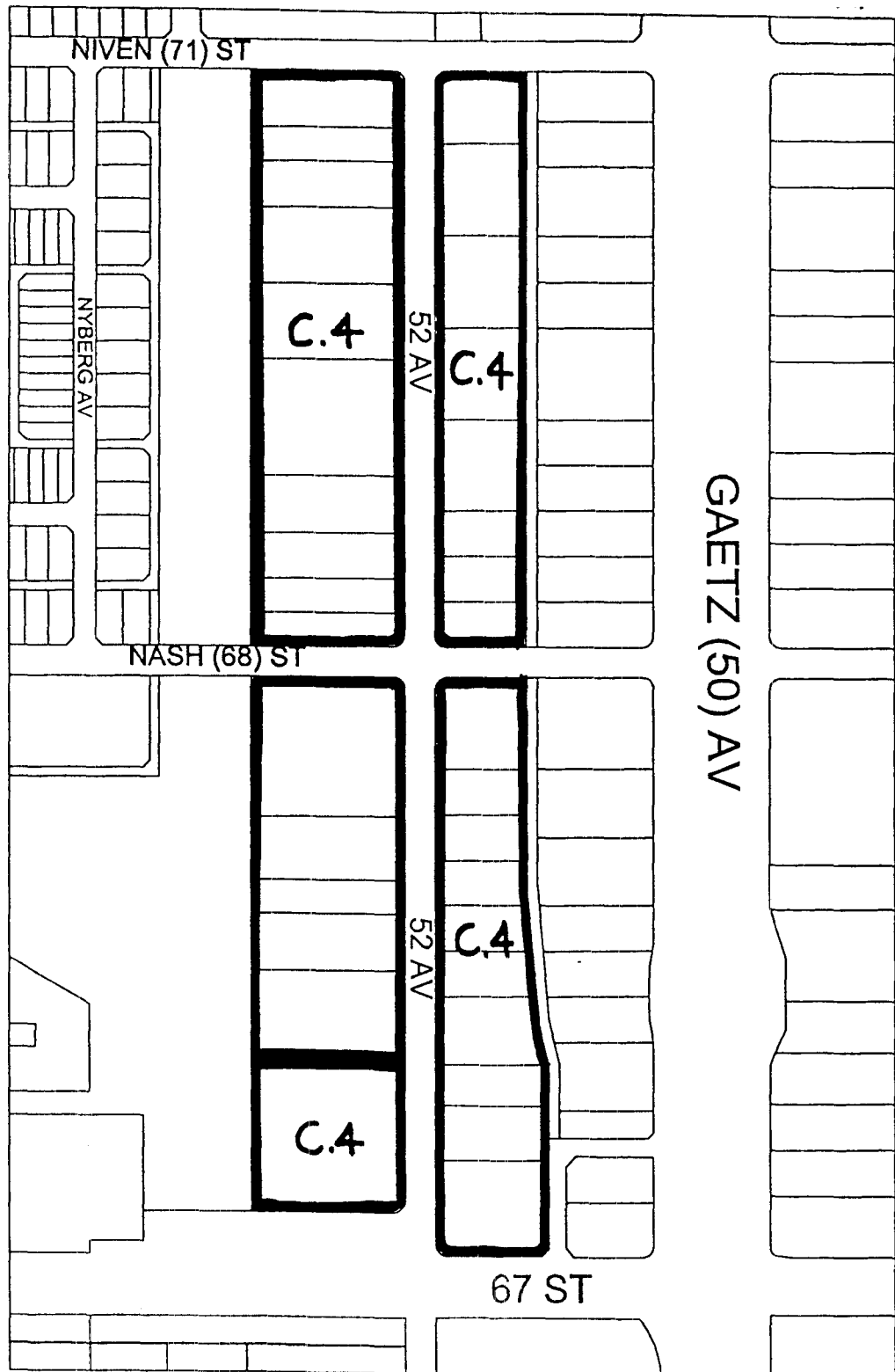
g) many units located in this area are relatively small, between 200 and 300 sq.m., and house new business's, or branch operations. This type of unit forms an important part of the business development pattern by often providing initial space during the 'start up' phase, and is therefore an important factor in the economic development of the community.

Based on the above, and the comments received during the public open house, (see appendix C for details), it is considered that only limited re-zoning should be undertaken at this time, namely, the spot re-zoning for the site for which an application for commercial use has been submitted, together with a small area at the southern end of 52nd Avenue, subject to the agreement of the property owners.

It is further suggested that should demand for commercial activity increase substantially over the next five years, the re-zoning should be considered comprehensively on a block basis, rather than spot zoning.

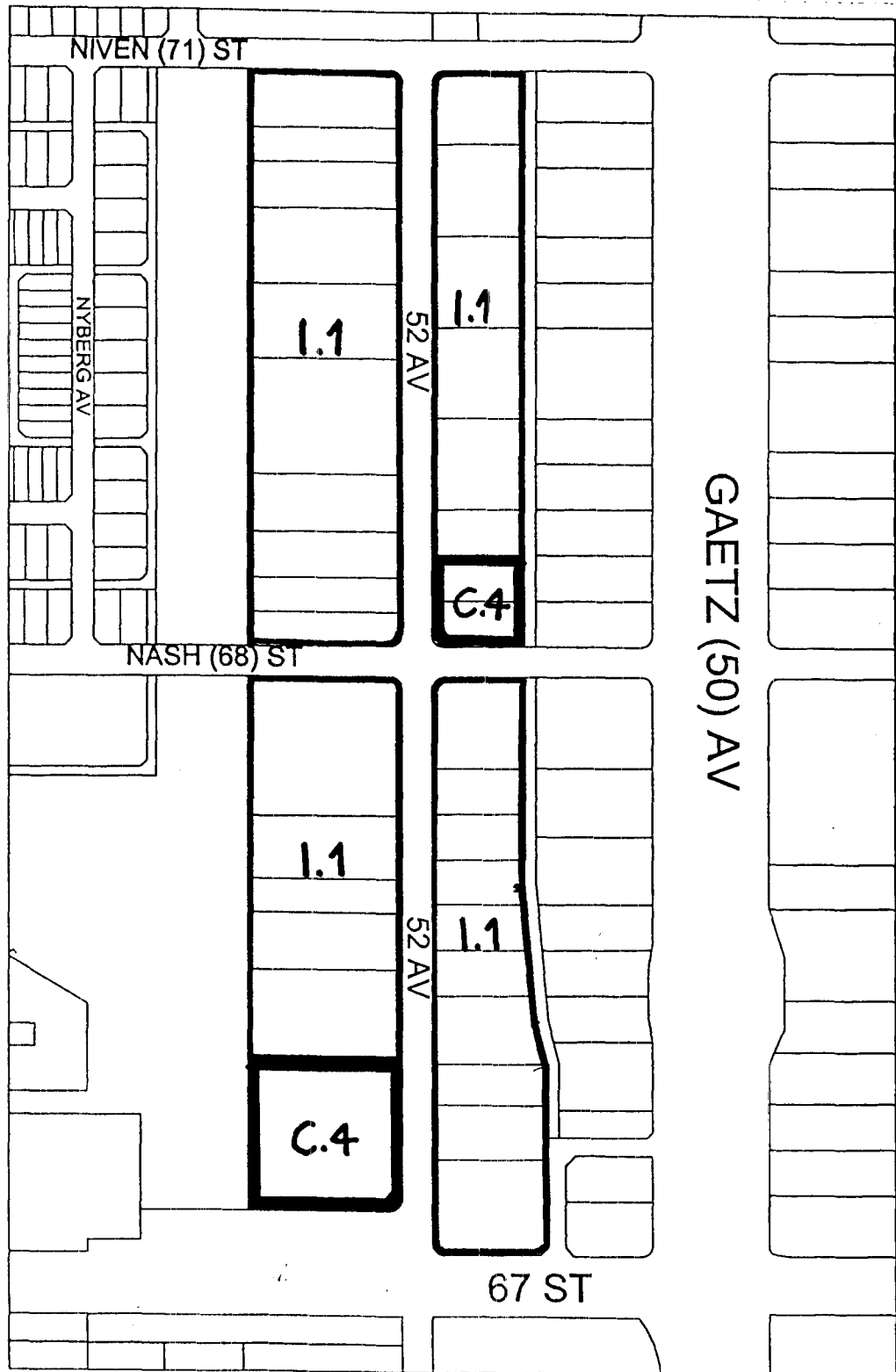
As a result of the public open house, those property owners who attended were unanimously against the total re-zoning. They were however supportive of Alternatives 2 and/or 3.

MAP 1.



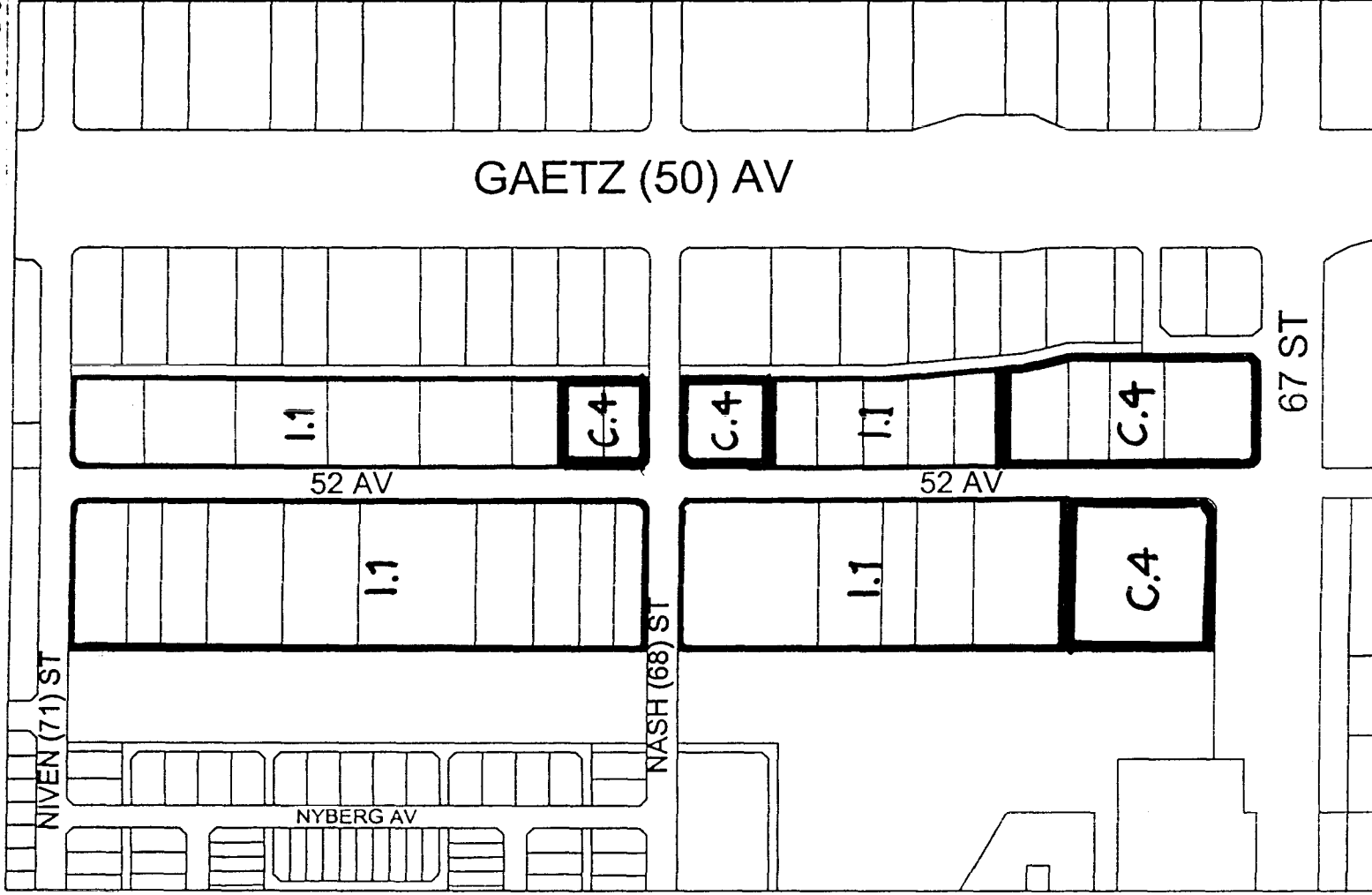
Alternative 1.

MAP 2.



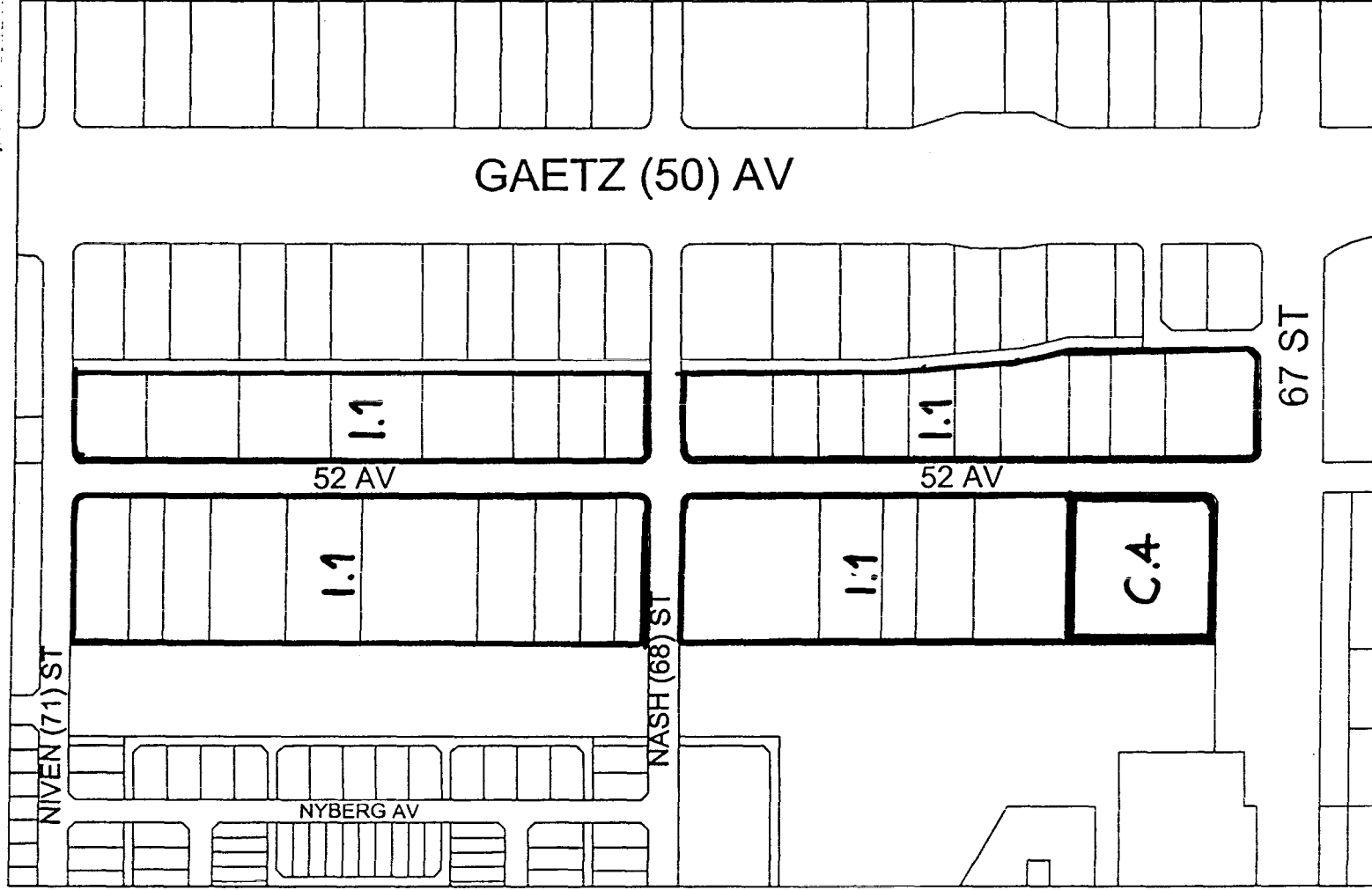
Alternative 2.

MAP 3.



Alternative 3.

MAP 4.



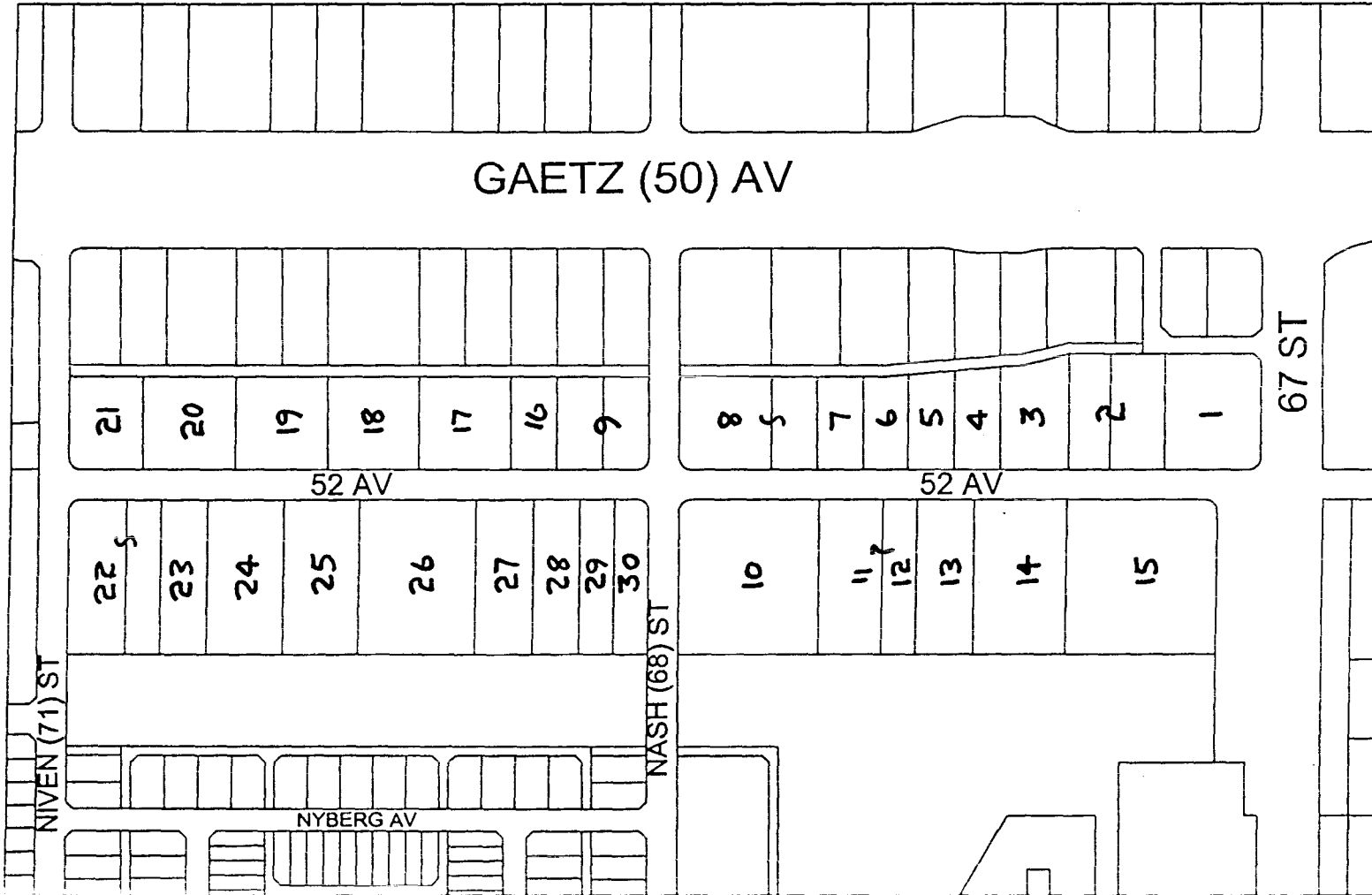
Alternative 4.

APPENDIX A

List of Business's in land use survey area. For index see map 5.

1. Kal Tire - Automotive Tires.
2. Catons Farm Supply - Agriculture Equipment and supply.
3. McLevins - Pipe and steel storage yard.
4. Pamco - Enerflex Systems - Warehouse.
5. Kings Meter Systems - Warehouse.
6. Doggone-it. - Kennels,grooming, pet supplies.
7. Alco Drywall - Warehouse/office.
8. Anso Appliances.
Alberta Golf Works.
Leydens Glass Works.
9. Vacant land. - Truck/trailer parking. *(Site subject of re-zoning application)*
10. Quinn's Oilfield Supply - Manufacturing.
11. Tubetest. - Oilfield service and supply.
12. Boss Hi-Performance Lubricants. - Warehouse.
13. Lee Brothers. - Automotive supply.
14. Acklands - Industrial supplies, etc.
15. Save-on-Foods. *(Commercial C.4 designation).*
16. B.C. Bearings. - Engineers.
17. Canterbury Coffee. - Food warehouse.
Alberta Feed - Agriculture supply.
Real Time Technologies. - Internet services.
Visions. - Electronic equipment repair.
Hotsy. - Pressure washers/steamers.
Standard Industrial. - Pump supplies/parts.
18. Dynovac. - Vaccums.
A.P.I. - Oilfield Hauling.
Central Driveline Services. - Machine shop.
Auto FX Direct. - Car/truck striping & graphics.
19. Westburne Electric. - Electrical warehouse/sales.
20. Baker/Petrolite. - Oil tools.
21. Hydrotesters Canada. -
22. K & K Transport. - Trucking. *(site has for lease sign)*
23. Harvie Instruments -

- Tower Paints. - Warehouse/sales.
- Santa Rita Supply. -
- Chart Information Systems. -
- 24. Johnson Controls. -
Vacant.
D & M Auto. - Brake/Alignment.
Harvey Auto. - 4 x 4 Service.
- 25. Warehouse. - Vacant. (*new property for lease*)
- 26. Sears. - Carpet/upholstery shop.
Larrys Upholstery.
Choice Electric. - Auto Electric.
Poor Boy Snack Foods.
Black Magic. - Auto paint & body.
Eagle Transport. - Trucking.
'Daytimer' - Distributors.
- 27. Circle T. - Oilfield Service/rentals.
- 28. Fire Power. - Oilfield firefighting.
Peters Machine Shop. -
- 29. Associated Taxi. -
- 30. Persimmon Patch. - Clothing/embroidery/silk screening.
Cruisin' - auto repair.



MEMORANDUM

DATE: March 11, 1998
TO: Chi Lee
Tom Warder
FROM: Paul Meyeette
Principal Planner
RE: 52ND AVENUE CONVERSION FROM I1 TO C4

As you may be aware, City Council is looking at the potential to redesignate 52nd Avenue between 67th Street and 71st Street from Industrial to Commercial.

Some of the issues that arise from this proposal are traffic related and I would like your opinion on them:

If 52nd Avenue is converted to C4 use,
would the traffic to the area increase?
would any adjustment in the traffic lights be required along Gaetz Avenue/ 67th Street?
would it increase the potential for shortcutting through the adjacent residential neighbourhood?

If the answer is yes to any of the above
what recommendations would you make in terms of preventing these problems?
what costs would be associated with any solution?
what source of funding is recommended?

Council has established a fairly tight timeline for this project. In order to meet Council's deadline I would appreciate a response by March 24, 1998. This information will be compiled in a planning report prepared by David Plumtree who has been subcontracted to complete this project.

Paul Meyeette, ACP, MCIP
Principal Planner

PM/tb

Bryon Jeffers
Ken Haslop
Lowell Hodgson
Norbert Van Wyck
Wdocs/Meyeette/memo/52nd Street Conversion.mem

MEMO

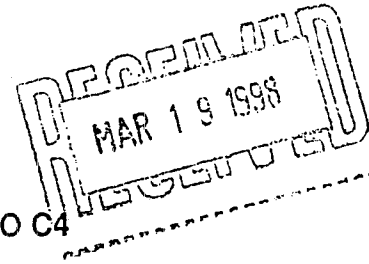
170-040

DATE: March 17, 1998

TO: Paul Meyette
Principal Planner

FROM: Engineering Services Manager

RE: 52 AVENUE CONVERSION FROM I1 TO C4



We have the following comments relative to the questions in your March 11, 1998 memo.

1. If commercial instead of industrial developments are established along 52 Avenue, between 67 and 71 Streets,
 - a. more traffic will likely be generated;
 - b. some signal timing and phasing changes may be required at the Gaetz Avenue / 68 Street and the 52 Avenue / 67 Street intersections;
 - c. traffic originating from the residential area bounded by 77 Street, Gaetz Avenue, 67 Street, and Taylor Drive will likely use Niven Street and Nash Street to access 52 Avenue developments. It follows that the change to commercial development will likely create more traffic in the residential areas along Niven Street and Nash Street.
2. It is difficult to determine the costs, if any, of the proposed zoning changes relative to the transportation network, without a detailed study.
3. If the impact to the residential area is deemed to be significant, there may be traffic calming measures that could be considered by The City at that time. This matter would be included in a specific traffic study to determine the magnitude of the problem and the recommended methods of resolving the issues.
4. The alternative is to leave the Industrial zoning of 52 Avenue unchanged, as this is the zoning to which this area was developed and which the area residents have accepted.

Paul Meyette
Page 2
March 17, 1998

If more definitive information is required relative to potential traffic generation or implementation costs, we would suggest that a specific economic and traffic viability study be commissioned.



Ken G. Haslop, P. Eng.
Engineering Services Manager

KGH/emr
c. Traffic Engineer
c. Land & Economic Development Manager
c. Director of Development Services

COUNCIL MEMBERS
CITY OF RED DEER

SEPT. 22, 1998

DEAR COUNCIL MEMBER:

PRESENTLY THERE IS A NEED FOR PEDESTRIAN LIGHTS AT THE INTERSECTION OF 32ND STREET AND MITCHELL AVE AND/OR 32ND STREET AND MUNROE AVE. THIS CONCERN HAS BEEN RAISED BEFORE BUT TRAFFIC STUDIES INDICATED THAT THE NEED WAS NOT GREAT ENOUGH TO WARRANT THE EXPENSE OF INSTALLING SUCH LIGHTS. I AM NOT FAMILIAR WITH THE DETAILS OF THE STUDY BUT I CAN ONLY TELL YOU WHAT I SEE ON A REGULAR BASIS AT THE INTERSECTION OF 32ND AND MUNROE AVE.

IN THE MORNING BEFORE SCHOOL BEGINS AND IN THE AFTERNOON WHEN SCHOOL ENDS THERE ARE A NUMBER OF CHILDREN THAT MUST CROSS 32ND STREET. THE MAJORITY OF THE CHILDREN ARE OF JUNIOR HIGH SCHOOL AGE BUT THE RISK REMAINS THE SAME. AT THE INTERSECTION THE ROAD BECOMES SIX LANES WIDE WITH TRAFFIC TRAVELLING AT A SPEED OF UP TO 75 KM/HR. THERE ARE A NUMBER OF REASONS THAT MOTORISTS DO NOT SEE OR STOP FOR PEDESTRIANS IN THIS SITUATION. THE REASONS HOWEVER DO NOT MATTER. WHAT DOES MATTER IS THAT WE PROTECT THE CHILDREN.

THE SOLUTION TO THIS PROBLEM APPEARS TO BE SIMPLE. BY INSTALLING EITHER A REGULAR TRAFFIC LIGHT OR A MANUALLY ACTIVATED PEDESTRIAN LIGHT WE WOULD BE GOING IN THE RIGHT DIRECTION. THE LOCATION COULD BE AT EITHER INTERSECTION AS THE CHILDREN COULD ADAPT TO THIS CHANGE.

MY REQUEST AT THIS TIME IS THAT YOU PLEASE MAKE THIS CONCERN OF MINE A CONCERN OF CITY COUNCIL AND THE CITY OF RED DEER. THANK-YOU FOR YOUR TIME AND ATTENTION TO THIS MATTER.

SINCERELY


ROY PERNITSKY

SEP 25 1998

CITY OF RED DEER

DATE: September 29, 1998

TO: City Clerk

FROM: Engineering Services Manager

RE: **REQUEST FOR PEDESTRIAN SIGNAL AT 32 STREET AND MITCHELL AVENUE AND/OR 32 STREET AND MUNRO AVENUE**

Mr. Roy Pernitsky is requesting the installation of pedestrian signals at either of the above noted intersections. In considering Mr. Pernitsky's request, we have

- compared Red Deer's Pedestrian Signal Warrant System with that of other cities and national standards; and
- summarized the pedestrian signal warrant analysis conducted at three crossing points on 32 Street. This includes the Mitchell Avenue, Munro Avenue, and Metcalf Avenue intersections.

A. Review of the Existing City Pedestrian Signal Warrant System

We have obtained the current pedestrian signal warrants from the cities of Edmonton, Calgary, Lethbridge, Medicine Hat, Grande Prairie, Fort Saskatchewan, Camrose, St. Albert, Airdrie, and the Province of Alberta. The warrants used by these jurisdictions vary widely. There is an even wider variation in each jurisdiction's detailed analysis with the use of a multitude of charts, graphs, and point systems.

Although our policy requires us to use the Canadian Manual of Uniform Traffic Control Devices, the manual does not contain a warrant analysis procedure for the installation of pedestrian signals. It covers only full traffic signals. As an alternative, we reviewed the US Manual on Uniform Traffic Control Devices and found that both pedestrian and vehicle signal warrants are included in this Manual. Their system of warrants considers the relative size of municipalities. Municipalities as small as 10,000 people are taken into consideration.

To bring the current Red Deer warrant system more in line with the US MUTCD recommendations, we believe our signal warrants should be revised as follows:

City Clerk
Page 2
September 29, 1998

1. The "Distance to Nearest Signal" factor be reduced from 1000 ft to 300 ft as recommended by the US MUTCD.
2. The "Pedestrian Volume" factor of 60 pedestrians per hour to remain unchanged.
3. The "Average Pedestrian Delay" factor be reduced to 30 seconds. Although the US MUTCD recommends 60 seconds as used by our existing warrant, a recent Transportation Research Board study (TRR 1438) indicates that pedestrians' impatience and risk-taking behaviour increases after 30 seconds of delay. Therefore, 30 seconds has been suggested by TRB as the maximum acceptable average pedestrian delay.
4. The "Traffic Volume" factor requirement of 400 vehicles per hour be changed to 480 veh/hr on the major street.
5. The reported accidents at the location is greater than 5 per year that can be corrected by a pedestrian signal installation.

NOTE: Signals will be considered if conditions 1, 2, and 3 (pedestrian delay) are met or 1, 2, 4, and 5 (accident history) are met. Not all five conditions need to be met to qualify for a signal.

B. Specific Warrants for Pedestrian Signals on 32 Street

Table 1 summarizes the results of field surveys and warrant analysis conducted at the 32 Street intersections with Mitchell Avenue, Munro Avenue, and Metcalf Avenue. Based on the information we have, none of these three intersections meet the existing or the proposed pedestrian signal warrant criteria.

C. Special Considerations

Notwithstanding the warrant analysis results, we have received a number of requests for pedestrian signals in this area on 32 Street. In view of the public concern, we believe that Council may wish to consider installing a pedestrian signal at this time. If that is the case, we would recommend that the location be at the 32 Street and Munro Crescent intersection for the following reasons:

1. There is no controlled crossing on 32 Street for the one mile distance between 40 Avenue and 30 Avenue.

City Clerk
Page 3
September 29, 1998

2. The total number of pedestrians crossing 32 Street at the three intersections combined far exceeds the warrant.
3. There is a desire for school aged children to cross 32 Street to access schools within subdivisions on either side of 32 Street.
4. The 32 Street and Munro Crescent intersection is about midway between 40 Avenue and Metcalf Avenue.

RECOMMENDATIONS

We respectfully recommend that Council consider the following action:

1. Adopt the new Pedestrian Signal Warrants as outlined in the five criteria noted above

NOTE: If Council decides to install a set of pedestrian signals at the Munro Crescent intersection, the estimated cost is in the order of \$76,000, and the item should be considered as part of the 1999 Budget.



Ken G. Haslop, P. Eng.
Engineering Services Manager

CYL/emr

Att.

- c. Director of Community Services
- c. Director of Corporate Services
- c. Fire Chief
- c. Inspection & Licensing Manager
- c. Public Works Manager
- c. RCMP Inspector

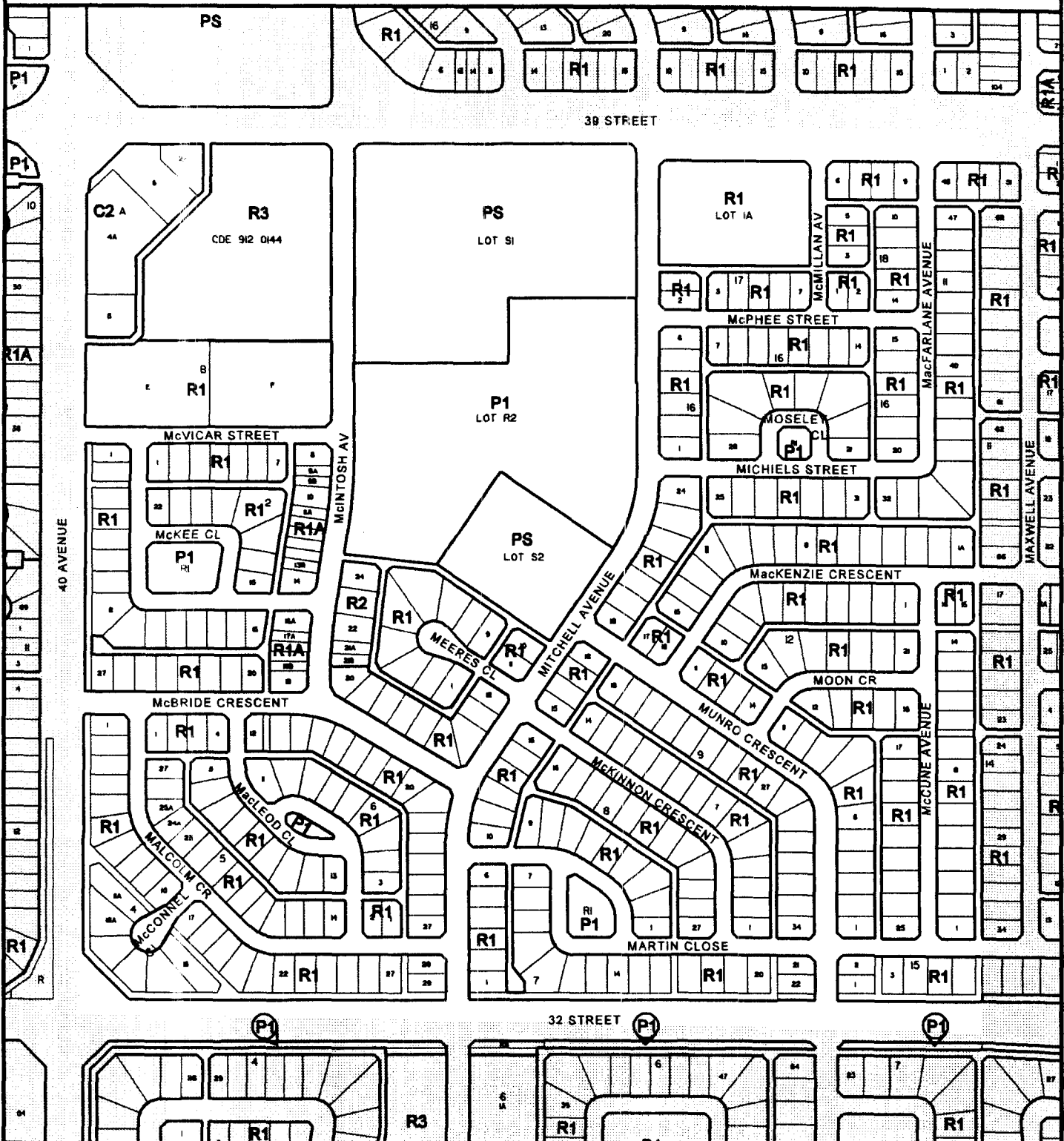
TABLE 1

Location	Year Warrant Completed	Pedestrian Volume (Peak Hour)	Peak Hour Traffic Volume	Average Pedestrian Delay	Distance from Nearest Signal (feet)
32 St. / Mitchell Ave.	1997	46	400+	3	>1000
	1994	24	447	3	>1000
32 St. / Munro Cr.	1998 (am)	34	447	6	>1000
	1998 (pm)	37	447	14	>1000
	1997	27	400+	6	>1000
	1994	12	447	1	>1000
	1992	< 60	443	< 60	>1000
32 St. / Metcalf Ave.	1997	12	400+	7	>1000

THE CITY OF RED DEER - LAND USE BYLAW

LAND USE DISTRICTS

17



BYLAW NUMBER - 3156/96

AMENDMENTS:

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

H8	I8	J8
H7	I7	J7
H6	I6	J6

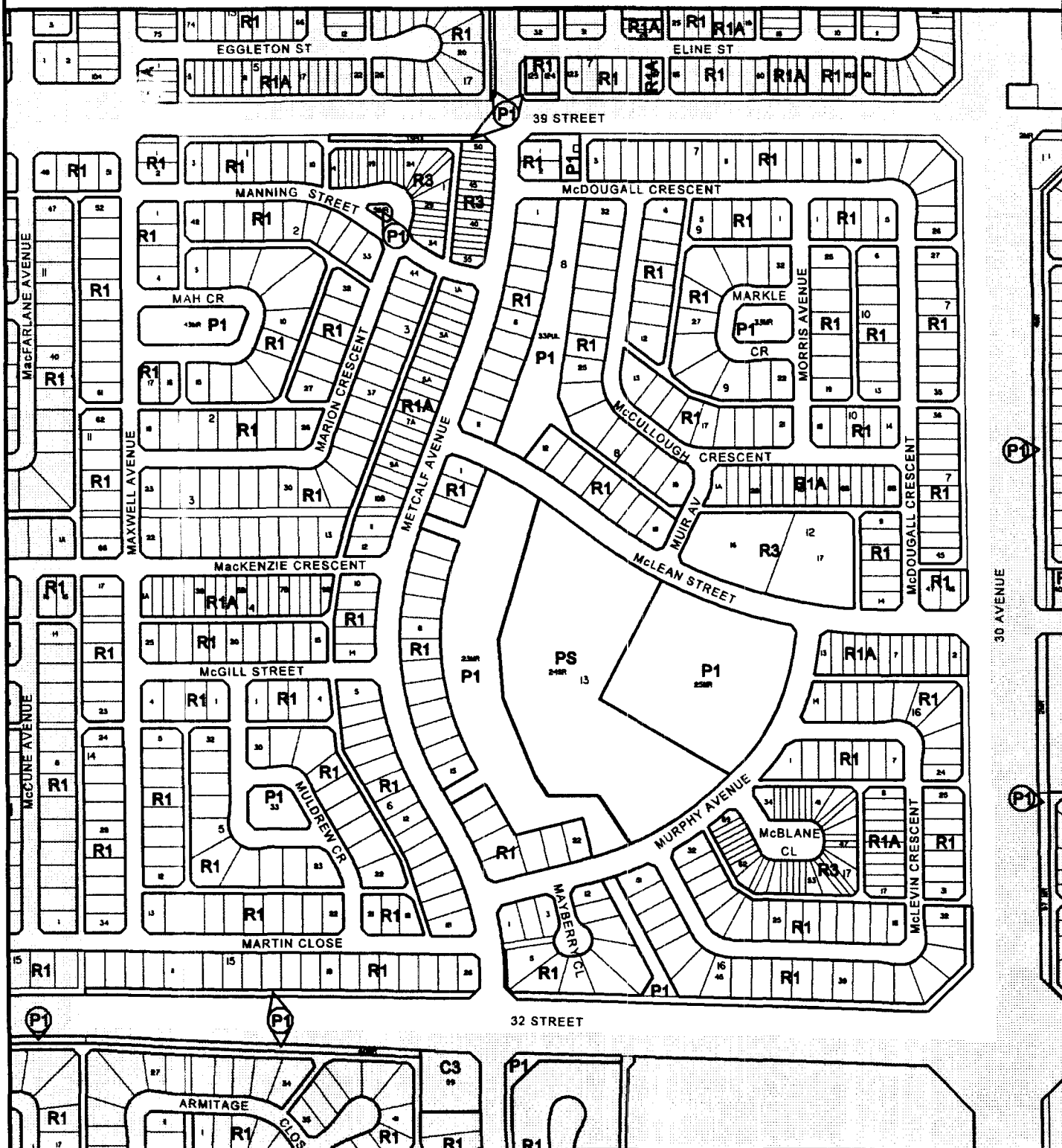
SCALE 1:5000
11-JAN-1996

N.W. 1/4 -10-38-27-4

THE CITY OF RED DEER - LAND USE BYLAW

LAND USE DISTRICTS

J7



BYLAW NUMBER - 3156/96

AMENDMENTS:

SEE SECTION SIX FOR
LANDUSE DISTRICT DEFINITIONS

18	J8	K8
17	J7	K7
16	J6	K6

N.E. ¼ -10-38-27-4



SCALE 1:5000
11-JAN-1996

Comments:

We concur with the recommendations of the Engineering Services Manager.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FROM : SHOPPERS*DRUG*PART*326

PHONE NO. : 4033433348

Oct. 01 1998 12:38PM P2



Royal Canadian Mounted Police
Gendarmerie royale du Canada

Red Deer City Traffic Services
4811 - 49th Street,
P.O. Bag 5033,
Red Deer, Alberta T4N 6A1

City of Red Deer,
Engineering Department,
4914 - 48th Avenue,
Red Deer, Alberta T4N 3T3

Security Classification/Designation
Classification/désignation sécuritaire

PROTECTED "A"

Your File Votre référence

Our File Notre référence

Submitted To City Council
Date: Oct 5/98

1998 - 09 - 25

Dear Sir or Madam:

**Mr. Roy PERNITSKY - Request for Redestrian Lights,
32nd. Street @ Mitchell Ave., and/or Munro Ave.,**

The attached memorandum from Mr. Roy PERNITSKY dated 98-09-22 is the purpose of this reply. I don't believe that I have personally spoken to this gentleman about this issue, but I have spoken to several other concerned parents who watch their children take their lives into their own hands crossing or trying to cross 32nd. Street, at either of the two intersections.

I know if I had school age children, I would also be quite concerned, since a lot of drivers, who are not necessarily breaking the Highway Traffic Law, but are not cognizant of children at the cross walk, because their view is blocked off from vehicular traffic going in the opposite direction. I feel that the flow of traffic has increased considerably in the last year, as can be attested by the growth in the area. I understand that there was no need for a pedestrian crosswalk light in the area before this, but now with the increased growth in Dear Park, Rosedale, Lancaster, and Anders By-the-Lake, and more growth to come, I feel that we should now take another look at Overhead Lit Pedestrian Crosswalks. The members of this unit have noticed a marked increase in traffic flow along the main thoroughfares, and find it very difficult to enforce the crosswalks, because of the volume at certain times of the day. On 32nd. Street, the traffic seems to be the worst between 8:00 a.m. and 9:00 a.m., through noon hour, and between 3:30 p.m. and 6:00 p.m.

In view of this I concur with Mr. PERNITSKY and feel action should be imminent to rectify the situation on 32nd.St, and many more could probably be looked at.

R.G. "Bob" BLAIR, Sgt.
NCOI i/c Red Deer City
Traffic Services - RCMP

DATE: September 25, 1998

TO: City Clerk

FROM: Fire Chief/Manager
Emergency Services

CC: Director of Community Services
Director of Corporate Services
Director of Development Services
E. L. & P. Manager
Engineering Department Manager
Inspections and Licensing Manager
Public Works Manager
R.C.M.P. Inspector

RE: Pedestrian Lights 32 Street and Munro Avenue

Submitted To City Council
Date: Oct 5/98

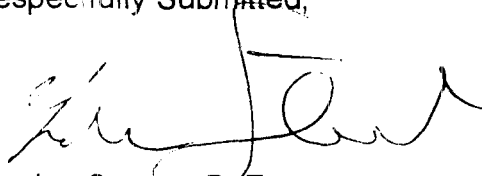
The need for traffic and pedestrian signals is generally decided according to the warrant analysis done by the Engineering Department. The Emergency Services Department supports the installation of signals where warranted.

The Emergency Services Department does not support signals where not warranted as this reduces emergency response times and introduces an additional situation where emergency response vehicles and personnel may be placed at increased risk when responding through a red light.

Recommendation:

It is respectfully recommended to Council that the request be granted if warranted by traffic and pedestrian volumes as determined by the Engineering Department.

Respectfully Submitted,



Gordon Stewart P. Eng.
Fire Chief/Manager Emergency Services Department

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0894
CONNECTION TEL 3433348
SUB-ADDRESS
CONNECTION ID
ST. TIME 10/06 21:13
USAGE T 01'31
PGS. 2
RESULT OK

FILE

Office of the City Clerk

October 6, 1998

Shoppers Drug Mart
Pernitsky Pharmacy Ltd.
#1043, 4900 - 28 Street
Red Deer, AB T4R 1N9

Fax No. (403) 343-3348

Att: Mr. Roy Pernitsky

Dear Sir:

**Re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue
and/or 32 Street and Munro Avenue**

At the City of Red Deer's Council meeting held Monday, October 5, 1998, consideration was given to your request as noted above. At that meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from Roy Pernitsky (Shoppers Drug Mart) dated September 22, 1998, re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue and/or 32 Street and Munro Crescent, hereby:

1. Agrees to the installation in 1999 of a set of pedestrian signals at the Munro Crescent and 32 Street intersection at an estimated cost of \$76,000.00 with the costs to be funded as an additional expenditure to the 1998 Budget if surpluses warrant or within the 1999 Budget as an additional expenditure outside of the 1999 Budget guidelines;
2. Agrees to adopt the new Pedestrian Signal Warrants as outlined in the report from the Engineering Services Manager dated September 29, 1998 re: Request for Pedestrian Signal at 32 Street and Mitchell Avenue and /or 32 Street and Munro Crescent;



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

FILE

Office of the City Clerk

October 6, 1998

Box 5008

Red Deer, Alberta

T4N 3T4

Shoppers Drug Mart
Pernitsky Pharmacy Ltd.
#1043, 4900 - 28 Street
Red Deer, AB T4R 1N9

Fax No. (403) 343-3348

Att: Mr. Roy Pernitsky

Dear Sir:

***Re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue
and/or 32 Street and Munro Avenue***

At the City of Red Deer's Council meeting held Monday, October 5, 1998, consideration was given to your request as noted above. At that meeting, Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from Roy Pernitsky (Shoppers Drug Mart) dated September 22, 1998, re: Request for Pedestrian Lights at Intersection of 32 Street and Mitchell Avenue and/or 32 Street and Munro Crescent, hereby:

1. Agrees to the installation in 1999 of a set of pedestrian signals at the Munro Crescent and 32 Street intersection at an estimated cost of \$76,000.00 with the costs to be funded as an additional expenditure to the 1998 Budget if surpluses warrant or within the 1999 Budget as an additional expenditure outside of the 1999 Budget guidelines;
2. Agrees to adopt the new Pedestrian Signal Warrants as outlined in the report from the Engineering Services Manager dated September 29, 1998 re: Request for Pedestrian Signal at 32 Street and Mitchell Avenue and /or 32 Street and Munro Crescent;
3. Agrees that crosswalks at each intersection along 32 Street between 30 Avenue and 40 Avenue be painted,

and as presented to Council October 5, 1998."

The City of Red Deer

Mr. Roy Pernitsky
October 6, 1998
Page 2

Thank you for your time and efforts in bringing your concerns to Council's attention. Please contact Mr. Ken Haslop, Engineering Services Manager, at 342-8167 should you require further information or clarification regarding Council's decision in this regard.

Sincerely,

Christine L. Rausch

for

Kelly Kloss
City Clerk

/clr
attchs.

c Director of Community Services
 Director of Corporate Services
 Engineering Services Manager
 Fire Chief/Manager Emergency Services
 Inspections & Licensing Manager
 Public Works Manager
 Insp. G. Guertin, R.C.M.P.



PIPER CREEK FOUNDATION

506 - 4901 - 48 STREET, RED DEER, ALBERTA T4N 6M4 PHONE: 343-1077 FAX: 343-2332

September 11, 1998

Mayor Surkan and Members of Council
City of Red Deer
4914 - 48 Avenue,
Red Deer, Alberta T4N 3T4

Your Worship and Members of Council:

Re: Assisted Living Pilot Project

The Taskforce on "The Future Housing Needs for Seniors in Red Deer" has identified two population groups as having needs that are either unmet or inadequately met by the present housing services. They are described as follows:

Group 1

- Low income
- Require assistance with activities of daily living which are unpredictable and intermittent but do not require long term care
- May be experiencing the early stages of dementia

Group 2

- "socially challenged" seniors who, due to lifestyle choices, are living in conditions which are unsafe or not supportive

Group 1 is the first priority based on demographics and the significant impact on the clients and the agencies that serve them.

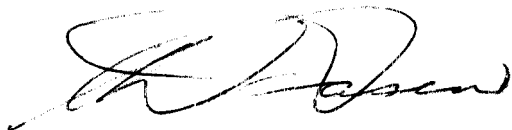
To address this priority the Task Force is recommending a collaborative project between the Piper Creek and Twilight Homes Foundations, and the David Thompson Health Region and several other community stakeholder groups.

To date the Boards' of Directors of both the Foundation and The Health Region have approved in principal a proposal for an Assisted Living Pilot Project at one of the Lodges operated by the Piper Creek Foundation. The Project would involve the construction of a new 20 unit addition to the existing Lodge, a new partnership agreement between Health and Housing, and a creative step forward in dealing with those seniors caught in the "Grey" area between housing and long term care. We are especially excited by this new partnership between Housing and Health in the provision of services to seniors.

As per our earlier agreement with City Council to bring any budgets forward for consideration of Council, please consider the enclosed proposal and budget for ratification. It is the intent of our Board and the other partners to arrange full Capitol and operational funding for our project. We do not anticipate incurring deficits in either capitol or operations.

I am including a copy of the project proposal for your information and would be happy to respond to any questions that arise.

Yours truly,
Piper Creek Foundation

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

for Morris Flewwelling
Chairman

PROPOSAL

RED DEER ASSISTED LIVING for SENIORS PARTNERSHIP PILOT PROJECT

1.0 PROPOSAL

Representatives from five public service organizations in the city of Red Deer - Piper Creek Foundation, David Thompson Health Region, City of Red Deer, Twilight Homes Foundation, Alberta Council on Aging and the Golden Circle - worked together to develop a proposal for Assisted Living services for seniors. The purpose of this pilot project is two-fold:

- 1) to provide a supportive housing option for seniors whose needs are not currently being met by the existing housing/health services, and
- 2) to develop a model for assisted living operated by a working partnership between seniors' housing and a regional health authority which could be replicated throughout the province.

The program will be operated in a 20 unit, yet to be constructed, addition to an existing lodge. The project will be piloted over a 24 month period which commences as soon as the newly constructed building is ready for occupancy.

2.0 BACKGROUND

In April 1997, the City of Red Deer Social Planning Department received a request from Morris Flewwelling, Chairman of the Piper Creek Foundation, for the establishment of a community-based task force to study the seniors' housing needs in Red Deer. For the purpose of this request, Mr. Flewwelling jointly represented both the Piper Creek Foundation and the Kiwanis Twilight Homes Foundation. In response, Pam Ralston from the City of Red Deer Social Planning Department planned the community consultation process where issues-at-hand as well as interested stakeholders would be identified.

The opportunity was timely, given the results of the recent study conducted by the David Thompson Health Authority (Seniors' Health Enhancement Project) where housing was identified as a major concern. Seniors' housing was also identified as a concern by the Piper Creek and Twilight Homes Foundations for their clientele who no longer met residency criteria due to increased needs for assistance, but who had no alternative choice.

The community meeting in October, 1997 was attended by approximately fifty

representatives of community stakeholder groups. A Task Force was formed and given the responsibility of identifying a target group and recommending an action to address future concerns.

At the same meeting, a Steering Committee was formed to which the Task Force would report. The Steering Committee would then forward the recommendations to their respective boards and city council.

Following are the names of those appointed to the two committees:

Steering Committee

Morris Flewwelling - Red Deer City Council
 Irene Gataint - David Thompson Health Region
 Bev Hughes - Red Deer City Council
 Bob Thompson - David Thompson Health Region

Task Force

Dale Aasen - Piper Creek Foundation
 Bud Atkin - Alberta Council on Aging
 Marvin Bruce - Twilight Homes Foundation
 Sue Marcus - David Thompson Health Region
 Colleen Palichuk - Golden Circle
 Deb Irwin - Twilight Homes Foundation
 Pam Ralston - City of Red Deer

Identification of Needs

Prior to formulating recommendations for future seniors' housing in Red Deer, the Task Force performed the following activities:

- described existing housing settings and support services
- described the residents utilizing the current options
- developed a profile of the person(s) whose needs are not appropriately met through the existing options
- gathered information on the numbers of people requiring the different types of housing/service options
- reviewed the literature on alternate types of housing/service models which may meet the needs of the client groups which are currently not served, or are underserved

Two seniors' population groups were identified as having needs which are either unmet, or inadequately met, by the present housing services and supports. These two groups can be described as follows:

Group 1

- low income
- require assistance with activities of daily living which are unpredictable and intermittent (interventions cannot be schedule) but do not require long term care
- may be experiencing the early stages of dementia

Information from Red Deer Home Care indicates there were approximately 50 clients in lodges and in seniors' housing who fit this description in April 1998. Home Care clients living in their own homes were not surveyed.

Group 2

- "socially challenged" seniors who, due to lifestyle choices, are living in conditions which are unsafe or not supportive

Group 1 is the first priority based on demographics and the significant impact on the clients and the agencies which serve them.

At this time, Group 2 represents a smaller number of people than Group 1, and their utilization of housing and support options, if they were available, is unknown.

In the future, the seniors in Group 2 require consideration for their housing and support needs.

Task Force

The Task Force on the future of seniors' housing in the city of Red Deer recommends a collaborative project between a housing agency and David Thompson Health Region. A partnership would develop where the strengths of both organizations are integrated to avoid duplication of services and to optimize available resources.

3.0 DESCRIPTION OF CLIENTS AND THEIR CARE REQUIREMENTS

- #### **3.1 Require affordable, maintenance free housing where housekeeping and food services are provided**

- 3.2 Require supportive services for activities of daily living and assistance in at least one personal care area
- 3.3 Need care and support at both scheduled and unscheduled intervals throughout the 24 hour day
- 3.4 Would be at significant risk without the availability of staff for security, emergency response, and provision of personal care and support throughout the 24 hour day
- 3.5 Require regular professional health assessment, supervision of care, and periodic professional care, but do not require the availability of professional care and supervision on a 24 hour basis
- 3.6 Would benefit from the opportunity for social interaction and recreation, or implementation of a delegated plan of rehabilitation activities under appropriate supervision
- 3.7 Require an adapted environment

4.0 PROJECT GOALS

- 4.1 to establish a working partnership between Piper Creek Foundation and David Thompson Health Region
- 4.2 to develop business plan including a detailed budget and staffing model
- 4.3. to establish an implementation team to plan and implement business processes which derive from the business plan
- 4.4 to evaluate the pilot project
- 4.5 to develop a model for a working partnership between a seniors' housing agency and a regional health authority

5.0 PROGRAM GOALS

- 5.1 to provide personal care services, 24-hour supervision and assistance (scheduled and unscheduled), recreational activities and health-related services
- 5.2 to provide a continuum of care by offering an enhanced service to clients in the community which may reduce reliance on LTC facility living
- 5.3 to provide for flexibility, an increase in choice of service, and to enhance the quality of life with a focus on lower income clients living in the community
- 5.4 to achieve financial targets which would result in overall cost reduction in the health care and housing systems

6.0 PROGRAM COMPONENTS

6.1 Infrastructure

- The program is attached to a senior citizens' lodge in order to take

advantage of the existing infrastructure

- The proposed capital upgrade (20 unit addition) will be designed and built to meet the needs of the target population, and will include mobility adaptations, a wander-alert system and a call-bell or intercom system in each client room and common area, and other necessary adaptations.
- The building design will permit ease of movement of residents between the addition and the main lodge area, but will also allow the Assisted Living addition to be secured from the rest of the building.

6.2 Program Management

- Piper Creek Foundation is responsible for the provision of the housing services and the overall management of the assisted living services.
- David Thompson Health Region Community Support Services is responsible for providing all Home Care services including:
 - the professional Nursing, Physical Therapy and Occupational Therapy services
 - personal care on a scheduled basis to supplement the care provided by the Assisted Living Worker
- DTHR will provide approximately 21 hours per month of Recreation Therapist consulting services
- DTHR will provide the funding for the Assisted Living Workers' salaries and for a part-time Rehabilitation Assistant (recreation, physical therapy, occupational therapy) position
- The funded services will be provided through a contractual arrangement between DTHR and Piper Creek Foundation. The contract will define the service standards, accountability methods and reporting relationships.

6.3 Health and Support Services

- Needs of the clients in Assisted Living are met in a collaborative effort by staff of the housing agency and Community Support Services (Home Care, Continuing Care Counselling, etc.).
- The Assisted Living Worker is responsible for providing scheduled and unscheduled client support in the areas of personal care, activities of daily living, recreational activities, meal service, and assistance with care of personal belongings and light housekeeping which is not part of the lodge/client agreement.

- The Assisted Living Worker will carry out the care plan developed by the Home Care Case Coordinator in collaboration with the client.
- Home Care Case Coordinators will provide assessment, care planning, nursing care, referral to, and coordination of other services, and evaluation of each client's response to care.
- Home Support Aides provide assistance with bathing, personal care and other delegated tasks on a scheduled basis, working under the guidance of the Case Coordinator.

6.4 Communications

- Success of this model for providing services is dependent upon an equal partnership where mutual respect and support are underlying principles.
- Clear lines of communication and reporting relationships will be determined by the key players and articulated to all stakeholders.
- Accountability processes will be embedded in the contract.

7.0 FINANCIAL CONSIDERATIONS

There are two major financial components of the pilot project - one is the capital required to construct a 20 unit addition to a lodge which is operated by Piper Creek Foundation. The estimated cost is \$880,000 which is derived from the Public Works benchmark figure of \$40,000 per unit plus an additional \$4,000 per unit for adaptations required to meet the needs of the target population.

The second financial component is the program operating cost. This is divided into the housing (accommodation) portion, and the assisted living supports costs. Piper Creek Foundation is responsible for the funding for the housing portion which, for the most part, is generated from rental revenue. The David Thompson Health Region already provides Home Care services to this target population, so there are no new costs anticipated for professional home care services or scheduled support services.

It is proposed that DTHR will fund the salaries for the Assisted Living Worker positions which will provide staffing on a 24 hour, 7 days per week basis. Recreational Therapist consulting services and the hours for a Rehabilitation Assistant to supplement the existing Activities Coordinator in Pines Lodge, should be provided by DTHR. The total cost to DTHR, including the current Home Care costs, is projected to be \$264,125 for 12 months.

Piper Creek Foundation will contribute land, existing infrastructure, and management support.

The total cost, inclusive of all services, for the 20 clients is \$468,816 per year. The comparable budget for a 20 bed stand-alone continuing care centre would be \$950,000, and for a 20 bed addition to a larger continuing care centre would be approximately \$850,000 per annum.

Refer to Appendix "A" for the Costing Summary Detail.

7.1 Funding Sources

7.1.1 Capital (building construction)

■ Alberta Government		\$500,000
■ Piper Creek Foundation	}	\$380,000
■ Twilight Homes Foundation		
■ Red Deer Community Foundation		
■ Community funders		
		\$880,000

7.1.2 Operating Costs

David Thompson Health Region \$161,293 per annum
(Assisted Living worker and Rehabilitation Services)

Piper Creek Foundation \$30,003 (Housing costs minus revenue)
Contribution in kind of management support, land, and infrastructure

8.0 EVALUATION

A detailed evaluation framework for both the project and the program is being developed.

COSTING SUMMARY DETAIL

APPENDIX A

Capital Costs

Building Construction	\$880,000	----
-----------------------	-----------	------

Operating Costs

Direct Care Staffing Costs	<u>Year 1</u>	<u>Year 2</u>
Assisted Living Worker	\$141,823	\$141,823
Home Care ⁽¹⁾	\$102,832	\$102,832
Recreation Therapist consultant ⁽²⁾	\$ 8,040	\$ 8,040
Rehab Assistant (RT, OT, PT) ⁽³⁾	\$ 11,430	\$ 11,430
Care Costs	\$264,125	\$264,125
Implementation costs ⁽⁴⁾	\$ 10,000	\$ 5,000
Housing Costs		
Accommodation services ⁽⁵⁾	\$194,691	\$194,691
Total Program Operating Costs	\$468,816	\$463,816
Revenue		
Rent ⁽⁶⁾	\$164,688	\$164,688
Total Revenue	\$164,688	\$164,688
Cost of care to be funded	\$161,293	\$161,293
Housing costs to be funded⁽⁷⁾	\$ 30,003	\$ 30,003

Notes:

- (1) Home Care costs are covered from the Home Care budget and include Personal Care, Direct Care Nursing and Case Coordination. No new dollars required.
- (2) Recreation Therapist 0.15 FTE (3 days per month) - consultant
- (3) Rehabilitation Assistant (Occupational Therapy, Physical Therapy, Recreation Therapy) 0.40 FTE (15 hours per week).
- (4) Includes staff education, project coordination, meeting costs, evaluation.
- (5) Costs based on approximate lodge average.
- (6) For costing purposes rent is based on a per diem of \$23.50 per day per resident with an occupancy rate of 96%.
- (7) The Housing (accommodation) costs could be funded from any, or all, of the following sources:
1. Lodge Assistance Program (Alberta Municipal Affairs)
 2. Rent Subsidy Program (Alberta Municipal Affairs)
 3. Community funders
 4. Municipal requisition subject to Red Deer City Council approval

APPENDIX B

TIME LINES FOR PROJECT DEVELOPMENT

- | | |
|----------------|--|
| JULY 1998 | ▶ Steering Committee review of project proposal and approval in principal. |
| AUGUST 1998 | ▶ Revised Red Deer Assisted Living for Seniors Partnership Pilot Project (Proposal) including projected time lines and site feasibility study presented to Steering Committee for approval and action. |
| SEPTEMBER 1998 | ▶ Proposal presented to David Thompson Health Region for approval and support.
▶ Approval of the Proposal by the Piper Creek Foundation Board of Directors.
▶ Letter to City of Red Deer requesting support for this project and inclusion of the expanded facility in the Management Agreement between the City and the Piper Creek Foundation |
| OCTOBER 1998 | ▶ Letter to the Minister of Alberta Municipal Affairs requesting support of this project through capital and potential operational funding. This letter to be copied to the Minister of Health and the Red Deer MLA's. |
| NOVEMBER 1998 | ▶ Develop fund raising campaign for presentation to local interest groups. |
| JANUARY 1999 | ▶ Receive Municipal and Provincial Government approval.
▶ Appoint an architect.
▶ Secure funding commitments from Governments and housing foundations.
▶ Implement stakeholder consultations process.
▶ Complete Business Plan.
▶ Develop Operational Plan <ul style="list-style-type: none"> • Operating standards • Staffing model • Role descriptions • Communications |
| FEBRUARY 1999 | ▶ Architect's plans approved.
▶ Request for Tenders for construction. |

- | | |
|----------------|--|
| MARCH 1999 | ▶ Award construction contract. |
| | ▶ Complete fundraising campaign. |
| APRIL 1999 | ▶ Begin construction. |
| SEPTEMBER 1999 | ▶ Facility open for residents. |
| SEPTEMBER 2001 | ▶ Project evaluation completed. |
| | ▶ All project reports completed including model development. |

DATE: September 21, 1998

TO: KELLY KLOSS
City Clerk

FROM: LOWELL HODGSON, Director of Community Services
COLLEEN JENSEN, Social Planning Manager

RE: ASSISTED LIVING PILOT PROJECT

The proposal, as submitted by the Piper Creek Foundation, regarding the development of a pilot project on Assisted Living for Seniors gives Council good background and rationale, explaining the project in detail. As is noted in the proposal, the Social Planning Department, through the involvement of Pam Ralston, Community Worker, has participated in the initiative since its beginnings. The Taskforce, which has explored seniors' housing needs in Red Deer, clearly have identified that there is a growing group of seniors whose needs are not being met in the current system(s). These are senior who require assistance with daily living, yet are not at the stage that long term care is an option. Many of these seniors are in the early stages of dementia, and a large number are also low income.

The development of this project is an example of the spirit in our community, where individual stakeholders are willing to work together to develop partnerships that will bring about positive solutions. The proposed partnership between Housing and Health is not common across the province, and therefore, it is also hoped that this project will become a model that can be used in other communities. The partners involved in the planning of this project should be commended.

From the perspective of The City of Red Deer, the only potential concern is related to the cost of developing and operating the facility. The Piper Creek Foundation is established as a management body which operates lodge accommodation under the provisions of the Alberta Housing Act. The Housing Act specifies that:

- "a management body that provides lodge accommodation may requisition those municipalities for which the management body provides lodge accommodation for
- a. the amount of the management body's annual deficit for the previous fiscal year arising from the provision of lodge accommodation, and
 - b. any amounts necessary to establish or continue a reserve fund for the management body".

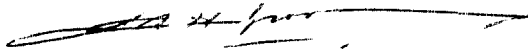
The Management Agreement, under which the Foundation operates, indicates that the Piper Creek Foundation must present its budget for Council's approval before any such deficit would occur.

Over the past several years the Piper Creek Foundation has operated without a deficit, showing good management and efficiencies within the organization. The letter which accompanies the proposal indicates that it is the intent that the Piper Creek Foundation and other operating partners will arrange full capital and operating funding, with no anticipation of a deficit being incurred.

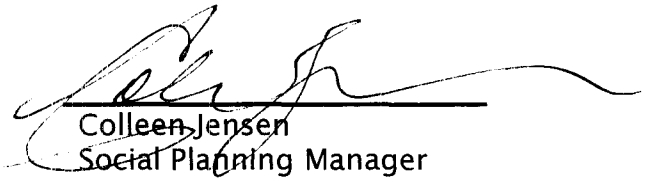
Our belief is, with the history of the Piper Creek Foundation's sound fiscal management and the provision that Council must give prior approval for any anticipated deficit, that The City's potential for financial liabilities are relatively limited. There is, however, no guarantee that a deficit will not occur in the future.

RECOMMENDATION:

That Council for The City of Red Deer, support the proposal for Assisted Living for Seniors as submitted by the Piper Creek Foundation subject to the condition that The City will continue to have the right to approve any anticipated deficit prior to it being incurred.



Lowell Hodgson,
Director of Community Services



Colleen Jensen
Social Planning Manager

DATE: September 23, 1998

TO: City Clerk

FROM: Director of Corporate Services

RE: ASSISTED LIVING PROJECT

The proposal is to build a 20 unit addition to an existing senior's lodge for assisted living accommodation for seniors. The operating costs would be shared between the Regional Health Authority and the Piper Creek Foundation as follows:

Direct Care Staffing (funded by the Regional Health Authority)

	Year 1	Year 2
Assisted Living Worker	\$ 141,823	\$ 141,823
Home Care	102,832	102,832
Recreation Therapist Consultant	8,040	8,040
Rehab Assistant	11,430	11,430
Sub Total	264,125	264,125
Implementation Cost	10,000	5,000
 Total Direct Care Staffing Cost	 274,125	 269,125
Less: Home Care Funding	102,832	102,832
 Regional Health Authority Funding	 <u>\$ 171,293</u>	 <u>\$ 166,293</u>

Housing Costs (funded by the Piper Creek Foundation)

	Year 1	Year 2
Accommodation Costs	\$ 194,691	\$ 194,691
Less: Rental Revenue	164,688	164,688
 Piper Creek Foundation Funding Required	 <u>\$ 30,003</u>	 <u>\$ 30,003</u>

City Clerk
September 23, 1998

p.2

In addition to the operating costs, funding will have to be identified for the \$880,000 capital costs

There is the possibility the Piper Creek Foundation may be required to fund some or all of the \$30,003 operational funding required or the \$880,000 capital cost. The Foundation is, however, stating they do not anticipate incurring deficits in either capital or operating budgets. This means funding will have to be provided from either:

- rental revenue
- Provincial grants or subsidies
- community funders.

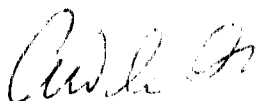
The proposal does appear to meet a definite need in the community and the group should be congratulated for their initiative.

It should be noted the proposed service has not been provided by the Piper Creek Foundation in the past. It is probably something that needs to be considered for the future because of Provincial government budget cuts and service reductions. There should not be a need, however, to require local property taxpayers to subsidize such projects through property taxation. Funding should be provided by other sources such as:

- rental revenue
- Provincial grants and subsidies
- Regional Health Authority funding.

Recommendation

That Council agree to support the proposal subject to no funding being requisitioned from the City.



A. Wilcock, B. Comm., C.A.
Director of Corporate Services

c. Social Planning Manager
Director of Community Services

Comments:

We believe that this is an excellent project and want to commend all who were involved in developing an innovative solution to a significant issue within the community. We concur with the recommendations of the Director of Corporate Services that we support the Proposal, subject to there being no capital or operating funds requisitioned from The City, now or in the future.

We note in Appendix "A" of the Proposal that a municipal requisition is included as one possible source of funding and we believe it is fair that Council make its position clear that such a requisition would not be acceptable.

This position is consistent with Council's Strategic direction to provide assistance and leadership in identifying problems such as this finding creative solutions without incurring responsibilities which are not, by their nature, municipal responsibilities. This would include the funding of projects that do not fall within municipal jurisdictions.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

FILE

Office of the City Clerk

September 15, 1998

Mr. Morris Flewwelling, Chairman
Piper Creek Foundation
506 -4901 - 48 Street
Red Deer, AB T4N 6M4

Dear Mr. Flewwelling:

I am in receipt of your letter dated September 11, 1998 re: Assisted Living Pilot Project. Your letter will be placed on the Red Deer City Council Agenda of Monday, October 5, 1998.

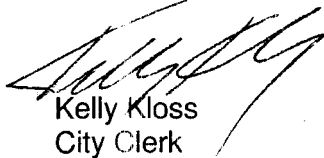
Your request has been circulated to City Administration for comments. A copy of the administrative comments will be available to you prior to the Council Meeting and can be picked up at our office on the second floor of City Hall on Friday, October 2, 1998.

If you wish to be present and/or speak at the Council Meeting, please telephone our office on Friday, October 2nd and we will advise you of the approximate time that Council will be discussing this item. Upon arrival at City Hall, please enter the park side entrance and proceed to the Council Chambers on the second floor.

Council Meetings are open to the general public and are televised live on Shaw Cable, Channel 3. Council Meetings commence at 4:30 p.m., adjourn for the supper hour at 6:00 p.m., and reconvene at 7:00 p.m. Council agendas are available to the public and media from the City Clerk's Department.

If you have any questions or require further assistance, please do not hesitate to contact me.

Sincerely,



Kelly Kloss
City Clerk

KK/fm

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

DATE: September 15, 1998

TO: X **DIRECTOR OF COMMUNITY SERVICES**
X DIRECTOR OF CORPORATE SERVICES
DIRECTOR OF DEVELOPMENT SERVICES
CITY ASSESSOR
E. L. & P. MANAGER
ENGINEERING DEPARTMENT MANAGER
FIRE CHIEF/MANAGER EMERGENCY SERVICES
INFORMATION TECHNOLOGY SERVICES MANAGER
INSPECTIONS AND LICENSING MANAGER
LAND AND ECONOMIC DEVELOPMENT MANAGER
PERSONNEL MANAGER
PUBLIC WORKS MANAGER
R.C.M.P. INSPECTOR - C/O: WENDY
RECREATION, PARKS & CULTURE MANAGER
X SOCIAL PLANNING MANAGER
TRANSIT MANAGER
TREASURY SERVICES MANAGER
PRINCIPAL PLANNER
CITY SOLICITOR

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

*Colleen
Please draft
your response
from us*

FROM: CITY CLERK

RE: Assisted Living Pilot Project

Please submit comments on the attached to this office by Monday, September 28, 1998
for the Council Agenda of Monday, October 5, 1998.

"Kelly Kloss"

City Clerk

Office of
the Minister

**IN THE MATTER OF THE
ALBERTA HOUSING ACT
S.A. 1994, c. A-30.1**

PIPER CREEK FOUNDATION

I, Iris Evans, Minister of Municipal Affairs, pursuant to section 5 of the *Alberta Housing Act*, **ORDER THAT:**

1. Ministerial Order No.H:153/95, as amended, establishing **Piper Creek Foundation** as a management body, is amended:
 - (a) by replacing the Appendix attached to Ministerial Order H:153/95 with the attached Appendix dated 01-Nov-97.
2. This Order is effective November 1, 1997.


Iris Evans
Minister of Municipal Affairs

DATED at the City of Edmonton in
the Province of Alberta, this 31
day of October, 1997.

APPENDIX

Piper Creek Foundation

- 1. Piper Creek Foundation (hereafter referred to as the "management body") is hereby established as a management body.**
- 2. The City of Red Deer is the only member of the management body.**
- 3. (1) The management body shall be governed by a board (hereafter referred to as the "board"), comprised of a maximum of seven (7) members appointed as follows, and in accordance with subsections (2) and (3):**
 - (a) one (1) member of the board appointed by the City of Red Deer; and**
 - (b) six (6) members of the board appointed by the board of the management body from the citizens-at-large with one of these members coming from the client group.**
- (2) For the purposes of subsection (1)(b), the board of the management body has the sole discretion to determine:**
 - (a) the boundaries of the areas from which members of the board may be appointed;**
 - (b) how residency in the areas from which members of the board may be appointed is determined; and**
 - (c) the eligibility requirements, if any, for members of the board.**
- (3) The board shall be appointed as follows:**
 - (a) The first members of the board, except for the members appointed under subsection (1)(b), shall be appointed as soon as possible following the effective date of this Order.**
 - (b) The members of the board referred to in subsection (1)(b), shall be appointed at the first meeting of the board following the effective date of this Order.**
 - (c) Members of the board referred to in subsection (1)(a), except the first members, shall be appointed at the annual organizational meeting of the City of Red Deer in accordance with this Order and at the times the board requests the City of Red Deer and may be re-appointed as many times as thought appropriate by the municipality.**
 - (d) Members of the board referred to in subsection (1)(b), shall be appointed by the board of the management body in accordance with this Order and at the times the board requires.**
 - (e) The term of office for each first member of the board referred to in subsection (1)(a), shall be from the date appointed until another member is appointed to hold that office, but shall not extend beyond one (1) year.**

(f) The term of office for the first members of the board referred to in subsection (1)(b) shall be as follows:

(i) one (1) member appointed for a maximum one (1) year term; and

(ii) one (1) member appointed for a maximum two (2) year term.

and the board of the management body has the sole discretion in determining which member appointed shall serve which term of office.

(g) The term of office for each member of the board referred to in subsection (1)(a), except the first members:

(i) is for a maximum three (3) year term;

(ii) shall begin the day after the City of Red Deer holds its annual organizational meeting in the year appointed; and

(iii) ends the day the City of Red Deer holds its annual organizational meeting in the year the term expires.

(h) The term of office for each member of the board referred to in subsection (1)(b), except for the first members, shall be from the date appointed until another member is appointed to hold that office, but shall not extend beyond three (3) years and appointments shall be staggered.

(i) Members of the board referred to under subsection (1)(b), including the first members appointed under clause (b), may hold consecutive terms of office, but no person shall serve more than two (2) consecutive terms.

(j) Members of the board referred to under subsection (1)(b), including the first members may re-apply for board membership after a one (1) year absence.

(k) If the office of a board member is vacated, on the vacancy occurring or as soon as possible thereafter, another individual shall be appointed as a member of the board to complete the term of the vacating member.

(l) The chairperson, vice-chairperson or any other officers of the board that the board determines necessary, shall be appointed from among the board members in the manner and at the times the board determines appropriate.

(m) The term of office for the chairperson, vice-chairperson or any other officers of the board shall be for a one (1) year term.

(n) The chairperson, vice-chairperson or any other officers of the board may hold consecutive terms of office as long as each officer is a member of the board.

(o) Each member of the board is entitled to deal with all matters of the board arising from the policies and programs, and operation and administration, of the management body, except where otherwise provided under the Act and its Regulations.

(4) The board is a continuing body.

- (5) The board shall provide the Deputy Minister with the name of its chairperson and vice-chairperson as soon as possible on selection, and shall notify the Deputy Minister of any change of chairperson and vice-chairperson.
4. The board shall:
- (a) designate the offices of the management body, and
 - (b) immediately notify the Deputy Minister of the location of its primary place of business in Alberta and any other offices, the management body's address for service, and any change in the location of such offices or address for service.
5. (1) For the purposes of providing lodge accommodation, the management body may requisition the City of Red Deer.
- (2) All deficit budgets for the Piper Creek Foundation must be ratified by the Council of the City of Red Deer.
6. (1) The management body is responsible for the operation and administration of the housing accommodation listed in Schedule "A".
- (2) In addition to the housing accommodation operated under subsection (1), the management body may operate Rent Supplement housing accommodation as designations are allocated to the management body by the Minister under the Rent Supplement Program Regulation.
7. For the purposes of the Act, the management body has and is subject to the powers, functions or duties as provided in the following Regulations:
- (a) Management Body Operation and Administration Regulation;
 - (b) Social Housing Accommodation Regulation;
 - (c) Housing Accommodation Tenancies Regulation;
 - (d) Rent Supplement Program Regulation; and
 - (e) Lodge Assistance Program Regulation.
8. For the purposes of the Act, the management body's reporting date is 90 days from the effective date of this Order.

Office of
the Minister

IN THE MATTER OF THE**ALBERTA HOUSING ACT****S.A. 1994, c. A-30.1****Revisions to Housing Accommodation
Schedules of Various Management Bodies**

I, Tom Thurber, Minister of Municipal Affairs, pursuant to section 5 of the *Alberta Housing Act*, **ORDER THAT:**

1. Revisions to housing accommodation schedules of management bodies be made as follows:
 - (a) Ministerial Order No. H:065/95, as amended, establishing **Calgary Housing Authority**, as a management body is amended:
 - (i) by Schedule 'A' Calgary Housing Authority, as amended, attached to Ministerial Order No. H:065/95, with the attached Schedule 'A' Calgary Housing Authority dated 09-Dec-96.
 - (b) Ministerial Order No. H:187/94, as amended, establishing **Capital Region Housing Corporation**, as a management body is amended:
 - (i) by replacing Schedule 'A' Capital Region Housing Corporation, as amended, attached to Ministerial Order No. H:187/94, with the attached Schedule 'A' Capital Region Housing Corporation dated 10-Dec-96.
 - (c) Ministerial Order No. H:174/94, as amended, establishing **Fort McMurray Housing Authority**, as a management body is amended:
 - (i) by replacing Schedule 'A' Fort McMurray Housing Authority, as amended, attached to Ministerial Order No. H:174/94, with the attached Schedule 'A' Fort McMurray Housing Authority dated 10-Dec-96.
 - (d) Ministerial Order No. H:186/94, as amended, establishing **M.D. of St. Paul Foundation**, as a management body is amended:
 - (i) by Schedule 'A' M.D. of St. Paul Foundation, as amended, attached to Ministerial Order No. H:186/94, with the attached Schedule 'A' M.D. of St. Paul Foundation dated 10-Dec-96.

(e) Ministerial Order No. H:022/95, as amended, establishing **Mountain View Management Board**, as a management body is amended:

(i) by replacing Schedule 'A' Mountain View Management Board, as amended, attached to Ministerial Order No. H:022/95, with the attached Schedule 'A' Mountain View Management Board dated 10-Dec-96.

(f) Ministerial Order No. H:153/95, as amended, establishing **Piper Creek Foundation**, as a management body is amended:

(i) by replacing Schedule 'A' Piper Creek Foundation, as amended, attached to Ministerial Order No. H:153/95, with the attached Schedule 'A' Piper Creek Foundation dated 10-Dec-96.

(g) Ministerial Order No. H:084/95, as amended, establishing **Rocky View Foundation**, as a management body is amended:

(i) by replacing Schedule 'A' Rocky View Foundation, as amended, attached to Ministerial Order No. H:084/95, with the attached Schedule 'A' Rocky View Foundation dated 10-Dec-96.

(h) Ministerial Order No. H:039/95, establishing **Sylvan Lake Foundation**, as a management body is amended:

(i) by replacing Schedule 'A' Sylvan Lake Foundation attached to Ministerial Order No. H:039/95, with the attached Schedule 'A' Sylvan Lake Foundation dated 10-Dec-96.

(ii) by adding to Section 7 of the Appendix:

"(d) Rent Supplement Regulation; and

(e) Lodge Assistance Program Regulation."

2. This Order is effective January 1, 1997.



Tom Thurber
Minister of Municipal Affairs

DATED at the City of Edmonton in
the Province of Alberta, this 19th
day of DECEMBER, 1996.

Schedule "A"

PIPER CREEK FOUNDATION

Housing Accommodation

Housing Accommodation Type Project Name	Project Number	Legal Description Meridian	Plan	Block	Lot	Unit	INC	Municipal Address	No. of Units
LODGE									
PARKVALE LODGE	166327516069		8422029	A	1		0011086766	4277 - 46A AVENUE RED DEER	69
PINES LODGE	166327510251		1621 NY	8	2		0020373684	52 PIPER DRIVE RED DEER	66
PIPER CREEK LODGE	166327510179		7520506	9	1		0015133325	4820 - 33 STREET RED DEER	66



Box 5008
Red Deer, Alberta
T4N 3T4

The City of Red Deer

Office of the City Clerk

FILE

October 6, 1998

Piper Creek Foundation
506, 4901 - 48 Street
Red Deer, AB T4N 6M4

Att: Councillor, Morris Flewwelling,
Chair

Dear Sir:

Re: Assisted Living Pilot Project

At the City of Red Deer's Council meeting held Monday, October 5, 1998 your correspondence concerning the above was considered. Council passed the following resolution:

"RESOLVED that Council of The City of Red Deer, having considered correspondence from the Piper Creek Foundation dated September 11, 1998, re: Assisted Living Pilot Project, hereby supports the Proposal for Assisted Living for Seniors, subject to the condition that no capital or operating funds are requisitioned from The City and that the project be developed and operated on a self-sustaining basis and in accordance with the Management Agreement under which Piper Creek Foundation operates, and as presented to Council October 5, 1998."

I wish the Piper Creek Foundation all the best in this new endeavour. Please do not hesitate to contact me should you require any further information or clarification in this regard.

Sincerely,

Kelly Kloss
City Clerk

/clr

c Director of Community Services
Director of Corporate Services
Social Planning Manager

BYLAW NO. 3156/II-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The "Use District Map F10" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 29/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 8 day of ~~September~~ A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

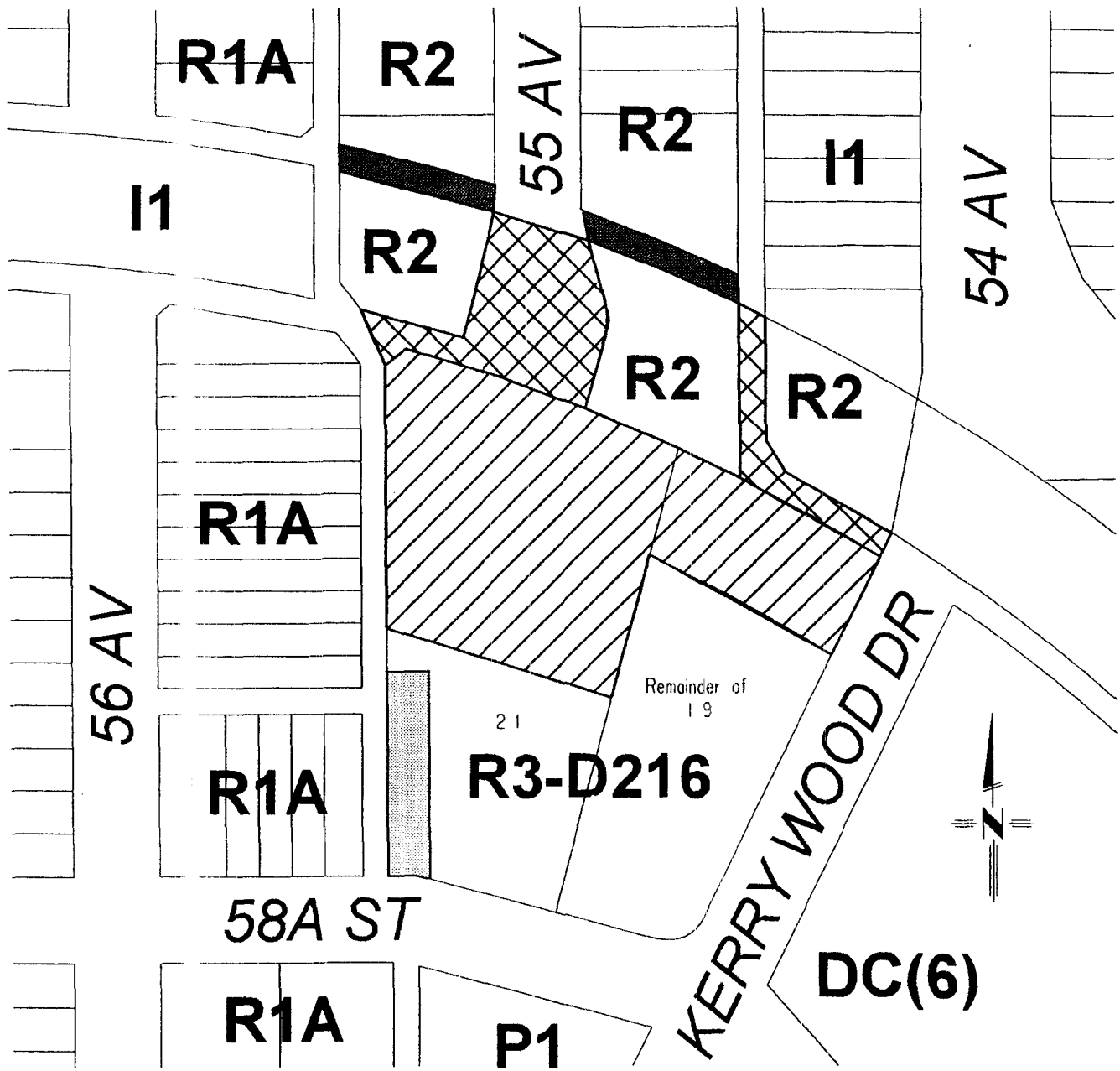
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



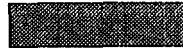
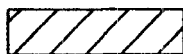
Change from:

R3-D216 to R2

R3-D216 to PS

R2 to Lane

Road & Lane to R2



AFFECTED DISTRICTS:

R2 - Residential (Medium Density)

R3-D216 - Residential (Multiple Family)

Density of 216 Persons Per Hectare

PS - Public Service

MAP No. 29 / 98

BYLAW No. 3156 / 11 - 98

BYLAW NO. 3156/KK-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The "Use District Map L9" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 31/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 8 day of ~~September~~ A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

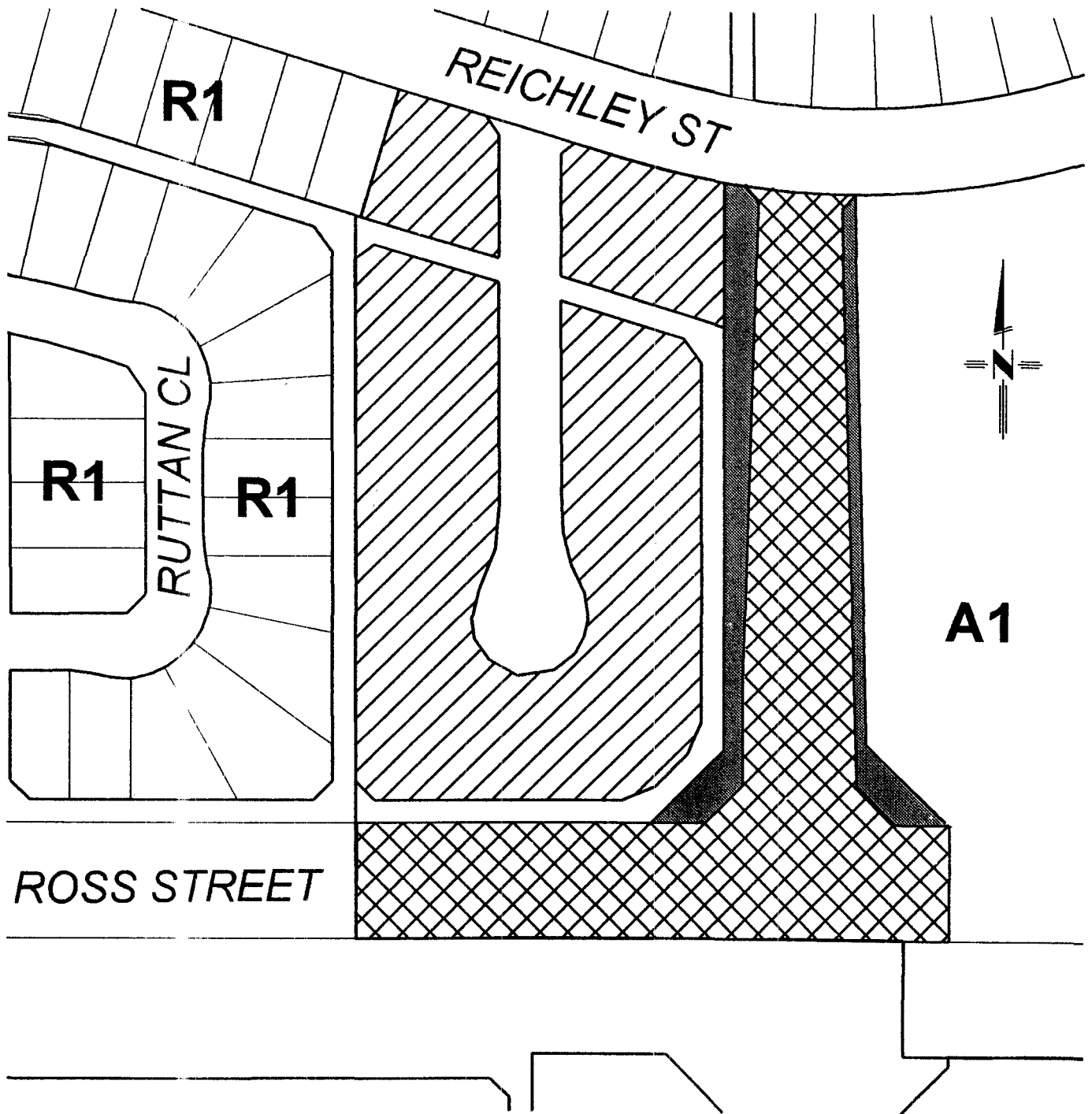
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR


CITY CLERK


The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A1 to R1 

A1 to P1 

A1 to road 

AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

P1 - Parks & Recreation

MAP No. 31 / 98

BYLAW No. 3156 / KK - 98

BYLAW NO. 3156/LL-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The "Use District Maps E15 and F15" contained in "Schedule B" of the Land Use Bylaw are hereby amended in accordance with the Land Use District Map No. 32/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 8 day of September A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

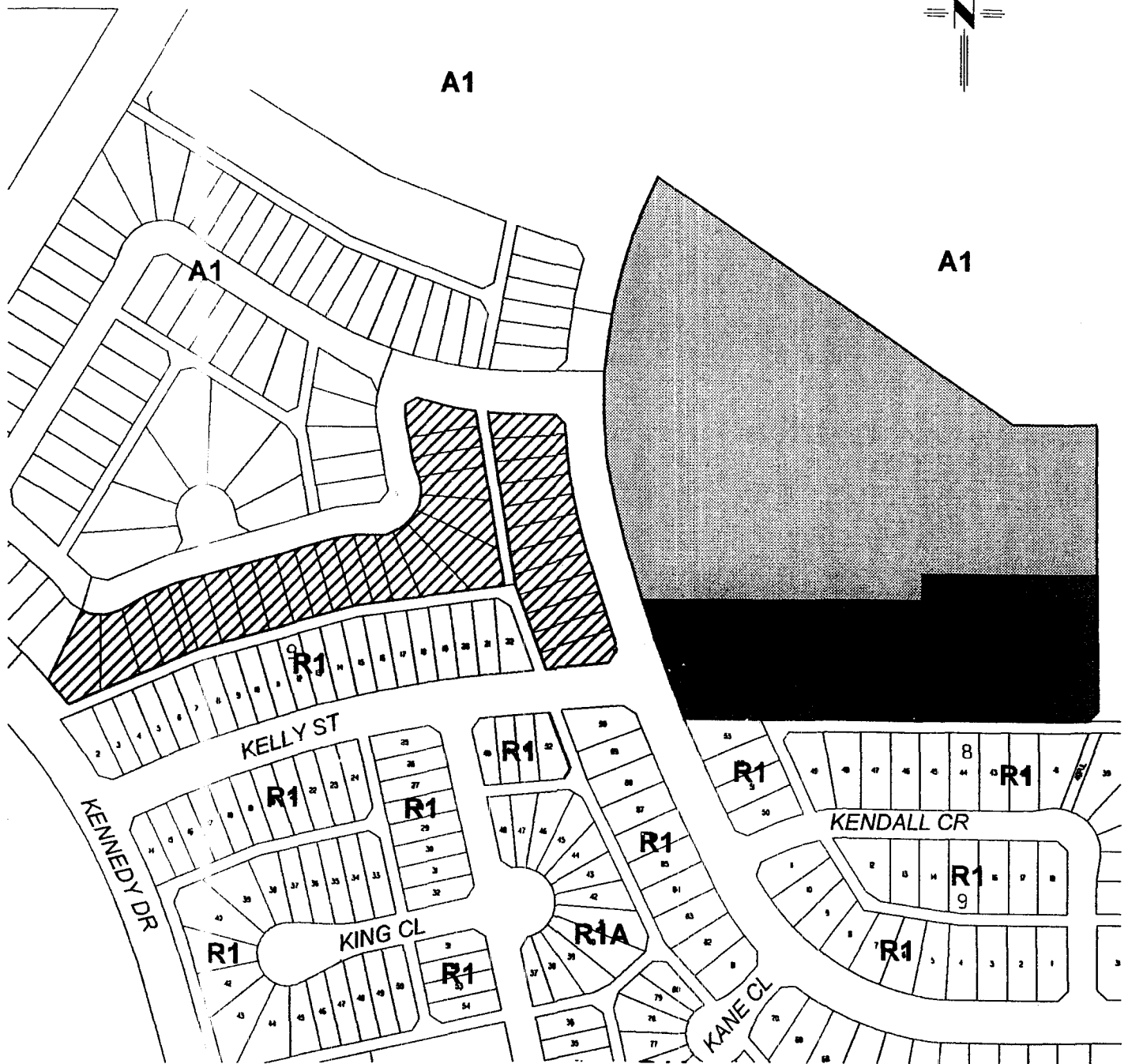
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

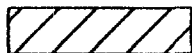
The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



Change from:

A1 to R1



A1 to PS



P1 to PS



AFFECTED DISTRICTS:

A1 - Future Urban Development

R1 - Residential (Low Density)

PS - Public Service

MAP No. 32 / 98

BYLAW No. 3156 / LL - 98

Item No. 4

BYLAW NO. 3156/MM-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The "Use District Map E11" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 30/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

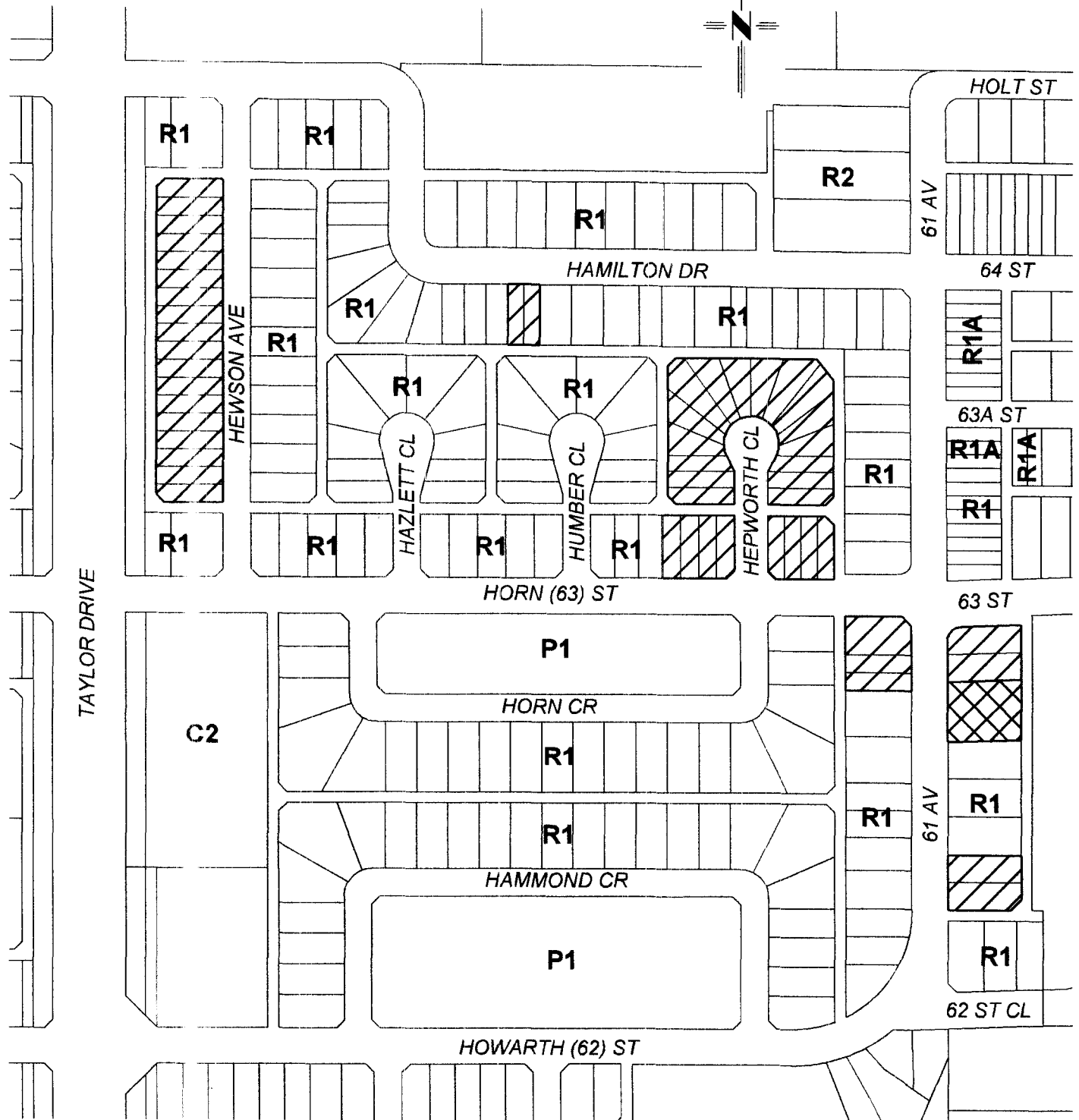
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



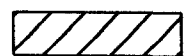
AFFECTED DISTRICTS:

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

R2 - Residential (Medium Density)

Change from: R1 to R1A



R1 to R2



MAP No. 30 / 98
BYLAW No. 3156 / MM-98

Item No. 5

BYLAW NO. 3156/NN-98

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

- 1 The "Use District Map J5" contained in "Schedule B" of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map No. 31/98 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A SECOND TIME IN OPEN COUNCIL this day of A.D. 1998.

READ A THIRD TIME IN OPEN COUNCIL this day of A.D. 1998.

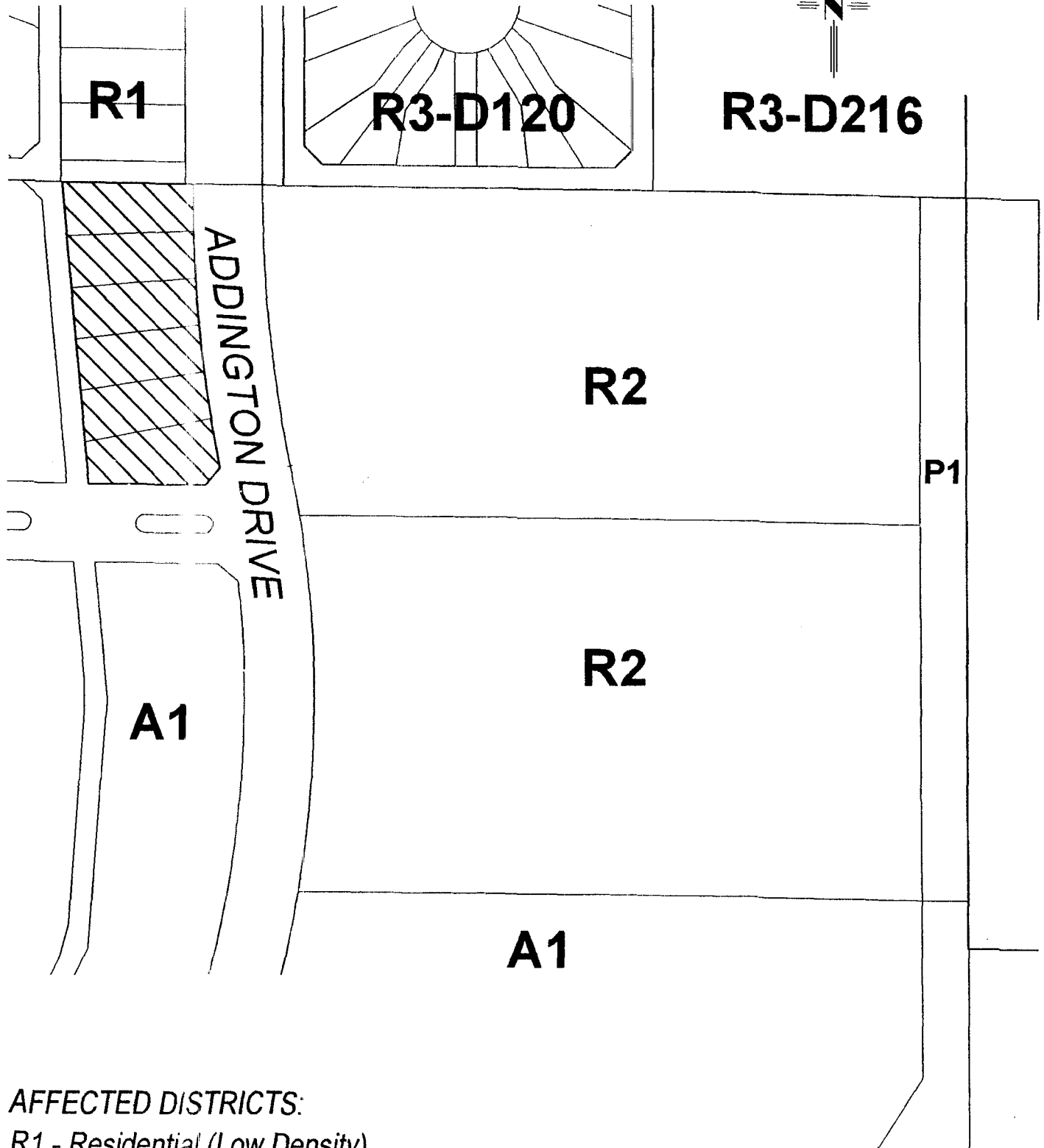
AND SIGNED BY THE MAYOR AND CITY CLERK this day of A.D. 1998.

MAYOR

CITY CLERK

The City of Red Deer

PROPOSED LAND USE BYLAW AMENDMENT



AFFECTED DISTRICTS:

R1 - Residential (Low Density)

R1A - Residential (Semi-Detached Dwelling)

Change from: R1A to R1 

MAP No. 31 / 98
BYLAW No. 3156 / NN-98

FILE

DATE: October 16, 1998

TO: Engineering Services Manager
Public Works Manager

FROM: City Clerk

RE: Notice of Motion: Councillor Hughes - Review of Crosswalks

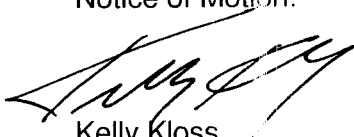
At the Council Meeting held Monday, October 5, 1998, Councillor Hughes submitted the following Notice of Motion regarding the above:

"RESOLVED that Council of The City of Red Deer hereby directs the Administration to review crosswalks within the city relative to:

1. Painting the words 'X Walk Ahead' on the pavement in the center of the lane approximately 1000 feet before a crosswalk;
2. The feasibility of a color other than white being used for crosswalk in order to make the crosswalks more visible to vehicular traffic;
3. Posting of 'crosswalk ahead' signs prior to crosswalks;
4. Locations that may benefit from the installation of the above noted markings and/or signs;
5. Costs related to said installations."

This Notice of Motion will be submitted to Council for their consideration at the November 9, 1998 Council meeting. ***Should you wish to comment on the above, please deliver your comments to me prior to November 2, 1998 in order that they may be included on the agenda for that meeting.***

Please do not hesitate to contact me should you need any further information regarding this Notice of Motion.



Kelly Kloss
City Clerk

/clr

ADDITIONAL AGENDA

FOR THE **REGULAR MEETING OF RED DEER CITY COUNCIL**

TO BE HELD IN THE COUNCIL CHAMBERS, CITY HALL

MONDAY, OCTOBER 5, 1998

COMMENCING AT **4:30 P.M.**

1. Director of Development Services - Pat Leach - CD #11111111

DATE: October 5, 1998
TO: City Clerk
FROM: Director of Development Services
RE: LAEBON - CP LANDS

Laebon has approached the Administration to request an extension of the date to pay for the land.

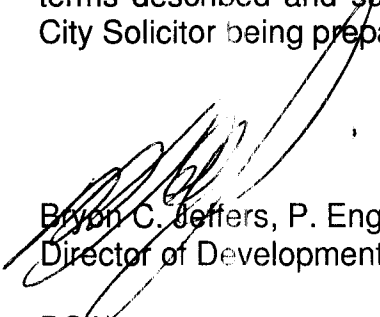
Mr. Bontje indicates that he has done extensive market research on the project, and has doubts that the project would be economically viable as a rental development. He has indicated that he remains keenly interested in developing the lands, but requires additional time to restructure the development and seek out alliances.

The Council approved agreement calls for payment in full for the land on October 30, 1998. Mr. Bontje is essentially making three requests:

1. That he be given until November 30, 1998 to explore partnership opportunities.
2. That he then be given four additional months, until March 31, 1999 to pay for the land. This will allow him time to design and market the property. Mr. Bontje has indicated that he is willing to increase the non-refundable deposit from \$20,000 to \$120,000 for this consideration.
3. That he be allowed to place on the site, over the winter, a sales office to market the property.

RECOMMENDATION

We are confident that Mr. Bontje is still very serious about making this project work. The additional non-refundable deposit of \$100,000 is, in our minds, evidence of that. We would respectfully recommend that Mr. Bontje be granted the extension on the terms described and subject to an amendment to the Agreement, satisfactory to The City Solicitor being prepared.



Bryon C. Jeffers, P. Eng.
Director of Development Services

BOJ/emr

Comments:

We concur with the recommendations of the Director of Development Services.

"G. D. Surkan"
Mayor

"N. Van Wyk"
City Manager

development Mr. Gordon Bontje of Laebon Developments Ltd. was in attendance to answer questions of Council.

Councillor Flewwelling arrived at this time, 4:54 p.m.

Following discussion, the motion as set out hereunder was introduced and passed.

Moved by Councillor Schnell, seconded by Councillor Moffat

"RESOLVED that Council of The City of Red Deer, having considered report from the Former CP Rail Lands Committee dated April 14, 1998, re: Residential Development - Former CP Rail Lands, hereby agrees that The City enter into an option agreement with Laebon Developments Ltd. for the acquisition of 1.48 ha (3.66 acres) of Former CP Rail Lands for the development of a 170 unit residential complex, subject to the following conditions:

1. Purchase price to be determined at the rate of \$8.25 per square foot for unencumbered land; \$2.06 per square foot for encumbered land, with the final price to be calculated on the basis of a legal plan of survey;
2. Terms of the purchase to be \$20,000.00 deposit upon acceptance of the offer, with the balance payable 150 days later;
3. The developer to submit a detailed landscaping plan to the satisfaction of the Recreation, Parks and Culture Department;
4. The residential portion of the site being rezoned as Direct Control;
5. An agreement satisfactory to the City Solicitor,

and as presented to Council April 20, 1998."

MOTION CARRIED

BACK UP INFORMATION
NOT SUBMITTED TO COUNCIL

Council Decision - October 5, 1998 Meeting

DATE: October 6, 1998
TO: Director of Development Services
FROM: City Clerk
RE: Laeon Developments Ltd. - CP Rail Lands

Reference Report:

Director of Development Services dated October 5, 1998

Resolution:

"RESOLVED that Council of The City of Red Deer, having considered report from the Director of Development Services dated October 5, 1998, re: Laeon - CP Lands, hereby agrees that:

1. The Option Agreement between The City and Laeon Developments Ltd. regarding the above lands be extended until November 30, 1998;
2. That the Option Agreement be further extended to March 31, 1999 upon payment to The City of an additional non-refundable deposit of \$100,000.00 on November 30, 1998;
3. That subject to clause 2 above, Laeon Developments Ltd. is authorized to place on said site, during the 1998/1999 winter months, a sales office from which to market said development;
4. That an Amending Agreement satisfactory to the City Solicitor be drafted based on the above noted terms;
5. That the City Manager be authorized to approve subsequent amendments to said Agreements between The City and Laeon Developments Ltd. with respect to the noted lands,

and as presented to Council October 5, 1998."

Report Back to Council Required: No

Director of Development Services
October 6, 1998
Page 2

Comments/Further Action:

Please advise Laebon Developments Ltd. of Council's decisions in this regard and proceed with the preparation of the necessary amending agreements.



Kelly Kloss
City Clerk

/clr

- c Director of Community Services
 Director of Corporate Services
 Land and Economic Development Manager
 Principal Planner