



CITY COUNCIL

AGENDA

Monday, March 30, 2015 – Council Chambers, City Hall

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

1. IN CAMERA MEETING

1.1. Motion to In Camera - Human Resource Matter (FOIP Section 24(1))

1.2. Motion to Revert to Open Meeting

2. MINUTES

2.1. Confirmation of the Minutes of the March 16, 2015 Regular Council Meeting

(Agenda Pages 1 – 13)

3. POINTS OF INTEREST

4. UNFINISHED BUSINESS

4.1. Strategies for Traffic Safety Plan - Update

(Agenda Pages 14 – 21)

5. REPORTS

5.1. Inglewood School Partnership Commitment and Partnership Statement of Commitment

(Agenda Pages 22 – 27)

- 5.2. Building Canada Fund - Small Communities Fund
Recommended Projects - Riverview Park Bank Stabilization Project and 30th
Ave Projects
(Agenda Pages 28 – 29)

- 5.3. Building Canada Fund - Small Communities Fund
Red Deer Regional Airport Application
(Agenda Pages 30 – 31)

6. **BYLAWS**

- 6.1. Proposed Redesignation of Phase I - 3 of Evergreen neighbourhood from A1 to
Future Urban Development District
Land Use Bylaw Amendment 3357/I-2015
Consideration of First Reading
(Agenda Pages 32 – 36)

- 6.2. Proposed Disposition of Municipal Reserves and Redesignation in Riverlands
(Agenda Pages 37 – 43)

- 6.2.a. Motion to consider Disposal of Municipal Reserve

- 6.2.b. Consideration of First Reading of Land Use Bylaw 3357/J-2015

- 6.3. Borrowing Bylaw 3544/2015
Riverlands Project
(Agenda Pages 44 – 48)

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

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

- 6.4. Bylaw Amendments Related Enterprise Business Application
(Agenda Pages 49 – 176)
 - 6.4.a. The License Bylaw Amendment 3159/B-2015
(Agenda Pages 54 – 82)
 - 6.4.a.i. Consideration of Second Reading of the Bylaw
 - 6.4.a.ii. Consideration of Third Reading of the Bylaw
 - 6.4.b. The Escort Service Bylaw Amendment 3319/A-2015
(Agenda Pages 83 – 101)
 - 6.4.b.i. Consideration of Second Reading of the Bylaw
 - 6.4.b.ii. Consideration of Third Reading of the Bylaw
 - 6.4.c. The Limousine and Sedan Bylaw Amendment 3394/A-2015
(Agendas Pages 102 – 118)
 - 6.4.c.i. Consideration of Second Reading of the Bylaw
 - 6.4.c.ii. Consideration of Third Reading of the Bylaw
 - 6.4.d. The Taxi Business Bylaw Amendment 3282/A-2015
(Agenda Pages 119 – 163)
 - 6.4.d.i. Consideration of Second Reading of the Bylaw
 - 6.4.d.ii. Consideration of Third Reading of the Bylaw

6.4.e. The Drinking Establishment Licensing Bylaw Amendment 3332/A-2015
(Agenda Pages 164 – 176)

6.4.e.i. Consideration of Second Reading of the Bylaw

6.4.e.ii. Consideration of Third Reading of the Bylaw

7. PUBLIC HEARINGS

7.1. Jackpot Casino Parking Lot - Land Use Bylaw Amendment 3357/H- 2015
(Agenda Pages 177 – 270)

7.1.a. Consideration of Second Reading of the Bylaw

7.1.b. Consideration of Third Reading of the Bylaw

8. ATTACHMENTS

8.1. Jackpot Casino
Public Feedback prepared by Stantec Consulting - Please click on link below:
[Feedback prepared by Stantec](#)

9. ADJOURNMENT



UNAPPROVED - M I N U T E S

**of the Red Deer City Council Regular Meeting
held on Monday, March 16, 2015
commenced at 2:31 P.M.**

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

City Manager, Craig Curtis
Director of Corporate Transformation, Lisa Perkins
Acting Director of Communications & Strategic Planning, Tara Shand
Acting Director of Corporate Services, Dean Krejci
Director of Community Services, Sarah Cockerill
Director of Development Services, Elaine Vincent
Director of Human Resources, Kristy Svoboda
Acting Director of Planning Services, Tara Lodewyk
City Clerk, Frieda McDougall
Deputy City Clerk, Angie Keibel
Client Services Support, Katie Newton
Acting Inspections & Licensing Manager, Erin Stuart
Detachment Commander, Scott Tod
Divisional Strategist, Tricia Hercina
Senior Planner, Orlando Toews

ABSENT: Councillor Paul Harris



I. IN CAMERA MEETING

I.1. Motion to In Camera - Human Resources Matter (FOIP - Section 24(1))

Moved by Councillor Ken Johnston, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer agrees to enter into an In-Camera meeting of Council on Monday, March 16, 2015 at 2:31 p.m. and hereby agrees to exclude the following:

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

to discuss Human Resource Matters as protected under the Freedom of Information & Protection of Privacy Act, Section 24 (1).

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

MOTION CARRIED

I.2 Motion to Revert to Open Meeting

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer agrees to revert to an open meeting of Council on Monday, March 16, 2015 at 3:20 p.m.

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

MOTION CARRIED

Council recessed at 3:21 p.m. and reconvened at 3:31 p.m.

2. MINUTES

2.1. Confirmation of the Minutes of the Monday, March 2, 2015 Regular Council Meeting

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan



Resolved that Council of The City of Red Deer hereby approves the Minutes of the March 02, 2015 Regular Council Meeting as transcribed.

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

MOTION CARRIED

3. UNFINISHED BUSINESS

3.1. The Red Deer Alcohol & Drug Strategy

Moved by Councillor Ken Johnston, seconded by Councillor Lynne Mulder

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of The Red Deer Alcohol & Drug Strategy Report.

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

MOTION TO LIFT FROM THE TABLE CARRIED

Council agreed to accept this report for information.

3.2. Bylaw Amendments Related Enterprise Business Application Consideration of

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Bylaw Amendments Related to Enterprise Business Applications.

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

MOTION TO LIFT FROM THE TABLE CARRIED



Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

FIRST READING: That License Bylaw Amendment 3159/B-2015, a bylaw to provide process and customer service improvements within the Enterprise Business Application be read a first time.

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

MOTION CARRIED

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

FIRST READING: That Escort Service Bylaw 3319/A-2015, (an amendment to provide process and customer service improvements within the Enterprise Business Application) be read a first time.

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

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Lawrence Lee

FIRST READING: That Limousine and Sedan Bylaw 3394/A-2015, (an amendment to provide process and customer service improvements within the Enterprise Business Application) be read a first time.

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

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan

FIRST READING: That Taxi Business Bylaw 3282/A-2015, (an amendment to provide process and customer service improvements within the Enterprise Business Application) be read a first time.

**IN FAVOUR:**

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

MOTION CARRIED

Moved by Councillor Lynne Mulder, seconded by Councillor Dianne Wyntjes

FIRST READING:

That Drinking Establishment Bylaw 3332/A-2015 (an amendment to provide process and customer service improvements within the Enterprise Business Application) be read a first time.

IN FAVOUR:

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

MOTION CARRIED

4. REPORTS**4.1. Fees and Charges**

Moved by Councillor Lynne Mulder, seconded by Councillor Lawrence Lee

Resolved that Council of City of Red Deer, having considered the report from Corporate Services re: Fees and Charges Governance Process Policy, dated March 06, 2015, hereby adopts Council Governance Process Policy GP-F-2.5: Fees and Charges as presented.

IN FAVOUR:

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

MOTION CARRIED

Councillor Buck Buchanan left Council Chambers at 4:17 p.m. and returned at 4:19 p.m.

5. ADDITIONAL AGENDA**5.1 Committee Appointments – Community Safety Ad Hoc Committee**

Moved by Councillor Lynne Mulder, seconded by Councillor Frank Wong



Resolved that Council of The City of Red Deer hereby appoints the following to serve as citizen representatives on the Community Safety Ad Hoc Committee for a term to expire as follows:

Steve Bontje Citizen Representative
(To expire at the Organizational Meeting of 2016)

Archana Chaudhary Citizen Representative
(To expire at the Organizational Meeting of 2016)

Kathy Liddell Citizen Representative
(To expire at the Organizational Meeting of 2016)

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

MOTION CARRIED

5.2 **Committee Appointments – Municipal Features Naming Committee**

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby appoints the following to serve as a citizen representative on the Municipal Features Naming Committee for a term to expire as follows:

Sharon Diep Citizen Representative
(To fill an unexpired term to expire at the Organizational Meeting of 2016)

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

MOTION CARRIED

6. **NOTICE OF MOTION**

6.1. **Notice of Motion Submitted by Councillor Buck Buchanan - Re: Crime Mapping**



Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Whereas crime mapping was first established in 1829 in Iowa when two individuals created maps to reflect the relationship between violent property crimes and educational levels. (Iowa State University Graduate Thesis, 2013).

Whereas the Neighbourhood Watch Organization have conducted Police and Fire log reports to the public dating back to 2001.

Whereas by providing information to the public, this will help citizens become more aware of what is happening in the community and even ultimately reduce the number of crimes that occur, or assist police in solving crimes, and engage residents in how to reduce and prevent crimes from taking place.

Whereas it was stated in the Ipsos Reid Surveys for The City of Red Deer that crime is within the top 4 important priorities that need to be addressed by the City out of a list of 11.

Whereas crime mapping is a technology that combines geographical data with police report data with intentions to display the information on a map to analyze where, how and why crime occurs. There is no cost for set up, assistance, and maintenance for just the crime mapping program.

Whereas crime maps do not pin point the exact location that a crime took place. The crimes that are plotted are located in a general area, and are not associated with any specific civic address so as to protect the privacy of victims.

Whereas various sizes of cities across Canada such as Toronto, Kelowna, Saskatoon, Regina, St. Albert, Waterloo, Owen Sound, Fredericton, Medicine Hat, Victoria, and Lethbridge have been successful with crime mapping in their communities.

Therefore be it resolved that the City of Red Deer collaborate with the RCMP Detachment and the Community Safety Ad Hoc Committee to explore the concept of crime mapping as an element of the overall Safety Strategy.

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

MOTION CARRIED

Council recessed at 5:05 p.m. and reconvened at 6:00 p.m.



7. PUBLIC HEARING

7.1 Proposed Partial Road Closure Bylaw 3538/2015 and Land Use Bylaw Amendment 3357/B-2015 Redesignation from Road to AI– Future Urban Development District

Mayor Tara Veer declared open the Public Hearing for Proposed Partial Road Closure Bylaw 3538/2015, a bylaw to facilitate rezoning and location of an Atco gate station and Land Use Bylaw Amendment 3357/B-2015, an amendment for Rezoning of Road to AI-Future Urban Development District. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

SECOND READING: That Road Closure Bylaw 3538/2015 (to facilitate rezoning and location of an Atco gate station) be read a second time.

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

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Frank Wong

THIRD READING: That Bylaw 3538/2015 be read a third time.

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

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

SECOND READING: That Land Use Bylaw Amendment 3357/B-2015 (Rezoning of Road to AI – Future Urban Development District) be read a second time.



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

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Lynne Mulder

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

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

MOTION CARRIED

**7.2. Proposed Partial Road Closure Bylaw 3541/2015 and Land Use Bylaw Amendment 3357/C-2015
Redesignation in Queens Business Park to PI - Parks and Recreation District**

Mayor Tara Veer declared open the Public Hearing for Proposed Partial Road Closure Bylaw 3541/2015, a bylaw to facilitate rezoning to PI Parks and Recreation District/Redesignation as (MR) Municipal Reserve and Land Use Bylaw Amendment 3357/C-2015, an amendment for Redesignation from “Road” to PI- Parks and Recreation District/Queens Business Park. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Lynne Mulder, seconded by Councillor Lawrence Lee

SECOND READING: That Road Closure Bylaw 3541/2015 (to facilitate rezoning to PI Parks and Recreation District/Redesignation as (MR) Municipal Reserve)be read a second time.

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



MOTION CARRIED

Moved by Councillor Lynne Mulder, seconded by Councillor Lawrence Lee

THIRD READING: That Bylaw 3541/2015 be read a third time.

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

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

SECOND READING: That Land Use Bylaw Amendment 3357/C-2015 (Redesignation from “Road” to PI- Parks and Recreation District/Queens Business Park) be read a second time.

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

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

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

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

MOTION CARRIED

7.3. Timberlands North Neighbourhood Area Structure Plan Amendments - Bylaw 3217/A-2015 and Land Use Bylaw Amendment 3357/D-2015

Mayor Tara Veer declared open the Public Hearing for Timberlands North Neighbourhood Area Structure Plan Bylaw Amendment 3217/A-2015, an amendment to



the Timberlands North Neighbourhood Area Structure Plan and Land Use Bylaw Amendment 3357/D-2015, a minor amendment to facilitate development. As no one was present to speak for or against the Land Use Bylaw Amendment, Mayor Tara Veer declared the Public Hearing closed.

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

SECOND READING: That Bylaw 3217/A-2015 (Timberlands North Neighbourhood Area Structure Plan) be read a second time.

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

MOTION CARRIED

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lynne Mulder

THIRD READING: That Bylaw Amendment 3217/A-2015 be read a third time.

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

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Tanya Handley

SECOND READING: That Land Use Bylaw Amendment 3357/D-2015 (Land Use Bylaw Amendments/minor amendment to facilitate development) be read a second time.

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

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Tanya Handley

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



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

MOTION CARRIED

8. ADDITION TO THE AGENDA

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan

Resolved that Council of the City of Red Deer hereby agrees to add to the March 16, 2015 Agenda, the matter of exempt compensation as presented to Council In Camera.

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

MOTION CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer, having considered the report from the Human Resources Department, dated March 13, 2015, re: 2015 Exempt Staff Salary Treatment, hereby approves a 2.75% general salary increase for Exempt Staff effective January 1, 2015.

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

MOTION CARRIED

9. ADJOURNMENT

Moved by Councillor Tanya Handley, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, March 16, 2015 Regular Council Meeting of Red Deer City Council at 6:41p.m.



IN FAVOUR:

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

MOTION CARRIED

MAYOR

CITY CLERK



March 13, 2015

Strategies for Traffic Safety Plan - Update

Community Services Division and Development Services Division

Report Summary & Recommendation:

At the August 19, 2014 Mid-Year Budget meeting of Council, the following resolution was passed:

Resolved that Council of The City of Red Deer, having considered the report from Corporate Services dated August 12, 2014 re: Council Resolutions from Operating and Capital Budget 2014 hereby agrees that:

- 2) a) A report from the Traffic Safety Committee documenting the recommended strategies for a Traffic Safety Plan by the end of Q4 2014.

At the January 5, 2015 meeting of Council, a tabling resolution until March 30, 2015 was passed.

This report responds to the request for information on the recommended strategies for the Traffic Safety Plan moving forward. No resolution of Council is required.

Proposed Resolution

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of the Strategies for Traffic Safety Plan.

Report Details

Background:

In 2006, Engineering Services hired a consultant to create the Traffic Safety Action Plan (TSAP) 2006. The Traffic Safety Action Plan was the first official road safety guideline produced for the City of Red Deer aiming to reduce the future frequency and severity of traffic collisions. The TSAP report outlined specific percentage reductions in each of the five key areas that could be evaluated using statistics retrieved from Engineering Service's collision report database.



The 2006 Traffic Safety Action Plan focused on five key safety areas:

- Restraint Usage Collisions
- Impaired Driving Collisions
- Aggressive Driving Collisions
- Vulnerable Road Users Collisions
- Snow Related Collisions

The TSAP report outlined specific percentage reductions in each of the five key areas that could be evaluated using statistics retrieved from Engineering Service's collision report database. In 2009, Engineering Services hired a consultant to review and update the 2006 TSAP. The 2009 TSAP guideline document followed the 2006 TSAP guideline format with specific percentage reductions in emphasis areas but increased the five emphasis areas being expanded to eight.

The 2009 Traffic Safety Action Plan Update focused on eight key safety areas:

- Restraint Usage Collisions
- Impaired Driving Collisions
- Aggressive Driving
- Snow Related Collisions
- Vulnerable Road User Collisions: Pedestrians and Cyclists
- Intersection Collisions
- Commercial Vehicle Collisions
- Motorcycle Collisions

The Engineering Services Department releases an annual collision report containing statistics of all reported collisions that occur on City of Red Deer roadways in a calendar year. Included in the Annual Collision Report is a table evaluating collision reductions based on the goals for the eight emphasis areas presented in the 2009 TSAP report. Table I contains the evaluation table found in the 2011 Annual Collision Report.



Fatal and Injury Collision Safety Goal Evaluation

Emphasis Area	Baseline		Goal		2009-2011 Average	Increase(+)/ Decrease(-) in 2009, 2010 % & 2011 w.r.t. Percent Goal	Progress Towards Goal in 2009
	2006-2008 Total	2006-2008 Average	Percent Goal	2009-2011 Average			
Intersections	1068	356	-10%	320	290	-19%	✓
Aggressive Driving	828	276	-10%	248	226	-18%	✓
Snow Related	309	103	-5%	98	103	0%	✗
Restraint Usage	125	42	-5%	40	37	-11%	✓
Commercial Vehicles	128	43	-10%	38	19	-57%	✓
Pedestrians & Bicyclists	139	46	-5%	44	47	3%	✗
Impaired Driving	75	25	-5%	24	17	-30%	✓
Motorcycles	68	23	-5%	22	14	-41%	✓

Table I – Collision Safety Goal Evaluation

Discussion:

The three functional groups in the City of Red Deer that support and undertake initiatives to achieve the goals outlined in the TSAP Guidelines are: Engineering Services, Municipal Enforcement, and RCMP Traffic Services. Each functional group leads their own initiatives to increase safety for all road users. The initiatives that are undertaken by each functional group are displayed in Table 2.

Engineering Services	Municipal Enforcement	RCMP Traffic Services
In Service Road Safety Review (Every three Years)	Operates Red Light Cameras	Enforces the Traffic Safety Act
Traffic Safety for Schools Study	Operates Photo Radar Trucks	Enforces Moving and Non-Moving Violations
Road Safety Audits		Conducts Checkstops
Responds to Complaints		

Table 2 – City of Red Deer Road Safety Initiatives by Functional Group



A meeting between the RCMP and Engineering Services in June 2012 concluded that there are three key issues facing the City of Red Deer's current approach to road safety:

- Understanding
 - Lack of understanding of each of the functional area's structure, organization, and their activities.
- Communication
 - Lack of communication between each of the functional areas, including the minimal sharing of current data.
- Collaboration
 - Each functional area works independently on their own safety initiatives but are not working together to pool resources and knowledge.

Following this meeting, Engineering Services hired a consultant to provide the framework for a new coordinated approach to provide safe roads with fewer collisions.

Analysis:

The consultant provided Engineering Services and the RCMP with *The City of Red Deer Road Safety Initiatives Guidelines* report on December 30, 2013. The report presented a new vision and a new mission statement and outlined an updated format for the City of Red Deer Road Safety Initiatives. The report called for the formation of two new committees, the Road Safety Steering Committee and the Road Safety Working Committee.

Vision

“Our deliberate decision to create viable alternatives to single occupant vehicle travel in our transportation network encourages healthy active lifestyles, environmental stewardship, supports safety for people of all ages, increases use of our public and green spaces, and integrates our sidewalks, trails, bike lanes, transit service, rail, and roads with our built environment.” (Red Deer City Council Strategic Direction 2011 – Movement Charter)

In the long term, the Vision guiding road safety initiatives is to reduce serious and fatality collisions, reduce the incidence of speeding, and improve the transportation system by incorporating road safety as a deliberate step in roadway and transportation infrastructure planning and design, with a focus on application of lessons learned within the City of Red Deer and research of proven road safety interventions used elsewhere.

The City of Red Deer approach to road safety is aligned and consistent with the United Nations/World Health Organization 2011-2020 Decade of Action for Road Safety, the



Transport Canada Road Safety Strategy 2015, and the Provincial Alberta Traffic Safety Plan – Saving Lives on Alberta’s Roads.

The approach taken is practical, results oriented and evidence based; collecting data to identify the extent of the problem, deciding on the most feasible type of road safety initiative to mitigate the problem, and evaluating the results to determine effectiveness. Overall, the opportunity to coordinate efforts of various City of Red Deer functional areas, share information between policing, weather prediction, roadway maintenance, and traffic engineering is a Smart Systems approach to not only improve road safety, but also public safety and security for all residents.

Mission

The City of Red Deer is committed to meeting the Vision through partnerships between the transportation system administrator (Development Services Division), policing agency (RCMP) and their interaction with other City of Red Deer functional areas with a vested interest in road safety, reducing the reliance on one set of resources and in the long term leading to safety for all transportation system users.

Road Safety Champions

The Road Safety Champions will consist of two members of the Corporate Leadership Team (CLT). As “Champions,” the primary functions of the Director of Community Services and the Director of Development Services are to bring forward to City Council an annual road safety initiatives report, a road safety initiatives budget and reports related to road safety as requested by City Council. An organizational chart displaying reporting hierarchy and delegation of authority is included as Attachment ‘A’.

Road Safety Steering Committee (RSSC)

The Road Safety Steering Committee will consist of:

- Engineering Services Manager
- Manager of Public Works
- RCMP Superintendent
- Municipal Enforcement Superintendent

The role of the RSSC committee is to:

- Ensure that the road safety initiatives are aligned with corporate goals and objective.



- Act as the focal point for road safety between the CLT Road Safety Champions and the Administration's efforts to meet the Vision.
- Provide direction, supervision and funding allocation decisions to the Road Safety Working Committee on matters related to road safety initiatives.
- Coordinate and integrate the activities of City of Red Deer Divisions and services in terms of timing, resources, and/or locations.
- Through its Corporate Leadership Champions, report and make recommendations on road safety initiatives and report on results to the Corporate Leadership Team and to City Council.
- Ensure that road safety is based on the 4 E's (Education, Enforcement, Engineering, and Evaluation).

Road Safety Working Committee (RSWC)

The Road Safety Working Committee will consist of representatives from:

- Engineering Services – Traffic Section
- Engineering Services – Transportation Section
- RCMP – Integrated Traffic Safety Unit
- City of Red Deer Municipal Enforcement
- Communications & Strategic Planning
- Electric Light and Power

The role of the RSWC is to:

- § Responsible and accountable for road safety initiatives and targets set out by the RSSC.
- § Updates the RRSC of progress and writes reports for the RSSC as required

The consultant recommended the formation of the Road Safety Working and Road Safety Steering Committees because they feel the committees will lead to a coordinated effort of the various City of Red Deer functional groups, that will not only improve road safety, but also public safety and security for residents.

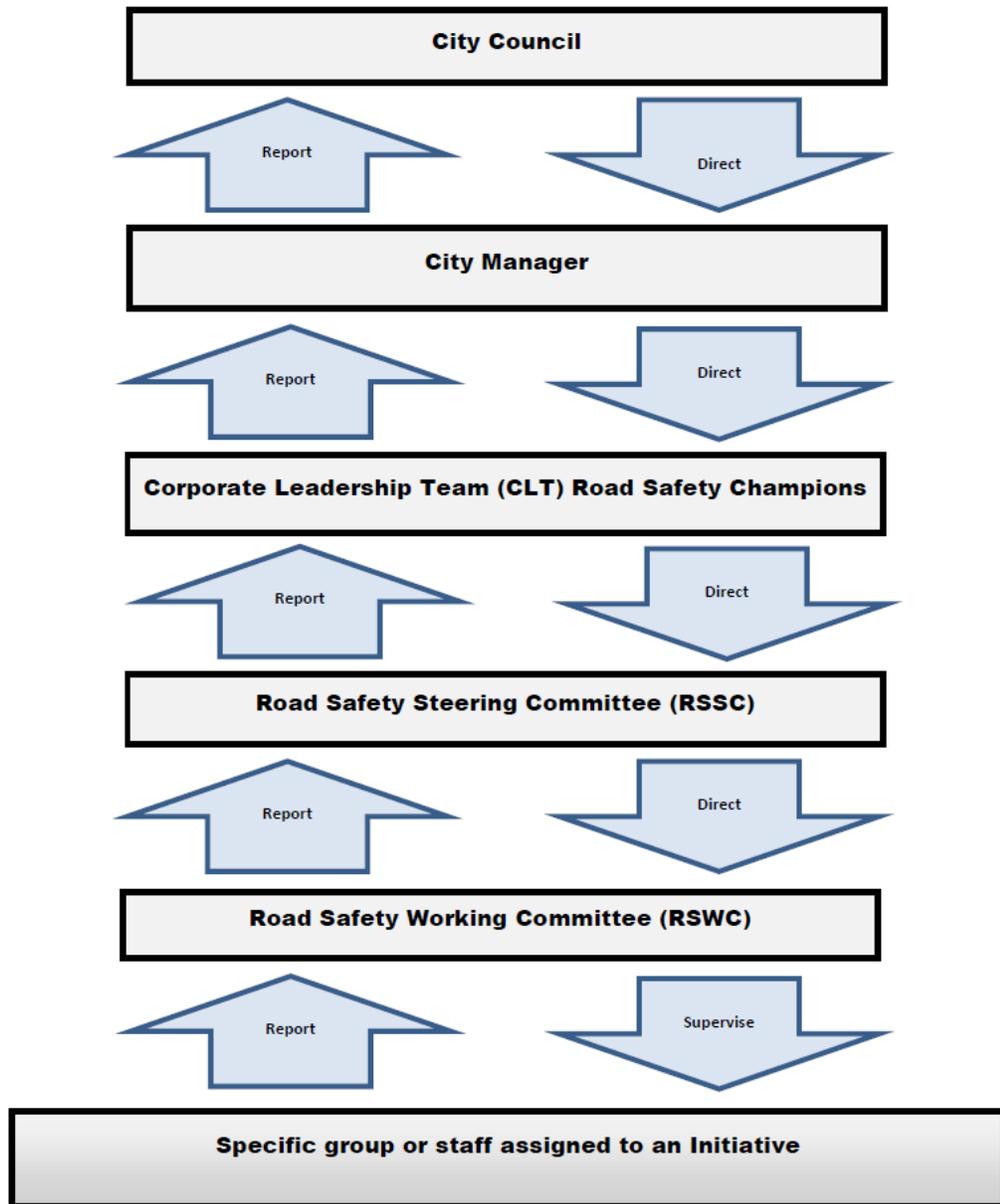
Next Steps

Organizational transitions have delayed the implementation of these recommendations. As a result, 2015 will result in the development of the first coordinated traffic safety plan. The strategies moving forward will be determined as a result of the work of the two new committees.



Attachment 'A'

Organizational Chart Recommended in the *Road Safety Initiative Guidelines Report*





December 3, 2014

Original Report Submitted
to the January 05, 2015 City
Council Meeting

Strategies for Traffic Safety Plan – Request to Table

Development Services

Report Summary & Recommendation:

Summary:

Following is an excerpt of a resolution passed at the August 19, 2014 Mid-Year Budget Review Meeting:

Resolved that Council of The City of Red Deer, having considered the report from Corporate Services dated August 12, 2014 re: Council Resolutions from Operating and Capital Budget 2014 hereby agrees that:

- 2) a) A report from the Traffic Safety Committee documenting the recommended strategies for a Traffic Safety Plan by the end of Q4 2014.

Recommendation:

That Council consider tabling the report from the Traffic Safety Committee documenting the recommended strategies for a Traffic Safety Plan to the March 30, 2015 Council meeting to allow Administration more time to prepare the report.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution:

Resolved that Council of The City of Red Deer, having considered the report from Development Services, dated December 3, 2014, re: Strategies for Traffic Safety Plan – Request to Table, hereby agrees to table consideration of the report from the Traffic Safety Committee documenting the recommended strategies for a Traffic Safety Plan to the March 30, 2015 Council meeting to allow Administration more time to prepare the report.

DATE: March 31, 2015
TO: Elaine Vincent, Director of Development Services
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Strategies for Traffic Safety Plan - Update

Reference Report:

Development Services, dated March 13, 2015

Resolution:

At the Monday, March 30, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of the City of Red Deer hereby agrees to lift from the table consideration of the Strategies for Traffic Safety Plan

Council agreed to accept this report for information.

Report back to Council: No



Frieda McDougall
Manager

- c. Wayne Gustafson, Engineering Services Manager
Shyam Kansal, Traffic Engineer



March 20, 2015

Inglewood School Partnership Commitment

Sarah Cockerill, Director of Community Services

Report Summary & Recommendation:

Administration has been working with Red Deer Public School District No. 104, and the Red Deer Public Library to develop preliminary options for the future planning of the new Red Deer Public School's Inglewood Elementary School.

On November 25, 2014, Council committed a \$600,000 capital contribution towards expanding the Library and creating shared community spaces in the school. However, in December 2014, the Red Deer Public Library Board voted against partnering with the City and the School Board to operate another branch library at the Inglewood School site. A reconsideration of this resolution was entertained in March, 2015, however the Library Board voted to uphold their original resolution.

Both the City of Red Deer and the Red Deer Public School Board are committed to a model where our schools are the hub of our communities and provide opportunity for building social connections. Administration continues to work with Red Deer Public School District No. 104 to ensure opportunity for community spaces and access at the new site is implemented.

Administration recommends Council approve signing the revised Partner Commitment document as required to be submitted by the Red Deer Public School District to Education and Infrastructure.

City Manager Comments:

I recommend that City Council approve the revised partnership agreement as presented.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of the City of Red Deer having considered the report from Community Services dated March 20, 2015, re Inglewood School Partnership Commitment hereby endorses the revised Partnership Commitment Agreement between Red Deer Public School District No. 104 and The City of Red Deer for signature.



Report Details

Background:

There is a joint use agreement of long standing between the City of Red Deer and all school jurisdictions in the City. This covers access to facilities during the school day, after hours and during school break times.

Red Deer Public Schools, the City of Red Deer and Red Deer Public Library currently have a partnership at Ecole Barrie Wilson Elementary to provide branch public library services for the communities in the North East. Based on the dialogue between staff in the Fall of 2014, Administration had expected that a similar agreement would be struck with Red Deer Public Library for the new Inglewood School Site in the city's South East. The City of Red Deer and Red Deer Public Schools approved signing the Partnership Statement of Commitment in December 2014, however, the Library Board voted against it. Craig Curtis and Piet Langstraat were given an opportunity to speak with the Library Board in February 2014 but reconsideration of their December vote in March 2015 upheld the original decision.

Discussion:

We know that when people are more socially interconnected, communities thrive. Neighbourhood activities are part of building strong, stable and safe communities, and access and involvement in our schools is great way to increase a sense of belonging and social investment. City Council has recently adopted new Neighbourhood Planning standards and part of The City's overall strategy is to place more emphasis on neighbourhoods and recreation and culture opportunities within them.

The Board of Trustees of Red Deer Public Schools is deeply committed to a model where our schools are the hub of our communities. They are actively seeking partnerships that would provide programming through flexible community/school space, and even in these early days are exploring connections with Recreation Parks and Culture Department, the Golden Circle and the Primary Care Network.

Administration has continued to work with Red Deer Public School District No. 104, to develop a partnership at the Inglewood Elementary School for the development of these important community spaces. The preliminary designs being considered have community space incorporated into a "flexible space" model, allowing public access to such amenities as the gym, meeting rooms, kitchen, Maker Labs, outdoor classrooms, learning resource centre, and a multipurpose room are incorporated into the plan.



While the library will be operated by Red Deer Public Schools, the City of Red Deer's capital funding of \$600,000, approved in November 25, 2014, would be directed to the spaces for the community to access to enhance community programming opportunities. We are confident that the City of Red Deer's capital investment of \$600,000 will yield far more community space access than the funds could purchase on their own.

Further, the design of the library space in the school is innovative and flexible, and could easily accommodate a public library partnership if the Red Deer Public Library Board reconsidered providing services at this site in the future.

Red Deer Public Schools is also in the process of developing a central booking system that will allow the public to access and book all of our school spaces through one easily accessible point. This system will include the new Inglewood School, allowing for the public to book the facilities for a variety of community activities.

Construction of this project will begin in Fall 2015 with a plans to open Fall. 2017. The elementary school is being built at 99 Irving Crescent, within the Inglewood neighbourhood with immediate access to the trail system and transit.

Council approved signing of a Partnership Commitment document in December 2014 that included reference to the partnership with Red Deer Public Library Board. Now that they have resolved to not to consider a Branch Library at this site, Administration is recommending the City re-commit to the Red Deer Public School Board through a revised Partnership Commitment Document. The participants agree to collaborative planning for the development and construction of the school to meet the needs of students and the community far into the future.

The document outlines our shared commitment to expected outcomes including, but not limited to:

- Opportunity to improve Red Deer's cultural experience through a celebration of diversity and crafting a sense of place.
- New opportunities for emerging neighbourhoods to have local access to shared community spaces with potential to connect people, ideas, expertise, and partners who share a passion for creating interesting and dynamic places.
- Building design will work to identify areas that can be shared (gymnasium, classrooms, conference rooms, community programming space, washrooms, etc.) to enhance school and community programs.
- Reduced cost and use of land through combined planning of parking facilities, common mechanical and electrical systems, IT systems, maintenance for facility (caretaking, snow removal, etc)



- Shared use of facilities in accordance with agreed upon principles and priorities, as well as the existing Joint Use Agreement with the City of Red Deer.
- Sharing of the operational costs of the facility on an agreed, equitable basis.

This Partnership Commitment document is not legally binding and places no legal obligation on the participants. However, each party agrees that this document will guide future planning and development of the site in the best interest of all. Further, this document is required to be submitted by the Red Deer Public School District to Education and Infrastructure. It is recognized that the details of the partnership may not be finalized at this point, but this statement of commitment is requested as soon as possible.

Further updates will be brought forward to Council as the partnerships are explored and developed in collaboration with key stakeholders and the community.

Analysis:

Red Deer Public School Board of Trustees and the City of Red Deer have a shared vision for the development of our neighbourhoods and schools. This partnership provides opportunities for the South East neighbourhoods including Inglewood, Inglewood, Vanier Woods, Vanier East, Laredo, etc. to have local access to local gathering places for cultural development for years to come.

Administration is recommending Council approve the revised Partnership Commitment for signature.

Partnership Statement of Commitment

To assist Education and Infrastructure in the design and construction of the schools, a commitment to partner is requested. It is recognized that the details of the partnership may not be finalized at this point, but this statement of commitment is requested as soon as possible. Please provide as much detail as possible.

State the nature of the partnership (capital funding, joint use, equipment donation, etc.)

Both the City of Red Deer and the Red Deer Public Schools are committed to a model where our schools are the hub of our communities and provide opportunity for building social connections. The new Inglewood School partnership is between the Red Deer Public School District and the City of Red Deer, where the City has committed to providing funds to enhance space available for community use at the school.

Describe in detail what each partner will contribute to the partnership. This could be funding for expanded or additional space, access to facilities or expertise, joint-use, etc. In the case of capital funding, identify whether the funding is for a dedicated space or to enhance a specific space. Include details on primary user, size (m2, funding amount, etc.)

The City of Red Deer is committed to providing capital funding of \$600,000 toward this partnership. While these funds are not specifically tied to physical square footage, both parties agree that this partnership will facilitate the following synergies:

- 1) Opportunity to improve Red Deer's cultural experience in adjacent school amenities through a celebration of diversity and crafting a sense of place.
- 2) New opportunities for emerging neighbourhoods to have local access to shared community spaces with potential to connect people, ideas, expertise, and partners who share a passion for creating interesting and dynamic places.
- 3) Building design will work to identify areas that can be shared to enhance school and community programs.
- 4) Reduced cost and use of land through combined planning of parking facilities.
- 5) Reduced costs of construction by having common mechanical and electrical systems.
- 6) Reduced costs through common planning for IT systems.
- 7) Reduced costs through common maintenance for facility (caretaking, snow removal, etc)

Describe any existing agreements and/or the status of any agreements under development that are relevant to the partnership.

There is a joint use agreement of long standing between the City of Red Deer and all school jurisdictions in the City. This covers access to facilities during the school day, after hours and during school break times.

We expect that joint use of the facilities will be handled on site in accordance with agreed upon principles and priorities, as well as the existing Joint Use Agreement with the City of Red Deer. It is expected that the partners will contribute to the operational costs of the facility on an agreed, equitable basis.

This Statement of Commitment expresses each partner’s shared vision to work together to plan and develop the Inglewood School, working to maximize beneficial synergies whenever appropriate. While all parties will work to pursue future formalized agreements, this document is not legally binding and places no legal obligation on any of the parties by signing below.

The undersigned are committed to pursuing the partnership described above.

Signature and Date:

Red Deer Public School District No. 104

The City of Red Deer

DATE: March 31, 2015
TO: Sarah Cockerill, Director of Community Services
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Inglewood School Partnership Commitment

Reference Report:

Sarah Cockerill, Director of Community Services, dated March 20, 2015

Resolution:

At the Monday, March 30, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of the City of Red Deer having considered the report from Community Services dated March 20, 2015 re Inglewood School Partnership Commitment hereby endorses the revised Partnership Commitment Agreement between Red Deer Public School District No. 104 and The City of Red Deer for signature.

Report back to Council: No



Frieda McDougall
Manager

- c. Shelley Gagnon, Recreation, Parks and Culture Manager
- D. Krejci, Chief Financial Officer
- P. Goranson, Director of Corporate Services



March 20, 2015

Recommend Projects for Building Canada Fund – Small Communities Fund

Financial Services

Report Summary & Recommendation:

In order to apply for funding under the Building Canada Fund – Small Communities Fund program Council must pass a resolution supporting the application. The deadline for applications is April 2.

It is recommended that Council support the submission of the Riverview Park Bank Stabilization project and the 30th Ave Projects project to the Building Canada Fund – Small Communities Fund program for funding.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Financial Services dated March 20, 2015 re: Recommended Projects for Building Canada Fund – Small Communities Fund, hereby endorses the submission of the Riverview Park Bank Stabilization Project and the 30th Ave Projects to the Building Canada Fund – Small Communities Fund program for funding.



Report Details

Background:

As part of the Building Canada Fund \$94 M has been allocated to Alberta for the Small Communities Fund (BCF – SCF). This funding is available on a competitive basis to municipalities with a population under 100,000. A maximum of 2 applications per municipality applies although a municipality can also be a partner on additional applications. The minimum funding per project is \$50,000 and the maximum funding is \$3 M. Funding is generally split 1/3 each federal, provincial and municipal. Applications are due to be submitted by April 2.

Discussion:

One of the requirements under the grant is that the application must show that a Council resolution was passed to support the application.

Budget staff and Division Controllers have reviewed the funding criteria and the 2015 Capital Budget to determine those projects that have the best chance of being funded. Based on the review the projects being recommended for funding are the Riverview Park Bank Stabilization project for \$6.3 M and the 30th Ave Projects project (roundabout, adjacent road and underground services) project for \$40.5 M.

Analysis:

An application for funding from the Alberta Community Resilience Program (ACRP) for the Riverview Park Bank Stabilization project was submitted September 30, 2014. Funding for this project was previously denied under the Flood Recovery Erosion Control program. The most recent word from the ACRP program is that applications are on hold as the program is part of provincial budget discussions. There is some risk that this program will continue and the project submitted will be funded which means the City could submit another program for funding under the BCF – SCF. The risk of this occurring is deemed to be minimal.

Any funding approved under the BCF – SCF would be used to reduce debt funding for the Riverview Park Stabilization project.

Any funding approved under the BCF – SCF would be used to replace Municipal Sustainability Initiative (MSI) and / or Basic Municipal Transportation Grant (BMTG) funding for the 30th Ave Projects project.

FILE COPY



Council Decision – March 30, 2015

DATE: March 31, 2015
TO: Dean Krejci, Chief Financial Officer
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Recommended Projects for Building Canada Fund – Small Communities Fund
Riverview Park Bank Stabilization and 30th Ave Projects

Reference Report:
Financial Services, dated March 20, 2015

Resolution:
At the Monday, March 30, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Financial Services dated March 20, 2015 re: Recommended Projects for Building Canada Fund – Small Communities Fund, hereby endorses the submission of the Riverview Park Bank Stabilization Project and the 30th Ave Projects to the Building Canada Fund – Small Communities Fund program for funding.

Report back to Council: No

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

Frieda McDougall
Manager

- c. D. Krejci, Chief Financial Officer
- P. Goranson, Director of Corporate Services



March 24, 2015

New Building Canada – Small Communities Fund Application

Land and Economic Development

Report Summary & Recommendation:

To endorse the City of Red Deer's partnership role in Red Deer County's grant application for the New Building Canada- Small Communities Fund. Part of the grant application process is the endorsement of the project by both councils. This funding will assist Red Deer Regional Airport's development of the main runway and service infrastructure to the southeast field. The finished project will contribute to the economic growth in Central Alberta.

City Manager Comments:

I support the recommendation of Administration.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of The City of Red Deer, having considered the report from Land and Economic Development dated March 24, 2015, re: New Building Canada, Small Communities Fund Application, hereby endorses the City of Red Deer's partnership role in Red Deer County's grant application for the New Building Canada – Small Communities fund to assist with funding Red Deer Regional Airport's development of the main runway and service infrastructure to the southeast field.



Report Details

Background:

The New Building Canada Small Communities Fund program supports infrastructure projects of national, regional and local significance and to invest in airport infrastructure that has broad public benefits that contribute to objectives related to economic growth, a clean environment and stronger communities. The program recognizes and supports the important role that provinces, territories and municipalities play in helping support medium to large scale infrastructure projects.

Discussion:

The Red Deer Regional Airport has recently completed their Master Plan which has indicated the importance for growth and expansion in order to remain competitive and to serve the emerging needs of our community and businesses. The City of Red Deer and Red Deer County in partnership are looking to apply for funding, through the New Building Canada – Small Community Fund, to contribute to the airports expansion of the primary runway in order to provide enhanced year-round, regularly scheduled passenger and goods services. The airport also requires infrastructure to enable air and groundside development for pending businesses to locate in the southeast field. At this time there is no available serviced land for commercial business expansion. Part of the grant application process is the endorsement of the project by both councils.

Air access and capacity are identified as key constraints to tourism and economic development for the Red Deer Regional Airport. Establishing new airline routes, growing existing ones and attracting new aviation commercial businesses can open up new markets for both passengers and goods movement. This creates regional, national and international links, supports substantial economic growth and builds stronger communities.

Considering the project criteria, Administration feel this application is a good candidate for acceptance into the funding program. This project is slated to being in the spring of 2015.

Financial Implications

The estimated cost to complete this project is \$10,500,000. Projects will be cost shared on a one-third basis; federal, provincial and municipal governments with a combined federal, provincial maximum of \$6,000,000. Council has approved \$1,725,000 (a portion of the 2015 Capital Budget) and the County has approved \$1,725,000. Further discussions with the County of Red Deer, the Airport and other stakeholders would need to occur to determine how to fund the additional \$1,050,000 requirement.

FILE COPY

DATE: March 31, 2015
TO: John Sennema, Land and Economic Development Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: New Building Canada – Small Communities Fund Application
Red Deer Regional Airport

Reference Report:

Land and Economic Development, dated March 24, 2015.

Resolution:

Resolved that Council of The City of Red Deer, having considered the report from Land and Economic Development dated March 24, 2015, re: New Building Canada, Small Communities Fund Application, hereby endorses the City of Red Deer's partnership role in Red Deer County's grant application for the New Building Canada – Small Communities Fund to assist with funding Red Deer Regional Airport's development of the main runway and service infrastructure to the southeast field.

Report back to Council: No



Frieda McDougall
Manager

- c. D. Krejci, Chief Financial Officer
- P. Goranson, Director of Corporate Services
- A. Murphy, Economic Development Specialist
- J. Sennema, Land and Economic Development Manager
- M. Zeggil, Land and Economic Development Officer



March 17, 2015

Proposed Redesignation of Evergreen Area
AI – Future Urban Development District
Land Use Bylaw Amendment 3357/I-2015

Planning Department

Report Summary & Recommendation:

The proposal is to redesignate (rezone) a portion of the Evergreen area from AI – Future Urban Development District to various urban land use districts in order to facilitate subdivision and development of the area as per the Evergreen Neighbourhood Area Structure Plan (NASP).

As the proposed redesignation conforms to the Evergreen NASP, the Planning department recommends Council support LUB amendment Bylaw 3357 / I -2015.

City Manager Comments:

I support the recommendation of Administration that Council consider first reading of Land Use Bylaw Amendment 3357/I-2015. If first reading is approved, this bylaw will be brought for consideration of second and third readings at the April 27, 2015 meeting of City Council.

Craig Curtis
City Manager

Proposed Resolution

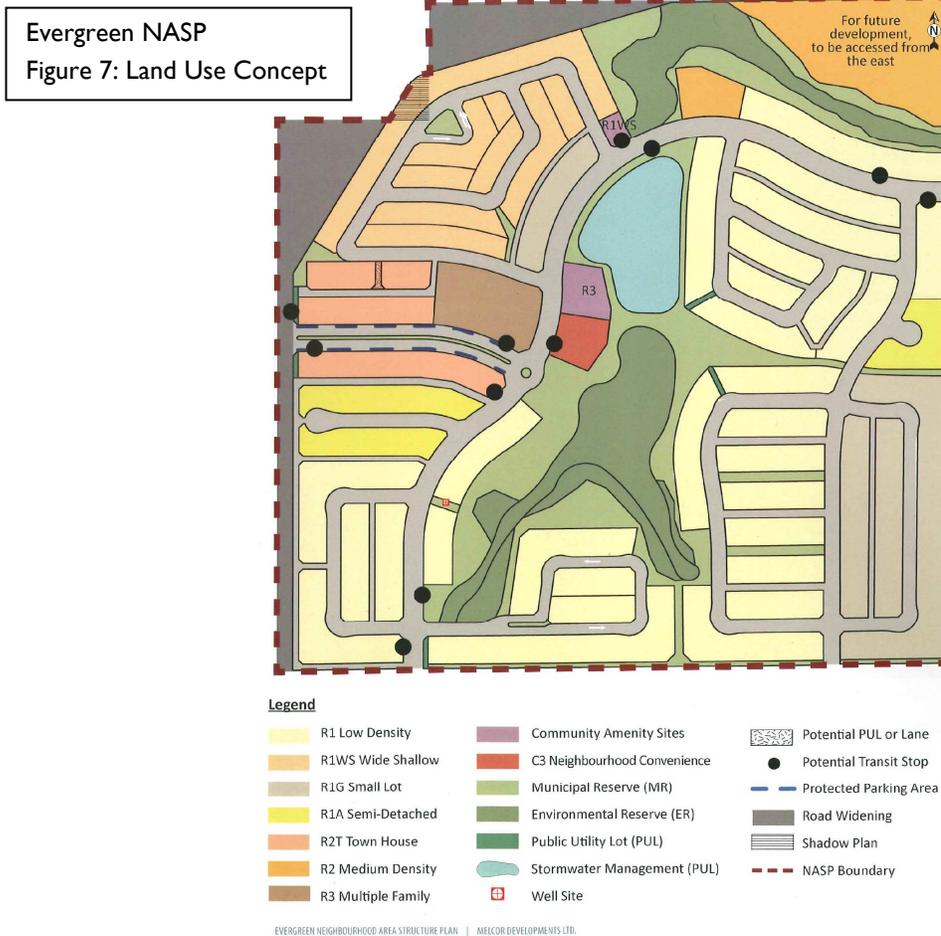
That Council consider first reading of Land Use Bylaw Amendment 3357/I-2015 at this time.

Report Details

Background:

The Evergreen NASP was adopted by Council on September 29, 2014. The purpose of the NASP is to guide future subdivision and development within the Evergreen area.

Figure 7 - Land Use Concept Plan.



Discussion:

Bylaw 3357 / I - 2105 proposes to redesignate the first three phases within Evergreen. This will allow the developer to proceed with the next step of subdividing out individual lots for development.



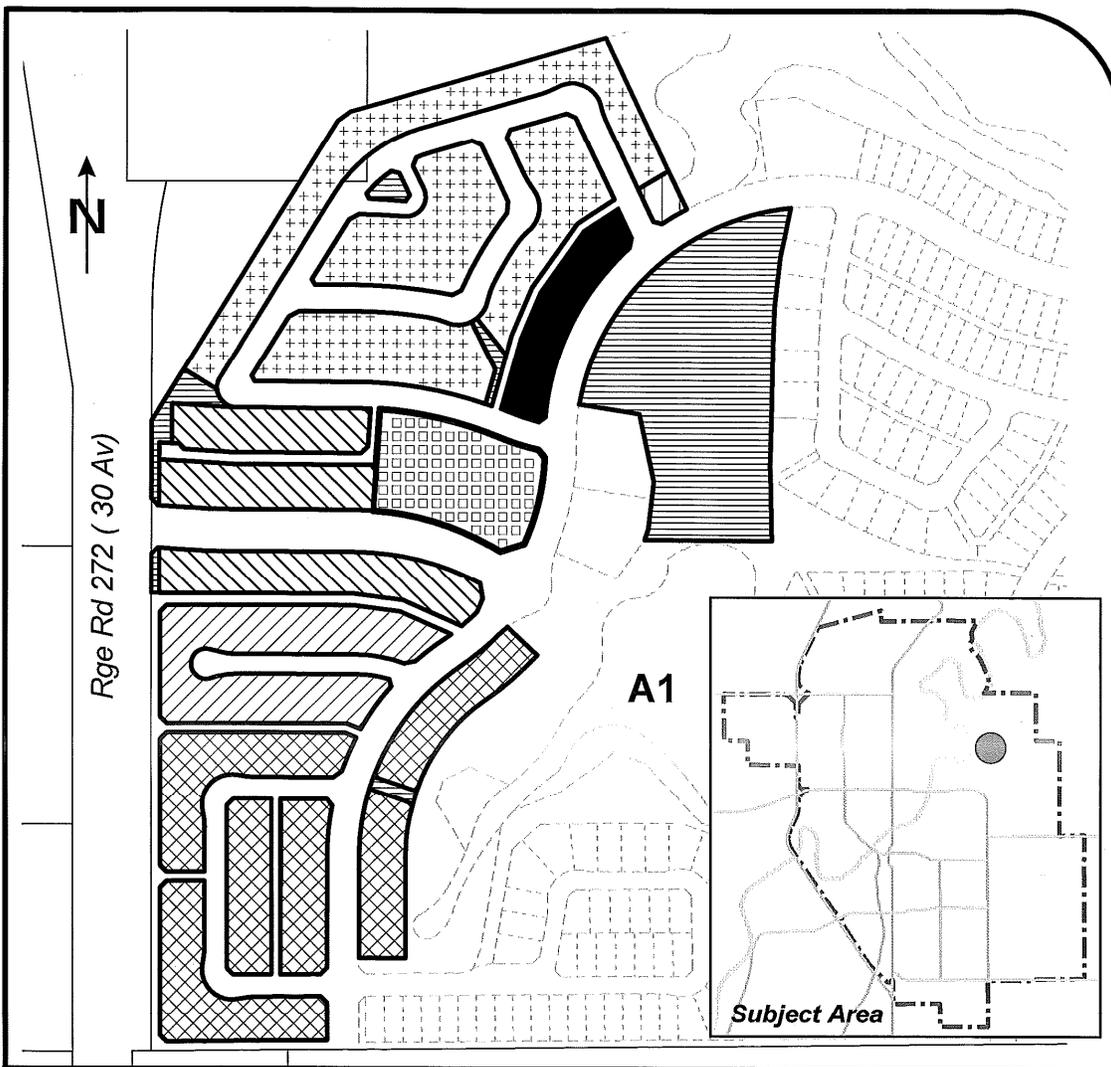
Analysis:

The proposed bylaw conforms to the land use concept of the Evergreen NASP. There were no objections to the proposed bylaw from relevant city departments. The proposed amendment was not circulated to adjacent landowners because the area is within an adopted NASP.

Schedule A



Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:

-  A1 to P1 - Parks and Recreation District
-  A1 to PS - Public Service (Institutional or Government) District
-  A1 to R1 - Residential (Low Density) District
-  A1 to R1A - Residential (Semi-Detached Dwelling) District
-  A1 to R1G - Residential (Small Lot) District
-  A1 to R1WS - Residential (Wide/Shallow Lot) District
-  A1 to R2T - Residential (Town House) District
-  A1 to R3 - Residential (Multi Family) District

Affected District:

A1 - Future Urban Development District

Proposed Amendment

Map: 11 / 2015

Bylaw: 3357 / 1-2015

Date: Mar. 18, 2015

FILE COPY

DATE: March 31, 2015

TO: Angus Schaffenburg, Acting Planning Services Manager

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/I-2015
Proposed Redesignation of Evergreen Area
AI – Future Urban Development District to Various Land Use Districts.
Consideration of First Reading of the Bylaw

Reference Report:

Planning Department, dated March 17, 2015.

Bylaw Reading:

At the Monday, March 30, 2015 Regular Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3357/I-2015 - a bylaw to redesignate (rezone) a portion of the Evergreen area from AI – Future Urban Development District to various urban land use districts in order to facilitate subdivision and development of the area as per the Evergreen Neighbourhood Area Structure Plan.

Report back to Council: Yes

Comments/Further Action:

This office will advertise for a Public Hearing for Land Use Bylaw Amendment 3357/I-2015 – AI Future Urban Development District to Various Land Use Districts to be held on April 27, 2015 at 6:00 p.m. during Council's regular meeting, following which Council may consider second and third reading of the Bylaw.



Frieda McDougall
Manager

- c. T. Lodewyk, Acting Director of Planning Services
O. Toews, Senior Planner
Corporate Meeting Coordinator



March 17, 2015

Proposed Disposition of Municipal Reserves and Redesignation in Riverlands

Land Use Bylaw Amendment 3357/J-2015

Planning Department

Report Summary & Recommendation:

The proposal is to dispose of a portion (approximately 540 m²) of Lot 10MR, Block 7, Plan 942 3530, located at 4924 Taylor Drive, and redesignate (rezone) it from PI – Parks and Recreation District to Direct Control District No. 21.

The proposed disposition of reserves and rezoning will then facilitate a subdivision of the subject land and a portion of the adjacent city owned parcel to the west; Lot 1A, Block 7, Plan 922 2656 (4836 – 54 Avenue). The two subdivided out portions are then to be consolidated with each other and the Carnival Cinema site, which is adjacent to the south. This will enable Carnival Cinema to develop its parking lot to the north so that the City can create a road and intersection along the south side of the cinema as envisioned by the Riverlands Area Redevelopment Plan (ARP).

As the proposed municipal disposition and Land Use Bylaw amendment conform to the Riverlands Area Redevelopment Plan (ARP), the Planning department recommends Council support both the disposition of municipal reserve and the LUB amendment Bylaw 3357/J - 2015.

City Manager Comments:

I support the recommendation of Administration which follows the direction of Council. If first reading is approved, this bylaw will be brought for consideration of second and third readings at the April 13, 2015 meeting of City Council.

Craig Curtis
City Manager



Proposed Resolution

“Resolved that Council of the City of Red Deer having considered the report from Planning Services dated March 17, 2015 regarding Riverlands Disposition of Municipal Reserve and Land Use Bylaw 3357 / J -2015, being Lot 10 MR, Block 7, Plan 942 3530, hereby agrees that the following resolution be considered at the Council Meeting of March 30, 2015 following the Public Hearing:

“Resolved that Council of the City of Red Deer after considering the report from Planning dated March 17, 2015 regarding Riverlands Disposition of Municipal Reserve and Land Use Bylaw 3357 / J -2015, being Lot 10 MR, Block 7, Plan 942 3530, hereby agrees to the Disposal of Municipal Reserve lands described as:

“The southerly 57.1 metres of Lot 10 MR, Block 7, Plan 942 3530”

That Council consider first reading of Land Use Bylaw 3357/J-2015 at this time.

Report Details

Background:

The proposed disposition of reserves and rezoning will facilitate a subdivision of Lot 1A, Block 7, Plan 922 2656 (4836 – 54 Avenue) and Lot 10MR, Block 7, Plan 942 3530 on the north side of Carnival Cinema. The subdivided out portions are then to be consolidated with each other and the Carnival Cinema site, which is adjacent to the south. This will enable Carnival Cinema to develop its parking lot to the north so that the City can create a road and intersection along the south side of the cinema as envisioned by the Riverlands Area Redevelopment Plan (ARP).

Discussion:

In October 2011, the Riverlands Area Redevelopment Plan (ARP) was adopted by Council as a statutory plan. The ARP was supported by the approved vision of the Greater Downtown Action Plan (2009) and went through a significant public consultation process before coming to Council.

The ARP calls for redevelopment of the riverfront district into a “vibrant mixed-use community” with a “continuous east-west continuous pedestrian link across downtown achieved through the innovative redesign of the Taylor Drive intersection.” In order to facilitate the growth in projected residential density and increased future commercial development envisioned in the ARP, a new at-grade pedestrian and vehicular all-turns crossing at Taylor Drive and Alexander Way is required. This new intersection will improve pedestrian and vehicular connections between Riverlands and the rest of the Greater Downtown.



In order to facilitate the new at-grade pedestrian and vehicular all-turns crossing at Taylor Drive and Alexander Way, land acquisition is required as well as the necessary subdivision, disposal of MR, redesignation, and consolidation.

On November 24, 2014 Council endorsed the recommended intent of the land acquisition with the contents of the report remaining confidential as protected under the *Freedom of Information & Protection of Privacy Act*, Section 24 (1).

Analysis:

The proposed amendment conforms to the land use concept and policies of the Riverlands Area Redevelopment Plan (ARP), which was adopted by Council in October 2011.

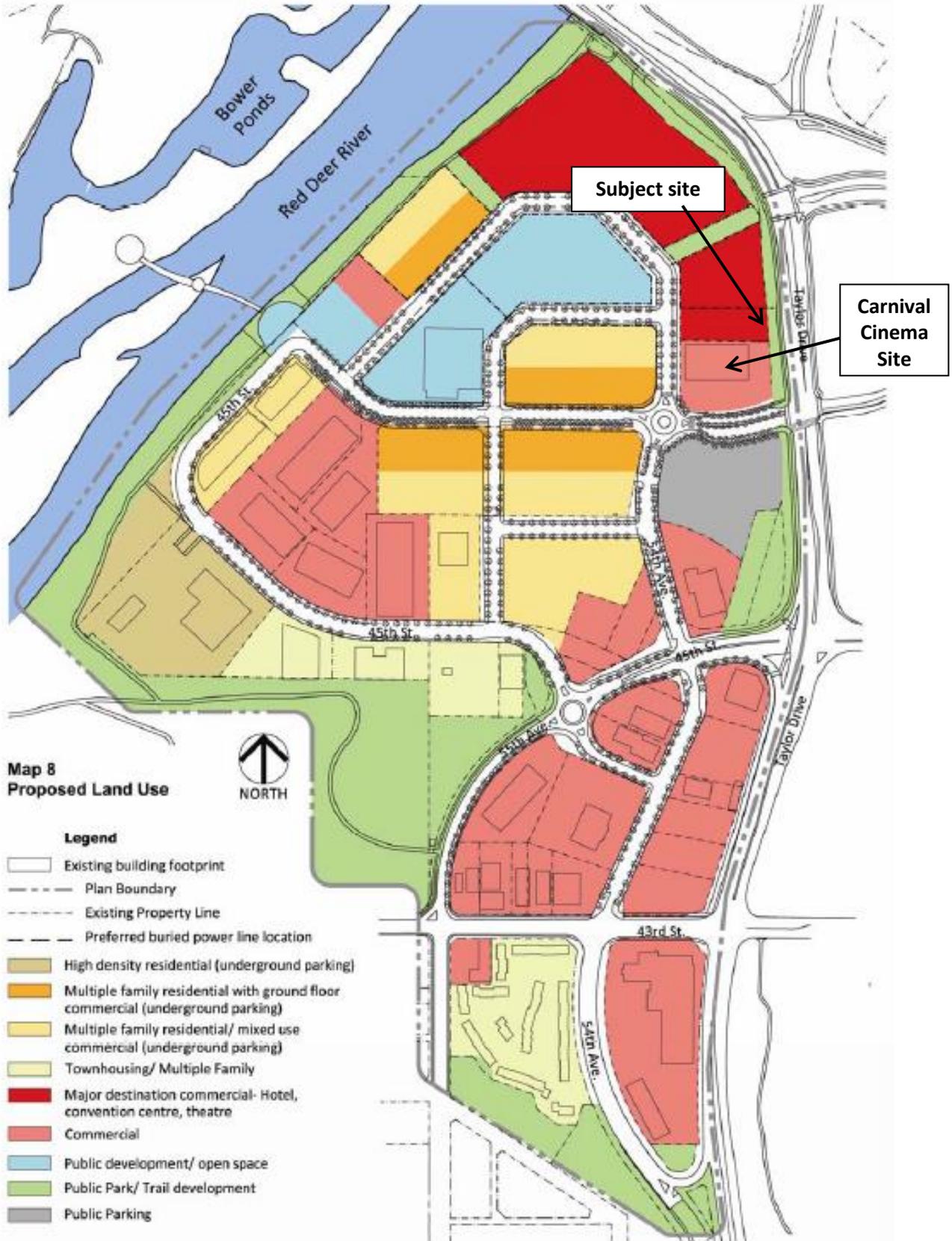
The Taylor Drive Improvement Project was approved by Council as a concept in 2011 and the capital dollars were approved in the 2013 Capital budget. This project captured the development of the new intersection at Taylor Drive and Alexander Way. This intersection would meet the ARP guiding principles of Great Streets and Great Connections, providing more mobility choices that do not currently exist for accessing Riverlands and crossing Taylor Drive between all three districts of the Greater Downtown.

There was no objection to the proposal from relevant city departments. The proposal was not circulated to area landowners as it conforms to the adopted Riverlands ARP. The adoption of the ARP included public consultation and the proposed disposition and rezoning are simply carrying out the policies and direction contained in the ARP.

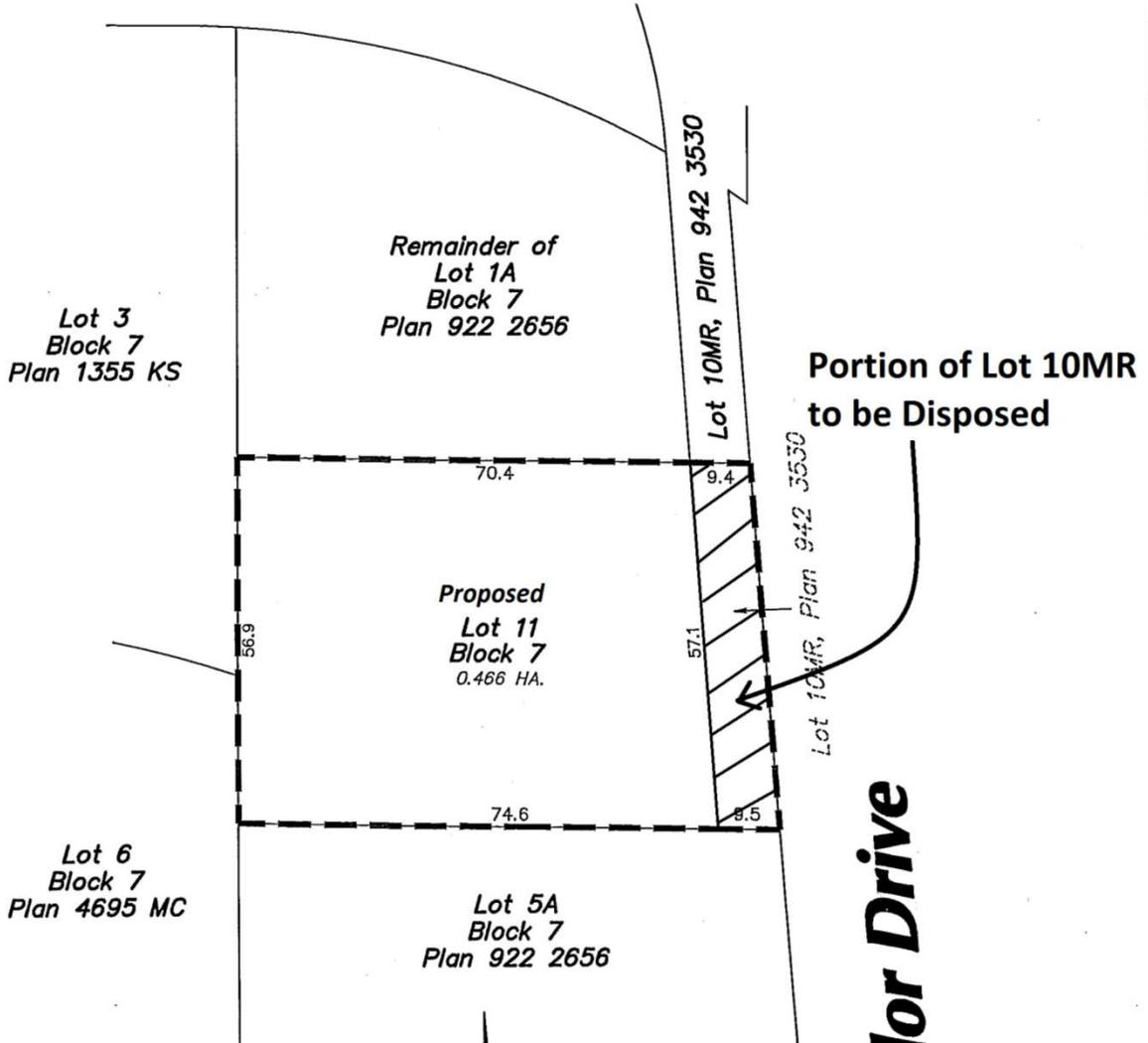
The subdivision application that is being processed concurrently with the proposed disposition of reserves and rezoning has been referred to adjacent landowners in keeping with the requirements of the MGA.

Riverlands ARP – Map 8: Proposed Land Use

2011 RIVERLANDS AREA REDEVELOPMENT PLAN



**Disposition of Municipal Reserves (MR)
Part of Lot 10MR, Block 7, Plan 942 3530**



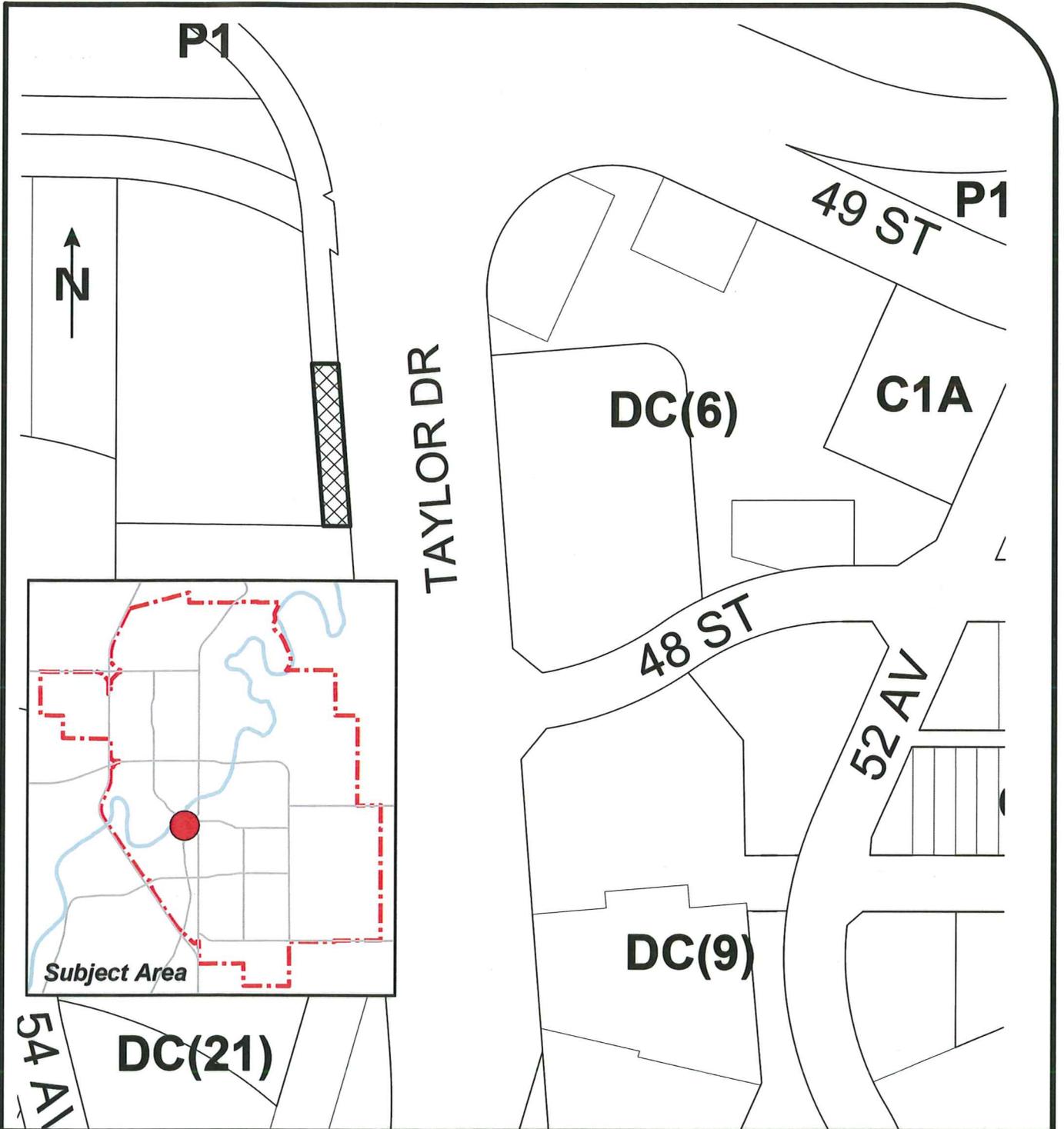
Lot 10 MR, Block 7, Plan 942 3530

BEMOCO LAND SURVEYING LTD.
100, 6040-47th AVENUE
RED DEER, ALTA. PH. (403) 342-2611

REV	DATE	DESCRIPTION
0	Jan. 15, 2015	Issued
FILE No: S-127-14 tent		



Schedule A
Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:



P1 to DC(21) - Direct Control District (Sub-District 21)

Affected District:

P1 - Parks and Recreation District

Proposed Amendment

Map: 12 / 2015

Bylaw: 3357 / J-2015

Date: Mar. 4, 2015

FILE COPY

DATE: March 31, 2015
TO: Angus Schaffenburg, Acting Planning Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/J-2015
Proposed Disposition of Municipal Reserves
Consideration of First Reading of the Bylaw

Reference Report:

Planning Services, dated January 5, 2015.

Proposed Resolution:

At the Monday, March 30, 2015 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of the City of Red Deer after considering the report from Planning Services dated March 17, 2015 regarding Riverlands Disposition of Municipal Reserve and Land Use Bylaw 3357/J-2015, being Lot 10 MR, Block 7, Plan 942 3530, hereby agrees to the Disposal of Municipal Reserve lands described as:

“The southerly 57.1 metres of Lot 10 MR, Block 7, Plan 942 3530”.

Bylaw Reading:

At the Monday, March 30, 2015 Regular Council Meeting, Council gave first reading to Land Use Bylaw 3357/J-2015 – a bylaw to redesignate a portion of a lot located at 4924 Taylor Drive from PI-Parks and Recreation District to Direct Control District No. 21.

Report back to Council: Yes

Comments/Further Action:

This office will advertise for a Public Hearing for Bylaw Amendment 3357/J-2015 – Proposed redesignation of a portion of a lot located at 4924 Taylor Drive to be held on April 13, 2015 at 6:00 p.m. during Council’s regular meeting, following which Council may consider second and third reading of the Bylaw.

March 30, 2015

Page 2

Land Use Bylaw Amendment 3357/J-2015



Frieda McDougall

Legislative Services Manager

- c. T. Lodewyk, Acting Director of Planning Services
- O. Toews, Senior Planner
- Corporate Meeting Coordinator



March 23, 2015

Borrowing Bylaw 3544/2015 – Riverlands Project

Consideration of Second and Third Reading

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, February 02, 2015 Council Meeting.

Recommendation:

That Council consider giving second and third readings to Borrowing Bylaw 3544/2015, a bylaw in the amount of \$24,552,000 for the construction of various portions of the Riverlands Projects.

Report Details

Background:

At the Monday, February 02, 2015 Council Meeting, Council gave first reading to Borrowing Bylaw 3544/2015 – Riverlands Project.

Borrowing Bylaw 3544/2015 provides for funding in the amount of \$24,552,000 for the purpose of construction of various portions of the Riverlands Projects.

Public Consultation Process

In accordance with Sections 221-226, 231, 251 and 606 of the Municipal Government Act, this bylaw is required to be advertised for two consecutive weeks and allow for a 15 day petition period. Advertisements were placed in the Red Deer Advocate on February 6 and February 13, 2015 with no comments being received.



Report Originally Submitted
to the February 02, 2015 City
Council Meeting

January 27, 2015

Borrowing Bylaw 3544/2015 Riverlands Project

Planning Division

Report Summary & Recommendation:

A new Borrowing Bylaw is required for the above noted project.

This borrowing is to facilitate the redevelopment of 25 acres of the Riverlands District in the Greater Downtown. These are previously approved dollars in the Capital budget and will provide funding for on-site development, setting servicing grade and remediation.

The recommended funding source is land bank operations and municipal property tax. As the redevelopment progresses adjustments will be made to revenue and expense projections as necessary.

We request that Council approve borrowing Bylaw 3544/2015 for construction of various portions of the Riverlands Project for a total of \$24,552,000.

As required by the MGA, Section 251, this bylaw will require advertisement.

City Manager Comments:

I support the recommendation which implements Council's budget approval. A further report on Riverlands will be brought to Council as an update prior to a majority of these funds being expended. If first reading is approved, this bylaw will be brought forward for consideration of second and third reading at the March 30, 2015 Council Meeting.

Craig Curtis
City Manager

Proposed Resolution

That Council consider first reading of the Borrowing Bylaw 3544/2015 at this time.



Report Details

Background:

The Riverlands redevelopment is progressing as outlined in the Riverlands Area Redevelopment Plan and Greater Downtown Action Plan. This 25 acres of city-owned land will be redeveloped as a vibrant, mixed use residential and commercial development as part of the Greater Downtown.

BYLAW NO. 3544/2015
OF THE CITY OF RED DEER
IN THE PROVINCE OF ALBERTA

(the "Municipality")

This bylaw authorizes the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$24,552,000 for the purpose of financing the construction of various portions of the Riverlands Project.

WHEREAS:

- A. Section 251 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, (the 'MGA') provides that a municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw.
- B. The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *MGA* to authorize the financing, undertaking and completion of the following projects:
- **Setting Servicing Grade**
 - **On-Site Development**
 - **Remediation**
- C. The total cost of these projects is estimated to be \$24,552,000 and the Municipality estimates the following funding sources will be applied to the projects:
- | | |
|--------------|---------------------|
| Debenture(s) | <u>\$24,552,000</u> |
| Total Cost | \$24,552,000 |
- D. In order to complete the projects it will be necessary for the Municipality to borrow the sum of \$24,552,000, for a period not to exceed 20 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.
- E. The estimated lifetime of the projects financed under this by-law may be equal to, or in excess of 50 years.
- F. The principal amount of the outstanding debt of the Municipality as at the date of the borrowing is \$220,026,040.85 and no part of the principal or interest is in arrears.

- G. All required approvals for the projects have been or will be obtained, and the projects are and will be in compliance with all *Acts* and *Regulations* of the Province of Alberta.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. That for the purpose of the Riverlands Project, the sum of TWENTY-FOUR MILLION FIVE HUNDRED FIFTY-TWO THOUSAND DOLLARS (\$24,552,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the Riverlands Project.
3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TWENTY (20) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing and not to exceed 5.642%.
4. The indebtedness is to be repaid by way of land bank operations and Municipal property tax and the Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the projects specified by this bylaw. The amount borrowed under this bylaw shall not exceed the amount approved in a capital budget for the project.
7. This bylaw comes into force on the date it is passed.

READ FIRST TIME IN OPEN COUNCIL this 2nd day of February 2015.

READ SECOND TIME IN OPEN COUNCIL this 30th day of March 2015.

READ THIRD TIME IN OPEN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.

MAYOR

CITY CLERK

DATE: March 31, 2015
TO: Angus Schaffenburg, Acting Planning Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Borrowing Bylaw 3544/2015
Riverlands Project
Consideration of Second & Third Readings

Reference Report:

Legislative Services, dated March 23, 2015 and Planning Services, dated January 27, 2015.

Bylaw Reading:

At the Monday, March 30, 2015 Regular Council Meeting, Council gave second and third readings to Borrowing Bylaw 3544/2014 – a bylaw to facilitate the redevelopment of 25 acres of the Riverlands District in the Greater Downtown.

Report back to Council: No

Comments/Further Action:

The Borrowing Bylaw is attached for your information.



Frieda McDougall
Legislative Services Manager
/ attach.

- c. Tara Lodewyk, Acting Director of Planning Services
Charity Dyke, Riverlands Project Manager
L. Francis, Division Controller
D. Krejci, Chief Financial Officer
P. Goranson, Director of Corporate Services

BYLAW NO. 3544/2015
OF THE CITY OF RED DEER
IN THE PROVINCE OF ALBERTA

(the "Municipality")

FILE COPY

This bylaw authorizes the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$24,552,000 for the purpose of financing the construction of various portions of the Riverlands Project.

WHEREAS:

- A. Section 251 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, (the 'MGA') provides that a municipality may only make a borrowing if the borrowing is authorized by a borrowing bylaw.
- B. The Council of the Municipality has decided to issue a by-law pursuant to Section 258 of the *MGA* to authorize the financing, undertaking and completion of the following projects:

- **Setting Servicing Grade**
- **On-Site Development**
- **Remediation**

- C. The total cost of these projects is estimated to be \$24,552,000 and the Municipality estimates the following funding sources will be applied to the projects:

Debenture(s)	<u>\$24,552,000</u>
Total Cost	\$24,552,000

- D. In order to complete the projects it will be necessary for the Municipality to borrow the sum of \$24,552,000, for a period not to exceed 20 years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.
- E. The estimated lifetime of the projects financed under this by-law may be equal to, or in excess of 50 years.
- F. The principal amount of the outstanding debt of the Municipality as at the date of the borrowing is \$220,026,040.85 and no part of the principal or interest is in arrears.

- G. All required approvals for the projects have been or will be obtained, and the projects are and will be in compliance with all *Acts* and *Regulations* of the Province of Alberta.

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1. That for the purpose of the Riverlands Project, the sum of TWENTY-FOUR MILLION FIVE HUNDRED FIFTY-TWO THOUSAND DOLLARS (\$24,552,000) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the Riverlands Project.
3. The Municipality shall repay the indebtedness according to the repayment structure negotiated with the lender which shall be equal semi-annual or annual payments of combined principal and interest installments not to exceed TWENTY (20) years calculated at the interest rate fixed by the Alberta Capital Finance Authority or another authorized financial institution on the date of the borrowing and not to exceed 5.642%.
4. The indebtedness is to be repaid by way of land bank operations and Municipal property tax and the Municipality shall levy and raise in each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the projects specified by this bylaw. The amount borrowed under this bylaw shall not exceed the amount approved in a capital budget for the project.
7. This bylaw comes into force on the date it is passed.

READ FIRST TIME IN OPEN COUNCIL this 2nd day of February 2015.

READ SECOND TIME IN OPEN COUNCIL this 30th day of March 2015.

READ THIRD TIME IN OPEN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.

MAYOR

CITY CLERK



March 23, 2015

Licensing Bylaw Amendments Related to Enterprise Business Application

Consideration of Second and Third Reading

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, March 16, 2015 Council Meeting.

Recommendation:

That Council consider giving second and third readings to:

- The License Bylaw 3159/B-2015
- The Escort Service Bylaw 3319/A-2015
- The Limousine and Sedan Bylaw 3394/A-2015
- The Taxi Business Bylaw 3282/A-2015
- The Drinking Establishment Licensing Bylaw 3332/A-2015

These bylaw amendments are related to process and customer service improvements linked to system improvements within the Enterprise Business Application project.

Report Details

Background:

At the Monday, March 16, 2015 Council Meeting, Council gave first reading to:

- The License Bylaw 3159/B-2015
- The Escort Service Bylaw 3319/A-2015
- The Limousine and Sedan Bylaw 3394/A-2015
- The Taxi Business Bylaw 3282/A-2015
- The Drinking Establishment Licensing Bylaw 3332/A-2015



Report Originally Submitted
to the March 16, 2015 City
Council Meeting

March 03, 2015

Licensing Bylaw Amendments

Inspections and Licensing

Report Summary & Recommendation:

Amendments to the Drinking Establishment Licensing, Taxi Business, Limousine and Sedan, Escort Service, and License bylaws are proposed to provide minor amendments related to process and customer service improvements linked to system improvements within the Enterprise Business Applications (EBA) project. The proposed amendments are also aligned with the Economy Charter, and the strategy around developing systems and processes to ensure a seamless customer experience for businesses.

On February 23, 2015, Council considered the initial report from Inspections & Licensing related to the proposed amendments to the various licensing bylaws. First readings of the bylaws were tabled for one week to allow Administration further time to compile additional information requested by Council. The following resolution was passed:

“Resolved that Council of The City of Red Deer, having considered the report from Inspections & Licensing dated February 9, 2015 re: Bylaw Amendments Related to Enterprise Business Applications, hereby agrees to table the following bylaws: 3159/B-2015, 3319/A-2015, 3394/A-2015, 3282/A-2015 and 3332/A-2015 for one week to allow Administration additional time to compile the requested information.”

Further to that resolution, Administration requested a further re-tabling of the readings at the meeting of March 2, 2015. The following resolution was passed:

“Resolved that Council of the City of Red Deer, having considered the report from Inspections and Licensing dated February 25, 2015 re: Bylaw Amendments Related to Enterprise Business Applications, hereby agrees to re-table the following bylaws: 3159/B-2015, 3319/A-2015, 3394/A-2015, 3282/A-2015 and 3332/A-2015 to the March 16, 2015 City Council Meeting to provide Administration with additional time to compile the requested information.”

It is recommended that the following bylaws receive first reading, with a return to Council on March 30, 2015 for 2nd and 3rd readings:

- The License Bylaw 3159/B-2015
- The Escort Service Bylaw 3319/A-2015
- The Limousine and Sedan Bylaw 3394/A-2015
- The Taxi Business Bylaw 3282/A-2015
- The Drinking Establishment Licensing Bylaw 3332/A-2015



City Manager Comments:

I support the recommendation of Administration and recommend Council consider first reading of Bylaw 3159/B-2015, 3319/A-2015, 3394/A-2015, 3282/A-2015 and 3332/A-2015. If first reading is approved, these bylaws will be brought for consideration of second and third readings at the March 30, 2015 meeting of City Council.

Craig Curtis
City Manager

Proposed Resolution

Resolved that Council of the City of Red Deer hereby agrees to lift from the table consideration of Bylaw Amendments 3159/B-2015, 3319/A-2015, 3394/A-2015 3282/A-2015 and 3332/A-2015.

That Council consider first reading of The License Bylaw Amendment 3159/B-2015 at this time.

That Council consider first reading of The Escort Service Bylaw Amendment 3319/A-2015 at this time.

That Council consider first reading of The Limousine and Sedan Bylaw Amendment 3394/A-2015 at this time.

That Council consider first reading of The Taxi Business Bylaw Amendment 3282/A-2015 at this time.

That Council consider first reading of The Drinking Establishment Licensing Bylaw Amendment 3332/A-2015 at this time.

Report Details

Background:

The Inspections & Licensing department embarked on a significant review of internal and cross departmental processes in 2013 through the use of process mapping. Most staff have completed training in Process Mapping, Lean Office, and Process Metrics principles and techniques to explore opportunities for improvements, helpful to the implementation of new system improvements over the coming year.

In reviewing our current processes, we have identified ideas and action items, which will result in enhancements to many of our processes, make staff's work more efficient, and deliver better customer service. One of these items relates directly to the packaging of the license-related bylaws, and includes amending the term of a license, and subsequently the proration of fees due to the change in the license term.



Discussion:

Amendments are required to the Drinking Establishment Licensing, Taxi Business, Limousine and Sedan, Escort Service, and License Bylaws in order to provide customers with a greater sense of certainty and consistency when applying for their licenses. The proposed amendments are directly related to process improvements identified through a significant amount of work throughout the department related to process mapping, and will be implemented into the Licensing system with the EBA, which is scheduled for roll out on May 11, 2015.

The proposed amendments that are required to each of the five bylaws, relate to the term of licenses required under each of the bylaws. Currently, the bylaws contain provisions for annual license terms, whereas the proposed amendments include terms based on the calendar year, with licenses expiring on December 31.

The other proposed amendments are intended to mitigate citizen impact from Administration's internal process change, and relate to the prorating of license fees for new applicants.

Analysis:

There are two components to the proposed bylaw amendments: the transition period for existing license holders for 2015, and the future impact on new license applicants.

Transition Period for Existing Licensees

For the transition period in 2015, all businesses with an active license in the existing Licensing system will receive a statement in May, at the go live date. The intention is to bring every existing licensee to the calendar year term, with their license now expiring on December 31, 2015. The statement will identify whether the licensee has a credit on their account, or whether they owe additional fees to extend the validity of their license until the end of the year.

Any existing license with an expiration date in 2016, purchased prior to May 1, will receive a credit to their account, which can then be applied to their license fees for next year.

Licensees whose license expires between May 1 and December 31 will receive a statement indicating that they owe fees to take their license to the end of the year.

In either circumstance, the license fees will be prorated at a monthly rate for this transition period only. If the amount owing is less than \$5, no payment will be required.



To close this transition period, toward the end of the year, all of those existing businesses will again receive a statement. This statement will be for the payment of their 2016 license fees, which will complete the transition to the calendar year term and will be consistently sent to them at the end of each subsequent year.

Future Impact on New Applicants

The second component of the proposed amendments relates to the future impact on new license applicants. These amendments will only affect those applicants that apply for new licenses. There will be no effect to existing license holders, as they will have been transitioned to the new term, as explained above. Commencing on May 1, 2015, any new license applicant will pay the required license fee, specific to the bylaw.

To give a representation of the potential impact related to new applicants, the number of new license applicants between July 1 and December 31, 2014 was approximately 277. The previous year's new applicants were approximately 124.

Administration recognizes that in order to mitigate potential customer impact, proration of license fees should occur. There is a variation in the cost of a license, from \$35 for a Chauffeur's License to \$5,000 for an Escort Agency License. The proposed bylaw amendment would prorate these fees monthly for any new applicant.

For example, should a new Escort Agency make application for an Agency License with a \$5,000 license fee, the following situations could occur:

- a) If the license was purchased in November 2015, the applicant would pay \$833.33 ($\$5,000/12 \text{ months} \times 2 \text{ months remaining in 2015}$). At the end of the year, they would receive a statement for \$5,000, which would be for the entire 2016 year.
- b) If purchased in March 2016, the applicant would pay \$4,166.67 for the remaining period of 2016. They would receive a statement at the end of the year for all of 2017.

The proposed amendments will provide customers with a greater sense of certainty when applying for their licensing needs online. Administration has attempted to mitigate potential customer impact from the required process change by implementing a transition period to account for existing licensees, and has further considered the future impact to new applicants.

STRIKETHROUGH
VERSION

BYLAW NO. 3159/96

Being a bylaw of The City of Red Deer to control, regulate and license businesses within the city.

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

PART I

SHORT TITLE AND DEFINITIONS

1 This bylaw may be cited as "The License Bylaw".

2 In this bylaw,

"Advertiser" means:

- (a) Any person who distributes advertising material and samples from door to door;
- (b) Any person who walks about the streets on foot carrying an advertising placard or sign;
- (c) Any person who employs a vehicle, animal, or other device for the purpose of advertising any business on City streets;

"Advertising" means the business of an advertiser or the employment of others to act as advertisers;

"Amusement Arcade" means a business where three or more machines, games or devices are kept for the purpose of furnishing entertainment or amusement to the public for a fee;

"Auctioneer" means any person who sells, offers for sale, or intends to sell goods, chattels or anything whatsoever by public auction;

"Auctioneering" means the business conducted by an auctioneer;

¹**"Bed & Breakfast"** means a detached dwelling occupied by the property owner of the Bed & Breakfast host as a primary residence, in which are offered overnight accommodation and a breakfast meal, for rent to travelling guests who are temporarily visiting the Red Deer area, in compliance with the regulations contained in the Land Use Bylaw:

"Billiard rooms" means a business where billiards or pool tables or similar tables are kept for the use of the public;

"Boxing" and **"Wrestling"** means the business of conducting or sponsoring any professional boxing or wrestling contest;

"Building Mover" and **"Demolition"** means any person who engages in the business of moving or demolishing houses or other structures;

"Business" shall have the meaning set out in the Municipal Government Act;

"Circus and Other Shows" means the business of maintaining and operating a shooting gallery, carnival, midway, mechanical ride, menagerie, animal show, wax works, side show, rodeo, display of juggling, riding, rope walking, sleight of hand tricks, or other exhibitions with the use of animals and equipment, and providing entertainment to the public for a fee in the form of musical and theatrical productions, none of which originate in the City and are not sponsored by local youth groups, community organizations, the Westerner Exposition Association, Red Deer International Folk Festival, or the Recreation Department of the City;

"Cleaner", "Dyers" and "Launderers" means the business of dry-cleaning, dying, cleaning, sponging or pressing of clothes, feathers, furs or any fabric or textile whatsoever;

"Commercial Agent" or "Direct Sellers" means the business of going from place to place for the purpose of selling goods or services when the transactions are negotiated by telephone or at the buyer's residence, but does not include a bonafide commercial traveller;

"Commercial Traveller" means and includes any person who is a manufacturer's agent or salesman who sells goods directly to businesses and distributors or sells such goods in wholesale lots;

¹ 3159/C-2001

³**"Contractor (General)"** means the business of accepting contracts for the erection, alteration, construction, repair of buildings or structures of any kind or the person or firm engaged in such business, as the context requires, and includes any subcontractor or subtrade, as listed in Schedule 'A' section 13, or any owner of property or any agent of the owner who supervises the erection, construction, alteration and repair of buildings or structures where a general contractor is not engaged in the project;

"Detective" or **"Security Patrol"** shall have the same meaning as set out in the Private Investigators and Security Guard Act;

¹**"Farmer's Market"** means the business of conducting a public open market at which various vendors of goods lease a stall or space from a holder of a provincial market approval and situate at the location approved by the City from time to time.

²**"Festival"** means any music festival, dance festival, rock festival, rave, or similar musical or entertainment activity likely to attract 50 persons or more in any one 24 hour period, at which music is provided by paid or amateur performers, or by pre-recorded means, which is held at any place within the city and to which members of the public are invited or admitted at charge, or free of cost, but shall not include:

- (a) any activity conducted by a religious organization recognized by federal, municipal or provincial agencies as such for tax exemption purposes;
- (b) any activity conducted by a recognized government agency;
- (c) any activity conducted by any other organization or service club, which the Manager is satisfied, is a non-profit organization, notwithstanding that such organization might

¹ 3159/B-96

² 3159/A-2001 / ³ 3159/A-2008

- 4 -

not be registered for income tax purposes with Revenue Canada;

- (d) any activity promoted or conducted by the Red Deer Westerner Exposition Association on lands or premises under its direct control;
- (e) does not include any event which takes place at premises which are licensed under the Alberta Gaming and Liquor Act.

"Hawker/Peddler" means a person who goes about the City selling goods, wares, merchandise, food, fish, corn, or food products from a vehicle or trailer or one that locates on any street or roadway other than at a building which is his permanent place of business, and where the merchandise is delivered at the time the sale is made;

¹**"Home Music Instructor/Instruction"** means the instruction of students in musical instruments, voice and musical theory for formal educational purposes from a dwelling unit subject to regulations of the Land Use Bylaw;

"Home Occupation" shall have the meaning set out in the City Land Use Bylaw;

"Janitor Service" means the business of cleaning or maintaining in a clean condition all or any part of the interior or exterior of buildings and dwelling houses and includes the business of cleaning rugs and upholstery and the washing of the exterior and interior of windows;

¹ 3159/C-2001

"Mall Kiosk" means a stall, table, booth, or other type of readily movable business premises, not affixed to real property and occupied or operated for the purpose of providing services or of displaying and offering for sale any goods, wares, or merchandise in a mall or shopping centre or similar locations;

"Manager" means the Inspections and Licensing Manager of the City;

"Massage" or **"Massages"** means kneading, manipulating, rubbing, touching or physically stimulating, by direct or indirect means, a person's body or part thereof, but does not include medical or therapeutic treatment given by a person duly qualified, licensed or registered so to do under the laws of the Province of Alberta;

"Massage Clinic" means a business where massages are performed or offered to the public;

"Massage Therapist" means a person who administers a massage;

"Medical Health Officer" means the Public Health Inspector for the Province of Alberta;

"Mobile Vending Unit or Canteen" means a motor vehicle, trailer, or similar mobile structure exceeding 3.3 m², designed for the purpose of preparing and offering the of sale food products, which does not contain customer seating and is capable of being moved;

"Non-resident" means a person who does not reside in the City, provided that if such person pays to the City a business tax in respect of a business, he shall be deemed for the purpose of that business to be a resident;

"Pawnbroker" means the business of lending money on the pledge or pawning of personal property on the condition that it may be redeemed, and includes any person engaged in such business;

"Photographer" means a person or firm carrying on the business of taking photographs or videotapes;

"Public Bath" means a business operating as a steam Finnish, Turkish or Russian bath;

"Push Cart Vending Unit" means a push cart or similar mobile structure not exceeding 3.3 sq. m, intended to be moved from location to location for the purpose of offering for sale food products, beverages or flowers.

"Resident", for the purpose of this Bylaw, means a person, firm or corporation that:

- (a) is located or resides within the boundaries of the City, or
- (b) provides the space and services including office area and telephone from premises that are listed on the business tax roll, or
- (c) has an occupancy permit issued under the Land Use Bylaw; and
- (d) satisfies the Manager that he intends to carry on business within the City for not less than six months;

"Retail Salesperson" means any person who sells or agrees to sell any services, goods, or property of any nature or kind wherever situate, as individual items or in small quantities, as opposed to wholesale lots, directly to the consumer from any location within the City; but shall not include charitable organizations, local youth groups, community service organizations and auctioneers;

"Second Hand Dealer" means the business of operating premises for, and the carrying on of, the purchasing, selling or exchanging of articles or things of any kind or nature which have been worn or used and shall without limiting the generality of the foregoing, include the business of purchasing, selling, exchanging or in any way dealing in scrap metal or junk;

"Sub-Contractor" means the business of contracting to provide a special service in relation to a particular trade as outlined in Schedule "A" or the person or firm engaged in such business, as the context requires;

"Trade Fairs/Shows" means an event that hosts a group of 5 or more vendors at a single location, displaying to the public the types of goods, wares, merchandise, food or service that they have available for sale. Trade fairs include all agricultural events, entertainment events, community events, energy/resource events, arts/crafts events, and collector's events (including, but not limited to, comics, stamps, coins, cards);

"Transient Trader" means a non-resident who as principal, employee or agent sells or attempts to sell goods or services at premises not otherwise licensed by the City for that sales activity and in particular, at a motel, hotel or the Westerner site or any other location approved by the Manager;

"Vehicle" shall have the meaning set out in the Highway Traffic Act, R.S.A. 1980;

PART 2

APPOINTMENT, POWERS AND DUTIES OF INSPECTIONS AND LICENSING MANAGER

- 3 All licenses issued under this Bylaw shall be in a form approved by the Manager.
- 4 The Manager has the authority to:
- (a) grant, refuse to grant, revoke, renew or refuse to renew licenses under this Bylaw;
 - (b) maintain appropriate records pertaining to the licensing of businesses, infractions of this Bylaw, and generally all matter arising out of the application and enforcement of this Bylaw;
 - (c) enforce the provisions of this Bylaw.
- 5 The Manager shall refuse to grant or renew a license, and shall revoke or suspend a license, if in his opinion, and upon reasonable grounds, he believes that:
- (a) The applicant is not bona fide;
 - (b)¹ The applicant or the Licensee has contravened the provisions or requirements of this bylaw or any other bylaw of the City, or any enactment of the Province of Alberta;
 - (c) The applicant or Licensee is not worthy of public trust;
 - (d) The applicant or Licensee has withheld or concealed information from the Manager, his designate, or a peace officer, or has provided false information on any application for a license;

¹ 3159/A-96

- (e) The Licensee refuses to admit the Manager, his designate, a peace officer, or any other person authorized by this bylaw or any Statute of the Province of Alberta, into the premises, vehicles or apparatus from which the business is carried out;
 - (f) There are other just and reasonable grounds for so doing.
- 6 The Manager may suspend the effect of revocation of a license upon the performance by the Licensee of any conditions stated in writing by the Manager.
- 7 (1) Notice of the cancellation or suspension of a license may be given by personal delivery of such notice to the Licensee or by mailing a double registered letter to the Licensee at his place of business or residence as shown on the license.
- (2) The Licensee shall immediately upon being given verbal notice, or upon being served with written notice of the revocation of his license, terminate the operation of his business.
- ¹⁸ (1)² If the Manager refuses to grant or renew a license or revokes or suspends a license, the applicant or Licensee may appeal the decision to the Red Deer Appeal & Review Board, in accordance with relevant procedures as outlined in the City of Red Deer Committees Bylaw.

PART 3

GENERAL REGULATIONS REGARDING LICENSES

- 9 ³(1) No person shall carry on any business referred to in this Bylaw or in Schedule "A" attached hereto, without first being the holder of a valid and subsisting license to do so and having paid to the City the fee required under Schedule "A".
- ⁴(2) The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.

¹ 3159/A-2008

² 3159/A-2009

³ 3159/B-2015

⁴ 3159/B-2015

- 10 The issuance of a license under this bylaw does not authorize or permit the Licensee to carry on business or any activity under such license contrary to the provisions of the City Land Use Bylaw.
- 11 ~~¹(1) Each license shall be valid for a period of one year from the date of issuance.~~
- (1) All licenses issued pursuant to this Bylaw shall be valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (2) All licenses issued remain the property of the City.
- 12 (1) All licenses issued shall be conspicuously displayed at or near the main entrance of businesses that are carried on at a fixed location.
- (2) All licenses issued to businesses that are not carried on at a fixed location shall be carried on the person of the Licensee or in or on the vehicle or apparatus from which such business is carried on and shall be shown to the Manager, his designate, a bylaw enforcement officer, or peace officer upon demand.
- 13 The Manager or his designate may issue concurrent licenses to businesses which carry on their business from several locations, vehicles or apparatus simultaneously.
- 14 (1) A commercial agent representing a company or business and working in conjunction with a person who holds a home occupation license for same may be licensed under that home occupation for a resident license fee as a commercial agent.
- (2) Commercial agents working in conjunction with a person who holds a home occupation license must produce proof of that arrangement satisfactory to the Manager.
- 15 Each additional business operated from a licensed home occupation site will be charged a resident license fee.
- 16 No transfer of a license shall have any effect:

¹ 3159/B-2015

- (a) without the prior written approval of the Manager;
- (b) without the transferee paying therefore a fee of \$10.00.

- 17 No business whether or not licensed under this Bylaw, shall use any highway within the control, management or direction of the City for the purposes of display, advertising, or carrying on any business without first obtaining permission as required by the City.
- 18 No owner or manager of a hotel, motel, mall, commercial business or other property shall knowingly allow, suffer, or permit any person to carry on any business or activity thereon without such person being the holder of a subsisting license where required under this bylaw.

PART 4

EXCEPTIONS TO LICENSE REQUIREMENT

- 19 No license is required for the carrying on of any business that:
- (a) is carried on in the Exhibition Grounds during the Westerner Exposition;
 - (b) is carried on in conjunction with the activities of the Red Deer International Folk Festival;
 - (c) is an amateur boxing or wrestling match;
 - (d) consists of vending machines that are placed to be accessible only to the employees of the Licensee and are not intended for the use of the public;
 - (e) is a concession run by the City or its employees on behalf of the City;
 - (f)¹ is carried on by a vendor of goods only as part of the activities of a Farmer's Market.
- 20 Where, in the Manager's opinion, a natural combination of businesses are carried on or will be carried on by the Licensee or prospective Licensee in

¹ 3159/B-96

a subcontractors or sub-trades category, the Manager may waive payment of the fee for all but one of those businesses.

PENALTIES

¹21

- (a) A person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a fine of not less than \$250 and not more than \$10,000, exclusive of costs and, in default of this payment, to imprisonment for a period not exceeding six months.
- (b) A person who breaches any of the provisions of this bylaw where the breach is of a continuing nature shall, in addition to the penalties set forth in section 21(a), pay a penalty of not less than \$250 for each day that the breach continues.

22 Where contravention of this Bylaw is the non-payment of the license fee, the Judge or Justice presiding in Court may direct payment of the license fee in addition to the penalty imposed.

PART 5

REGULATIONS RESPECTING SPECIFIC LICENSES

AMUSEMENT ARCADE

23 The Owner and the Manager of an Amusement Arcade shall be jointly and severally responsible for providing proper and adequate continuous supervision and control of the premises on which the business is carried on at all times when the same are open to the public.

24 At all times when an Amusement Arcade is open to the public either the Owner or a Manager employed by the Owner shall be personally present on the said premises.

25 No person shall act as Manager for an Amusement Arcade unless he or she is the full age of 18 years.

¹ 3159/A-2008

- 26 The Owner or Manager of an Amusement Arcade shall not employ any person of less than 18 years of age in connection in any way with the operation of an Amusement Arcade.
- 27 The Owner, Manager, and any employee engaged in the operation of an Amusement Arcade shall not suffer, allow or permit persons not actively making use of the amusement, sport or arcade machines located on the premises, to loiter upon the said premises.
- 28 No person under the age of 14 years shall be permitted on the premises of an Amusement Arcade unless accompanied by a parent or guardian.
- 29 An Amusement Arcade license shall not be required in respect of rides operated for the amusement of children.

BILLIARD ROOMS

- 30 No Owner or Manager of a billiard room shall permit any person under the age of 14 years to enter, frequent or attend at the billiard room unless accompanied by a parent or guardian.
- 31 The Owner or Manager of a billiard room shall inquire and determine the age of any person who has entered the billiard room, whom he has reason to believe is under the age of 14 years.
- 32 The Owner or Manager of a billiard room shall request any person who is not 14 years of age or older, or who fails or refuses to prove that he is 14 years of age or older, to leave the billiard room.

CONTRACTORS

¹33

- (a) The Manager may suspend or revoke a Contractor's license where the Licensee has:
- (i) commenced any development prior to obtaining all necessary permits; or
 - (ii) failed to commence or complete development within the time required by the Land Use Bylaw and in accordance with a

¹ 3159/A-2008

permit issued according to the Land Use Bylaw or has failed to comply with any of the conditions of the permit.

- (b) The Manager may refuse to renew a Contractor's license if permits issued more than one year prior to the license renewal date remain outstanding as a result of required inspections that have not been completed or safety concerns that have not been addressed to the satisfaction of the Safety Codes Officer involved.
- (c) The suspension or revocation of a Contractor's license may be for the remaining of the existing license period and for an additional maximum period of 24 months thereafter or a lesser period as the Manager deems appropriate."

¹33.1 Notwithstanding anything contained in this bylaw, the Contractor shall complete all outstanding developments that are the subject of the suspension, revocation, or renewal refusal of the license, to the satisfaction of the Safety Codes Officer. The penalty for failing to complete outstanding developments is contained in Section 21 of this Bylaw."

²34 A suspension, revocation, or renewal refusal of a license shall not be effective until:

- (a) The Manager has given 14 days written notice to the Licensee of the proposed suspension, revocation, or renewal refusal; and
- (b) The Licensee has not appealed the proposed suspension, revocation, or renewal refusal within the allotted appeal period, or having filed an appeal, the appeal has been heard as specified in this bylaw and has been denied."

BOOK AGENTS (CANVASSERS)

35 Seven clear days prior to the commencement of his business operation every person to whom a book agent license is issued shall provide the following information to the Manager and shall advise the Manager of any changes in the following information in writing:

- (a) the names of the persons comprising his sales crew;

¹ 3159/A-2008

² 3159/A-2008

- (b) the place or places of residence of the members of his sales crew, together with their addresses in the City;
- (c) the Provincial license number of each sales person.

- 36 Where any person is an employee of a book agent, such employee may take out a license for the period running concurrently with the period of the license issued to the employer.
- 37 Not more than 4 employees' licenses shall be issued for each employer's license.

FESTIVALS

- 38 No person shall operate, maintain, conduct, advertise, sell or furnish tickets for any outdoor or indoor festival in the City unless he shall have obtained a license from the City to operate or conduct such festival.
- 39¹ Applications for licenses to conduct a festival shall be made in writing to the Manager not less than 90 days prior to the commencement date of the festival and shall contain the following information:
- (a) the name, age, residence and the mailing address of the person making such application. If the application is made by a partnership, the name and addresses of the partners shall appear. When the applicant is a corporation, the application shall be signed by the President, Vice President and Secretary of such corporation and shall contain the addresses of such corporate officers, and the names and addresses of the directors of the company, and shall have annexed thereto, a certified copy of the Articles of Incorporation of the company;
 - (b) a written statement of the kind, character or type of festival which the applicant proposes to conduct, operate or carry on;
 - (c) the address or legal description of the place where the proposed festival is to be conducted, operated or carried on, together with the proof of ownership of such place, and a statement signed by the owner of such place indicating his consent that such place be used for the proposed festival;

¹ 3159/A-2001

- (d) the date or dates and the hours during which the festival is to be conducted;
- (e) an estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted;
- (f) a detailed written explanation of the applicant's plans to provide security and fire protection, internal and external police protection, water supplies and facilities, medical facilities and services, food supplies and facilities, vehicle access and on-site traffic control, off-site parking arrangements, and if it is proposed or expected that spectators or participants will remain at night or overnight, arrangements for illuminating the premises and for camping or similar facilities. Such plans shall include provision to be made for spectators in excess of the estimate, provisions for the removal of rubbish after the event has concluded, and shall have attached thereto a plot-plan showing the arrangements of the facilities including those for parking, egress and ingress;
- (g) confirmation from the David Thompson Regional Health Authority that the proposal meets all the standards required under the Public Health Act of Alberta and any regulations thereunder, and any standards established by the City;
- (h) confirmation from the Red Deer Fire Department that the arrangements made by the applicant comply with the relevant fire codes and regulations thereto; and
- (i) a letter from a licensed insurance company undertaking to issue a Certificate of Public Liability and property damage insurance in the amount not less than \$1,000,000.00.

40

Upon receipt of the application and the information required herein, and upon payment by the applicant to the City of the license fee required in Schedule "A", the Manager may issue a license to the applicant for the festival, subject to all or any of the following conditions:

- (a) that the applicant enter into an agreement in form satisfactory to the City undertaking to indemnify and save harmless the City from, of and against all claims, demands, suits, judgements, and actions of every nature or kind arising out of the operation of the festival;
- (b) that the applicant post an irrevocable letter of credit or cash security in the sum of \$50,000.00 with The City, together with a

letter of authority directed to The City and granting unto The City unrestricted powers to use all or any portion of the funds so secured for the purpose of providing police and fire protection and ambulance services for the festival and for the purpose of making payment of all costs related to site clean-up, property damage, garbage removal, and any other expenses to which The City is put either directly or indirectly as a result of the conduct and operation of the festival, should any or all of the foregoing expenses remain unpaid for a period of 30 days following the conclusion of the said festival. The applicant may be required by The City to provide such evidence as The City may require to satisfy The City that all expenses referred to herein have been paid in full; and

- (c) such further and other conditions as the Manager in his discretion considers necessary or advisable having regard to the nature of the festival and the arrangements which have been made by the applicant to provide adequate police protection, water, food, sanitation and medical facilities.

41 No festival license shall be issued for any site other than lands designated under the Land Use Bylaw for such purpose.

MESSAGE CLINIC

42 No license shall be issued for a massage clinic until the applicant provides to the Manager:

- (a) a letter of approval of the proposed massage clinic from the David Thompson Regional Health Authority; and
- (b) a valid massage therapist's license issued to the applicant.

43 Every applicant must use his own legal name in making an application for a license and no such license shall be issued to any person in any name other than his own legal name.

44 The premises of every massage clinic shall be kept in a clean and sanitary condition at all times.

45 Each owner and operator of a massage clinic, shall ensure that no person other than a licensed massage therapist shall be present at the massage of any person.

- 46 No washroom, toilet, sink or basin used for domestic purposes shall be used in connection with a massage clinic.
- 47 No owner or operator shall permit in any massage clinic owned or operated by him the offering, selling, giving, performing or soliciting of any service other than massages, or the selling, giving, trading or offering of any goods unless the owner of the said massage clinic obtains the consent of the City to so permit such trade, calling, business or occupation and, subject to the discretion of the City, a description of such services or goods is endorsed on the license for the massage clinic.
- 48 No food or beverage shall be prepared, consumed, kept for sale, sold, bought, given or offered free of charge in any massage clinic provided that:
- (a) there may be installed in a massage clinic a vending machine which dispenses non-alcoholic beverages only; and
 - (b) persons employed by or under contract of services to an owner or operator of a massage clinic, and such owner or operator, may prepare food for their own use and consume food in a room in such massage clinic used exclusively for such purposes.
- 49 No person under the age of 18 may be or act as an owner or operator of a massage clinic or provide any services therein.
- 50 No owner or operator of a massage clinic, or a massage therapist shall:
- (a) provide a massage, or any other service or services, in a massage clinic to a person who is or appears to be intoxicated by alcohol or under the influence of a drug or to any person whose appearance or condition provides reasonable cause to believe that the provision of such services to such person may cause illness or injury to him;
 - (b) permit any person who appears to be intoxicated by alcohol or under the influence of a drug to enter or remain in any massage clinic operated by him;

- (c) use or permit to be used any camera or other photographic or recording device in, upon or at a massage clinic by any person other than a Peace Officer, Medical Health Officer or a Public Health Inspector acting under his direction, or a Bylaw Enforcement Officer of the City, or
 - (d) provide any movies, slide shows, games of skill, or sports activities on or in the premises occupied by a massage clinic or any activity or entertainment of any kind other than those approved by the City on issuance of the license for the massage clinic.
- 51 Except where massage services have been approved as an accessory use to an existing business holding a valid occupancy permit:
- (a) no massage therapist shall perform massage services at any place other than the premises of a massage clinic licensed under this bylaw;
 - (b) no massage therapist shall provide massage as an approved accessory use where two or more massage therapists are employed unless a massage clinic license is issued for such use.
- 52 No person shall perform or administer a massage unless he or she is licensed as a massage therapist under this Bylaw.
- 53 No massage therapist license shall be issued unless the applicant:
- (a) is the holder of Certificate of Proficiency in Body Massage; or
 - (b) is the holder of a written statement from the Medical Health Officer for the David Thompson Regional Health Authority that the applicant has qualifications equivalent to those required for a Certificate of Proficiency in Body Massage; and
 - (c) is the holder of a health inspection certificate or employed at a massage clinic holding a health inspection certificate.
- 54 No person shall operate a massage clinic unless he is the holder of a valid massage therapist license.
- 55 The Manager may at any time require any person who performs massages in a massage clinic to be medically examined by the Medical Officer of Health or a Medical Doctor designated by him and the Medical Health Officer may make a report of such examination to the Manager.

- 56 No owner's license shall be transferred and if an owner sells, leases or otherwise disposes of a massage clinic or the premises or part thereof upon or in which a massage clinic is operated, the license in respect of such massage clinic shall, notwithstanding any other provision of this bylaw, terminate.
- 57 Any Bylaw Enforcement Officer, Peace Officer, or any other person authorized by the Manager, may inspect any premises for which a massage clinic license has been issued at all reasonable times. Any person who refuses admission to any such person or who refuses to produce his license when called upon by any such person to do so, shall be guilty of an offence.

PAWN BROKER

- 58 No Pawn Brokers license shall be issued to any person who carries on business as an auctioneer, or as a second hand dealer.
- 59 Every pawn broker shall keep a book or other record in a form satisfactory to the Manager in which shall be recorded in permanent form at the end of each transaction the following information:
- (a) an accurate description of the property pawned or pledged, including serial numbers, makes and models, etc.;
 - (b) the date and time such property was acquired by the pawn broker;
 - (c) the rate of interest to be paid by the pledgor;
 - (d) the name, address and an accurate description of the person from whom the property was acquired.
- 60 No entry in such book or record shall be erased, obliterated or defaced, nor shall any portion thereof be torn out or removed.

- 61 Every pawn broker shall at the time of each transaction deliver to the person pawning or pledging personal property with him a personal note or memorandum signed by him containing a summary of the items set forth in Section 59. No charge shall be made or received by the pawn broker for such note or memorandum.
- 62 The books or records and any personal property in a pawn broker's premises shall be open for inspection at all times by any peace officer, or the Manager.
- 63 Each pawn broker shall before 12:00 o'clock noon on any day his business premises is open for business deliver to The City Detachment of the R.C.M.P. a detailed and accurate description of all personal property received by him upon pledge or pawn during the period preceding 10:00 o'clock in the forenoon of that day and after 10:00 o'clock in the forenoon of the previous day on which his shop was last open for business, including:
- (a) the date and time of day when each property was received;
 - (b) the serial or folio number in the pawn broker's book or record; and
 - (c) the name, address and a detailed description of the person or persons from whom the pledge or pawn was received, including the description of the clothing and any other distinguishing feature of the pledgor.
- 64 Such report shall be made in form approved by the Manager.
- 65 When any property is redeemed or sold, the pawn broker shall enter into such book or record:
- (a) The name and address of the person purchasing or redeeming such property; and
 - (b) The date of redemption or sale.
- 66 No pawn broker shall permit any property received by him as a pledge or pawn or otherwise as security for any loan, to be redeemed or removed from his place of business until at least 72 hours has elapsed from the time of first receiving such property, and no property shall be sold until a period of three months has elapsed from the time such property was received by the pawn broker.

- 67 No pawn broker shall take any property as a pledge or pawn for security for any loan from any of the following persons:
- (a) any person who appears to be intoxicated by alcohol or under the influence of drugs;
 - (b) any person under the age of 18 years;
 - (c) any person who the pawn broker believes to have a criminal record or to have acquired the property illegally;
- 68 No pawn broker shall employ to take or receive any pawn or pledge, any person under 18 years of age nor any person who has been convicted of theft or possession of stolen property.
- 69 No pawn broker shall purchase or otherwise acquire any personal property which is second hand except where such personal property has been sold as an unredeemed pledge or pawn and is re-acquired from the purchaser.

SECOND HAND DEALERS

- 70 A person shall not be required to hold a license for dealing in second hand goods where the second hand goods are accepted as part of the consideration for the purchase price of new goods.
- 71 Each second hand dealer shall keep a book or other record in duplicate containing the following information:
- (a) an accurate description of the second hand goods including serial numbers, makes and models and any distinguishing features, including the fact that the serial number had been removed or is missing;
 - (b) the date and time of the day when such second hand goods were acquired;
 - (c) the name, address and an accurate description of the person from whom the second hand goods were acquired; and
 - (d) the amount paid by the dealer for the second hand goods.

- 72 No entry made in such book or record shall be erased, obliterated or defaced nor shall any portion thereof be torn out or removed.
- 73 The book or record required herein and any personal property in the second hand dealer's place of business shall be open to inspection at all times by any Peace Officer, a Bylaw Enforcement Officer, or the Manager and the duplicate copy of such book or record shall be delivered to the Peace Officer, the Bylaw Enforcement Officer, or the Manager upon request.
- 74 No second hand dealer shall dispose of or undertake the repair of any second hand goods until 72 hours have elapsed from the time of acquisition of such goods.
- 75 Each second hand dealer shall keep separate and apart from his other goods those goods referred to in Section 74 until the time set forth in that section has elapsed.
- 76 Sections 71 to 75 inclusive do not apply to:
- (a) the purchase of second hand goods, wares, merchandise or other effect bargained for or delivered to the purchaser at any place outside the City, although such person disposes of the same within the City;
 - (b) persons who deal in second hand books;
 - (c) auctioneers;
 - (d) thrift shops and clothing banks operated by any church or charitable organization.

PUSH CART VENDING UNITS AND MOBILE VENDING UNITS

- 77 Push cart vending units may be permitted at locations approved by the Manager, on public or private property.
- 78 Mobile vending units or mobile canteens may be permitted at locations approved by the Manager, on public or private property.
- 79 Licenses issued to hawkers or the vendors of unprepared food items shall be subject to a condition that there will be no signs posted on private or public lands. Only one sign, not to exceed two feet by two feet may be located on the vehicle or kiosk.

REPEAL AND TRANSITIONAL

80 License Bylaw No. 2846/84 is repealed.

~~81¹ All licenses issued under Bylaw 2846/84 shall continue in force for a period of 12 months from the date of their issue as if issued under this bylaw.~~

81 The following provisions apply to any license issued under this bylaw in 2015:

- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee's discretion may be applied to the licensee's 2016 license fees or refunded to the licensee.

READ A FIRST TIME IN OPEN COUNCIL this 11 day of March A.D. 1996.

READ A SECOND TIME IN OPEN COUNCIL this 11 day of March A.D. 1996.

READ A THIRD TIME IN OPEN COUNCIL this 11 day of March A.D. 1996.

AND SIGNED BY THE MAYOR AND CITY CLERK this 11 day of March A.D. 1996.

"G. D. SURKAN"

MAYOR

"KELLY KLOSS"

CITY CLERK

¹ 3159/B-2015

Bylaw No. 3159/96

SCHEDULE "A"

Page 1 of 4

Schedule of Fees¹

Type of Business	Resident	Non-Resident
1 Advertising on foot or vehicle	\$ 60.00	\$ 180.00
2 Ambulance - per vehicle	60.00	180.00
3 Amusement Arcade	60.00	N/A
4 Arts or Crafts - sale by the Artist when the sale is not conducted under the auspices of the Allied Arts Council	NIL	60.00
Allied Arts Council Crafts Sale	120.00	N/A
5 Auctioneer	60.00	180.50
6 Public Bath, Health or Fitness Club or Facility, Gymnasium, Tanning Salon	60.00	N/A
6.1 Bed & Breakfast	180.50	N/A
7 Billiard Room	60.00	N/A
8 Boxing and Wrestling (Professional)	60.00	180.00
9 Building Movers/Demolition	60.00	360.00
10 Christmas Tree Vendor	330.00	440.00
Note: Where the applicant holds a current business license from the City or is on the City business tax roll the license fee shall be \$267.50		
11 Circus or other Show (excepting a festival) per day	120.00	240.00
12 Cleaner, Dyers or Launderers - per business	N/A	360.00

¹ 3159/B-96, 3159/A-2001, 3159/C-2001, 3159/A-2013, 3159/A-2015

Bylaw No. 3159/96

SCHEDULE "A"

Page 2 of 4

Type of Business	Resident	Non-Resident
13 Contractor -including sub-contractor and sub-tradesman such as, but not limited to, excavator, concrete placer, plasterer, stucco drywaller, brick layer, stone mason, building mover, landscaper, floor layer or finisher, painter and paper hanger, roofing and siding, applicator, structural steel erector, insulator, carpenter and cabinet maker and wood worker, plumber and gas fitter, electrical contractor, sheet metal worker, steam fitters	60.00	360.00
14 Detective or Security Patrol Agency	60.00	180.00
15 Commercial Agent or Direct Sellers	60.00	360.00
16 Employee of a Commercial Agent	60.00	180.00
17 Farmer's Market - \$330.00 annual fee		
18 Festival - per day or part thereof, whether or not such day is a public holiday	1,095.00	1,095.00
19 Hawkers or Pedlars (per location)	60.00	360.00
19.1 Home Music Instructor/Instruction	60.00	N/A
20 Home Occupation	180.00	N/A
21 Janitor Service	N/A	180.00

Bylaw No. 3159/96

SCHEDULE "A"

Page 3 of 4

Type of Business	Resident	Non-Resident
22 Mall Kiosk - annual fee		
(a) up to 500 sq. ft.	N/A	360.00
(b) over 500 sq. ft.	N/A	1,095.00
23 Massage Clinic	120.00	N/A
24 Massage Therapist	60.00	60.00
25 Mobile Vending Unit or Canteen	120.00	360.00
26 Pawnbroker, Second Hand Dealer	60.00	N/A
27 Phrenologist, Fortune Teller, Hypnotist, Palmist, Card Reader, Graphologist or other similar occupation	240.00	600.00
28 Photographer	NIL	360.00
29 Push Cart Vending Units	60.00	
30 Street Entertainers	24.00	24.00
31 Trade Fair or Trade Show:		
(a) No Charge where Red Deer residents and businesses may participate;		
(b) Where Red Deer residents and businesses may not participate, the fee will be \$820.00 per annum plus \$360.00 for each day the show is in operation.		

SCHEDULE "A"

Type of Business	Resident	Non-Resident
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- 32 Transient Trader - \$825.00 annual fee plus \$360.00 per day for each day that a sale is conducted. In addition, the license will not be valid until:
- (a) 30 days after the City has:
 - (i) placed a notice in a local daily newspaper of the granting of a license to a Transient Trader, and
 - (ii) given notice in writing to any person who has filed with the City a request for notice of the granting of Transient Traders license and has paid an annual fee of \$22.00 to cover the cost of such notice; and
 - (b) the applicant has paid the license fee and the cost of advertising.

- 33 Westerner Exposition Association - \$1,095.00 per year

This License includes permission for the conduct of Trade Fairs and Trade Shows and sale of any goods, property or services being offered in conjunction with those events, provided those events are open to participation by Red Deer residents and businesses. In that case, the participants in the Trade Fair or Trade Show do not require individual licenses.

Where Red Deer residents and businesses are not permitted to participate in the event, then a Trade Fair or Trade Show license is required.

**PROPOSED
AMENDMENT**

BYLAW NO. 3159/B-2015

Being a Bylaw to amend Bylaw No. 3159/96 The License Bylaw of the City of Red Deer.

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

Bylaw No. 3159/96 is hereby amended as follows:

1. By renumbering section 9 to section 9(1).

2. By adding a new section 9(2) as follows:

“9 (2) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

3. By removing section 11(1) in its entirety and replacing it as follows:

“11 (1) All licenses issued pursuant to this Bylaw shall be valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

4. By deleting section 81 in its entirety.

5. By adding a new section 81 as follows:

“81 The following provisions apply to any license issued under this bylaw in 2015:

(a) For licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;

(b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee’s discretion may be applied to the licensee’s 2016 license fees or refunded to the licensee.”

6. These amendments shall come into force on May 1, 2015.

READ A FIRST TIME IN COUNCIL this day of 2015.

READ A SECOND TIME IN COUNCIL this day of 2015.

READ A THIRD TIME IN COUNCIL this day of 2015.

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

MAYOR

CITY CLERK

**STRIKETHROUGH
VERSION**

BYLAW NO. 3319/2003

WHEREAS the *Municipal Government Act*, Revised Statutes of Alberta, 2000, Chapter M-26, and amendments thereto, empowers a Council to pass bylaws respecting the safety, health and welfare of people and the protection of people and property, as well as businesses, business activities, and persons engaged in business;

AND WHEREAS the *Municipal Government Act*, R.S.A., 2002, Chapter M-26 and amendments thereto empowers a Council by bylaw to regulate and provide for a system of licenses, permits, or approvals;

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

1. This Bylaw may be called the "Escort Service Bylaw".

PART I – PURPOSE, DEFINITIONS AND INTERPRETATION PURPOSE:

2. The purpose of this Bylaw is to establish a system of licensing Escort Service and Agency businesses in order to:
 - a) Prohibit the conduct of these businesses until a license has been granted;
 - b) help protect the safety, health and welfare of people engaged in, or receiving the services provided by these businesses; and
 - c) establish license fees that reflect the costs associated with policing, administering and regulating these businesses.

DEFINITIONS:

3. In this Bylaw, unless the context otherwise requires:
- a) **“Escort”** means a person who for a fee provides a period of companionship for a limited period of time; provides private modeling, strip tease or exotic dancing; or provides any of the services offered by an Escort agency;
 - b) **“Escort Service or Agency”** means any business which offers to provide the services of Escorts;
 - c) **“Independent Escort Service or Escort Agency”** means any business which is owned, operated and serviced by one Escort;
 - d) **“Licensee”** means any person who holds any license pursuant to this Bylaw.

PART II – ESCORT SERVICE OR ESCORT AGENCY LICENSING

4. Before any person may provide the services of an Escort Service or Agency, a written application must be made to the License Inspector for an Escort Agency License and a license issued.
5. An Escort Agency License may not be issued to:
- a) an individual under the age of 18 years;
 - b) a partnership with any partner under the age of 18 years; or

- c) a corporation with any shareholder, director, or officer under the age of 18 years.

6. Every application for the issue or renewal of an Escort Agency License must be in a form prescribed by the License Inspector and must contain at least the following information regarding the applicant:

- a) If the applicant is an individual:
 - i) family name and all given names;
 - ii) date and place of birth; and
 - iii) a photograph to be taken in the format required by the License Inspector;
- b) If the applicant is a partnership:
 - i) the family name and all given names for each partner;
 - ii) the date and place of birth for each partner; and
 - iii) a photograph of each partner to be taken in the format required by the License Inspector;
- c) If the applicant is a corporation:
 - i) the legal name of the corporation;
 - ii) the corporate access number;

- iii) the family name, all given names and the date and place of birth for each individual shareholder;
 - iv) the legal name and corporate access number for each corporate shareholder;
 - v) the family name, all given names and the date and place of birth for each director; and
 - vi) the family name, all given names and the date and place of birth for each officer;
- d) For all applicants:
- i) the complete legal name of each person employed by the Escort Agency whether by direct employment, independent contract, or otherwise;
 - ii) the business address and mailing address of the Escort Agency;
 - iii) all business telephone numbers used by the Escort Agency including, but not limited to, cellular phones, digital phones, pagers and fax lines;
 - iv) all names used by the Escort Agency;
 - v) all electronic mail addresses used by the Escort Agency; and
 - vi) all internet computer addresses used by the Escort Agency.

7. Every application for the issue or renewal of an Escort Agency License must be personally signed by:

- a) the individual named in the application;
- b) each partner named in the application; or
- c) each director of a corporation named in the application;

as the case may be.

~~8¹. Every Escort Agency License is valid for a period of 12 months from the date that it is issued unless revoked earlier pursuant to this Bylaw.~~

8. Every Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.

PART III - INDEPENDENT ESCORT AGENCY LICENSING

9. An Independent Escort Agency License may not be issued to:

- a) an individual under the age of 18 years;
- b) a partnership; or
- c) a corporation with any shareholder, director or officer under the age of 18 years.

10. An Independent Escort Agency License may only be issued to an individual if that individual is the owner and operator of the Escort Agency and the only Escort working for that Escort Agency.

¹ 3319/A-2015

11. An Independent Escort Agency License may only be issued to a corporation if the only Escort working for that Agency is the sole shareholder, director, and officer of that corporation.

12. Every application for the issue or renewal of an Independent Escort Agency License must be in a form prescribed by the License Inspector and must contain at least the following information regarding the applicant:
 - (a) If the applicant is an individual:
 - i) family name and all given names;
 - ii) date and place of birth; and
 - iii) a photograph to be taken in the format required by the License Inspector;

 - b) If the applicant is a corporation:
 - i) the legal name of the corporation;
 - ii) the corporate access number;
 - iii) the family name, all given names and the date and place of birth for the sole shareholder, director and officer;

 - c) For all applicants:
 - i) the business address and mailing address of the Independent Escort Agency;

- ii) all business telephone numbers used by the Independent Escort Agency including, but not limited to, cellular phones, digital phones, pagers and fax lines;
 - iii) all names used by the Independent Escort Agency;
 - iv) all electronic mail addresses used by the Independent Escort Agency;
 - v) all internet computer addresses used by the Independent Escort Agency.
13. Every application for the issue or renewal of an Independent Escort Agency License must be personally signed by:
- a) the individual named in the application ; or
 - b) the sole shareholder, director and officer of the corporation named in the application;
- as the case may be.
- ~~14.² Every Independent Escort Agency License is valid for a period of 12 months from the date that it is issued unless revoked earlier pursuant to this Bylaw.~~
14. Every Independent Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.

² 3319/A-2015

PART IV – ESCORT LICENSING

15. Before any person may provide the services of an Escort, a written application must be made to the City License Inspector for an Escort License and a license issued.

16. An Escort License may not be issued to:
 - a) an individual under the age of 18 years; or
 - b) a partnership or a corporation.

17. Every application for the issue or renewal of an Escort License must be in a form prescribed by the License Inspector and must contain the following information:
 - a) family name and all given names;
 - b) date and place of birth;
 - c) residence address and mailing address;
 - d) residence telephone number;
 - e) Licensed Escort Agency through which the Escort will be employed;
 - f) other names used by the Escort, to a maximum of three;
 - g) a photograph to be taken in the format required by the License Inspector.

18. Every application for the issue or renewal of an Escort License must be personally signed by the individual named in the application.

~~19.³ Every Escort License is valid for a period of 12 months from the date that it is issued unless revoked earlier pursuant to this Bylaw.~~

19. Every Escort License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.

PART V – POLICE REFERRAL

20. The License Inspector may refer every application for the issue or renewal of a License to the Chief of Police.

21. The Chief of Police may, upon receipt of an application for the issue of a License, make or cause to be made any investigations reasonably required to determine whether the issue or renewal of the License would endanger the safety, health or welfare of people or the protection of people or property.

22. Such investigations must include, but are not limited to, a criminal record check of all individuals named anywhere in the application.

23. If the Chief of Police believes, on reasonable grounds, that the issue or renewal of a License would endanger the safety, health or welfare of people or the protection of people or property then the Chief of Police must notify the License Inspector forthwith, in writing.

24. If the License Inspector is notified, in writing, that the Chief of Police believes, on reasonable grounds, that the issue or renewal of a License would endanger the safety, health or welfare of people or the protection of

³ 3319/A-2015

people or property, then the License Inspector shall not issue or renew the License.

25. If an application for the issue or renewal of a License has been referred to the Chief of Police and if no written response has been received from the Chief of Police within 5 days from the date of the referral, then the License Inspector may proceed on the basis that the Chief of Police does not believe, on reasonable grounds, that the issue or renewal of the License would endanger the safety, health or welfare of people or the protection of people or property.

PART VI – OFFENCES

26. No person shall engage in the business of or operate as an Escort without holding a valid and subsisting Escort License.
27. No person under the age of 18 years shall engage in the business of or operate as an Escort.
28. No person shall engage in the business of or operate as an Escort except through an introduction arranged by an Agency.
29. No Escort shall advertise or promote their services in any fashion using a name other than the name on the License issued to the Escort unless the Escort has first provided the name in writing to the License Inspector.
30. No person shall engage in the business of or operate as an Escort Agency without holding a valid and subsisting Escort Agency License or Independent Escort Agency License.

31. No person holding a valid and subsisting Independent Escort Agency License shall employ any additional Escorts.
32. No person or Escort Agency shall employ an Escort unless the Escort has a valid and subsisting Escort License.
33. No person or Escort Agency shall employ an Escort under the age of 18 years.
34. No Escort Agency shall advertise or promote their services in any fashion using:
 - a) a telephone number;
 - b) a name;
 - c) an electronic mail address; or
 - d) an internet addressunless the Escort Agency has first provided the number, name or address in writing to the License Inspector.
35. No person shall supply incorrect, incomplete or misleading information in an application for the issue or renewal of a License.
36. A Licensee shall notify the License Inspector forthwith, in writing, of any change to any of the information contained in the most recent application for the issue or renewal of a License.
37. A Licensee shall provide their License forthwith when requested to do so by a Peace Officer.

PART VII – SUSPENSIONS AND REVOCATIONS

38. Suspension of a license issued pursuant to this bylaw may be:
- a) for the unexpired term of the license; or
 - b) where the suspension is for non-compliance with any bylaw, including this bylaw, until the holder of the suspended license has, in the opinion of the License Inspector, complied with that bylaw.
39. A license may be revoked or suspended for non-compliance with any bylaw of the City including this bylaw notwithstanding that the holder of the license has not been prosecuted for a contravention of that bylaw.
40. A license may be revoked if the Chief of Police notifies the License Inspector that a licensee has been convicted of a criminal or other offence, the nature of which causes the Chief of Police to believe on reasonable grounds that the continued licensing of the licensee would endanger the safety, health, or welfare of the people or the protection of people or property.

PART VIII APPEAL

- 41.⁴ An applicant may appeal the License Inspector's decision to the Red Deer Appeal & Review Board in writing within 14 days after the license has been refused, revoked, or suspended, as outlined in the Committees Bylaw.

⁴ 3319/A-2009

PART IX – GENERAL

42. (a) The fees payable for a License required under this bylaw are set out in Schedule “A” and are non-refundable.
- ⁵(b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.
43. A License issued pursuant to this bylaw is the property of the City and may not be transferred.
44. No License may be issued or renewed if the applicant, or any individual or corporation named in the application, has an unpaid fine owing to the City for an offence under this bylaw.
45. A copy of a record of the City, certified by the License Inspector as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
46. In any prosecution for an offence, where a question arises as to whether a person had a valid and subsisting License, the burden is on that person to establish that the License was valid and subsisting.

PART X - CONTRAVENTION OF THE BYLAW

47. Any person who contravenes any portion of this bylaw is guilty of an offence and is liable on summary conviction to the fines set out in

⁵ 3319/A-2015

Schedule "B" herein, and shall render the offender liable to cancellation or suspension of the license issued to such person.

48. A person who contravenes or does not comply with a provision of Part VI of this bylaw may, if the Violation Ticket issued in respect of the offence contains a specified penalty amount, pay this amount in which case the person will not be prosecuted in court for the contravention.
49. If a specified penalty amount is included in a Violation Ticket issued in respect of an offence under this bylaw, the amount must be that specified in Schedule B.
50. A person who is found guilty of an offence under this bylaw is liable to a fine in an amount not less than that specified in Schedule B, and not exceeding \$10,000.00.
51. If a person is found guilty of an offence under this bylaw, and the conduct that gives rise to the offence involves the non-payment of a fee which remains unpaid, the court shall, in addition to any fine, impose a penalty equivalent to the amount of the unpaid fee.
52. If a person is found guilty of an offence under this bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this bylaw.
53. This Bylaw comes into force and effect upon passage by Council at third reading.
54. Bylaw No. 2794/82 is hereby repealed.

6PART XI – TRANSITIONAL

55. The following provisions apply to any License issued under this bylaw in 2015:

- (a) For Licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For Licenses issued before May 1, 2015, provided the Licensee has paid the fee for a License which was to be valid for 12 months, the License will expire on December 31, 2015 and the Licensee shall receive a pro-rated credit for all remaining months or partial months which, at the Licensee’s discretion may be applied to the Licensee’s 2016 License Fees or refunded to the Licensee.

READ A FIRST TIME IN OPEN COUNCIL this 6th day of October, 2003
 READ A SECOND TIME IN OPEN COUNCIL this 6th day of October, 2003
 READ A THIRD TIME IN OPEN COUNCIL this 6th day of October, 2003
 AND SIGNED BY THE MAYOR AND CITY CLERK this 6th day of October, 2003

“G.D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

⁶ 3319/A-2015

SCHEDULE "A"

FEES

		<u>Fee</u>
1.	License to operate an escort service or escort agency	\$5,000.00
2.	License to operate an independent escort service or escort agency	\$1,500.00
3.	License to act as an Escort	\$300.00

SCHEDULE "B"
FINES

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Unlicensed Escort	26	\$2,500.00
Underage Escort	27	\$500.00
Escort Operating Without Escort Agency	28	\$2,500.00
Escort Advertising or Promoting Non-Listed Name	29	\$500.00
Unlicensed Escort Agency	30	\$7,500.00
Multiple Escorts on Independent Escort Agency License	31	\$5,000.00
Employing Services of Unlicensed Escort	32	\$2,500.00
Employing Underage Escort	33	\$5,000.00
Agency Advertising Non-Registered or Non-Listed information	34	\$500.00
Incorrect, Incomplete or Misleading Information	35	\$500.00
Fail to Provide Change of Information	36	\$500.00
Fail to Provide License	37	\$500.00

**PROPOSED
AMENDMENT**

BYLAW NO. 3319/A-2015

Being a Bylaw to amend Bylaw No. 3319/2003 The Escort Service Bylaw of the City of Red Deer.

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

Bylaw No. 3319/2003 is hereby amended as follows:

1. By removing section 8 in its entirety and replacing it as follows:

“8 Every Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

2. By removing section 14 in its entirety and replacing it as follows:

“14 Every Independent Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

3. By removing section 19 in its entirety and replacing it as follows:

“19 Every Escort License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

4. By renumbering section 42 to 42(a).

5. By adding a new section 42(b) as follows:

“42 (b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

6. By adding a new section 55 as follows:

“PART XI – TRANSITIONAL

55 The following provisions apply to any License issued under this bylaw in 2015:

**STRIKETHROUGH
VERSION**

BYLAW NO. 3394/2007

A Bylaw to License and Regulate the use of Limousines and Sedans for hire within the limits of The City of Red Deer.

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

1 This Bylaw may be cited as the Limousine and Sedan Bylaw.

2 DEFINITIONS

In this Bylaw unless otherwise specified:

“Bylaw Enforcement Officer” means any person authorized to enforce City bylaws and includes the License Inspector;

“Chauffeur” means any person who is in possession of a current and valid City of Red Deer Chauffeur License;

“Chauffeur License” means a license issued to a person for the purpose of driving a limousine or sedan;

“License Inspector” means the Inspections and Licensing Manager for The City or any designated member of the Inspections and Licensing Department for The City;

“Limousine” means a motor vehicle for hire, not equipped with a meter, to transport persons, which has a minimum seating capacity of five (5) passengers in the rear compartment which shall include, but is not limited to, formal limousine, stretched limousine, super, mega and ultra stretched limousines;

“Limousine Service” means the business of providing limousines for transporting persons;

“Limousine Vehicle Identification License” means The City of Red Deer identification issued under this bylaw for attachment to a limousine vehicle;

“Mechanical Fitness Report” means a form approved by the License Inspector and signed by a licensed mechanic which shall contain such information as the License Inspector may require but in any event shall certify that the vehicle is safe, fit and include information as to the safety and condition of the steering mechanism, brake system, bodywork, including conditions of doors and locks,

windows, electrical light and signal systems, exhaust system, tire wear and condition and that the vehicle is suitable to convey passengers;

“Motor Vehicle for hire” means a vehicle propelled by any power other than muscular power;

“Non-resident” means a person, business or corporation that is not a resident as defined in this bylaw;

“Peace Officer”, “Special Constable”, and “Bylaw Enforcement Officer” means any employee of The City appointed as a Special Constable or Bylaw Enforcement Officer and any member of the Canadian Corps of Commissionaires or the City Detachment of the R.C.M.P. appointed or assigned to enforce the provisions of this bylaw;

“Person” means a natural person or body corporate and includes a partnership, a group of persons acting in concert, or an association;

“Pre-scheduled” means a minimum of one (1) hour before a trip begins;

“Resident” means a person, business or corporation that has a business location in the city of Red Deer with a valid Occupancy Permit or resides in the city of Red Deer, and has a valid Home Occupation License for a Limousine or Sedan Service;

“Sedan” means a full sized, four door, motor vehicle for hire, not equipped with a meter, to transport persons. which has a maximum seating capacity of not more than four (4) passengers in the rear compartment;

“Sedan Service” means the business of providing sedans for transporting persons;

“Sedan Vehicle Identification License” means The City of Red Deer identification issued under this bylaw for attachment to a sedan vehicle;

“Single Event” means the use of a Limousine or Sedan in a twenty four (24) hour period once in a calendar year”.

3 LICENSES – BUSINESS AND VEHICLES

ALL APPLICANTS

- (1) No person shall operate a Limousine Service or Sedan Service or Limousine or Sedan without the following:

- (a) a valid Occupancy Permit, Home Occupation License or Non Resident Business License obtained pursuant to The City of Red Deer bylaws,
 - (b) a City of Red Deer Chauffeur License,
 - (c) a Limousine Vehicle or Sedan Vehicle License Identification tag attached to each Limousine or Sedan as issued hereunder.
- (2) Any person who wishes to operate a Limousine Service or Sedan Service or Limousine Vehicle or Sedan Vehicle shall obtain the applicable licenses by making application to the License Inspector and paying the applicable fee as set out in Schedule "A".
- (3) All applications shall be in writing and shall include identification of the registered owner, mechanical inspection, and proof of valid insurance with respect to all limousines and sedans to be used and the following information:

NON-CORPORATION

- (i) full name, address and telephone number of the business and the individual completing the application;
- (ii) list of all convictions, both criminal and traffic, in any jurisdiction;
- (iii) such other information as the License Inspector may reasonably require.

CORPORATION

- (iv) corporate name, business address and telephone number of the corporation and the individual completing the application;
- (v) copy of minutes and articles of incorporation, Certificate of Incorporation and Certificate of Good Standing with respect to the corporation;
- (vi) full name, address and telephone number of all shareholders, directors and office holders of the corporation;
- (vii) list of all convictions of the corporation, its shareholders and directors both criminal and traffic in any jurisdiction;
- (viii) such other information that the License Inspector may reasonably require.

4 CHAUFFEUR LICENSES

- (1) No person shall drive a Limousine or Sedan or act as a Limousine or Sedan Chauffeur without being in possession of a valid City of Red Deer Chauffeur License obtained pursuant to this bylaw. A licensed automotive mechanic may perform a test drive and not be in breach of this section.
- (2) Any person who wishes to drive a Limousine or Sedan or act as a Limousine or Sedan Chauffeur shall obtain the applicable license by making application to the License Inspector and paying the applicable fee set out in Schedule "A".
- (3) The application shall be in writing and shall contain the following information:
 - (a) full and correct name, address and telephone number of the applicant as well as the name and current address of the licensed business employing the applicant;
 - (b) evidence that the applicant is properly licensed under the laws of the Province of Alberta for the class of vehicle that will be operated;
 - (c) current abstract of driving record from the Province of Alberta and from any territory or Province where the applicant has previously had a drivers license, dated within 30 days of application date;
 - (d) a list of all convictions, criminal, traffic and otherwise in any jurisdiction;
 - (e) such other information that the License Inspector may reasonably require;
 - (f) on initial application, evidence the applicant has completed a driver improvement course recognized by the City, taken within 6 months of application OR proof the applicant is registered to take a driver improvement course within 30 days of application date.

5 ¹TERM AND RENEWAL OF LICENSES

- ~~(1) A Chauffeurs License shall be valid until January 31 in the year following the year in which it was issued. An application for a new license may be made at any time during the year.~~

¹ 3394/A-2015

- ~~(2) A Limousine Business License or Sedan Business License shall be valid until January 31 in the year following the year in which it was issued. An application for a new license may be made at any time during the year.~~
- ~~(3) A Limousine Vehicle Identification License or Sedan Vehicle Identification License shall be valid until January 31 in the year following the year in which it was issued. An application for a new license may be made at any time during the year.~~
- ~~(4) A renewal application for any license required by this bylaw shall be made no later than January 31 of the year for which the license is to be renewed. If a renewal application is not received by January 31, it will be deemed expired and a new application will be required.~~
- (1) A Chauffeur License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (2) A Limousine Business License or Sedan Business License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (3) A Limousine Vehicle Identification License or Sedan Vehicle Identification License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (4) A renewal application for any license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required.

6 DUTY TO ADVISE OF CHANGE IN INFORMATION

A licensee must advise The City of any changes in the information required under Sections 3 and 4;

- (a) on an application to renew its license; and
- (b) during the currency of any license, within 30 days of any changes to such information.

7 TRANSFER OF VEHICLE IDENTIFICATION LICENSE TO ANOTHER VEHICLE

- (1) Should a vehicle licensee desire to substitute another limousine or sedan motor vehicle for any limousine or sedan motor vehicle for which an identification tag has been issued, such licensee shall deliver to the License Inspector the identification tag issued and the information concerning the limousine or sedan motor vehicle to be substituted as the License Inspector may require, including;
 - a) a Mechanical Fitness Report;
 - b) evidence of registration;
 - c) evidence of insurance;
 - d) such other information as the License Inspector may reasonably require to ensure conformity with this bylaw.

- (2) When the License Inspector is satisfied that the motor vehicle proposed to be substituted complies with this bylaw and is safe, fit and suitable for use and that the above conditions have been met, he shall, upon payment by the licensee of the fee required in Schedule "A", reissue to the licensee the vehicle identification tag for the motor vehicle so substituted.

8 OPERATING REQUIREMENTS

- (1) A person operating a Limousine or Sedan or Limousine service or Sedan service;
 - (a) shall not operate on a fixed or scheduled route;
 - (b) shall not cruise city streets or highways for the purpose of soliciting work;
 - (c) shall not occupy a marked taxi stand;
 - (d) shall not pick up passengers in a marked taxi zone or taxicab stand;
 - (e) Shall not accept passengers unless the service was previously scheduled a minimum of one (1) hour in advance;
 - (f) shall ensure all trips are pre-scheduled, contracts are signed and log books are kept in the vehicle, as to the date and time the trip is booked, the date and time of the trip, number of passengers, place of pick up and destination for each trip;

- (g) shall ensure all signed contracts and log books are kept safe and secure for a minimum of one year from the time of the trip;
- (h) shall ensure that when on duty will present a clean, neat and well groomed appearance and
- (i) shall wear clothing that is neat, clean and appropriate for transporting persons;
- (j) shall ensure the minimum rates are charged in accordance with Schedule B.

9 POWERS OF LICENSE INSPECTOR

- (1) The License Inspector is hereby authorized to:
 - (a) inspect or cause to be inspected any vehicle which is used to provide services under this bylaw;
 - (b) refuse to issue or renew any license where, in the reasonable opinion of the License Inspector, the applicant does not comply with the requirements of this bylaw;
 - (c) revoke or suspend any license if, in the reasonable opinion of the License Inspector, the licensee has not complied with or is breaching any provision of this bylaw;
 - (d) revoke or refuse to issue a Chauffeur License under this bylaw where, in the reasonable opinion of the License Inspector, the person applying for a license or to whom a license has been issued:
 - (i) has a driving record which makes the driver unfit to drive a public conveyance;
 - (ii) the character, conduct or state of health makes the driver unfit to drive a public conveyance;
 - (iii) the driver does not comply with the requirements or is in breach of any of the provisions of this bylaw;
 - (e) require a driver to undergo additional driver improvement or driver training courses;
 - (f) prescribe and authorize the forms, licenses and certificates to be used or issued under this bylaw.

10 INSPECTION OF DOCUMENTS

Every licensee under this bylaw shall upon the demand of the License Inspector, Bylaw Enforcement Officer or Peace Officer produce any license or document, which the licensee may be required to have under this bylaw.

11 MECHANICAL FITNESS OF VEHICLES

- (1) The License Inspector may require any vehicle used to provide services under this bylaw to undergo such inspections for safety and mechanical fitness and to undergo such repairs as in the reasonable discretion of the License Inspector is deemed necessary for the safety of the public; such inspections are not limited to but may include as follows:
 - (a) the yearly provision of a Mechanical Fitness Report prepared by a licensed mechanic;
 - (b) the repair and correction of any deficiencies and the provision of a further Mechanical Fitness Report confirming same.
- (2) All costs of inspections and repairs shall be paid for by the licensee.
- (3) No person shall obstruct or interfere with any inspection required under this bylaw.

12² APPEAL

A decision of the License Inspector made pursuant to Sec. 9 (1), (b), (c), and (d) of this bylaw may be appealed to the Red Deer Appeal & Review Board, in accordance with the procedures as outlined in The City of Red Deer Committees Bylaw.

13 ANNUAL LICENSE FEES

- (1) ³The License Fees under this bylaw are set out in Schedule "A" annexed hereto and made part of this bylaw.
- (2) ⁴The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first

² 3394/A-2009

³ 3394/A-2015

⁴ 3394/A-2015

issued until December 31 of that year for any Licensee who has not obtained a License in the past.

14 RATES TO BE CHARGED FOR LIMOUSINE OR SEDAN SERVICES

The minimum rate to be charged for the hire of a Limousine or Sedan is set out in Schedule "B" annexed hereto and made part of this bylaw. There shall be no charges for portions of an hour for the first hour. After the first hour, portions of no less than half hour increments may be charged.

15 OFFENCES AND PENALTIES

- (1) Any person who contravenes the provisions of this bylaw shown in Schedule "C" is guilty of an offence and liable to pay a fine as specified in Schedule "C" which is annexed hereto and made part of this bylaw.
- (2) Any person who contravenes a provision of this bylaw not listed in Schedule "C" is guilty of an offence and liable upon summary conviction to pay a fine of not less than \$250.00 and not more than \$2500.00 and in default of payment to imprisonment for a period not exceeding 6 months.
- (3) Any person who contravenes any provision of this bylaw and is found guilty of a second or subsequent offence is liable upon summary conviction to pay a fine of not less than \$5000.00 and not more than \$10,000.00 and in default of payment to imprisonment for a period not exceeding six months.
- (4) A Peace Officer, License Inspector, or Bylaw Enforcement Officer who has reasonable grounds to believe that any person has contravened any provision of this bylaw shall:
 - (a) in the case of a contravention set out in Schedule "C" serve upon such person an offence ticket allowing for payment of the specified penalty to The City in lieu of prosecution of the offence;
 - (b) in all other instances serve upon such person a summons requiring the person to appear in court;
 - (c) authorize the removal, or cause to be removed, any vehicle found operating in contravention of this bylaw.
 - (i) No impounded vehicle shall be released to its owner or his agent until the impounding charge and removal charge on the vehicle have been paid, such charges shall be in addition

to any fine or penalty imposed in respect of any such violation, or to any payment made in lieu of prosecution herein provided. The City is not responsible for impounding, towing, or removal charges.

- (5) In addition to any penalty(s) the person must pay the applicable license fee(s).

16 EXEMPTIONS

Notwithstanding any other provision in this bylaw the License Inspector may grant an exemption for the following;

- (1) Taxi's licensed under the Taxi Business Bylaw;
- (2) City of Red Deer Transit Services;
- (3) private courtesy transportation such as provided by a car dealership or garage for its customers, and
- (4) transporting operations connected with adult or senior living residences for which no fee is charged;
- (5) busing operations connected with Public or Separate School Boards;
- (6) motor vehicles used in the course of providing care to clients who require personal assistance with activities of daily living;
- (7) Funeral vehicles operating within the scope of a funeral service.

17 GENERAL

- (1) All Limousine Business, Sedan Business and Chauffeur licenses issued pursuant to this bylaw are the property of the City and may not be transferred.
- (2) No license may be issued or renewed if the applicant, or any individual or corporation named in the application, has an unpaid fine owing to the City for an offence under this bylaw.
- (3) A copy of a record of the City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted as evidence as

prima facia proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

- (4) In any prosecution for an offence, where a question arises as to whether a person had a valid and subsisting License, the burden is on that person to establish that the License was valid and subsisting.

18 SEVERABILITY

The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

19 TRANSITIONAL

- (1) ⁵Notwithstanding anything in this bylaw, a Limousine Service, Limousine vehicle, Sedan Service, Sedan vehicle or chauffeur in existence as at the date of this bylaw shall not be guilty of the offence of not having a license, provided that they are in possession of a valid license(s) by noon of October 1, 2007.
- (2) ⁶The following provisions apply to any license issued under this bylaw in 2015:
- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee's discretion may be applied to the licensee's 2016 license fees or refunded to the licensee.

⁵ 3394/A-2015

⁶ 3394/A-2015

READ A FIRST TIME IN OPEN COUNCIL this 30th day of July 2007.

READ A SECOND TIME IN OPEN COUNCIL this 30th day of July 2007.

READ A THIRD TIME IN OPEN COUNCIL this 30th day of July 2007.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of July 2007.

“Morris Flewwelling”

“Kelly Kloss”

MAYOR

CITY CLERK

Schedule A - FEES

⁷All Licenses expire January 31 of the following year in which they were issued

YEAR	2007	2008
Resident Limousine Service License	\$ 65.00	\$ 200.00
Resident Single Event Limousine License - one per calendar year	35.00	100.00
Non-Resident Limousine Service License	135.00	400.00
Non-Resident Single Event Limousine License - one per calendar year	65.00	200.00
Limousine Vehicle Identification License	15.00	40.00
Chauffeur License	10.00	35.00
Resident Sedan Service License	65.00	200.00
Resident Single Event Sedan License - one per calendar year	35.00	100.00
Non-Resident Sedan Service License	135.00	400.00
Non-Resident Single Event Sedan License - one per calendar year	65.00	200.00
Sedan Vehicle Identification License	15.00	40.00
Limousine or Sedan Vehicle Identification License - Replacement or Transfer	35.00	35.00
Re-instatement Fee – Any License	100.00	100.00

⁷ 3394/A-2015

Schedule B - RATES

SEDAN

A minimum rate of \$60.00 shall be charged for the first hour. After the first hour, portions of no less than half hour increments may be charged.

LIMOUSINE

A minimum rate of \$100.00 shall be charged for the first hour. After the first hour, portions of no less than half hour increments may be charged.

There will be an annual rate increase applied to each rate. It will be calculated by using the amount of the Alberta average Consumer Price Index (CPI) rounded to the nearest dollar and will be effective October 1 of each year, starting October 2008.

Schedule C - FINES

		<u>1st Offence</u>	<u>2nd & subsequent Offence</u>
3 (1)(a)	Operating without a Limousine Business or Sedan Business License	\$1500.00	Mandatory Court Appearance
3 (1)(c)	Operating without a Limousine Vehicle or Sedan Vehicle Identification License	\$1500.00	Mandatory Court Appearance
4 (1)	driving without a Chauffeur License	\$1500.00	Mandatory Court Appearance
8 (1)(a)	Operate on fixed route	\$1000.00	Mandatory Court Appearance
8 (1)(b)	Cruising city street or highway	\$1000.00	Mandatory Court Appearance
8 (1)(c)	Occupy a marked taxi stand	\$1000.00	Mandatory Court Appearance
8 (1)(d)	Picking up passengers in marked taxi zone/stand	\$1000.00	Mandatory Court Appearance
8 (1)(e)	Picking up non-pre-scheduled passengers	\$1000.00	Mandatory Court Appearance
8 (1)(f) 8 (1)(g)	Failing to have the proper documents	\$1000.00	Suspension
8 (1)(j)	Not ensuring minimum rate charged	\$1000.00	Suspension

**PROPOSED
AMENDMENT**

BYLAW NO. 3394/A-2015

Being a Bylaw to amend Bylaw No. 3394/2007 The Limousine and Sedan Bylaw of the City of Red Deer.

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

Bylaw No. 3394/2007 is hereby amended as follows:

1. By removing section 5 in its entirety and replacing it as follows:
 - “5 (1) A Chauffeur License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
 - (2) A Limousine Business License or Sedan Business License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
 - (3) A Limousine Vehicle Identification License or Sedan Vehicle Identification License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
 - (4) A renewal application for any license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required.”
2. Renumbering section 13 to section 13(1).
3. By adding a new section 13(2) as follows:
 - “13 (2) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”
4. By renumbering section 19 to section 19(1).
5. By adding a new section 19(2) as follows:
 - “19 (2) The following provisions apply to any license issued under this bylaw in 2015:

**STRIKETHROUGH
VERSION**

BYLAW NO. 3282/2001

WHEREAS pursuant to sections 7 and 8 of the *Municipal Government Act*, R.S.A., 1980, and amendments thereto, Council may pass bylaws for municipal purposes, including the following matters:

- a) the safety and protection of people;
- b) transportation and transportation systems;
- c) business and business activities;
- d) licensing;
- e) fees, rates, and fares that may be charged for the hire of taxis;

and may generally pass bylaws to regulate or prohibit businesses, deal with any business activity, and provide for any system of licenses;

AND WHEREAS Council deems it advisable to generally regulate the taxi business in the City of Red Deer, including the number of taxis, licensing, as well as rates and fares;

COUNCIL OF THE CITY ENACTS AS FOLLOWS:

1 This Bylaw may be called the "Taxi Business Bylaw".

TITLE AND DEFINITIONS

2 In this bylaw:

¹ Deleted

“Applicant” means a person who applies for a license or renewal of a license by this bylaw;

“Broker” means a person to whom a taxi broker license has been issued;

“Bylaw Enforcement Officer” means any person authorized to enforce City Bylaws and includes the License Inspector;

²“Independent Owner/Operator” means a person who owns and operates a taxi without the service of a taxi broker;

“Licensee” means a person holding a valid and subsisting license issued pursuant to this bylaw;

“License Inspector” means the Inspections and Licensing Manager for the City or any member of the License Inspection Department;

³“Deleted

“Mechanical Fitness Report” means a report in a form approved by the License Inspector and signed by a licensed mechanic, which report shall contain such information as the License Inspector may require, but in any event, shall certify that the vehicle is safe, fit, and suitable for use as a taxi and include information as to the safety and condition of the steering mechanism, brake system, body work, including condition of doors and locks, windows, electrical light and signal systems, exhaust system and tire

¹ 3282/B-2008

² 3282/A-2010

³ 3282/A-2001

wear and condition, and that the vehicle is suitable for the conveyance of passengers;

"Motor Vehicle" means a vehicle propelled by any power other than muscular power;

¹ Deleted

"Person" means a natural person or a body corporate and includes a partnership, a group of persons acting in concert, or an association, unless the context explicitly or by necessary implication otherwise requires;

²"Qualified Applicant" means a person who has worked in the taxi industry in the City in the capacity of a taxi driver or broker for a period of 1200 hours in a calendar year for two consecutive years immediately prior to such person's application for a taxi license plate. The period of two consecutive years shall be deemed not to be interrupted by reason only of periods of vacation or absences due to illness not exceeding three months in total, unless approved by the License Inspector"

"Registered Owner" means a person who is the owner of a motor vehicle, or who is purchasing a motor vehicle under a lease-option to purchase or similar purchase agreement;

"Resident" means a person, firm or corporation that:

- (i) is located or resides within the boundaries of the City; or
- (ii) provides the space and services including office area and

¹ 3282/B-2008

² 3282/B-2008, 3282/A-2010

telephone from premises that are listed on the business tax roll; or

- (iii) has an occupancy permit issued under the Land Use Bylaw; and
- (iv) satisfies the License Inspector that he intends to carry on business within the City for not less than six months;

"Taxi Business" means the business of operating taxis and includes accepting calls for the dispatch of taxis and the dispatching taxis, as well as the operation of any motor vehicle such as a bus, mini-bus or van for hire by the public at large, but does not include handicap busing, private courtesy transportation such as provided by a car dealership or garage for its customers, or busing operations connected with adult or senior residences;

"Taxi Broker's License" means a license issued by the License Inspector under this bylaw, authorizing a person to operate a taxi business;

"Taxi" and "Taxicab" means a motor vehicle equipped with a meter and operated by a driver licensed and in compliance with the requirements of this Bylaw;

¹ "Taxi Driver" means any person who is licensed to drive a taxi and is the holder of a valid and subsisting Taxi Driver's License issued under this bylaw."

²"Taxi License Plate" means the City identification plate issued under this

¹ 3282/B-2008

² 3282/B-2008

bylaw for attachment to a motor vehicle licensing such vehicle for use as a taxi,”

"Taxi Licensee" means a person who holds a subsisting taxi license plate issued under this bylaw;

"Taxi Meter" means a mechanical apparatus or device for automatically measuring and registering the distance travelled by a taxi and the fee corresponding to the distance at the rate specified in this bylaw.

¹"Wheelchair Accessible Vehicle Taxi License Plate" means the City identification plate issued under this bylaw for attachment to a wheelchair accessible motor vehicle, licensing such vehicle for use as a wheelchair accessible taxi;”

²2.1 (1) An Independent Owner/Operator must be:

- a) a taxi licensee;
- b) a taxi driver; and
- c) a maximum of two persons who are
 - (i) registered owners of the taxi, or
 - (ii) the only shareholders of a corporation that owns the taxi.

(2) An Independent Owner/Operator must maintain:

- a) a business address approved by the License Inspector;
- b) a telephone communication system from the business address and from the taxi;
- c) a vehicle colour registered with the License Inspector; and

¹ 3282/B-2008

² 3282/A-2010

- d) a taxi marked and painted in accordance with this Bylaw.
- (3) An Independent Owner/Operator may only operate one taxi.
- ~~(4) ¹An Independent Owner/Operator must pay an annual fee as specified in Schedule "A"~~
- (4) ²(a) An Independent Owner/Operator must pay an annual fee as specified in Schedule "A".
- (b) The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any Independent Owner/Operator who has not obtained a taxi license plate in the past.
- (5) An Independent Owner/Operator shall operate the taxi in accordance with all the requirements of this Bylaw.

LICENSING OF TAXI BUSINESS - BROKERS

- 3 (1) A Broker's license may only be issued if an applicant has:
- a) at least 3 licensed taxis registered for use in the taxi business;
- b) registered a colour or combination of colours for taxis, distinctive from other brokers or licensees ("identification colours");
- c) supplied a list of the motor vehicles which will be used in the taxi business.

¹ 3282/A-2015

² 3282/A-2015

- (2) A broker shall within 72 hours of any additions to or deletions from the list of vehicles under section 3(1) (c), inform the License Inspector of such changes.
- (3) Anyone may obtain a copy of the list of all vehicles used by a broker on application to the License Inspector and on payment of the fee specified in Schedule "A".
- (4) The License Inspector has the authority to approve the overall design of taxi cabs in order to ensure that taxi cabs associated with different brokers can be readily distinguished. This authority shall include approval of the colour of all or any part of the vehicle, the design, size, colour of lettering, logos, and insignia, and the type of signs or accessories that may be marked upon or affixed to the exterior of the vehicle.

NON-CORPORATION

- 4 (1) Any person, other than a corporation, desiring to obtain a taxi broker's license or to renew such license, shall make application to the License Inspector.
- (2) The application shall be in writing in a form to be required by the License Inspector, shall be signed by the applicant, and shall include the following information:
 - a) the full and correct name, address and telephone number of the applicant;
 - b)¹ Deleted.

¹ 3282/A-2003

- c) a list of all convictions of the applicant for any offences under the laws of Canada or of any of its provinces or territories, or of the person's country of origin before residing in Canada;
- d) such other information as the License Inspector may reasonably require.

CORPORATIONS

- 5 (1) If the applicant for a taxi broker's license is a corporation, then such corporation shall make an application to the License Inspector.
- (2) The application shall be in writing and in a form to be required by the License Inspector, shall be signed by all the corporate officers of the applicant, and shall include the following information:
- a) the correct corporate name, business address and telephone number of the corporation;
 - b) a copy of the corporate minutes and articles of incorporation, including the Certificate of Incorporation and a Certificate of Good Standing relative to the corporation;
 - c) the full and correct name, address and telephone number of all the shareholders and directors;
 - d) a list of all convictions of the corporation, its shareholders and directors, for any offences under the laws of Canada or of any of its provinces or territories, and under the laws of the country of original of the applicant and of its shareholders and directors before their

residing in Canada.

~~⁴RENEWAL OF BROKER'S LICENSE~~

~~6 — A renewal application shall be made not later than January 31 of the year for which the broker's license is to be renewed. An application for a new license may be made at any time during the year. In all cases, the application shall include:~~

- ~~a) — payment of the fee required in Schedule "A";~~
- ~~b) — proof that the applicant qualifies for a taxi broker's license under section 3(1)(a);~~
- ~~c) — the list of the motor vehicles required under section 3(1)(c).~~

APPLICATIONS AND RENEWALS – BROKER'S LICENSES

6 (1) An application for a new broker's license may be made at any time during the year. In all cases, the application shall include:

- a) payment of the fee required in Schedule "A";
- b) proof that the applicant qualifies for a taxi broker's license under section 3(1)(a);
- c) the list of the motor vehicles required under section 3(1)(c); and
- d) the fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the

Broker's License is first issued until December 31 of that year for any Broker who has not obtained a License in the past.

- (2) A renewal application for a broker's license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required.
- (3) A taxi broker's license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- 7¹ ~~(1) A taxi broker's license is valid only until January 31 of the year following the issuance.~~
- ~~(2) A taxi broker's license is and always remains the property of the City and cannot be sold, assigned or transferred to any person except in accordance with this bylaw.~~

REVOCAION OF BROKER'S LICENSE

- 8 Should a broker at any time cease to meet any of the requirements of this bylaw, including section 3(a), the broker's license is automatically revoked.
- 9 Each broker operating in the City shall locate its office and communication centre in an area designated in the City Land Use Bylaw for such use.

DISPUTES RESPECTING COLOURS

- 10 Should a dispute arise between brokers respecting the registration and use of the same or similar identification colours, without limiting the authority of

the License Inspector's approval, priority of choice may be given to a broker who has utilized the colours in dispute in the City for the longest period of time. With the approval of the License Inspector two or more brokers may agree to use the same colours.

HOURS OF OPERATION

- 11 Each broker shall provide 7 days per week and 24 hours per day taxi service available to residents of the City.

TRANSFER OF SALE OF BROKER'S BUSINESS

- 12 A broker who intends to sell or dispose of its taxi business either in whole or in part or, if a corporation through the sale in whole or in part of shares, shall immediately notify the License Inspector of the name or names of the proposed purchaser, the proposed date of such sale and the particulars of the proposed sale or disposition.

PURCHASE OF BROKER'S BUSINESS

- 13 The Purchaser of a broker's business must apply for a taxi broker's license as required under this bylaw.
- 14² If a Purchaser qualifies under this bylaw for a taxi broker's license, upon the payment of fees required, and upon the selling broker surrendering to the License Inspector its taxi broker's license and the delivery of all taxi license plates, the License Inspector shall issue to the purchaser a taxi broker's license and the taxi license plates."

¹ 3282/A-2015

² 3282/B-2008

NUMBER AND ALLOCATION OF TAXI LICENSE PLATES

- 15 (1)¹ The maximum number of taxi license plates that may be issued each year under this bylaw (the “licenses available”) shall be as follows:
- (i) equal to the number of licenses issued as of December 31 in the immediately preceding year and under which taxis were, in fact, operated for a minimum of 30 weeks in that calendar year; or
 - (ii) one taxi license plate per 750 persons of the city population based on the population of the city determined in the most recent census, whichever is greater; and
 - (iii) one wheelchair accessible vehicle taxi license plate per 15,000 persons of the city population based on the population of the city determined in the most recent census.”
- (2) For the purpose of determining compliance with the requirement that taxis shall have been operated under a particular taxi license plate for the necessary 30 weeks, the License Inspector may require the applicant to produce copies of stand rental agreements establishing the necessary 30 week period or such other proof as the License Inspector may reasonably deem necessary.
- (3) Notwithstanding the foregoing, where, because of a combination of factors such as illness, vacation or other special circumstances, the taxi is not operated for a period of 30 consecutive weeks, the License Inspector may decide that the taxi shall nevertheless be included in the calculations for

¹ 3282/B-2008

the purpose of determining the maximum number of taxi license plates to be issued.

~~(4)¹ A qualified applicant who held a taxi license plate or plates in the immediately preceding year shall be entitled, on application to be made on or before January 31 of the current year, to receive the same number of taxi license plates for the current year in priority to new applicants. Thereafter, if additional taxi license plates are still available, and there are more qualified applicants, the allocation of those license plates shall be determined by a random draw conducted by the License Inspector in the last week of August of each year."~~

(4)¹ A qualified applicant who holds a taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional taxi license plates are still available, and there are more qualified applicants, the allocation of those license plates shall be determined by a random draw conducted by the License Inspector in the last week of August of each year.

(5) License plates which are surrendered or revoked shall not thereafter be reissued.

~~(6)² A qualified applicant who held a wheelchair accessible vehicle taxi license plate or plates in the immediately preceding year shall be entitled, on application to be made on or before January 31 of the current year, to receive the same number of wheelchair accessible vehicle taxi license plates for the current year in priority to new applicants. Thereafter, if~~

¹ 3282/B-2008

² 3282/B-2008

~~additional wheelchair accessible vehicle taxi license plates are still available, the allocation of those wheelchair accessible vehicle taxi license plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.~~

(6) A qualified applicant who holds a wheelchair accessible vehicle taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of wheelchair accessible vehicle taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional wheelchair accessible vehicle taxi license plates are still available, the allocation of those wheelchair accessible vehicle license plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.

(7)² Should any company not apply for its wheelchair accessible license plate, the allocation of that plate or plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.”

16³ (1) Excepting a broker, no more than 2 taxi license plates shall be issued to a taxi licensee.

(2) Notwithstanding subsection 16 (1), if a person who is not already a broker wins a third taxi license plate by way of draw, that person may hold the

¹ 3282/A-2015

² 3282/B-2008

³ 3282/A-2010

third taxi license plate for a period of two (2) months starting the day on which the third taxi license plate was won.

- (3) During the two (2) month period referred to in subsection 16(2), the person shall submit an application to the License Inspector for a broker's license and:
- a) if the broker's license is granted the person will be permitted to keep the third taxi license plate.
 - b) if the broker's license is not granted the person will not be permitted to keep the third taxi license plate and that person shall immediately return it to the License Inspector.

APPLICATION FOR TAXI LICENSE PLATE

- 17 Any person who wishes to obtain a taxi license plate shall deliver to the License Inspector an application in writing in a form required by the License Inspector, signed by the applicant, and include the following information and documentation:
- a) the full and correct name, address and telephone number of the applicant;
 - b) evidence that the applicant is a qualified applicant as defined by this bylaw;
 - c) evidence identifying:
 - i) the registered owner of the motor vehicle proposed for use as a taxi;

- ii) the holder of valid insurance for the operation of the vehicle as a taxi.

- d) a Mechanical Fitness Report for such motor vehicle and the presentation of the motor vehicle for inspection by the License Inspector at such time and place as may be required by the License Inspector;

- e) payment of the fee required;

- f) evidence the vehicle is painted in the registered identification colours of the broker with which the vehicle will be affiliated, or in the case of a vehicle which is operated independently, evidence that the vehicle is painted in the identification colours approved by the License Inspector from time to time;

- g) if there is no vehicle to which a taxi license plate is to be attached, then to provide to the License Inspector within 22 weeks of January 15th of the year of the application, the information required herein, failing which, any plate issued is automatically cancelled;

- h) in the case of a corporate applicant, the last annual corporate return of the corporation, a copy of the Certificate of Incorporation, Articles of Incorporation and a Certificate of Good Standing relative to the corporation and the full names, addresses and telephone numbers of all shareholders and directors of the corporation. Where the shareholder or director of a corporate applicant is also a corporation, the full names, addresses and telephone numbers of the shareholders and directors of such corporation, as well as the last annual corporate return, Articles of Incorporation, and a Certificate of Good Standing relative to the corporation.

APPLICATION FOR WHEELCHAIR ACCESSIBLE PLATE

- 18 A applicant who wishes to obtain a wheelchair accessible vehicle taxi license plate shall make application to the License Inspector in accordance with the provisions of this bylaw and in addition shall provide proof to the satisfaction of the License Inspector that the vehicle in respect of which the plate is to be issued meets the requirements set forth in the document known as C.S.A. D409-92 "Motor Vehicles for the Transportation of Persons with Physical Disabilities" or any replacement for that document, or replacement regulations or requirements that may apply from time to time to the transport of persons with physical disabilities.

LICENSE INSPECTOR AUTHORITY

- 19 Taxi license plates must be renewed annually and such renewal applications must follow the requirements and procedures set out in sections 15, 16, and 17.
- 20 A taxi licensee operating a taxi under affiliation with a broker shall provide to the License Inspector the identity of the broker and shall provide such additional reasonable information in regard to the affiliation as the License Inspector may reasonably require, including copies of any written agreements between the licensee and the broker.
- 21 If a broker ceases to be the holder of a valid taxi broker's license, then the broker shall cease to operate any taxis and shall immediately return the taxi license plates issued to it to the License Inspector.

~~22¹ A taxi license plate shall be valid only until January 31 in the year following the year in which it was issued.~~

22 A taxi license plate is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.

23 Taxi license plates and any other plates or insignia required by provincial law or regulations shall be placed on the taxi at locations directed by the City or the Government of Alberta.

TAXI LICENSE PLATES REMAIN THE PROPERTY OF THE CITY

24 (1) All taxi license plates are and always remain the property of the City and shall not be sold, leased, assigned or transferred to any person except in accordance with this bylaw. No consideration may be charged by any person for the use of such plates.

(2) The penalty for a breach of this section shall be revocation of the plate. Additionally, anyone who breaches this provision shall be prohibited from being involved in the taxi industry in the City for a period of 5 years and shall have all licenses, permits, and plates held by them revoked.

TRANSFER OF TAXI LICENSE PLATES TO ANOTHER VEHICLE

25 (1) Should a taxi licensee desire to substitute another motor vehicle for any taxi for which taxi license plates have been issued, such licensee shall deliver to the License Inspector the taxi license plates issued for such taxi, together with such information concerning the motor vehicle to be substituted as the License Inspector may require, including:

¹ 3282/A-2015

- a) a Mechanical Fitness Report;
 - b) evidence that the vehicle is painted in appropriate colours;
 - c) evidence of insurance;
 - d) such other information as the License Inspector may reasonably require to ensure conformity with this bylaw.
- (2) When the License Inspector is satisfied that the motor vehicle proposed to be substituted complies with this bylaw and is safe, fit and suitable for use as a taxi and that the above conditions have been met, he shall, upon payment by the taxi licensee of the fee required in Schedule "A", reissue to the taxi licensee the taxi license plate for the motor vehicle so substituted. No taxi license plate shall be reissued if by so doing, the taxi licensee would hold more taxi license plates than the number permitted by section 15(1).

STANDBY TAXI

- 26 (1) On payment of the transfer fee, a taxi licensee may apply to register one standby taxi to be used in substitution for a taxi that is removed from service for repair.
- (2) A standby taxi may be used for a period not exceeding 60 consecutive days and then only as a replacement for a taxi which is being repaired.
- (3) A licensee who wishes to use a registered stand-by taxi in substitution for a taxi, must first notify the License Inspector and all brokers in the City of Red Deer and provide the following information, and must do so immediately by FAX:

- a) name of licensee;
 - b) description of taxi being repaired – colours and number;
 - c) description of stand-by taxi – colours and number;
 - d) taxi license plate number;
 - e) date of commencement of use of stand-by taxi.
- (4) After this notification and information has been provided, the taxi license plate may be removed from the taxi being repaired and be attached to the stand-by taxi, which may then be put into service as a taxi.
- (5) When the taxi is repaired and ready to return to service, the licensee shall first notify the License Inspector and all brokers of the following information and may do so by FAX:
- a) name of licensee;
 - b) description of taxi which was repaired – colours and number;
 - c) description of stand-by taxi – colours and number;
 - d) taxi license plate number and;
 - e) date of return to use of the repaired taxi.

- (6) After Section 26(5) has been complied with and on payment of the transfer fee, the taxi license plate may be removed from the stand-by taxi and be re-attached to the taxi and the taxi may be returned to service.
- (7) A stand-by taxi may not be used as a taxi, including use as a taxi on delivery service, unless sections 26(3) and (4) have been complied with.
- (8) When a stand-by taxi is not required for use as a taxi, it may be used as a private vehicle.
- (9) It is an offence for any licensee to:
 - a) use a stand-by taxi as a taxi unless a taxi license plate is attached to it;
 - b) use a stand-by taxi or return a taxi to service without first having given the required notices.
- (10) For each breach of section 26(9) the License Inspector shall revoke one taxi license held by the offending licensee.

TRANSFER OF TAXI LICENSE PLATES

- 27 (1) Should a taxi licensee desire to transfer any taxi license plate to another person, such licensee shall deliver the taxi license plate to the License Inspector.
- (2) The proposed transferee of a taxi license plate shall make application to the License Inspector for the transfer of the taxi license plate in such form as may be required by the License Inspector and will provide such information as may reasonably be required by the License Inspector.

- (3) No transfer of a taxi license plate shall be approved unless:
- a)¹ the taxi licensee proposing the transfer has been the holder of the taxi license plate for not less than the two consecutive years immediately prior to the date of the proposed transfer, unless the taxi licensee is proposing the transfer due to ill health, proof of which shall be supplied to the satisfaction of the License Inspector;”
 - b) the proposed transferee shall comply with the requirements of section 17; and
 - c) the proposed transferee has paid the fee required in Schedule "A".
 - (d) ²The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any taxi licensee who has not obtained a License in the past.

DEATH OF TAXI LICENSEE

- 28 (1) The Executor of the estate, or if there is no Executor named under a will then the next of kin or personal representative of the deceased taxi licensee as designated by a Judge of the Surrogate Court of Alberta, may for a period of not more than 120 days after the date of death of the taxi licensee:
- (a) continue to operate the licensed taxi; and

¹ 3282/B-2008

² 3282/A-2015

- (b) exercise the powers of a taxi licensee to arrange for the transfer of the taxi and the taxi license plate set out in section 27.
- (2) If the taxi license plate is not transferred within the time period set out herein, the taxi license plate ceases to be valid and must be surrendered to the License Inspector.

LICENSING OF TAXI DRIVERS

- 29 (1) Any person who wishes to obtain a taxi driver's license or to renew such license, shall apply to the License Inspector, in writing in a form required by the License Inspector and signed by the applicant, including the following information:
- a) the full and correct name, address, and telephone number of the applicant;
 - b) the physical description of the applicant;
 - c)¹ Deleted;
 - d) a list of all convictions of the applicant for any offences under the laws of Canada or of any of its provinces, or territories, or country of origin before residing in Canada;
 - e) a declaration of any physical or medical disability of the applicant;
 - f) a list of all the provinces or territories in Canada in which the applicant has at any time been issued a license to drive a motor vehicle;

¹ 3282/A-2003

- g) evidence that the applicant is properly licensed to drive a motor vehicle under the laws of the Province of Alberta;
 - h)¹ the applicant's original driving abstract issued from the Motor Vehicles Branch of the Solicitor General's Office for the Province of Alberta or, if applicable, from any province or territory in which the applicant has formerly resided, dated within 45 days of the date of application;
 - i)² on initial application, or on subsequent applications when a taxi driver's license has lapsed for three months or has been revoked by the License Inspector, provide proof that the applicant has successfully completed a driver improvement course recognized by the City within 365 days prior to the date of application, or proof that the applicant will take the course within 30 days of the date of application."
 - j) the fee in the amount set out in Schedule "A".
 - (k) ¹The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi driver's license is first issued until December 31 of that year for any taxi licensee who has not obtained a License in the past.
- (2) Each taxi driver licensee shall inform the City in a timely manner of any change in the address and telephone number at which the licensee may be contacted during normal business hours.

¹ 3282/B-2008

² 3282/B-2008

~~30² A taxi driver's license shall be valid until January 31 in the year following the year in which it was issued.~~

30 A taxi driver's license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.

31 (1) Each taxi driver when operating a taxi shall:

- a) prominently display his taxi driver's license in such a position inside the taxi so that it is clearly visible to all passengers in the taxi;
- b) be neatly dressed, clean, well behaved and courteous to passengers;
- c) not permit to be carried in his taxi, at any time, a greater number of passengers than the vehicle manufacturer's recommended seating capacity or the number of manufacturer's installed seatbelts, whichever is lesser;
- d) not demand payment of any fees or benefits not specifically authorized by this bylaw;
- e) after completion of every trip, inspect the taxi and, if he finds any article lost or left therein, deliver the same to the broker for return to the owner, if known. If the owner is not known, the broker shall deliver the article to the City Detachment of the R.C.M.P, who shall deal with the matter according to law. If unclaimed after 30 days, such article shall be returned to the broker for return to the taxi driver;

¹ 3282/A-2015

² 3282/A-2015

- f) unless otherwise directed by a passenger, drive passengers by the most direct practicable route to their destination; and
- g) whenever requested by a passenger, issue a receipt for the amount of the taxi fare paid by such passenger.

31 (2)¹ Each taxi driver shall inform the License Inspector in writing immediately of any change in the status of their Provincial Driver's License or of any health issues that may compromise their ability to drive a taxi."

TAXI METERS

32 The taxi meter in a taxi shall:

- a) automatically register the distance and the correct fee or charge in accordance with the tariff of fees specified in Schedule "B";
- b) be so installed and adjusted as to automatically operate while the taxi is under hire, whether the taxi is in motion or standing;
- c) be in such location as to be plainly visible to passengers in the taxi;
- d) be sealed as required by this bylaw;
- e) be installed in the taxi in such manner as the License Inspector may direct; and

¹ 3282/B-2008

f) be so illuminated that the fare can be read at all times by a passenger in the front or rear seats of such taxi.

33 The taxi licensee shall produce all taxi meters to be inspected, tested for accuracy and registration, and sealed by the License Inspector before being used. The taxi licensee shall not less than once every 6 months thereafter or, upon the request of the License Inspector, produce all such taxi meters to the License Inspector for inspection and accuracy testing.

34¹ Where a taxi meter ceases to operate or register properly at a time when the office of the License Inspector is not open, the taxi licensee or taxi driver, upon driving the taxi to the office of the City Detachment of the R.C.M.P., may remove the seal from the meter, repair the meter and have the meter resealed by a peace officer. The taxi licensee shall present the taxi to the License Inspector for meter testing and resealing on the next day that the office of the License Inspector is open for business. Should the meter be found to be accurate, no charges shall be laid under this bylaw.

35 If a taxi meter is incorrectly recording the distance and corresponding charge or fee, the taxi licensee shall forthwith notify the License Inspector who shall cause such taxi meter to be reinspected and retested. If found to be defective, such taxi meter shall not be used until it is repaired, retested and resealed by the License Inspector.

2 Deleted

REGULATIONS RESPECTING TAXI CONDITIONS AND MECHANICAL FITNESS

36 A taxi licensee shall, once every 6 months following the issuance of the

¹ 3282/A-2002

² 3282/A-2007

taxi license plate, have a complete mechanical fitness inspection made of the taxi by a licensed mechanic and provide a Mechanical Fitness Report to the License Inspector.

37 (1)¹ If a Mechanical Fitness Report does not certify that a taxi is safe, fit and Suitable for such use, no person shall permit the taxi to be driven as a taxi unless and until all deficiencies have been corrected and repaired and a further Mechanical Fitness Report for such taxi confirming the repairs and certifying that it is safe, fit and suitable for use as a taxi has been delivered to the License Inspector.

37 (2)¹ Notwithstanding anything contained in section 37(1), no person shall permit any vehicle to be driven as a taxi if the vehicle is older than 13 model years, effective January 1, 2013. Exceptions may be authorized for wheelchair accessible vehicles only following a written request to and vehicle inspection by the License Inspector.”

38 The License Inspector may at any time require a taxi to be inspected by a Licensed Mechanic designated by the City, at such time and place as the License Inspector may designate and the taxi licensee shall deliver such taxi at the time and place so designed.

39 All costs of inspection of a taxi shall be paid for by the taxi licensee

40 No person shall obstruct or interfere with any inspection that may be required under this bylaw.

41 Upon completion of any inspection, a Mechanical Fitness Report, including confirmation of repairs made, shall be delivered forthwith to the License

¹ 3282/B-2008, 3282/A-2010

Inspector.

TAXI LICENSEE TO ENSURE TAXI CONDITION

- 42 (1) The taxi licensee shall at all times ensure that the taxi is clean, in good condition, and mechanically maintained so as to be safe and suitable for use as a taxi. Without limitation, this shall include general appearance of the vehicle both exterior and interior, windshield, body condition, and tires.
- (2) No taxi licensee shall operate or permit the operation of a vehicle if a licensed mechanic is unable to certify the vehicle as safe and suitable for use as a taxi.

BROKER TO ENSURE TAXI CONDITION

- 43 (1) The Broker shall at all times ensure that all taxis owned by or affiliated with him under his taxi broker's license are clean, in good condition, and mechanically maintained so as to be safe and suitable for use as a taxi.
- (2) No broker shall operate or permit the operation of a taxi if a licensed mechanic is unable to certify the taxi as safe and suitable for use as a taxi.

RECORDING OF TRIPS

- 44 Each driver shall keep or cause to be kept a record on a form approved by the License Inspector showing:
- a) the time and date when each customer is picked up;
 - b) the location at which each customer is picked up; and

¹ 3282/B-2008, 3282/A-2010

- c) the destination at which each customer is discharged.

INSPECTION OF DOCUMENTS

- 45 Each broker, taxi licensee and taxi driver shall, upon the demand of a peace officer, license inspector or bylaw enforcement officer produce any permit, identification card, registration card, license or other document which they may, from time to time, be required to have under this bylaw.

SCANNER

- 46 No broker or taxi licensee shall allow a radio scanner or any other device capable of monitoring the radio signals of any other broker or taxi licensee to be installed or carried in any taxi.

TAXI AND PLATE IDENTIFICATION NUMBER

- 47 The name and vehicle identification number of a taxi owned, operated or affiliated with a broker shall be prominently displayed on each taxi or its roof light in lettering not less than 2 inches in height to the satisfaction of the License Inspector. The vehicle identification number and the number of the taxi license plate affixed to the taxi must be the same.

CAR TOP AND WINDOW ADVERTISING

- 48 Subject to the approval of the License Inspector and the following, roof top advertising may be placed on taxis:
 - a) signs must be a commercially manufactured unit and approved by the License Inspector and may display advertising visible only from the sides of the vehicle;

- b) illumination of advertising shall not exceed 40 watts and shall be non-flashing;
- c) advertising messages shall not exceed 15 inches in height;
- d) advertising should be of good taste, subject to approval of the License Inspector;
- e) advertising signs shall display the word "taxi" visible to the front and rear of the taxi at least as prominent as the advertising;
- f) perforated vinyl window film advertising may be displayed on the rear side windows and rear window, subject to the approval of the License Inspector.

POWERS OF THE LICENSE INSPECTOR

49 The License Inspector is hereby authorized to:

- a) refuse to issue, renew or transfer any taxi broker's license where the applicant or broker does not, in the reasonable opinion of the License Inspector, comply with the requirements of this bylaw;
- b) revoke or suspend a taxi broker's license if, in the reasonable opinion of the License Inspector, the broker has not complied with the requirements of this bylaw or is breaching any provision of this bylaw;
- c) refuse to issue, renew or transfer any taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this bylaw;

- d) revoke or suspend a taxi license plate for any taxi which, in the opinion of the License Inspector, does not comply with the requirements of this bylaw;
- e) refuse to issue a taxi driver's license to any person or to renew a taxi driver's license issued to any person under this bylaw;
 - i) where that person has a driving record which, in the opinion of the License Inspector, makes him unfit to drive a taxi; or
 - ii) where the character, conduct or state of health of that person is such that he is, in the opinion of the License Inspector, unfit to drive a taxi;
- f) revoke or suspend a taxi driver's license:
 - i) where the taxi driver acquires a driving record which, in the opinion of the License Inspector, makes him unfit to drive a public conveyance; or
 - ii) where the character, conduct or state of health of the taxi driver becomes such that he is, in the opinion of the License Inspector, unfit to drive a public conveyance; or
 - iii) where the taxi driver does not, in the opinion of the License Inspector, comply with the requirements of this bylaw or is in breach of any provision of this bylaw; or
 - iv) where a taxi driver's license was issued to a person who is enrolled in an approved driver improvement course and such

person does not complete and pass such course within 30 days of the date of application for a license;

- g) revoke or suspend any license when, in the opinion of the License Inspector, the holder of that license has breached any provision of this bylaw;
- h) prescribe and authorize the forms, license and certificates to be used or issued under this bylaw.

50 A suspension of any license by the License Inspector may be:

- a) for a period of time not exceeding the unexpired term of the license;
or
- b) where the suspension is for non-compliance with this bylaw, until the requirements of the bylaw, in the opinion of the License Inspector have been met.

51 Any license issued under this bylaw may be revoked or suspended by the License Inspector for non-compliance with the requirements of this bylaw notwithstanding that the holder of the License has not been formally charged, prosecuted or convicted for a contravention of this bylaw.

POWERS OF PEACE OFFICERS

52 In addition to any other general powers he may have, a peace officer is authorized to:

- a) suspend a taxi license plate with respect to any taxi which does not, in the opinion of the peace officer comply with this bylaw, or is in

breach of any provision of this bylaw;

- b) suspend a taxi driver's license issued under this bylaw:
 - i) where the taxi driver has or obtains a driving record or conviction which, in the opinion of the peace officer, makes him unfit to drive a public conveyance; or
 - ii) where the character, conduct or state of health of the taxi driver is such or has become such that he is, in the opinion of the peace officer, unfit to drive a public conveyance; or
 - iii) where the taxi driver does not, in the opinion of the peace officer, comply with the requirements of this bylaw.

53 Where a taxi license plate or a taxi driver's license is suspended by a peace officer, the peace officer shall, as soon as practical, forward notification of the suspension and the reasons therefor to the License Inspector.

54 The suspension of a taxi license plate or a taxi driver's license by a peace officer shall not exceed 72 hours, unless otherwise permitted by law.

APPEAL

55¹ Any decision of the License Inspector under section 50 of this bylaw may be appealed to the Red Deer Appeal & Review Board by the broker, licensee, or driver in accordance with the relevant procedures as outlined in The City of Red Deer Committees Bylaw.

¹ 3282/A-2007, 3282/A-2009

RATES

- 56 (1) The fees to be charged passengers carried in taxis in the City are those set out on Schedule "B" annexed hereto and made part of this bylaw.
- (2) No taxi licensee or taxi driver or any other person shall charge or collect a greater or lesser amount than is specified in Schedule "B".

OFFENCES AND PENALTIES

- 57¹ No Person shall carry on a taxi business without being an Independent Owner/Operator or the holder of a valid and subsisting taxi broker's license.
- 58 No person shall operate or permit a motor vehicle to be operated as a taxi unless a taxi license plate has been issued for that motor vehicle.
- 59 No person shall operate or permit the operation of a taxi bearing registered identification colours of a broker unless that vehicle is owned or operated by that broker or unless the owner of the vehicle is affiliated with that broker.
- 60² (1) No broker or taxi licensee shall, either directly or indirectly, permit any person to drive a taxi unless that person is the holder of a subsisting taxi driver's license.
- (2)¹ Notwithstanding Section 60 (1), a mechanic or any person in his/her employment may drive a taxi while engaged in repairs or routine maintenance of the taxi without holding a subsisting taxi drivers license.

¹ 3282/A-2010

² 3282/A-2004

- 61 No taxi licensee shall permit any taxi license plate to be attached to, or be used in connection with any motor vehicle other than the taxi for which the taxi license plate was issued.
- 62 No taxi licensee shall allow or permit the operation of a taxi when that taxi does not comply with this bylaw.
- 63 No taxi licensee shall allow or permit a taxi to be operated when the taxi meter fails to comply with any of the requirements of this bylaw.
- 64 Subject to section 34, no taxi licensee shall allow or permit a taxi to be operated unless the seal placed on the taxi meter is unbroken.
- 65 No person shall drive a taxi within the City without being the holder of a subsisting taxi driver's license.
- 66² No person shall drive a wheelchair accessible vehicle taxi within the City of Red Deer without being the holder of a valid and subsisting taxi driver's license.”
- 67 It is an offence to fail to provide priority for the use of wheelchair accessible vehicle taxis to persons with physical disabilities who are in wheelchairs.
- 68 No person shall supply false or misleading information in an application for any license, permit, Mechanical Fitness Report, certificate or other document submitted or filed with the License Inspector.

¹ 3282/A-2007

² 3282/B-2008

- 69² No broker, taxi licensee or person operating any taxi shall display or allow the display of any advertising material upon the taxi other than as required or permitted by sections 48 and 49.1
- 70³ Any person who contravenes Sections 11, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69, of this bylaw is guilty of an offence and liable upon summary conviction to a fine as specified in Schedule "C" of this bylaw and, in default of payment thereof, to imprisonment for a period not exceeding six months."
- 71 Any person who contravenes any other provision or requirement of this bylaw shall be guilty of an offence and shall pay a specified penalty of \$110.00.
- 72 Any peace officer, license inspector or bylaw enforcement officer who has reasonable grounds to believe that any person has contravened any provision of this bylaw shall:
- a) ¹ in the case of a contravention set out in section 71, serve upon such person a summons requiring the individual to appear in court;
 - b) in all other instances, serve upon such person an offence ticket allowing for the payment of the specified penalty to the City in lieu of prosecution for the offence.
- 73 Bylaw No. 3076/92 is hereby repealed.

² 3282/A-2007

³ 3282/B-2008

²TRANSITIONAL

74 The following provisions apply to any license issued under this bylaw in 2015:

- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the Licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the Licensee shall receive a pro-rated credit for all remaining months or partial months which, at the Licensee's discretion may be applied to the Licensee's 2016 license fees or refunded to the Licensee.

READ A FIRST TIME IN OPEN COUNCIL this 18th day of June 2001.

READ A SECOND TIME IN OPEN COUNCIL this 18th day of June 2001.

READ A THIRD TIME IN OPEN COUNCIL this 18th day of June 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this 18th day of June 2001.

"G.D. Surkan"

"Kelly Kloss"

MAYOR

CITY CLERK

¹ 3282/A-2007

² 3282/A-2015

SCHEDULE "A"

¹ANNUAL LICENSE FEES

Page 1 of 1

The Taxi Business Bylaw Annual License Fees shall be as provided for in City Council Policy 4415-C Taxi Business Fees and Metered Fare Rates.”

¹ 3282/B-2008

¹SCHEDULE "B"

The Taxi Business Bylaw Metered Fare Rates shall be as provided for in City Council Policy 4415-C Taxi Business Metered Fare Rates."

¹ 3282/B-2008

¹ "SCHEDULE "C"**PENALTIES**

Section	Description	First Offence	Second Offence	Third Offence
11	Broker failing to provide seven days a week, 24 hours a day taxi service	\$250	\$500	\$750
58	Operating a taxi without a taxi license plate	\$750	\$1,000	\$1,250
59	Operating a taxi bearing the colors of a broker without affiliation with that broker	\$250	\$500	\$750
60(1)	Permitting, as a broker or licensee, a person without a taxi driver's license to drive a taxi	\$500	\$750	\$1,000
61	Permitting a taxi license plate to be attached to a vehicle other than that for which the taxi license plate was issued	\$500	\$750	\$1,000
62	Permitting the operation of a taxi that does not comply with the bylaw	\$500	\$750	\$1,000
63	Permitting a taxi to be operated when the taxi meter does not comply with the bylaw	\$250	\$500	\$750
64	Permitting a taxi to be operated with a broken seal on the taxi meter	\$500	\$750	\$1,000
65	Driving a taxi without a taxi driver's license	\$1,000	\$1,500	\$2,000
66	Driving a wheelchair accessible vehicle taxi without a taxi driver's license	\$1,000	\$1,500	\$2,000
67	Failing to provide priority to persons in wheelchairs to use wheelchair accessible vehicle taxis	\$750	\$1,000	\$1,250

¹ 3282/B-2008

68	Supplying false or misleading information to the License Inspector	\$750	\$1,000	\$1,250
69	Displaying advertising that does not comply with the bylaw	\$250	\$500	\$750

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

**PROPOSED
AMENDMENT**

BYLAW NO. 3282/A-2015

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

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

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

1. By renumbering section 2.1(4) to 2.1(4)(a).
2. By adding section 2.1(4)(b) as follows:

“2.1 4(b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any Independent Owner/Operator who has not obtained a taxi license plate in the past.”

3. By deleting section 6 in its entirety and replacing it as follows:

“APPLICATIONS AND RENEWALS – BROKER’S LICENSES

- 6 (1) An application for a new broker’s license may be made at any time during the year. In all cases, the application shall include:
- a) payment of the fee required in Schedule “A”;
 - b) proof that the applicant qualifies for a taxi broker’s license under section 3(1)(a);
 - c) the list of the motor vehicles required under section 3(1)(c); and
 - d) the fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the Broker’s License is first issued until December 31 of that year for any Broker who has not obtained a License in the past.
- (2) A renewal application for a broker’s license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required.
- (3) A taxi broker’s license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued. ”

4. By deleting section 7(1) in its entirety and renumbering 7(2) to 7.
5. By deleting section 15(4) in its entirety and replacing it as follows:

“15 (4) A qualified applicant who holds a taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional taxi license plates are still available, and there are more qualified applicants, the allocation of those license plates shall be determined by a random draw conducted by the License Inspector in the last week of August of each year.”
6. By deleting section 15(6) in its entirety and replacing it as follows:

“15 (6) A qualified applicant who holds a wheelchair accessible vehicle taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of wheelchair accessible vehicle taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional wheelchair accessible vehicle taxi license plates are still available, the allocation of those wheelchair accessible vehicle license plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.”
7. By deleting section 22 in its entirety and replacing it as follows:

“22 A taxi license plate is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”
8. By adding a new section 27(3)(d) as follows:

“27 (3)(d) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any taxi licensee who has not obtained a License in the past.
9. By adding a new section 29(1)(k) as follows:

“29 (1)(k) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi driver’s license

**STRIKETHROUGH
VERSION**

BYLAW NO. 3332/2004

Being A Bylaw to Regulate and License Drinking Establishments in Red Deer.

WHEREAS Council has the authority to pass bylaws for municipal purposes respecting:

- (a) the safety, health and welfare of people and the protection of people and property;
- (b) people, activities and things in, on or near a public place or place that is open to the public;
- (c) the regulation of businesses, business activities and persons engaged in business; and
- (d) for the licensing of businesses.

AND WHEREAS the operation of Drinking Establishments in the City of Red Deer has resulted in a significant increase in problems associated with the use of Drinking Establishments by patrons, including disorderly conduct, violent altercations in the street, breaches of traffic and parking regulations, vandalism, littering, noise, and other disturbances of the peace;

AND WHEREAS the City of Red Deer has incurred substantial additional expense in order to deal with these problems, including increased costs relating to policing, bylaw enforcement, and street cleaning;

AND WHEREAS Council deems it advisable to enact a bylaw to provide for the licensing and regulation of Drinking Establishments so as to minimize their adverse impacts upon the community and so as to protect public safety;

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

- 1 This bylaw may be referred to as the "Drinking Establishment Licensing Bylaw".

Definitions

- 2 In this bylaw, the following words shall have the following meanings:

- (a) **"Drinking Establishment"** means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services, the sale of alcoholic beverages for consumption away from the premises, and entertainment. A Drinking Establishment includes any premises in respect of which a "Class A"

Liquor License has been issued by the Alberta Gaming and Liquor Commission and where the terms of the license prohibit minors.

- (b) “**Licence Inspector**” means the City employee occupying the position of License Inspector or any other person designated by the Inspections and Licensing Manager to perform the duties of that position.

License Required

- 3 No person shall operate a Drinking Establishment without being in possession of a valid license issued by the City of Red Deer under this bylaw.

Application for License

- 4 A person wishing to obtain a license for a Drinking Establishment may apply to the City Inspections and Licensing Department by paying the applicable license fee and by submitting an application in the form established by the Inspections and Licensing Manager from time to time and containing the following information:

- (a) the full names and addresses of the following persons:
- (i) the owner of the Drinking Establishment business (“applicant”);
 - (ii) where the owner is a corporate entity, the directors and shareholders of the corporation;
 - (iii) where the owner is a partnership, the individual partners or the individual directors and shareholders of the corporate members of the partnership, whichever is applicable;
 - (iv) the manager of the Drinking Establishment.
- (b) the name and address of the registered owner of the premises in which the Drinking Establishment is or will be located; and
- (c) a description of the usual types of events to be held at the Drinking Establishment, including the hours of operation and the method by which admission (if any) will be charged.

Duty to Advise of Change in Information

- 5 A licensee must advise the City of any changes in the information required under section 4:
- (a) on an application to renew its license; and
 - (b) during the currency of any license, within 30 days of any change to such information.

Consultation and Approvals

- 6¹ (a) The Inspections & Licensing Manager may consult with agencies such as the RCMP; and Alberta Gaming and Liquor Commission to determine whether they are in possession of information which, in the opinion of the Inspections & Licensing Manager, renders it inappropriate for an applicant to be issued a license.
- (b) The Inspections & Licensing Manager may determine that it is inappropriate to issue or renew a license to an applicant where the safety, health or welfare of the public may be at risk due to the issuance or renewal of a license.

License Fee

- 7² 3^(a) A Drinking Establishment shall pay an annual non-refundable fee as specified in Schedule "A" based on the size of the establishment. For this purpose, the size of the establishment shall be determined by the occupancy load or maximum number of persons entitled to be in the establishment at any one time as specified in the Occupancy Permit issued by the City of Red Deer for such establishment ("occupancy load").
- (b) ⁴The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.

Duration of License

- 8 (a) ~~⁵Every Drinking Establishment license is valid for a period of 12 months from the date that it is issued unless sooner suspended or revoked.~~
- (a) Every Drinking Establishment license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued, unless sooner suspended or revoked.
- (b)⁶ Subject to Section 6 (b), a licensee shall be entitled to renew its license from year to year, provided that the licensee completes the renewal documentation prescribed by The City, pays the license fee and otherwise complies with the requirements of this bylaw.

¹ 3332/B-2012

² 3332/B-2012

³ 3332/A-2015

⁴ 3332/A-2015

⁵ 3332/A-2015

⁶ 3332/B-2012

Mandatory Requirements

- 9 The owner and manager of a Drinking Establishment must:
- (a) adhere to the provisions of all bylaws, enactments or regulations which apply to the Drinking Establishment, including the Alberta Building Code and the Alberta Fire Code;
 - (b) maintain in place a plan to the reasonable satisfaction of the Inspections and Licensing Manager which includes provisions for:
 - (i) first aid for patrons of the establishment; and
 - (ii) outside inspection and clean up in the vicinity of the Drinking Establishment during and after the hours of operation.
 - (c) display the Drinking Establishment license in a prominent location;
 - (d) require its manager and staff, on the request of a member of the RCMP, a license inspector or a bylaw enforcement officer, to:
 - (i) assist the member of the RCMP, license inspector or bylaw enforcement officer in carrying out an inspection of the premises, and
 - (ii) point out the location of the Drinking Establishment license so that it may be examined.

Conditions Attached to License

- 10 Where events have occurred in connection with the operation of a Drinking Establishment that put at risk the safety, health, welfare or property of members of the public or of the patrons or employees of the Drinking Establishment, whether prior to the enactment of this bylaw, or during the currency of a license, the Inspections and Licensing Manager may include in the license for that Drinking Establishment specific conditions which are intended to deal with that risk, including conditions respecting the following matters:
- (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
 - (b) the procedures required to be in place to address emergency medical and security concerns;
 - (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;

- (d) requirements that the owner and manager install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures governing the retention of copies of video tapes or other visual surveillance recordings;
- (e) a requirement that the owner and manager install, maintain and operate an airport-style metal detecting security gate of a model and type and in a manner specified by the Inspections and Licensing Manager, for the purpose of identifying and barring entry to anyone carrying metal weapons;
- (f) a requirement that the owner enter into an agreement specifying the conditions set out herein, including such additional conditions as may be required by the Inspections and Licensing Manager pursuant to the provisions of subparagraph (g). Such agreement may, but need not, set out the terms and provisions which will give rise to a revocation or suspension of any license granted under this Bylaw; and
- (g) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the Inspections and Licensing Manager, reasonably necessary to protect the safety, health, welfare, and property of the patrons and employees of the Drinking Establishment;

Revocation or Suspension of License

11 The Inspections and Licensing Manager may suspend any license granted under this bylaw where:

- (a) the applicant has been charged with an offence under or fails to comply with any bylaw of the City including this bylaw;
- (b) the applicant has provided false or misleading information in his or her application;
- (c) the applicant breaches any condition of a license granted under this bylaw;
- (d) the applicant or any of the officers, agents or employees of the Drinking Establishment denies entry to the premises of the Drinking Establishment by a member of the RCMP, a License Inspector or a bylaw enforcement officer exercising powers of inspection under section 18 of this Bylaw;
- (e)¹ it appears to the Inspections and Licensing Manager that the operation of the Drinking Establishment has resulted in a breach of the peace or of the Community Standards Bylaw.

¹ 3332/A-2009

12. The Inspections and Licensing Manager may suspend a license for non-compliance either with this Bylaw or with a condition of the license, until the requirements of this bylaw or of the condition of the license have been met, or until the Inspections and Licensing Manager is reasonably satisfied that appropriate measures have been taken to prevent a recurrence of the non-compliance.
13. The Inspections and Licensing Manager may permanently revoke a license where:
- (a) in the reasonable opinion of the Inspections and Licensing Manager, the continued operation of the establishment would endanger the safety, health or welfare of the public; or
 - (b) the license has been suspended once and grounds exist under section 10 to suspend the license for a second time within a period of 24 months.
14. A suspension or revocation of a license shall not be effective until:
- (a) the Inspections & Licensing Manager has given 7 days written notice to the Licensee of the proposed suspension or revocation; and
 - (b) the Licensee has not appealed the proposed suspension or revocation or, having filed an appeal, until 7 days after the appeal has been dealt with as hereinafter specified and the Appeal Committee has denied such appeal.
- 15¹ A Licensee may appeal:
- (a) a condition of its license;
 - (b) the proposed suspension or revocation of its license; or
 - (c) a refusal to issue or renew a license
- by filing an appeal with Legislative & Administrative Services, within 14 days of the date it receives notice of the condition, the suspension or revocation or the refusal, in accordance with the relevant procedures as outlined in The City of Red Deer Committees Bylaw.
- 16² Deleted

¹ 3332/A-2009

² 3332/A-2009

17¹ Where the Red Deer Appeals & Review Board decides that the Inspections and Licensing Manager wrongly failed to issue or renew a license, the Inspections and Licensing Manager shall issue or renew the license, subject to any conditions imposed pursuant to section 9.

²18³ Deleted

Inspection of premises and facilities

19 A License Inspector, bylaw enforcement officer or member of the RCMP may enter and inspect the premises of any licensed Drinking Establishment at any reasonable time, including during its hours of operation:

- (a) to determine if the facilities meet the requirements of this bylaw, other applicable bylaws of the City or any other laws or regulations which the license inspector, bylaw enforcement officer or member of the RCMP is authorized to enforce;
- (b) to ensure that the licensee is complying with the requirements of this bylaw, the conditions attached to a license issued under this bylaw and other applicable bylaws of the City or any other laws or regulations which the license inspector, bylaw enforcement officer or member of the RCMP is authorized to enforce;
- (c) in the case of a facility whose Drinking Establishment license has been suspended, to examine the premises to determine whether the conditions leading to the suspension of the license have been corrected.

Obstruction of Inspector

20 No person may hinder, obstruct or impede a license inspector, bylaw enforcement officer or member of the RCMP in the performance of his or her duties or in the exercise of his or her powers of inspection under this bylaw.

Offences

21 It is an offence for the owner or manager of a Drinking Establishment to fail to comply with or to breach any term or condition of a license granted hereunder.

22⁴ (a) A person who contravenes or fails to comply with any provision of this bylaw is guilty of an offence and liable upon summary conviction to the specified penalty of \$500.00 for a first offence, \$1,000.00 for a second offence and \$1,500.00 for a third or subsequent offence, and in default of payment of any penalty, to imprisonment for up to 6 months.

¹ 3332/A-2009

² 3332/A-2006

³ 3332/A-2009

⁴ 3332/A-2012

- (b) Where a peace officer or bylaw enforcement officer reasonably believes that a person has contravened any provision of this bylaw, the peace officer or bylaw enforcement officer may, in addition to any other remedy at law, serve upon the person a municipal ticket, in the form used by the City, allowing payment of the penalty as set out in section 21(a) of this bylaw for the particular offence, which payment will be accepted by the City in lieu of prosecution of the offence, or, a peace officer or bylaw enforcement officer may issue a violation ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, allowing a voluntary payment of the penalty as set out in section 21(a) of this bylaw, or, requiring a person to appear in court without the alternative of making a voluntary payment. The recording of the payment of a penalty made to the City or the Provincial Court of Alberta shall constitute an acceptance of a guilty plea and conviction for the offence.
- (c) Any peace officer or bylaw enforcement officer who reasonably believes that a person has contravened any provision of this bylaw may seize and take possession of any licenses where the same are revoked or suspended, or otherwise required to be returned to the City.
- (d) Any person who contravenes the same provision of this bylaw within twelve months after the date of the first contravention, is liable to the specified penalties for such second, third or subsequent offence in the amount set out in section 21(a) of this bylaw.
- (e) A person who breaches any of the provisions of this bylaw where the breach is of a continuing nature, shall, in addition to the penalty set forth in section 21(a), pay a penalty of \$500.00 for each day that the breach continues.
- (f) This section shall not prevent any peace officer or bylaw enforcement officer from issuing a violation ticket pursuant to the provisions of the *Provincial Offences Procedure Act*, without first issuing a municipal ticket.
- (g) If a person is found guilty of an offence under this bylaw, and the conduct giving rise to the offence involves the non-payment of a fee which remains unpaid, the court shall, in addition to any other penalty imposed, impose a penalty equivalent to the amount of the unpaid fee.
- (h) If a person is found guilty of an offence under this bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this bylaw.

General

- 23¹ A License issued pursuant to this bylaw is the property of the City and may not be transferred.
- 24² No License may be issued or renewed if the applicant, or any individual or corporation named in the application, has an unpaid fine owing to the City for an offence under this bylaw.
- 25³ A copy of a record of the City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
- 26⁴ In any prosecution for an offence, where a question arises as to whether a person had a valid and subsisting License, the burden is on that person to establish that the License was valid and subsisting.

Severability

- 27⁵ The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.

Transitional

- 28⁶ Notwithstanding anything in this Bylaw, a Drinking Establishment in existence as at the date of this Bylaw shall not be guilty of the offence of not having a license, provided that the Drinking Establishment is in possession of a license by noon of Friday, August 13, 2004.

- ⁷29 The following provisions apply to any license issued under this bylaw in 2015:

- a) For licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee's

¹ 3332/A-2012

² 3332/A-2012

³ 3332/A-2012

⁴ 3332/A-2012

⁵ 3332/A-2012

⁶ 3332/A-2012

⁷ 3332/A-2015

discretion may be applied to the licensee's 2016 license fees or refunded to the licensee

Effective Date

~~¹29²—This Bylaw shall come into effect on third reading.~~

READ A FIRST TIME IN OPEN COUNCIL this 17th day of May 2004

READ A SECOND TIME IN OPEN COUNCIL this 17th day of May 2004

READ A THIRD TIME IN OPEN COUNCIL this 14th day of June 2004

AND SIGNED BY THE MAYOR AND CITY CLERK this 14th day of June 2004

"G.D. Surkan"

"Kelly Kloss"

MAYOR

CITY CLERK

¹ 3332/A-2015

² 3332/A-2012

SCHEDULE "A"
DRINKING ESTABLISHMENT LICENSE FEES

- | | | |
|----|--|------------|
| 1. | Drinking Establishment (Occupancy limit 1 - 299) | \$ 100.00 |
| 2. | Drinking Establishment (Occupancy limit 300 - 499) | \$1,000.00 |
| 3. | Drinking Establishment (Occupancy limit 500 +) | \$5,000.00 |

**PROPOSED
AMENDMENT**

BYLAW NO. 3332/A-2015

Being a Bylaw to amend Bylaw No. 3332/2004 The Drinking Establishment Licensing Bylaw of the City of Red Deer.

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

Bylaw No. 3332/2004 is hereby amended as follows:

1. By renumbering section 7 to section 7(a).
2. By adding a new section 7(b) as follows:

“7 (b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

3. By removing section 8(a) in its entirety and replacing it as follows:

“8 (a) Every Drinking Establishment license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued, unless sooner suspended or revoked.”

4. By deleting section 29 in its entirety and replacing it as follows:

“29 The following provisions apply to any license issued under this bylaw in 2015:

- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee’s discretion may be applied to the licensee’s 2016 license fees or refunded to the licensee.”

5. These amendments shall come into force on May 1, 2015.

READ A FIRST TIME IN COUNCIL this day of 2015.

READ A SECOND TIME IN COUNCIL this day of 2015.

READ A THIRD TIME IN COUNCIL this day of 2015.

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

MAYOR

CITY CLERK

FILE COPY

DATE: March 31, 2015
TO: Erin Stuart, Acting Inspections and Licensing Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Bylaw Amendments Related to Enterprise Business Applications
Consideration of Second & Third Readings

Reference Report:

Inspections and Licensing, dated March 3, 2015

Bylaw Reading:

At the Monday, March 30, 2015 Regular Council Meeting, Council gave second and third readings to Bylaw 3159/B-2015, The Escort Service Bylaw 3319/A-2015, The Limousine and Sedan Bylaw 3394/A-2015, The Taxi Business Bylaw 3282/A-2015 and the Drinking Establishment Licensing Bylaw 3332/A-2015 – amendments to provide process and customer service improvements within the Enterprise Business Application.

Report back to Council: No

Comments/Further Action:

The Bylaws are attached for your information.



Frieda McDougall
Legislative Services Manager
/ attach.

c. T. Lodewyk, Acting Director of Planning Services

BYLAW NO. 3319/A-2015

FILE COPY

Being a Bylaw to amend Bylaw No. 3319/2003 The Escort Service Bylaw of the City of Red Deer.

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

Bylaw No. 3319/2003 is hereby amended as follows:

1. By removing section 8 in its entirety and replacing it as follows:

“8 Every Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

2. By removing section 14 in its entirety and replacing it as follows:

“14 Every Independent Escort Agency License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

3. By removing section 19 in its entirety and replacing it as follows:

“19 Every Escort License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

4. By renumbering section 42 to 42(a).

5. By adding a new section 42(b) as follows:

“42 (b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

6. By adding a new section 55 as follows:

“PART XI – TRANSITIONAL

55 The following provisions apply to any License issued under this bylaw in 2015:

- (a) For Licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For Licenses issued before May 1, 2015, provided the Licensee has paid the fee for a License which was to be valid for 12 months, the License will expire on December 31, 2015 and the Licensee shall receive a pro-rated credit for all remaining months or partial months which, at the Licensee's discretion may be applied to the Licensee's 2016 License Fees or refunded to the Licensee."

READ A FIRST TIME IN COUNCIL this 16th day of March 2015.

READ A SECOND TIME IN COUNCIL this 30th day of March 2015.

READ A THIRD TIME IN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.



MAYOR



CITY CLERK

BYLAW NO. 3282/A-2015

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

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

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

1. By renumbering section 2.1(4) to 2.1(4)(a).

2. By adding section 2.1(4)(b) as follows:

“2.1 4(b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any Independent Owner/Operator who has not obtained a taxi license plate in the past.”

3. By deleting section 6 in its entirety and replacing it as follows:

“APPLICATIONS AND RENEWALS – BROKER’S LICENSES

- 6 (1) An application for a new broker’s license may be made at any time during the year. In all cases, the application shall include:
- a) payment of the fee required in Schedule “A”;
 - b) proof that the applicant qualifies for a taxi broker’s license under section 3(1)(a);
 - c) the list of the motor vehicles required under section 3(1)(c); and
 - d) the fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the Broker’s License is first issued until December 31 of that year for any Broker who has not obtained a License in the past.
- (2) A renewal application for a broker’s license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required.
- (3) A taxi broker’s license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

4. By deleting section 7(1) in its entirety and renumbering 7(2) to 7.

5. By deleting section 15(4) in its entirety and replacing it as follows:

“15 (4) A qualified applicant who holds a taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional taxi license plates are still available, and there are more qualified applicants, the allocation of those license plates shall be determined by a random draw conducted by the License Inspector in the last week of August of each year.”

6. By deleting section 15(6) in its entirety and replacing it as follows:

“15 (6) A qualified applicant who holds a wheelchair accessible vehicle taxi license plate or plates in the expiring year shall be entitled, on application to be made on or before December 31 of the expiring year, to receive the same number of wheelchair accessible vehicle taxi license plates for the upcoming year in priority to new applicants. Thereafter, if additional wheelchair accessible vehicle taxi license plates are still available, the allocation of those wheelchair accessible vehicle license plates shall be determined by an evaluation of proposals received by the License Inspector on or before August 1. The proposals shall be evaluated based on preset criteria established by the License Inspector from time to time.”

7. By deleting section 22 in its entirety and replacing it as follows:

“22 A taxi license plate is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

8. By adding a new section 27(3)(d) as follows:

“27 (3)(d) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi license plate is first issued until December 31 of that year for any taxi licensee who has not obtained a License in the past.

9. By adding a new section 29(1)(k) as follows:

“29 (1)(k) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the taxi driver’s license is first issued until December 31 of that year for any taxi licensee who has

not obtained a License in the past.

10. By deleting section 30 in its entirety and replacing it as follows:

“30 A taxi driver’s license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

11. By adding a new section 74 as follows:

“TRANSITIONAL

74 The following provisions apply to any license issued under this bylaw in 2015:

- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee’s discretion may be applied to the licensee’s 2016 license fees or refunded to the licensee.”

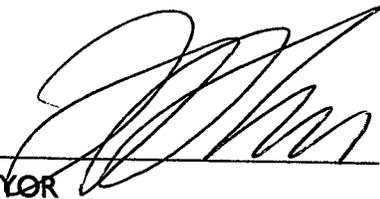
12. These amendments shall come into force on May 1, 2015.

READ A FIRST TIME IN COUNCIL this 16th day of March 2015.

READ A SECOND TIME IN COUNCIL this 30th day of March 2015.

READ A THIRD TIME IN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.


MAYOR


CITY CLERK

BYLAW NO. 3332/A-2015

Being a Bylaw to amend Bylaw No. 3332/2004 The Drinking Establishment Licensing Bylaw of the City of Red Deer.

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

Bylaw No. 3332/2004 is hereby amended as follows:

1. By renumbering section 7 to section 7(a).

2. By adding a new section 7(b) as follows:

“7 (b) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

3. By removing section 8(a) in its entirety and replacing it as follows:

“8 (a) Every Drinking Establishment license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued, unless sooner suspended or revoked.”

4. By deleting section 29 in its entirety and replacing it as follows:

“29 The following provisions apply to any license issued under this bylaw in 2015:

(a) For licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;

(b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee’s discretion may be applied to the licensee’s 2016 license fees or refunded to the licensee.”

BYLAW NO. 3159/B-2015

Being a Bylaw to amend Bylaw No. 3159/96 The License Bylaw of the City of Red Deer.

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

Bylaw No. 3159/96 is hereby amended as follows:

1. By renumbering section 9 to section 9(1).

2. By adding a new section 9(2) as follows:

“9 (2) The fees listed in Schedule “A” may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.”

3. By removing section 11(1) in its entirety and replacing it as follows:

“11 (1) All licenses issued pursuant to this Bylaw shall be valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.”

4. By deleting section 81 in its entirety.

5. By adding a new section 81 as follows:

“81 The following provisions apply to any license issued under this bylaw in 2015:

(a) For licenses issued after May 1, 2015, the license fees set out in Schedule “A” shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;

(b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee’s discretion may be applied to the licensee’s 2016 license fees or refunded to the licensee.”

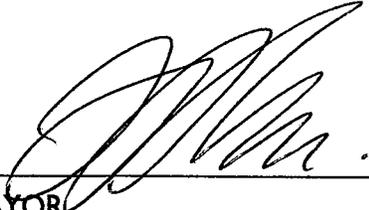
6. These amendments shall come into force on May 1, 2015.

READ A FIRST TIME IN COUNCIL this 16th day of March 2015.

READ A SECOND TIME IN COUNCIL this 30th day of March 2015.

READ A THIRD TIME IN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.



MAYOR



CITY CLERK

BYLAW NO. 3394/A-2015

Being a Bylaw to amend Bylaw No. 3394/2007 The Limousine and Sedan Bylaw of the City of Red Deer.

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

Bylaw No. 3394/2007 is hereby amended as follows:

1. By removing section 5 in its entirety and replacing it as follows:

- "5 (1) A Chauffeur License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (2) A Limousine Business License or Sedan Business License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (3) A Limousine Vehicle Identification License or Sedan Vehicle Identification License is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (4) A renewal application for any license issued under this bylaw shall be made no later than December 31. If a renewal application is not received by December 31, the license will be deemed expired and a new application will be required."

2. Renumbering section 13 to section 13(1).

3. By adding a new section 13(2) as follows:

- "13 (2) The fees listed in Schedule "A" may be reduced by pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past."

4. By renumbering section 19 to section 19(1).

5. By adding a new section 19(2) as follows:

- "19 (2) The following provisions apply to any license issued under this bylaw in 2015:

- (a) For licenses issued after May 1, 2015, the license fees set out in Schedule "A" shall be reduced pro-rata on a monthly basis for each month or partial month from the date the license is first issued until December 31;
- (b) For licenses issued before May 1, 2015, provided the licensee has paid the fee for a license which was to be valid for 12 months, the license will expire on December 31, 2015 and the licensee shall receive a pro-rated credit for all remaining months or partial months which, at the licensee's discretion may be applied to the licensee's 2016 license fees or refunded to the licensee."

6. By deleting "All Licenses expire January 31 of the following year in which they were issued" in Schedule A -- FEES.

7. These amendments shall come into force on May 1, 2015.

READ A FIRST TIME IN COUNCIL this 16th day of March 2015.

READ A SECOND TIME IN COUNCIL 30th day of March 2015.

READ A THIRD TIME IN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.



 MAYOR



 CITY CLERK



March 23, 2015

Jackpot Casino Parking Lot – Land Use Bylaw

Amendment 3357/H-2015

Proposed Site Exception Temporary Parking Lot

Consideration of Second and Third Reading

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, February 23, 2015 Council Meeting.

Recommendation:

That Council consider giving second and third readings to Land Use Bylaw Amendment 3357/H-2015, a bylaw to provide for a temporary (10 years) parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street).

Report Details

Background:

At the Monday, February 23, 2015 Council Meeting, Council gave first reading to Land Use Bylaw Amendment 3357/H-2015.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on February 27, 2015, March 06, 2015 and March 13, 2015. Comments received from the public are attached to this report. A Public Hearing will be held on Monday, March 30, 2015 at 6:00 p.m. during Council's regular meeting. Letters were sent to the owners of properties in the affected area.



GREATER DOWNTOWN ACTION PLAN STEERING COMMITTEE

Date: February 26, 2015
To: Red Deer City Council
From: Greater Downtown Action Plan Steering Committee
Subject: Land Use Bylaw Amendment 3357/H-2015 for a Temporary Parking Lot at 4643 and 4637 50 Street

At the February 26, 2015 meeting of the Greater Downtown Action Plan Steering Committee, the Committee discussed Land Use Bylaw amendment 3357/H-2015, to provide for a temporary parking lot for private use by Jackpot Casino at 4643 and 4637 50 Street (Lots 44-46, Block A, Plan K8). The following resolution as set out below was introduced and passed:

Resolved that the Greater Downtown Action Plan Steering Committee, having considered the report dated February 9, 2015 and presented by Administration, Land Use Bylaw amendment 3357/H-02015, to provide for a temporary parking lot for private use by Jackpot Casino at Lots 44-46, Block A, Plan K8 (4643 and 4637 50 Street), hereby supports Administration's recommendation and does not endorse the proposed Land Use Bylaw amendment 3357/H-2015, and forwards this to Council for consideration.

The above is submitted for Council's consideration.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'D. Quirk'.

Dustin Quirk
Chair, Greater Downtown Action Plan Steering Committee

c. Emily Damberger, Senior Planner

**LETTER RECEIVED FROM
STANTEC**

Dated March 03, 2015

New Information on Page 2.



March 3, 2015
File: 112849424

Attention: City of Red Deer Planning Department

Box 5008
Red Deer, AB, Canada
T4N 3T4

Dear Emily Damberger,

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

On behalf of our client, Jackpot Casino Ltd, please accept this letter as our formal Land Use Bylaw Amendment Application for a 10 year Land Use Exception on 4643 and 4637 50th Street. It is intended that the following information will provide valuable background information intended to be used for reference purposes.

1.0 PLAN AREA HISTORY

1.1 Background

In 2013, a Land Use Amendment Application was made to provide additional parking within the Plan Area. Unfortunately, this Application was defeated in 1st reading and not able host a public Open House following. Since the initial Application, Jackpot Casino voluntarily hosted an Open House on October 29, 2014 to present the Application to Parkvale Community Association, patrons, Administration and Councilors as well as the public.

Block A, Plan K8, Lot 41-43 and Block A, Plan K8, Lot 44-46, otherwise known as 4643 and 4637 50th Street, and referred to as the "Plan Area", are part of the historic Parkvale neighbourhood in Red Deer's downtown. The use of these lots has solely been for residential development, dating back to the early 1900s. The house located at 4637 50th Street, was identified by the City of Red Deer as having potential historical significance as it was lived in by William J. Botterill, an early Red Deer settler, former Mayor, past Councilor, and active member in the community. Both lots, along with their associated houses, were purchased by Jackpot Casino Ltd. and have since remained vacant.

2.0 APPLICATION FOR AMENDMENT

A "parking lot" use is not an approved use under the existing land use designation for these sites. We believe that a 10 year Land Use Exception will allow Jackpot Casino to provide their clients with parking, while allowing for future development opportunities as prescribed under the R1A district as well as an opportunity to review the merits of the application at the end of the 10 year exception.



March 3, 2015
 City of Red Deer Planning Department
 Page 2 of 5

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

a. Land Use Exception

A land use exception would keep the existing zoning for the sites and add an exception statement in the Land Use Bylaw.

By providing a 10 year exception rather than a land use redesignation, the intention of the site remains the same, there will be no commercial uses permitted in the future; however, a parking lot is permitted. In order to be transparent with the City and Parkvale Community Association, this Application is accompanied by a Development Permit Drawing and Developments Plans to clearly identify the commitment to landscaping, lane improvements, street furniture and character.

3.0 PARKING LOT DESIGN

The success of this project will be measured by the aesthetics of the plan area once constructed. Jackpot Casino recognizes the need to create a visually appealing place by utilizing a combination of vegetation, street furniture and fencing. Undergoing this project is an opportunity to provide a functional amenity, improve the aesthetics of the area, and showcasing heritage in our community.

3.1 objectives

During the design process the following were identified as opportunities and constraints:

- A. Landscaped Entrance into the downtown
- B. Create a safe space
- C. Inclusion of informational signage regarding local heritage – Botterill House and Parkvale
- D. Preservation of Siberian Larch
- E. Enhanced screening to surrounding property owners

4.0 CONCEPT PLAN

The proposed parking lot provides 41 regular parking stalls and 2 accessible stalls. After reviewing the existing constraints on site, the parking lot has been designed with access via the rear alleyway to reduce the possible traffic interference at the corner of Ross Street and 27th Avenue. This lane will likely be paved to minimize potential damage to the lane, reduce dust, and increase accessibility for motorists.

A significant amount of landscape has been incorporated into the site to provide vehicle screening as well as screening for adjacent property owners. Jackpot Casino will exceed the landscape treatment requirements as identified in the City of Red Deer's Land Use Bylaw. The design of this parking lot preserves the 3 existing trees currently on site. A Siberian Larch tree located in the central portion of the site as well as two additional trees: one in the northeast corner of the site and one in the southwest corner has been incorporated into the Concept Plan and protected during the conduction phase.



March 3, 2015
City of Red Deer Planning Department
Page 3 of 5

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

As identified in the Greater Downtown Action Plan, Ross Street is the primary corridor within the downtown. The corner of 47th Avenue and Ross Street is the start of the downtown's commercial core and thus, this particular area could be seen as the gateway into Red Deer's commercial downtown. To highlight this, the corner of 47th Avenue and Ross Street has been designed as a pedestrian node, reflective of the treatments seen on corners elsewhere along Ross Street. In addition to providing continuous landscaping along Ross Street, the streetscape along 47th Avenue has also been designed to mirror the streetscape along the Casino on the opposite side of the street.

In addition to providing parking for Casino patrons, this site has been designed with a small area for public art and interpretive signage. Located at the corner of 47th Avenue and Ross Street, this area is also intended to draw parking lot users toward the crosswalk, provide a visual anchor for the street.

Both lighting and landscaping has been considered to enhance safety of the parking lot. Shrub landscaping has been used to act as screening along the McIntosh House; however the shrubs chosen have are relatively short thereby screening the cars without reducing motorist sightlines or providing opportunities for hidden threats. Pedestrian scaled lighting has been used to illuminate the parking lot while reducing glare which can cause deep shadowed areas, and minimize the light spill-over on to adjacent properties.

5.0 NEED FOR PARKING

Jackpot Casino previously had a longstanding agreement with the Coronation Inn to share their 72 space parking lot; however, due to the conversion of this building to seniors housing, this agreement has been terminated.

The Casino currently has 13 on-site parking spaces available for staff and/or visitors and owns a parking area in front of Only Women's Fitness which provides 38 off-site parking stalls. In addition, the Casino rents 14 off-site parking stalls behind Lexington Place located south of the Casino. The Casino current is able to provide 51 daytime parking stalls.

As January 2015, Jackpot Casino has been renting additional parking from Only Women's Fitness on a month to month basis. This agreement does not guarantee any parking spaces as no designated parking is identified for either businesses. Due to the terms of the agreement and two months of usage, this option is not sustainable due to conflicting schedules for staff and customers, lease rate and operation hours of Only Women's Fitness.

After 5pm Casino patrons are able to utilize on-street parking along 49th Street, 50th Street, and 47th Avenue, and after 6pm can utilize surface parking in front of the 49th Street Community Health Centre building that Jackpot Casino has a lease on.

5.1 Requirements

As per the City of Red Deer's Land Use Bylaw, a gambling or gambling establishment is required to have 1 space per 2.3 seats. Due to the business's location within the C1 Commercial (City Centre) District, the Casino is not required to provide the recommended amount of parking; however, this recommended amount equate to over 160 parking spaces.

With the pressure of patrons and Alberta Gaming and Liquor Commission, additional parking is required for the Casino to be successful in its current location.



March 3, 2015
 City of Red Deer Planning Department
 Page 4 of 5

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

5.2 Alternative options

The City encouraged Jackpot Casino to explore alternative parking arrangements rather than pursuing this project. The following were identified as recommended parking alternatives:

- Parallel parking along north side of 49th Street
 - Parallel parking along the north side of 49th Street is not currently in place as there is a driving lane there
 - On-street parking currently surrounding the Casino is 2hr unrestricted paid parking, available without payment only after 5pm and on weekends.
 - 5 on-street parking spaces located near the Casino on the south side of 49th Street
 - 7 regular and 1 accessible parking spaces located along 47th Avenue
 - 10 parking spaces located near the Casino on the south side of Ross Street
- Shuttle service from Sorenson Station or Lot P4 to the Casino
 - Shuttle service is not a viable parking solution
- Partner with the Co-op Plaza
 - This alternative has been explored and is not possible
- Partner with Ding property to build a parkade
 - The construction of a parkade is not a feasible option
- Upgrade/enhance sidewalk and crosswalk at 49th St/47th Ave
 - The enhancement of this crosswalk does not provide additional parking

6.0 PARKVALE COMMUNITY ASSOCIATION

Since the proposed development does not comply with the existing regulations of the site (R1A Residential), a meeting with the Parkvale Community Association was held in the summer of 2013 with representatives from Parkvale Community Association, Jackpot Casino and Stantec Consulting. A second Public Participation opportunity was provided on October 29, 2014 to solicit opinions from the community and public on their proposed Land Use Bylaw Amendment for the purpose of developing a supplementary parking lot. During these sessions, facilitators and Casino representatives were available to answer questions and gather comments. The results on the Open House is provided under a separate cover.



March 3, 2015
City of Red Deer Planning Department
Page 5 of 5

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

7.0 CONCLUSION

After having reviewed the existing site conditions, and planning for the surrounding area, we believe the proposed land use and Concept Plan is respectful of the community and City of Red Deer. Jackpot Casino recognizes the potential concerns from the community, Parkvale Community Association and the City of Deer and is prepared to work with each group to create a plan that is functional, safe and aesthetically pleasing

Regards,

Stantec Consulting Ltd.

Gordon Lau, LAT, RPP MCIP
Associate, Planning and Landscape Architecture
Phone: 403-341-3320
Gordon.lau@stantec.com

c.

gcl documents

**ADDITIONAL COMMENTS
RECEIVED
FROM THE PUBLIC
REGARDING
LAND USE BYLAW
AMENDMENT 3357/H-2015
JACKPOT CASINO
-
PROPOSED PARKING LOT**

Buckley Law Office

Bruce A. Buckley Professional Corporation

THE CITY OF RED DEER
Legislative & Administrative Services

RECEIVED
TIME 1:00pm
DATE March 20 2015
BY Louise Ald.

4641 - 49th Street Red Deer, Alberta T4N 1T4

Telephone: 403.342.6268

Fax: 403.342.7176

Email: bucklaw@telus.net

March 20, 2015

City of Red Deer, Legislative Services

VIA FAX: 346-6195

Email: legislativeservices@reddeer.ca

Attn: Frieda McDougal, Legislative Services Manager

Dear Madam:

**Re: Land Use Bylaw Amendment 3357/H2015
Proposed Site Exception for a Temporary Parking Lot
at 4643 - 50th Street and 4637 - 50th Street**

I wish to address my concerns to Red Deer City Council about the above captioned Bylaw Amendment. Although I hope to attend the Public Hearing on Monday March 30th, I am not certain at present whether my schedule will permit that and so I would ask that this letter be included with the materials submitted to Counsel as suggested in your correspondence of February 25, 2015.

I operate my law practice at 4641 - 49 Street and am therefore exactly one block south of this proposed "temporary" parking lot. I strongly oppose the proposed amendment as I feel it would negatively impact the surrounding areas and the value of surrounding properties. As I indicated in an earlier feedback form provided to Stantec Engineering, this particular area of the city is in danger of becoming a wasteland dedicated only to the parking of motor vehicles. This hurts the appearance of the Parkvale community and in my view, negatively impacts the entrance to downtown Red Deer. I feel that the construction of this parking lot whether "temporary" or permanent will negatively impact the value of property in the area as well.

By my count there are at least 15 other parking lots, some public and some private, within 300 hundred metres of this proposed "temporary" parking lot. The addition of another parking lot adds nothing to the community, while subtracting useful space. In addition to aforementioned existing parking lots, there is on-street parking available in the immediate area on Ross Street (both sides), on 47th Avenue (both sides), and on 49th Street (south side only). An informal count of the number of available spaces of on-street parking within one block of the Jackpot Casino would seem to indicate that approximately 170 vehicles can be accommodated. In the eight years that I have been operating from this location I cannot recall a single instance where all of those parking spaces were filled during business hours. I cannot imagine the situation grows much worse in the evenings, indeed I would expect the contrary. It is almost unheard of that anyone coming to my office will complain about the adequacy of parking, and although I

- 2 -

have onsite parking available more often than not clients choose to park on the street because it is more convenient.

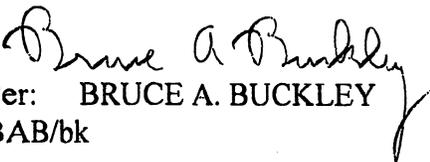
I appreciate that much (but not all) of the available on-street parking is metered. Much of the available public parking in the area is not free. Given the nature of the business whose patrons we are talking about accommodating it is hard to imagine that paying a small amount for parking would be anything more than a minor inconvenience at worst. The Jackpot Casino already appears to have some 50 private parking spaces of its own, and therefore well over 200 vehicles can be accommodated in the immediate area, many of them at no charge. It is hard to imagine how more parking is needed. An argument might be made for parking immediately adjacent to a hospital or other medical facility, or even adjacent to a business whose patrons regularly have to contend with large packages or groceries and the like. Neither is the case here. With all of the existing parking lots this part of the downtown appears to be built to accommodate vehicles more than people.

The preparation of this site for this application has involved the destruction of a house that was identified as being of historic significance in the community. The proposal also threatens the long-term viability of a unique and historic tree that stands in the centre of the area. It is hard to imagine how the survival of that tree will remain viable if it is surrounded by an asphalt parking lot. I expect that it will be said that the historic property (the Botterill house) could not be saved, and in response, I would point out that the same has been said about the Manning house, the Payne house, the Cronquist house, and the Parsons House, all of which have been renovated, restored and are in use today.

In summary, there is no benefit to the surrounding community by this proposal. Adding another parking lot to an area already full of them negatively impacts the appearance of the district, and I believe will negatively impact property values in this area. If the proposal is refused and the parking lot is not built the Casino patrons may have to walk as much as 100 metres further to get to their vehicles. This is hardly an inconvenience in a city the size of Red Deer. The proposal asks that you allow long term (or more probably permanent) damage to an area to marginally increase the convenience of a few. With respect, I ask that the proposal be rejected.

Yours truly,

BUCKLEY LAW OFFICE


Per: BRUCE A. BUCKLEY
BAB/bk

March 19, 2015

Manager, Legislative Services

City of Red Deer

Dear Sir or Madam;

Regarding the proposed Land Use Bylaw Amendment 3357/H-2014. I wish as a concerned citizen to submit the following comments for consideration in your decision making.

Firstly ten (10) years is not really a temporary term at the way this city is growing and the revitalization of the downtown area.

Since there is already an apt. building on the south corner which is well cared for and the BandB next door, which I understand is to be sold, it would be better to leave the zoning for a pleasing new building. With an increase of working singles and senior's living nearby I am sure they would welcome it.

I also took the time to check out downtown parking. The city owned (ours) Sorenson Parkade has evidently never been used to capacity and is priced reasonably at \$9.60 a day or \$90.00 a month (\$5.00 daily) and is within walking distance of the Casino. As well there there are many more spaces available and the streets seem to be used regularly.

It has been a pleasure to see Red Deer keep improving the downtown and the parks. So hopefully our council will think of all citizens in their decision on this matter.

Yours Truly,

Emily Hillis



THE CITY OF RED DEER
Legislative & Administrative Services

RECEIVED	
TIME	11:00 am
DATE	March 20, 2015
BY	Karise Wad



LEGISLATIVE SERVICES

February 25, 2015

CLIFFORD LORNE BOSCHMAN & ESTHER MARIE PERTELSON

THE CITY OF RED DEER
Legislative & Administrative Services

RECEIVED	
TIME	
DATE	Mar 9/15
BY	L

Dear Sir/Madam:

**Re: Land Use Bylaw Amendment 3357/H-2015
Proposed Site Exception for a temporary parking lot at 4643 50 Street and 4637 50 Street
Your property at**

Red Deer City Council is considering amending the Land Use Bylaw to allow for the development of a temporary parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street).

As a property owner in the area of the proposed changes you have an opportunity to ask questions about the intended use and to let Council know your views. The proposed Bylaw may be inspected at Legislative Services, 2nd Floor of City Hall or for more information contact City of Red Deer Planning Services at 403.406.8700.

City Council will hear from any person claiming to be affected by the proposed bylaw at a Public Hearing on Monday, March 30, 2015 at 6:00 p.m. in Council Chambers, 2nd Floor of City Hall. If you would like a letter included on the Council agenda it must be submitted to our office by Friday, March 20, 2015. You may also submit your letter at the Public Hearing, or you can simply tell Council your views at the Public Hearing. Council's Procedure Bylaw indicates that each presentation is limited to 10 minutes and any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative Services at 403.342.8132.

Yours truly,

Frieda McDougall
Legislative Services Manager

attach.

My wife and I have absolutely no reservations about this parking lot being established @ lots 44-46, Block A, Plan K8, etc.

Louise Maher

Subject: FW: Jackpot Casino Propose Parking Lot

From:
Sent: March 24, 2015 9:12 AM
To: MayorMailbox
Subject: Jackpot Casino Propose Parking Lot

Good Morning Tara,

I am writing in concern regarding the proposed Jackpot Casino parking lot that they are wanting to build on corner of 47 Avenue and Ross Street. I live on that street farther east and on the south side of the block with my spouse and our two young boys.

The residents on this block, that is located between 49th and 50th street, mainly have the parking in the alley way only. There are a few homes that have street parking out front on 50th but the others on that face 49th have nothing.

My concerns are traffic flow and safety. We are already facing issues when trying to get in and out of the exit on 47th Avenue as it can be dangerous. Caution needs to be taken when proceeding or even waiting to get onto the main street (47th Avenue is very busy with main traffic and pedestrians). When trying to exit you can't see around the power pole, the tree's and bins from the apartment block and people drive without caution at times to enter the alley. You add 41 parking stalls, that increases the risk substantially for those coming and going. Wait times to proceed during rush hour can influence drivers to take more risks trying to get in and out of the alley.

We have families on that block. There are kids and tight spaces at best. The alley is full of potholes and the increase of patrons and traffic that decide they want to exist out the east side (46th Avenue) of the alley will add to the maintenance requirement of the road as well the safety concerns for their speed and awareness. I could imagine that most are responsible drivers and patrons but the distraction of going to play or losing at the game could affect how they pay attention when pulling away.

Jaywalking on 47th Avenue will increase. The lights are right there I know but the situation on 49th Street where the Jackpot already has a parking lot has created an increase of people cutting across and risking their own safety as well as drivers because they won't walk to the light near by to cross properly.

The Jackpot has parking, people have the ability to walk a bit. The Jackpot if wanting to offer free parking should look into a parking pass then for frequent players. It's frustrating to think that Mr. Daines bought the land and tore down the house before asking the residence first. "It's easier to ask for forgiveness then permission comes to mind". Well it's not his family or himself living on the block but even then with his profits and possibility of profits by placing this in our neighborhood maybe that would suit him just as well, but it doesn't for us and offers no benefits to our community.

We can't afford to have this risk put on our street. This is where we live and many of us do not have the ability to move. The people and small business that are here have mainly been on this block for some time. We are already working with what we got down there with theft, crime, break and enters.

I would appreciate if you could share my letter with council, I may share it with my peers. I am trying to arrange my schedule to be able to attend the March 30, 2015 town meeting but not sure if I am able to make it on time.

I appreciate your time and consideration.

Sincerely,

Louanne Pitts

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

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



Report Originally Submitted
to the February 23, 2015
City Council Meeting

February 9, 2015

Jackpot Casino Parking Lot - Land Use Bylaw Amendment No. 3357/H-2015

Proposed Site Exception Temporary Parking Lot

Planning Department

Report Summary & Recommendation:

The Planning Department has received an application to amend the Land Use Bylaw to provide for a temporary (10 years) parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street).

In considering this amendment, Council has the following options:

1. Not support the amendment and defeat LUB Amendment 3357/H-2015 at First Reading;
2. If Council determines that the application has merit, support First Reading to LUB Amendment 3357/H-2015 proceed to advertising the 10 year temporary parking lot site exception for public hearing and final readings.

The amendment is not supported by Municipal Development Plan policies and does not meet the intent of the Low Impact Commercial district in the Land Use Bylaw therefore the Planning Department recommends Council not support the amendment and defeat First Reading of Land Use Bylaw Amendment No. 3357/H-2015.

City Manager Comments:

I support the recommendations of Administration which reinforces the commitments made to the parkade through the overlay district. I am opposed to the 10 year temporary use however if Council considers approval, I will support Stantec's Development Plan which would enhance the area.

Craig Curtis
City Manager

Proposed Resolution

That Council considers defeating First Reading of Land Use Bylaw Amendment 3357/H-2015 at this time.



Report Details

Background:

Planning administration received an application from Stantec Consulting Ltd. to amend the City of Red Deer Land Use Bylaw (LUB) for the development of a stand-alone temporary (10 years) parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street). The properties are owned by Jackpot Casino Ltd. and the proposed parking lot would be for private use by the Jackpot Casino, to provide free parking to casino patrons, for a temporary period of 10 years. This is the second application for a parking lot on this site.

Planning administration brought forward a prior amendment application for a parking lot site exception to Council on September 3, 2013. At this time Council denied first reading of the proposed site exception.

The properties that are the subject of the proposed Land Use Bylaw Amendment are located in the Parkvale neighbourhood in Red Deer's downtown. These properties are zoned RIA Residential (semi-detached dwelling) district and are impacted by the Low-Impact Commercial Use (LUB section 8.22 (I)(K) and section 5.7(6(iv)) and the Parkvale Mature Neighborhood Overlay. A parking lot is not listed as a use in either the RIA district or in the exception or overlay. The properties are currently vacant lots.

The Jackpot Casino is zoned CI and under this designation no onsite parking is required for commercial uses.

Prior to receiving this application, City Administration had a number of meetings with the applicant regarding their desire to construct a parking lot in this location. Planning Administration advised the applicant of the concerns and policy that does not support a parking lot at this location. Alternate downtown parking options were brought forward by City Administration, however the applicant desires to continue with the site exception application.

Discussion:

Overview of Amendment

The Amendment 3357/H-2015 proposes to amend the Low-Impact Commercial site exception section of the Land Use Bylaw to allow for the proposed temporary (10 years) parking lot.

The Low Impact Commercial section of the Bylaw currently outlines that stand-alone parking lots shall not be allowed as low impact commercial uses. The proposed amendment changes this clause to allow for a temporary (10 year) parking lot by excepting a parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) from the regulation.



Secondly, the proposed amendment adds an additional site exception to the subject properties, 4643 and 4637 50th street. The exception provides for a “temporary (10 years) parking lot at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) subject to parking regulations established in sections 3.2, 3.2.1, and 3.2.2 of this bylaw”. The parking lot will also be subject to the Greater Downtown Parking Areas Development Council Policy 6114 – C. The exception also outlines that “Additional landscaping and/or design enhancements may be required at the discretion of the Development Authority”.

The underlying R1A Residential (semi-detached dwelling) district remains in place allowing for single family or duplex development.

Guiding Policy

There are a number of plans and policies in place which pertain to the subject properties. These include:

- *The City of Red Deer Municipal Development Plan*
- *The Greater Downtown Action Plan*
- *The Parkvale Community Modest Infill Design Guidelines*
- *The City of Red Deer Land Use Bylaw*
 - Low-Impact Commercial Use, Land Use Bylaw Exception (k)
 - Parkvale Mature Neighbourhood Overlay

Municipal Development Plan (MDP)

The MDP speaks to the importance of infill and intensification in the downtown in Policy 11.4:

The City shall continue to promote opportunities for infill and intensification within the Greater Downtown in order to facilitate a mixed use and compact urban form; utilize existing infrastructure efficiently and increase the range of services and amenities available to workers, residents and visitors in the Greater Downtown area (*The City of Red Deer Municipal Development Plan, 2013*).

The proposed amendment would provide for the development of a commercial parking lot on a site currently zoned for low-impact commercial or residential use. Planning Administration views a parking lot as a de-intensification of land use in comparison to other uses which the site is designated for such as a residential or low-impact commercial use.

The subject site is identified as residential, not commercial, on the Generalized Land Use Concept Map in the MDP. This is not in keeping with MDP policy 4.1 which outlines that future development should be directed to the appropriate areas as established through the Generalized Land Use Concept Map.

Although the MDP outlines in policy 12.3 that small scale district and neighbourhood commercial uses may locate in areas identified as residential, the proposed parking lot is



associated with a commercial use that draws from beyond the neighbourhood and district. Therefore the proposed parking lot is not in keeping with the direction established for this area in the MDP.

The Greater Downtown Action Plan (GDAP) & The Parkvale Community Modest Infill Design Guidelines

The Plan discusses within the “Commentary” section, the Parkvale Design Guidelines. It notes that The Guidelines appear to have been successful and suggests that they continue to be applied. These design guidelines focus on residential infill, and as a parking lot is not a use considered for the area the guidelines do not address parking lots.

The Land Use Bylaw

- Low-Impact Commercial Use, Land Use Bylaw Exception s.8.22(l)(K)

The Low-Impact Commercial Use section specifically prohibits stand-alone parking lots.

Land Use Bylaw exception (k) allows for Low-Impact Commercial Uses on the subject properties as long as s.5.7 (6) is complied with. The purpose of this site exception is to allow for low impact commercial uses in areas where there is a transition between low density residential neighbourhoods and commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the area.

- Parkvale Mature Neighborhood Overlay LUB s. 7.7

This overlay focused on the development of buildings and does not provide regulations related to parking lot development.

The regulations in the Parkvale Mature Neighbourhood Overlay district apply to the construction of any new or infill, principle or accessory building and to any major structural renovation, alteration, addition, and/or reconstruction of an existing building on lands in the in the low density areas of Parkvale.



Consultation

Administration Circulation

This application was circulated to City departments for comment. The following issues were raised, that will be considered at the development stage if the site exception is approved:

- Potential paving of lane
- Health and maintenance of the Siberian Larch

City Administration Stakeholder Consultation

The Planning department circulated the application to adjacent neighbours within 100m, and the Parkvale Community Association.

The Parkvale Community Association submitted a letter of nonsupport (attached).

Comments cited both support for and concerns with the application. Some of the points noted are:

- Concern that introducing a commercial parking lot may not be compatible with the existing residential uses adjacent;
- Concern the use being an underutilization of prominent downtown location;
- Concern with alley access, increased traffic, noise, vehicle lights in lane if parking lot is approved;
- Concern with condition of lane if parking lot is approved;
- Concern with noise from parking lot and effect on residential properties nearby
- Not in keeping with the Parkvale Overlay and GDAP;
- If approved, a parking lot may bring more legitimate users to the site and decrease the amount of undesirable activity that is going on;
- A parking lot owned and operated by Jackpot Casino provides some assurance to adjacent property owners about the quality and level of maintenance that they can expect for the parking lot;
- Additional concerns were noted about the area in general. These include concerns about enforcement issues such as unsightly properties and illegal activities occurring in the area;

The Planning Department has reported to the Heritage Preservation Committee and will report to the Greater Downtown Action Plan Committee (GDAP) (February 26, 2015) with the intent to communicate the process and information. Resolutions are not required from



either committee, due to clear City downtown planning document policies and the heritage building no longer being in place on site.

The land owner circulation in May 2014, did not include the temporary proposal of 10 years, as this was proposed by the applicant prior to the open house in October 2014. If the application receives first reading, Council may direct administration to recirculate, host a second meeting or include the temporary information in the advertising of the public hearing. Administrations heard from landowners that they were frustrated about being contacted several times regarding this proposal, and therefore choose to proceed with the next step of public consultation following first reading.

Stantec Consulting Stakeholder Public Information Session

Stantec Consulting hosted an open house (public information session) on October 29, 2014. At the open house the “temporary” parking was proposed. Jackpot Casino also had the comment sheets available for over a week period onsite at the Casino for casino patrons to provide comments. A summary of comments, prepared by Stantec Consulting as part of their Land Use Bylaw amendment application, collected from the open house and casino patrons is attached. Comments sited both concern and support for the application.

Analysis:

In reviewing this application, Planning Administration noted a number of plans and policies which do not support a parking lot in the proposed location. The application for a commercial parking lot in an area identified for residential is not supported by MDP policies.

In addition, the Low-Impact Commercial section of the LUB specifically prohibits parking lots. Parking lots do not meet the intent of the overlay to provide a suitable transition between Parkvale and the commercial land uses in the downtown, while retaining, preserving and maintaining the low density residential character of the neighbourhood.

There are a number of parking spaces currently available in the downtown, both on-street and in City-owned parking lots. While Planning Administration suggested parking options to the applicant in an effort to assist, the applicant has indicated their desire to own the lot they utilize for parking in order to provide free parking to casino patrons.

Planning Administration consulted with the adjacent landowners and Community Association in regards to the application. Through this consultation it was noted that there was both support for and concerns with the proposed parking lot.

While not required, the applicant choose to host an open house prior to first reading of the application as they wanted Council to receive more broad feedback for consideration at first reading rather than just the 100m land owner circulation.



Although all applications are evaluated on their own merits, it should be recognized that allowing a commercial parking lot to be built in a residential neighbourhood can be precedent setting and may have a negative impact on an established downtown neighbourhood. The temporary use 10 year term approval would still allow a non-supported use even if for a temporary period. At the end of 10 years the applicant would need to reapply for the LUB to be amended.

If Council chooses to give first reading to the proposed amendment, the bylaw amendment has been written for Council to be the approving authority to ensure the site plans submitted with first reading are consistent with future development approvals on the site.

In considering this amendment, Council has the following options:

1. Not support the amendment and defeat LUB Amendment 3357/H-2015 at First Reading.
2. If Council determines that the application has merit, support First Reading to LUB Amendment 3357/H-2015 and proceed to advertising the 10 year temporary parking lot site exception for public hearing and final readings.

Planning Administration recommend that City Council defeats First Reading.



February 6, 2014
File: 112849424

Attention: City of Red Deer Planning Department

Box 5008
Red Deer, AB, Canada
T4N 3T4

Dear Emily Damberger,

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

On behalf of our client, Jackpot Casino Ltd, please accept this letter as our formal Land Use Bylaw Amendment Application for a 10 year Land Use Exception on 4643 and 4637 50th Street. It is intended that the following information will provide valuable background information intended to be used for reference purposes.

1.0 PLAN AREA HISTORY

1.1 Background

In 2013, a Land Use Amendment Application was made to provide additional parking within the Plan Area. Unfortunately, this Application was defeated in 1st reading and not able host a public Open House following. Since the initial Application, Jackpot Casino voluntarily hosted an Open House on October 29, 2014 to present the Application to Parkvale Community Association, patrons, Administration and Councilors as well as the public.

Block A, Plan K8, Lot 41-43 and Block A, Plan K8, Lot 44-46, otherwise known as 4643 and 4637 50th Street, and referred to as the “Plan Area”, are part of the historic Parkvale neighbourhood in Red Deer’s downtown. The use of these lots has solely been for residential development, dating back to the early 1900s. The house located at 4637 50th Street, was identified by the City of Red Deer as having potential historical significance as it was lived in by William J. Botterill, an early Red Deer settler, former Mayor, past Councilor, and active member in the community. Both lots, along with their associated houses, were purchased by Jackpot Casino Ltd. and have since remained vacant.

2.0 APPLICATION FOR AMENDMENT

A “parking lot” use is not an approved use under the existing land use designation for these sites. We believe that a 10 year Land Use Exception will allow Jackpot Casino to provide their clients with parking, while allowing for future development opportunities as prescribed under the R1A district as well as an opportunity to review the merits of the application at the end of the 10 year exception.



February 6, 2014
City of Red Deer Planning Department
Page 2 of 5

Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

a. Land Use Exception

A land use exception would keep the existing zoning for the sites and add an exception statement in the Land Use Bylaw.

By providing a 10 year exception rather than a land use redesignation, the intention of the site remains the same, there will be no commercial uses permitted in the future; however, a parking lot is permitted. In order to be transparent with the City and Parkvale Community Association, this Application is accompanied by a Development Permit Drawing and Developments Plans to clearly identify the commitment to landscaping, lane improvements, street furniture and character.

3.0 PARKING LOT DESIGN

The success of this project will be measured by the aesthetics of the plan area once constructed. Jackpot Casino recognizes the need to create a visually appealing place by utilizing a combination of vegetation, street furniture and fencing. Undergoing this project is an opportunity to provide a functional amenity, improve the aesthetics of the area, and showcasing heritage in our community.

3.1 objectives

During the design process the following were identified as opportunities and constraints:

- A. Landscaped Entrance into the downtown
- B. Create a safe space
- C. Inclusion of informational signage regarding local heritage – Botterill House and Parkvale
- D. Preservation of Siberian Larch
- E. Enhanced screening to surrounding property owners

4.0 CONCEPT PLAN

The proposed parking lot provides 41 regular parking stalls and 2 accessible stalls. After reviewing the existing constraints on site, the parking lot has been designed with access via the rear alleyway to reduce the possible traffic interference at the corner of Ross Street and 27th Avenue. This lane will likely be paved to minimize potential damage to the lane, reduce dust, and increase accessibility for motorists.

A significant amount of landscape has been incorporated into the site to provide vehicle screening as well as screening for adjacent property owners. Jackpot Casino will exceed the landscape treatment requirements as identified in the City of Red Deer's Land Use Bylaw. The design of this parking lot preserves the 3 existing trees currently on site. A Siberian Larch tree located in the central portion of the site as well as two additional trees: one in the northeast corner of the site and one in the southwest corner has been incorporated into the Concept Plan and protected during the conduction phase.



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Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

As identified in the Greater Downtown Action Plan, Ross Street is the primary corridor within the downtown. The corner of 47th Avenue and Ross Street is the start of the downtown's commercial core and thus, this particular area could be seen as the gateway into Red Deer's commercial downtown. To highlight this, the corner of 47th Avenue and Ross Street has been designed as a pedestrian node, reflective of the treatments seen on corners elsewhere along Ross Street. In addition to providing continuous landscaping along Ross Street, the streetscape along 47th Avenue has also been designed to mirror the streetscape along the Casino on the opposite side of the street.

In addition to providing parking for Casino patrons, this site has been designed with a small area for public art and interpretive signage. Located at the corner of 47th Avenue and Ross Street, this area is also intended to draw parking lot users toward the crosswalk, provide a visual anchor for the street.

Both lighting and landscaping has been considered to enhance safety of the parking lot. Shrub landscaping has been used to act as screening along the McIntosh House; however the shrubs chosen have are relatively short thereby screening the cars without reducing motorist sightlines or providing opportunities for hidden threats. Pedestrian scaled lighting has been used to illuminate the parking lot while reducing glare which can cause deep shadowed areas, and minimize the light spill-over on to adjacent properties.

5.0 NEED FOR PARKING

Jackpot Casino previously had a longstanding agreement with the Coronation Inn to share their 72 space parking lot; however, due to the conversion of this building to seniors housing, this agreement has been terminated.

The Casino currently has 13 on-site parking spaces available for staff and/or visitors and owns a parking area in front of Only Women's Fitness which provides 38 off-site parking stalls. In addition, the Casino rents 14 off-site parking stalls behind Lexington Place located south of the Casino. In total, the Casino current is able to provide 51 daytime parking stalls.

After 5pm Casino patrons are able to utilize on-street parking along 49th Street, 50th Street, and 47th Avenue, and after 6pm can utilize surface parking in front of the 49th Street Community Health Centre building that Jackpot Casino has a lease on.

5.1 Requirements

As per the City of Red Deer's Land Use Bylaw, a gambling or gambling establishment is required to have 1 space per 2.3 seats. Due to the business's location within the C1 Commercial (City Centre) District, the Casino is not required to provide the recommended amount of parking; however, this recommended amount equate to over 160 parking spaces.

With the pressure of patrons and Alberta Gaming and Liquor Commission, additional parking is required for the Casino to be successful in its current location.

5.2 Alternative options

The City encouraged Jackpot Casino to explore alternative parking arrangements rather than pursuing this project. The following were identified as recommended parking alternatives:



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Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

- Parallel parking along north side of 49th Street
 - Parallel parking along the north side of 49th Street is not currently in place as there is a driving lane there
 - On-street parking currently surrounding the Casino is 2hr unrestricted paid parking, available without payment only after 5pm and on weekends.
 - 5 on-street parking spaces located near the Casino on the south side of 49th Street
 - 7 regular and 1 accessible parking spaces located along 47th Avenue
 - 10 parking spaces located near the Casino on the south side of Ross Street
- Shuttle service from Sorenson Station or Lot P4 to the Casino
 - Shuttle service is not a viable parking solution
- Partner with the Co-op Plaza
 - This alternative has been explored and is not possible
- Partner with Ding property to build a parkade
 - The construction of a parkade is not a feasible option
- Upgrade/enhance sidewalk and crosswalk at 49th St/47th Ave
 - The enhancement of this crosswalk does not provide additional parking

6.0 PARKVALE COMMUNITY ASSOCIATION

Since the proposed development does not comply with the existing regulations of the site (R1A Residential), a meeting with the Parkvale Community Association was held in the summer of 2013 with representatives from Parkvale Community Association, Jackpot Casino and Stantec Consulting. A second Public Participation opportunity was provided on October 29, 2014 to solicit opinions from the community and public on their proposed Land Use Bylaw Amendment for the purpose of developing a supplementary parking lot. During these sessions, facilitators and Casino representatives were available to answer questions and gather comments. The results on the Open House is provided under a separate cover.

7.0 CONCLUSION

After having reviewed the existing site conditions, and planning for the surrounding area, we believe the proposed land use and Concept Plan is respectful of the community and City of Red Deer. Jackpot Casino recognizes the



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City of Red Deer Planning Department
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Reference: Land Use Bylaw Amendment Application – 4643 and 4637 50th Street

potential concerns from the community, Parkvale Community Association and the City of Deer and is prepared to work with each group to create a plan that is functional, safe and aesthetically pleasing

Regards,

Stantec Consulting Ltd.

Gordon Lau, LAT, RPP MCIP
Associate, Planning and Landscape Architecture
Phone: 403-341-3320
Gordon.lau@stantec.com

c.

gcl document1

Jackpot Casino Land Use Bylaw Amendment

Feedback Summary



Prepared for:
Jackpot Casino

Prepared by:
Stantec Consulting Ltd.

January 14, 2015

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

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Appendix A: Display Boards

Appendix B: Public Information Session Completed Feedback Forms

Appendix C: Pre-Information Session Completed Feedback Forms

Appendix D: Comments Submitted via Letter

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

Executive Summary

Jackpot Casino held a Public Information Session on October 29, 2014 to solicit opinions from the community and public on their proposed Land Use Bylaw Amendment for the purpose of developing a supplementary parking lot. During the session facilitators and Casino representatives were available to answer questions and gather comments. The comments heard during the session are described in **Section 1 Comments and Concerns**. Feedback forms were also distributed to gather feedback; a summary of these forms can be found in **Section 3.0**. 40 of these forms were collected with 32 indicating their support for the proposed parking lot (80.0%). These forms can be found in **Appendix B**. Prior to the Information Session, Jackpot Casino distributed a similar feedback form at their Casino to gather input from patrons, staff, volunteers, and visitors. 417 forms were collected during this time with 389 persons indicating their support for the proposed parking lot (93.3%). A summary of these forms can be found in **Section 4.0 Pre-Information Session Feedback Forms and Appendix C**. In addition to the feedback forms, four letters were received expressing input regarding the project. These letters can be found in **Appendix D**.

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

1.0 EVENT DESCRIPTION

The Jackpot Casino Land Use Bylaw Amendment Public Information Session was held at the Red Deer Lodge on October 29, 2014 from 5-8pm. The information session was advertised in the local newspaper leading up to the event. The format of the session was an informal walk-around with display boards showcasing the proposed parking lot and both facilitators and representatives from Jackpot Casino present to answer questions. A copy of the display boards can be found in **Appendix A**. Feedback forms were distributed to those in attendance to gather formal comments.

Based on a formal sign-in sheet all attendees were asked to sign, 61 persons attended this meeting. The attendants at this session included Parkvale residents and business owners, Jackpot Casino patrons and volunteers, and City Councilors. The meeting adjourned at 8:00 PM.

2.0 COMMENTS AND CONCERNS

The following is considered to be a true and accurate description of the comments and concerns heard throughout the evening. If any discrepancies or inconsistencies are noted, please contact the writer immediately.

Information Session in General

- Did not see an advertisement in the Parkvale Community Newspaper.
- Feel the questionnaires and displays suggest the parking lot was outside of the Parkvale community.

General Comments

- Feel the Community Association has provided comment 'on behalf of the community' but does not ask for opinions – does not speak for all residents.
- Plan Area is included in the Downtown tax area not in Parkvale.

Crime

- Concern the parking lot will push drug dealers farther into the community.
- Appreciate all the work the Casino does to keep their business area clean and well monitored – casino patrons are not the ones causing problems in the downtown. Assume the parking lot would also be well monitored and minimize crime in the area.

Precedence

- Concern this exemption may set a precedence for the rest of the community.
- Feel the Casino should not have purchased the land to begin with as the regulations were already in place. This is just an attempt to wear people down and eventually get their way.

Sense of Community

- Feel a parking lot may take away from the sense of community in Parkvale.
- Feel the parking lot's design would be a good gateway to the downtown.

Jackpot Casino Land Use Bylaw Amendment
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3.0 INFORMATION SESSION FEEDBACK FORMS

Below is the text provided on the feedback forms distributed to Information Session attendees. The writing shown in blue is the feedback received, exactly as written. 40 feedback forms were collected from the Information Session.

A scan of the forms received, redacted to remove attendees names, has been included in **Appendix B.**

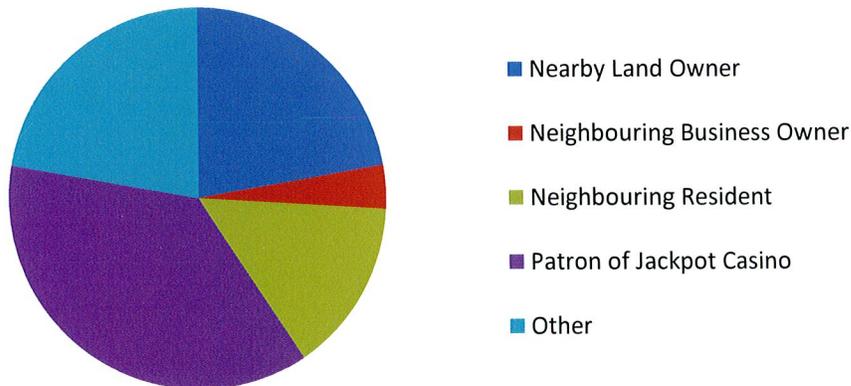
Feedback Form

This is an informational meeting to share information and gather feedback on the Land Use Bylaw Amendment required to facilitate the construction of a parking lot for use by Jackpot Casino. Your input is important to us; please take time to talk to the session facilitators and complete this Feedback Form.

1. Please check the response(s) that best describe your relationship to this project?

All persons completed this question, 7 persons checking multiple answers

- 12 I am a nearby land owner
- 2 I am a neighbouring business owner
- 8 I am a neighbouring resident
- 17 I am a patron of Jackpot Casino
- 12 Other: _____
 - Charity volunteer at the Casino* (7)
 - Resident of Red Deer* (3)
 - Interested taxpayer
 - Land owner, not really near by
 - We own two residential properties in Parkvale –live in one, rent the other
 - We dine there [Jackpot Casino] from time to time



* These comments have been summarized to reduce repetition as their wording and intent was very similar

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

2. The existing Plan Area is zoned for development of low density housing or a low impact commercial use (such as a bed and breakfast, lawyers office, etc). **To facilitate the development of a parking lot, the City’s Land Use Bylaw will require amendment.**

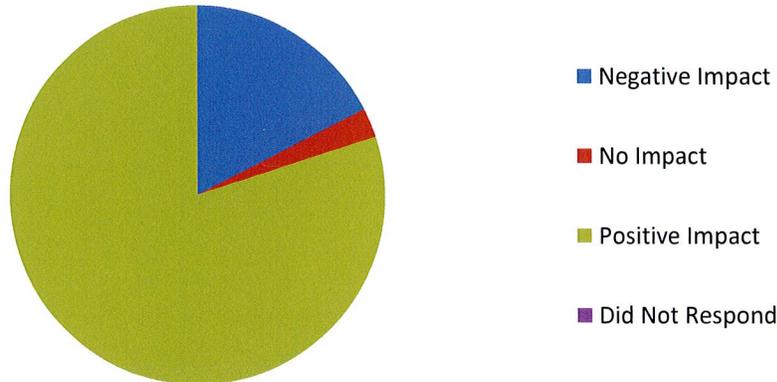
a. Considering the information presented at tonight’s session, what level of impact do you feel the proposed parking lot will have on the surrounding area?

7 persons provided multiple answers to this question

7 Negative impact

1 No impact

32 Positive impact



Comments:

Land Use

- [Negative Impact] LIC [low impact commercial] and residential development would enhance this corner. It creates life in the neighbourhood. It make[s] that corner safer and welcoming. We don’t see how amending the bylaw to allow for a parking lot, even a really new one, will enhance our neighbourhood. A park yes, a home yes, even a business yes; but a parking lot... we don’t think so
- [Positive Impact] The proposed parking lot would improve an existing site to a usable form

Design

- [Positive Impact] Beneficial parking and green space
- [Positive Impact] The design plan looks great – great parking – great light
- [Positive Impact] The proposed plan looks very nice. Good gateway to downtown
- [Negative Impact] Bad access to parking lot. Why not entrance from Ross Street.

Aesthetics

- [Positive Impact] Jackpot Casino premises are one of the best kept businesses in the downtown core.
- [Positive Impact] Sidewalks are always kept clean and free from snow and ice in winter.
- [Positive Impact] It will dress up an area that has been an eyesore for 34 years that I have lived in Red Deer
- [Positive Impact] It will look much better than what it does now
- [Positive Impact] Help clean up the area.
- [Positive Impact] I prefer to see a well maintained parking lot to rundown homes and empty lots
- [Positive Impact] It’s beautiful and park like
- [Positive Impact] I believe this would clean up that corner area and add beauty to the area. Hope its public and casino

Jackpot Casino Land Use Bylaw Amendment
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Safety

- [Negative Impact] Because this is an expansion of a gambling hall, I feel this is a negative impact. I am not in favor of more gambling, because gambling causes addiction and more domestic violence in the city.

Security

- [Positive Impact] Really nice upgrade to area. The added security for area will be good.
- [Positive Impact] A lot of thought put into the development of this parking lot. A vacant lot attracts vagrants

Desire for Parking

- [Positive Impact] Parking is so needed anywhere downtown this would only benefit anyone, patrons, staff as well as neighbours.
- [Positive Impact] The commercial area west of 47th is strangling for lack of parking. This could very well revitalize the whole area.
- [Positive Impact] Not enough parking. Paved landscape lot much better than gravel vacant lot.

Impact on On-Street Parking

- [Positive Impact] Take some parking off the street
- [Positive Impact] It will take parking off the street

Impact on Traffic

- [Negative Impact] Too many cars exiting from lane way causing more stop and go on 47 Avenue. We now have a 30 km speed limit. What next?
- [No Impact] Would like to see access changed to Ross Street instead of alley. Increase pressure on alley way. Change alley to one way alley; two-way traffic is tight now.

Business

- [Positive Impact] The downtown casino is an integral part of a growing downtown business community, and it requires additional parking for its patron. This location seems ideal to me.

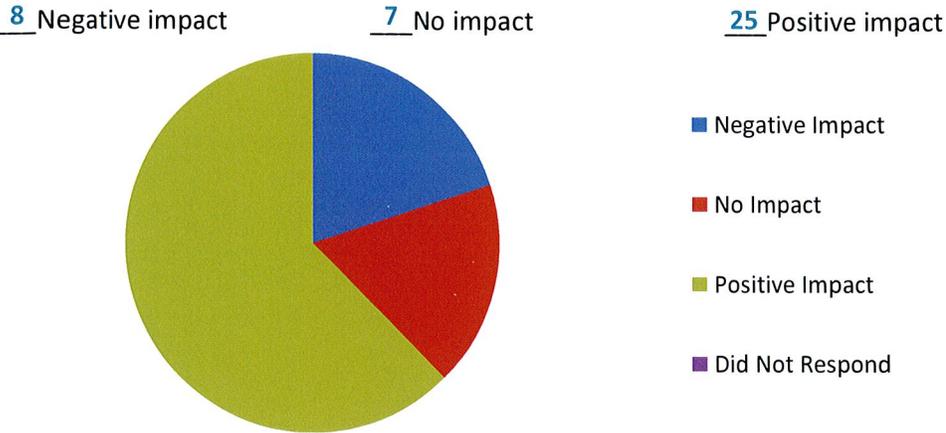
General Comments

- [Negative Impact] A parking lot is of no value to the community
- [Negative Impact] Negative when you measure it against the land use bylaw and the potential for which the development could be.
- [Negative Impact] The lack of respect for the process is very concerning should have done this before demolishing houses.
- [Positive Impact] You are a good neighbour. I am for your proposal.

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

b. Considering the information presented at tonight’s session, what level of impact do you feel the proposed parking lot will have on the Parkvale community?

All persons completed this question.



Comments:

Land Use

- [Positive Impact] Improve an unused gravel vacant lot.

Design

- [Negative Impact] We met a few seniors who believe that the new parking lot will address their need for handicap parking. The proposed lot only has two handicap stalls so why do the seniors believe this?
- [Positive Impact] Excellent landscape detail

Aesthetics

- [Positive Impact] This would be a beautiful entrance to the downtown area and Parkvale
- [Positive Impact] A clean treed area will be a positive to this area. There are enough ugly fenced off garage areas in Red Deer already.
- [Positive Impact] Much more esthetically appealing
- [Positive Impact] The proposed lot would improve the appearance from what is there now
- [Positive Impact] The beautification of the property will increase the value of neighbouring homes
- [Positive Impact] The current empty lots are an eyesore.
- [Positive Impact] Upgrade the looks of the area and provide much needed parking.

Security

- [Positive Impact] A parking lot will be maintained which will be a lot safer
- [Positive Impact] Provides safety to clients, staff, volunteers

Impact on On-Street Parking

- [Positive Impact] Alleviate current parking concerns.

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

Precedence

- [Negative Impact] The community came together to develop a vision for the community. The Land use bylaw reflects those aspirations. The exemption would thwart this and potentially create a precedent for more parking lots.
- [Negative Impact] Based on some feedback from some of the Parkvale community I believe [end of sentence]
- [Negative Impact] At the open house we heard people say that this should be more such parking lots, it would help all businesses. So what next? Another parking lot for the next application?

General Comments

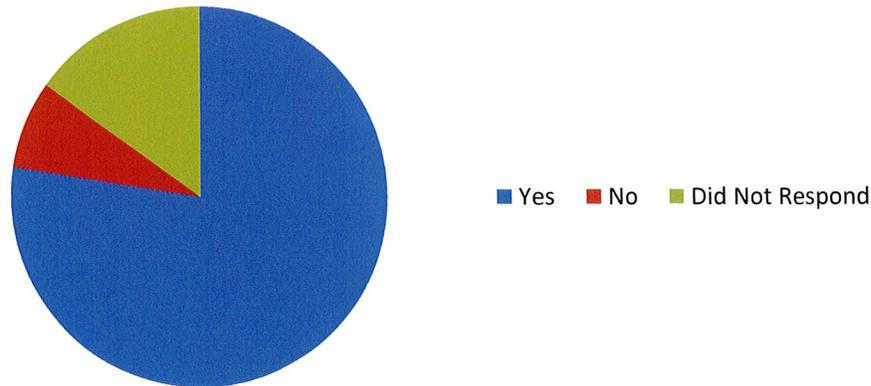
- [Negative Impact] Casino only parking – no value to community
- [Negative Impact] It's difficult to see great benefits to Parkvale or even any Joe in Red Deer from a parking lot reserved for Casino patrons. Great for patrons but who else?
- [Positive Impact] Looks great!!
- [Positive Impact] Very high level of landscape and park like donation to area way above normal requirements

3. To commemorate the history of the area, the proposed parking lot will be designed with a historic plaque and vinyl-wrapped power boxes to display historic photos.

a. Do you feel these two methods of recognizing local history, as shown below, will be a positive addition to the Parkvale Neighbourhood?

6 Persons did not complete this question

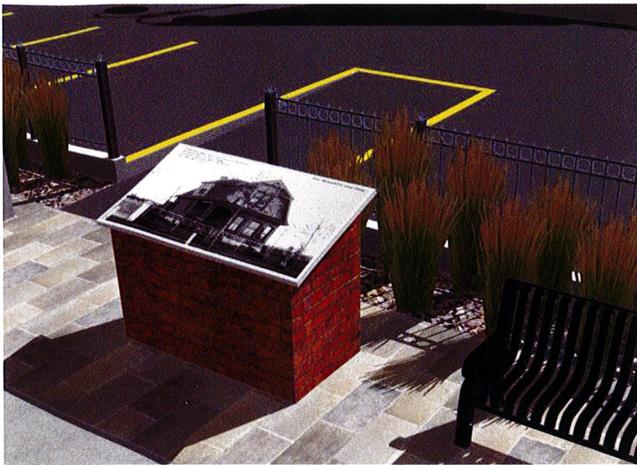
- 31 Yes
 3 No



Comments:

- [Yes] It's pretty minimal though. Such signs are found throughout Parkvale.
- [Did not respond] Neutral - tokenism
- [Did not respond] Interesting
- [Did not respond] Maybe, preferably the parking lot will not be there and the question is moot.

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Interpretive historic plaque



Vinyl-wrapped utility box

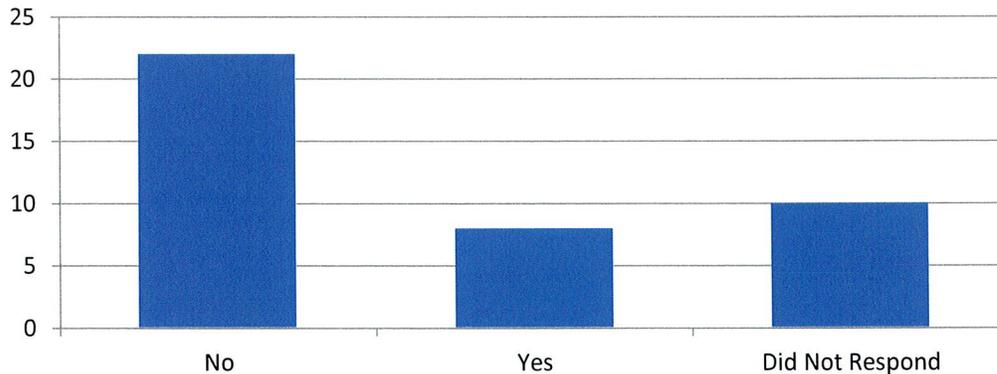
b. Are there alternative methods you would like to see used to showcase local history (ex: public art piece, sculpture from the Red Deer Ghosts collection)?

7 Persons did not complete this question

22 No

11 Yes (Please specify):

- [No] It looks great as is *current plans are great* (I also like the Red Deer Ghosts collection)
- [No] This is very creative
- [Yes] Additional sculpture from the R.D. Ghosts collection* (5)
- [Yes] Public art would be delightful
- [Yes] Public art is always welcome
- [Yes] The founding fathers
- [Yes] Everything as shown looks great
- [Yes] What is proposed is good
- [Yes] A residential/LIC [low impact commercial] development using a historical theme



* These comments have been summarized to reduce repetition as their wording and intent was very similar

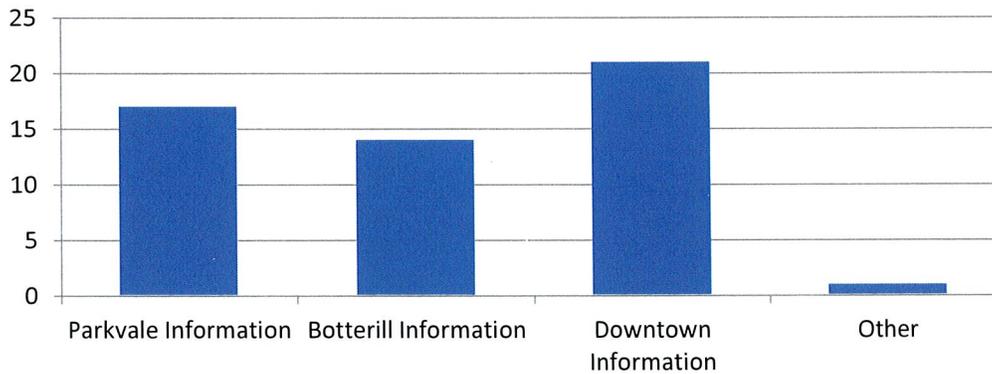
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c. What type of historic information would you like to see showcased through these methods?

9 persons completed this question, several checking multiple answers

10 persons did not respond to this question.

- 17 Information about the Parkvale neighbourhood
- 15 Information about the Botterill family and house
- 19 Information about Red Deer’s downtown
- 2 Other (Please specify):
 - [Information about Red Deer’s downtown] Any local history* (3)
 - [Other] Any development on this corner would really benefit from a historical theme and it would benefit all of Red Deer.
 - [Did not respond] Adequate at present
 - [Did not respond] This too is tokenism
 - [Did not respond] Ok



4. Below are various landscape elements that will be incorporated into the parking lot to showcase the Parkvale neighbourhood.

- Character lighting, benches, and refuse containers
- Decorative fencing
- Public art: interpretive historic plaque and vinyl-wrapped utility boxes

d. Please identify any additional items you feel would be beneficial to the area.

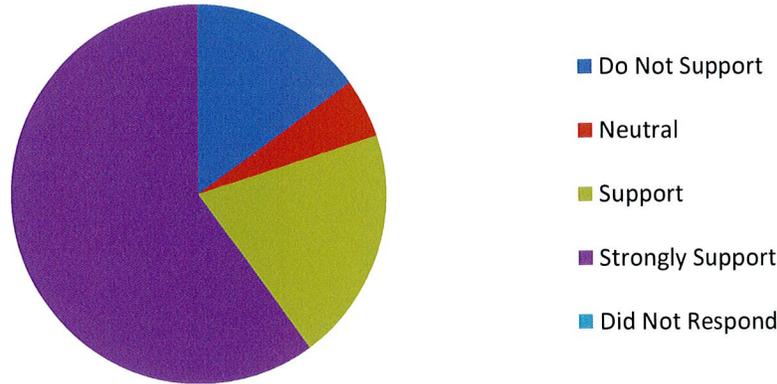
- Make all the stalls at the Casino’s backdoor handicap stalls to address needs of patrons.
- Add 2 more handicapped stalls
- Please with all that’s displayed
- None, the plans look great
- Ghost serves addition
- Trees
- Flowers
- More lights along alley
- Monitored for safety
- How is this [question] Parkvale specific?

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5. Based on the information provided at tonight’s session, please indicate how you feel about the proposed parking lot:

All persons completed this question.

6 Do not support 2 Neutral 8 Support 24 Strongly Support



Comments:

Land Use

- [Do Not Support] Called it temporary parking lot – doesn’t look too temporary to me. Turns out it means temporary land use amendment, not a temporary parking lot. Again, deceitful.
- [Neutral] I understand the need for parking but this does not fit the land use of the Parkvale community.
- [Support] I believe this is a rare exception. Why not build on top of parking lot to include commercial and residential
- [Strongly Support] I understand it is an amendment and perhaps a parking lot is not the best use but at the same time a parking lot, as proposed would be much better than a gravel site.

Aesthetics

- [Do Not Support] Visuals were very deceitful – make parking lot look like a park, all full of trees and groomed asphalt. Won’t look like that in middle of winter with 30-40 vehicles on it with leafless trees – very deceitful.
- [Support] The look of the space will be much more eye-friendly.
- [Strongly Support] Will help beautify the downtown corner
- [Strongly Support] This lot will be kept up as well as the Casino is
- [Strongly Support] Very nice design, see no negative impact.

Safety

- [Support] So much safer for all walking traffic.
- [Strongly Support] This lot will provide a natural beautiful place to park but also provides a safe way for employees and patron to cross to the Casino.

Security

- [Support] A parking lot will be so much safer for downtown walking people.

Desire for Parking

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- [Support] At present parking for the casino is limited and forces patrons to use other places, including street parking in the community.
- [Strongly Support] Improve parking downtown
- [Strongly Support] The proposed plan provides NECESSARY parking for staff, volunteers, patrons. The new plans look great.
- [Strongly Support] More parking is required and this is close and safe walking to your vehicle late at night.

Business

- [Strongly Support] A growing, vital downtown business community is essential to the continued redevelopment/revitalization efforts of the city. Supporting these businesses in all reasonable ways is just good economic and business sense.
- [Strongly Support] Jackpot Casino is a very successful business and has helped a huge amount of organization thru charity fundraising.

General Comments

- [Do Not Support] Offended by the disregard for process and forcing the issue. The owners should have exercised due diligence in moving forward. Not knowing the issues and proceeding without regard to the bylaw is their issue and should not factor or influence the decision.
- [Strongly Support] I think the proposed parking lot will be a great asset to the neighbourhood as well as the downtown.
- [Strongly Support] Seems like a great use of space that will really benefit Red Deer, downtown and surrounding community
- [Strongly Support] Franklin Daines is a 1st class businessman and this parking lot will be positive addition to the casino and all of downtown, because of appearance and safety.

6. Please provide any additional comments you may have regarding the proposed land use bylaw amendment and parking lot. Note that all comments will be shared with the City of Red Deer's administration prior to approval.

Land Use

- Temporary? How long is temporary?
- This lot will make a nice gateway to the downtown area that the City has been trying to Revitalize for Years.
- At the Open House we were led to believe that it's either a parking lot or the current situation. Why are these the only two options? What [is] wrong with Low Impact Commercial and residential use?
- I feel that the Low Impact Commercial Bylaw should stand as it is.

Design

- Perhaps make it a public parking lot

Aesthetics

- The proposed parking lot is a VISUALLY STUNNING ADDITION to the downtown – looks great-
- The vacant lot is an eye sore

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Safety

- I've been a resident of Parkvale for twenty years, and have never seen nor heard anything adverse about Jackpot. These premises are kept immaculate, their street benches and flower display in the summer are second to none. Street maintenance in winter are great.

Security

- Jackpot keeps the rif raf away so it's always clean.
- Supports safe, well lit, useful close parking
- Told that the proposed parking lot will reduce crime. We feel that is pushes criminal activities further into Parkvale.

Impact on On-Street Parking

- It was suggested that the proposed parking lot would reduce Casino patron parking in Parkvale. It's City Hall workers who park on our streets – free all day parking! In fact, rarely do patrons park on 47 and 48 Street.
- Jackpot has a large building with very little parking. What they are planning for the vacant lots is what other large buildings provide. Example: City Hall, Hospital, Schools, Other downtown buildings
- A good idea to provide additional parking, the area becomes very congested during busy times.

General Comments

- I think it is a very positive adventure
- I still believe it would be an improvement as compared to what is there now.
- It's incredible that a local business believes that a residential neighbourhood is the answer to its parking issues. How arrogant!
- If we didn't live in Parkvale and were casino patrons, we would be in favor of this. Why not? Free, secured parking. Other than Casino patrons, who benefits?
- I wrote a letter in reference to this and hop you will consider its' content.
- I have provided a copy of the letter I submitted to the city with my issues
- The Jackpot Casino provides an opportunity for charities to raise money through their operation, on doing so they would like to provide a clean well designed parking lot for their volunteers which will be well lit and safe.
- I think it should be done immediately (Land Use Bylaw Amendment) and go to third reading ASAP
- Dirt or well planned parking area... not hard decision.
- The Casino has been a very good neighbor

Thank you for providing us with your valuable feedback. Please return via mail, email, or fax by no later than November 12, 2014 to:

Attention: Gordon Lau
Stantec Consulting Ltd.
Executive Place #1100, 4900 – 50th St
Red Deer, AB T4N 1X7
Tel: (403) 341-3320 | Fax: (403) 342-0969
gordon.lau@stantec.com

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4.0 PRE-INFORMATION SESSION FEEDBACK FORMS

Below is the text provided on the feedback forms distributed by Jackpot Casino prior to the Public Information Session. The writing shown in blue is the feedback received, exactly as written.

Due to the number of feedback forms received, 417, a copy has not been provided to the City though is available should it be requested.

Feedback Form

Jackpot Casino purchased two properties on the east side of our building and has demolished them in hopes of getting approval from the City of Red Deer to build a dedicated parking lot of our volunteers, staff, and patrons. We are hosting an informal meeting and Open House to share information and gather feedback on the Jackpot Casino Land Use Bylaw amendment at the Red Deer Lodge on Wednesday, October 29, 2014 from 5:00 PM – 8:00 PM. Your input is important to us and will be considered by the City of Red Deer during their application process. We would greatly appreciate if you would take a few minutes to fill this questionnaire out and share your view point and we would also like to invite you to drop in on October 29th anytime from 5:00 PM – 8:00 PM to see us at our Open House.

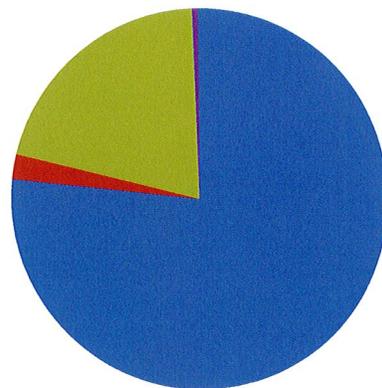
1. How do you think the proposed parking lot will impact the surrounding area:

2 persons answered this question with two responses.

323 Positively

9 Negatively

87 No impact



- Positively
- Negatively
- No Impact
- Did Not Respond

Comments:

Land Use

- [Negatively] Commercial or residential should only be allowed
- [Negatively] Within 300 meters of the proposed parking lot there are 15 other parking lots some public some private. The addition of another parking lot brings nothing to the community and takes away more useful space.
- [No impact] Property is adjacent to commercial land

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- [No impact] There are no businesses to the east.
- [No impact] Traffic low is not conducive [to] anything but parking

Design

- [Positively] There was a horrible use there prior to the lot being levelled and I am happy the plans include the large tree in the middle
- [Positively] Keep big tree
- [Positively] By the new concept it will make a big difference
- [Positively] Awesome idea to make the parking lot with the benches and greenery.
- [Positively] The architects drawing is awesome
- [Positively] Looks clean. Easy parking for downtown, better than a low income rental

Aesthetics

- [Positively] It would look better than an empty weed filled lot
- [Positively] Expand more space to park. Clean up lot
- [Positively] It will clean the area up
- [Positively] Clean it up. Provide needed parking
- [Positively] It will clean up the street corner to the east of the casino
- [Positively] Developing the empty lots will make the area neater.
- [Positively] The proposed lot would improve the [area] aesthetically. The lot would also create added safety as it will be well lit.
- [Positively] The parking lot will have a great impact on the surrounding area aesthetically. It will clean up the environment and provide safe parking to member of the community.
- [Positively] Increase property values and encourage maintenance and more improvements

Accessibility

- [Positively] Less walking distance for patrons
- [Positively] More parking for customers, staff, and residents in the neighbourhood. Not having to park so far.
- [Positively] I feel it will affect the surrounding businesses and community positively. Customers won't have to walk as far to their cars and feel intimidated by the less desirable people hanging around downtown.
- [Positively] Adds more handicapped which is not now present
- [Positively] Added parking would make access to downtown business better overall
- [Positively] Patrons need a safe and close area to park. With winter and the fact we are a downtown facility, we are limited to our surroundings to provide a short walking distance.
- [Positively] Never can find parking close- have trouble walking

Safety

- [Positively] By allowing safe parking for the Casino customers, staff, and ... there will be less jay-walking across 49th St.
- [Positively] Parking is spread out now and people "jump" across the street and don't follow traffic lights. A dedicated parking lot should be installed
- [Positively] Safer as you would cross at lights

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- [Positively] People will feel safer parking downtown. Easier to find a spot

Security

- [Positively] If monitored
- [Positively] Well lit
- [Positively] A well ... secure parking area is exactly what this Casino needs.
- [Positively] people who park in this lot will [provide surveillance to] the surrounding area making foot traffic safer. Also, the lot is close to businesses which are likely to benefit from higher volume of customers.
- [Positively] Improve looks and safety
- [Negatively] More crime
- [Negatively] Honestly, I think it's going to cause problems for those who live over by the lot. There will be loud drunken idiots, horns honking, and loud trucks. Because of no security watching that site there will be a possible increase of break-ins and drug deals.

Desire for Parking

- [Positively] There is not enough parking downtown* (11)
- [Positively] Need more parking* (8)
- [Positively] More parking is a good thing* (4)
- [Positively] Will create more parking* (4)
- [Positively] More room (access) to and from casino
- [Positively] Customers will be able to park in a specific area designed for their desired destination versus trying to find parking and constantly avoiding traffic.
- [Positively] Great idea. It's hard to find a parking [spot]
- [Positively] Parking in downtown Red Deer is limited already. Another lot would make it easier to find parking downtown.
- [Positively] Always hard to find parking ever for all businesses around
- [Positively] Parking is an issue downtown. Free up the empty lot and it will most certainly help the parking.
- [Positively] It will give not just customers but others a safe place to park while shopping in downtown of Red Deer
- [Positively] Parking in general is bad but during my ... event in the downtown core this is nowhere for staff or patrons to park
- [Positively] Parking in downtown Red Deer is a nightmare! We can always need more parking!
- [Positively] I play at this casino and would love more parking
- [No impact] Don't think it'll matter either way, downtown needs more parking regardless of the fact and would open more up
- [No impact] Not enough parking* (3)
- [No impact] No handicapped parking

Impact on On-Street Parking

- [Positively] Will leave more street parking for downtown workers and visitors* (7)

* These comments have been summarized to reduce repetition as their wording and intent was very similar

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- [Positively] Reduce the amount of casino employees/patrons/volunteers parking in front of Parkvale homes* (4)
- [Positively] It will relieve parking on the street that seem to be constantly taken up
- [Positively] The new parking lot should alleviate some of the parking congestion in the downtown core area
- [Positively] It would eliminate parking congestion on Ross and provide much needed parking for casino patrons
- [Positively] Less office parking on the street
- [No impact] Cars parking on street
- [No impact] People park on the street now; better to have the vehicles off the street in a parking lot of their own.
- [No impact] Think be better to have parking lot opposed to parking on the street.

Impact on Traffic

- [Positively] Creating extra parking around the casino and the downtown core will help to reduce congestion as well as the risk of accidents
- [Positively] Won't be such a cluster to get in and out of casino as it is now.
- [Positively] Will reduce congestion on the road and reduce the incidence of reversing accidents while backing up into the westbound traffic flow
- [Positively] Should reduce the congestion resulting from on road angle parking
- [Positively] Less congestion on the streets in the surrounding area.
- [Positively] Take some congestion off streets
- [Negatively] I wonder if it will impede the flow of traffic on and off Ross Street

Business

- [Positively] Will bring good business and customers to the surrounding communities
- [Positively] They will not have to use the Co-op parking lot or others to the south. If [there is] no parking [the patrons will] go home.
- [Positively] I think it will increase business, and provide a convenient parking for anyone in the area. I also really like the plant life and seating area as well.
- [Positively] I think it will help bring business
- [Positively] More parking encourages and promotes customers and consumer influxes
- [Positively] I believe the parking lot would help drive more business in the area. It would make the area more accessible.
- [Positively] Casino needs parking – so additional parking could bring more people/customers to this area and potentially more business to surrounding business area.

General Comments

- [Positively] I am of the opinion it is necessary.
- [Positively] Having lived as Casino's neighbor for 10 yrs I have no problem with this rezoning.
- [Positively] More space and easier access
- [Positively] More use of an empty lot
- [Positively] The space isn't being used for anything anyways, and there is a need for more parking so I don't see any reason not to do it.

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- [Positively] Ok with me
- [Positively] Excellent idea
- [Positively] Great!!
- [Positively] The location is owned by Jackpot Casino and they have the right to expand parking for these reasons.
- [Positively] Hate having to park on the other side of the street!
- [Positively] The City paved the Arlington Hotel ground
- [Positively] Will help accommodate when it is busy
- [Positively] Most needed for all
- [Positively] Very well most helpful
- [No impact] A benefit to both hotel and casino.
- [No impact] One parking lot for the gym always empty
- [No impact] Area been punished, already paid and City changed its mind too many times

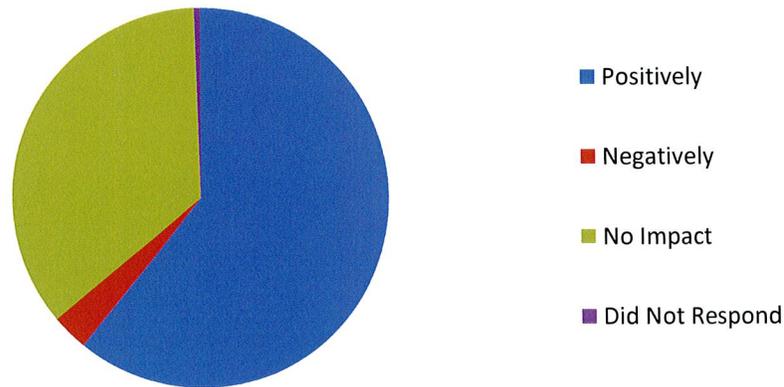
2. How do you think the proposed parking lot will impact the Parkvale Community, which is our neighbouring community:

2 persons did not complete this question.

254 Positively

13 Negatively

148 No impact



Comments:

Land Use

- [Positively] Parking is better than low income rentals. Old Parkville neighbours would not like fourplexes etc
- [Positively] Revitalization of any part of any community is a positive move – especially the removal of uninhabitable housing that attracts unwanted activity. The parking lot is a large improvement to the area.
- [Negatively] I know people will complain. We close late and people work early – drunken customers are not going to care if they are being too loud.

Design

- [Positively] The parking lot will bring positive looks cause of the trees and lighting, it won't just be a space for vehicles

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- [Positively] Jackpot Casino has kept Parkvale's historical interests in mind in everything they have done in the renovations to the outside of the building and it will be the same for the new parking lot. They also keep a very clean facility.
- [No impact] As long as the lot is well-lit, well-maintained and has shrubs and hedges and flower pots (and keeps the lodgepole pine), it will be beneficial to Parkvale.

Aesthetics

- [Positively] As long as the parking lot is maintained and landscaping is kept up I feel it would be a positive addition to the community
- [Positively] The lot would be clean and well maintained
- [Positively] Parkvale will enjoy the lot due to the attractiveness of benches and greenery
- [Positively] It would certainly beautify the area with added trees. The proposed plan will add "CLASS" back to the downtown area.
- [Positively] It looks dirty and a waste of space at the moment ... I know if my home was next to that space I'd be pushing for the parking space. Let's put it to good use!
- [Positively] Make it look sharper and would be appreciated.
- [Positively] I think the new lot will have an excellent impact on the community as it cleans up the area and creates a useful parking space to the community members.
- [Positively] Good environment
- [Negatively] As above, this area is becoming a wasteland dedicated only to the parking of motor vehicles. This hurts the appearance of the Parksville community and negatively impacts the entrance to downtown Red Deer.
- [No impact] As long as lot lighting is subdued and does not affect the adjacent ambiance of the historical buildings
- [No impact] There is no impact – actually positive if lot is paved/landscaped and security issues/architecture is high quality
- [No impact] Right now it's just an empty gravel space so making it into parking should just benefit the area. May as well make use of the space.

Accessibility

- [Positively] It shouldn't impact the neighbours. Great idea – close walking distance to casino.

Safety

- [Negatively] More crime, more gambling addiction
- [No impact] Better to have cars in parking lot than on street with all the cars coming it is difficult to back out.

Security

- [Positively] More security downtown
- [Positively] Casino patrons are for the most part very respectful of their surroundings and would certainly be available to the residents of Parkvale if there was a need.
- [Positively] A clean, well lit parking lot is far better than a vacant lot for the neighbourhood.
- [Positively] Having a safe and more maintained parking lot will increase the traffic to nearby businesses

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- [Negatively] Casino clientele is not always sober with middle class functionality

Desire for Parking

- [Positively] Like a different parking lot especially because Casino is right in downtown.
- [Positively] To help downtown have more parking
- [Positively] It depends on how the parking lot is set up visiting residents may be able to use it from time to time
- [No impact] Not enough parking for casino

Impact on On-Street Parking

- [Positively] Reduce the amount of casino employees/patrons/volunteers parking in front of Parkvale homes* (22)
- [Positively] Will leave more street parking for downtown workers and visitors (9)
- [Positively] Greatly lessen the on street parking situations
- [Positively] I think it would help the problem of staff of the downtown businesses being forced to park in the residential neighbourhood and walking four blocks to work.
- [Positively] People will be able to park at their proper destination
- [No impact] As I said, get vehicles off the street

Impact on Traffic

- [Positively] Less traffic on streets
- [Negatively] More traffic and loitering
- [No impact] Traffic flow is already very busy and should not impact this area.

Business

- [Positively] Make a little extra cash
- [Positively] Increased parking means increased revenue and increase community charity.

General Comments

- [Positively] Will be better than having nothing there. Other people will use it also, which is a plus.
- [No impact] Community will use casino.
- [Positively] I don't think anyone will mind
- [Positively] The people that park around here seem to be no problem!
- [Positively] I live in Parkvale and I'm all for it!
- [Positively] I live in Parkvale
- [Positively] The proposed centralized parking will not impact the Parkvale community
- [Positively] It's an empty space why not make good use of it?
- [Positively] For them; it may be a bit annoying not all citizen of Red Deer need to make sacrificed to better the community.
- [No impact] A great addition
- [No impact] Too far away to impact
- [No impact] Parkvale is far enough away – feel no impact from casino parking patrons. That is too far to walk to visit the casino

* These comments have been summarized to reduce repetition as their wording and intent was very similar

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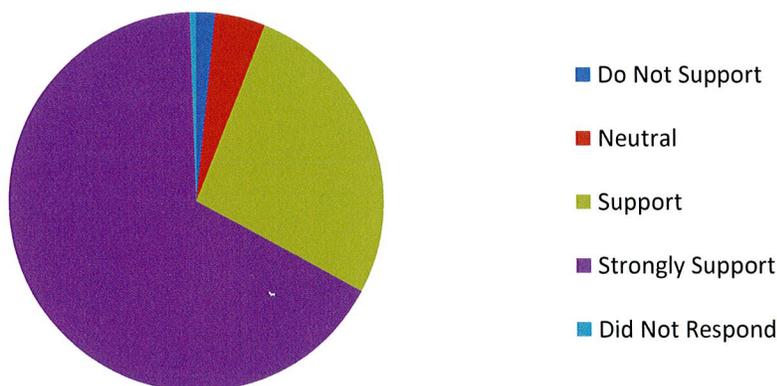
- [No impact] I believe there would be not much of an impact
- [No impact] Don't think private parking should impact a neighbouring community at all.
- [No impact] I believe it will have a very small impact on the surrounding community
- [No impact] Don't think parking would harm the neighbourhood in any way
- [No impact] It will not hurt if but it can't supply much needed parking.
- [No impact] Don't think it would affect them either way. There's cars that park all over in front of the houses. A side lot wouldn't do too much. Maybe clear the front lots.
- [No impact] The people of Parkvale already deal with busy through traffic and multiple parking facilities in the area the impact of the parking lot would be negligible for they already used to the ambiance.

3. Please indicate how you feel about this proposed parking lot:

1 person completed this question with two responses.

2 persons did not complete this question.

7 Do not support 18 Neutral 112 Support 278 Strongly Support



Comments:

Land Use

- [Strongly support] Good use of empty space
- [Strongly support] Parking is much better for community, cleans up ...for downtown
- [Strongly support] I would far rather see a parking lot than a homeless shelter or food bank.
- [Neutral] Whatever. I wish something more useful would be.

Design

- [Strongly support] The proposed changes to this lot will add beauty, much needed parking, as well as safety for staff and patrons of the casino.
- [Strongly support] I believe from the above two comments. I also like the entrance/exit points that won't disturb traffic on 46th Ave or Ross St. Very smart.
- [Support] The designer has done a nice job with the trees and design
- [Strongly support] The plans look like it would be a positive addition to the area
- [Support] if the proposed parking lot became open to the public and not just for private use I would support this. By having the lot used as a private lot does not help fix the already parking problem. Red Deer parking authority should be responsible for the lot before the hour of 5pm. Afterwards it should be free to the public like everywhere else.

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- [Do not support] The above should read “strongly do not support”. Ironically, the parking lot proposal contains some sort of marker for the historic building that was demolished to make way for this proposed lot. There appears to be some effort at least on paper to preserve the unique tree in the centre of the area, though its viability is probably questionable given that it would be surrounded by a parking lot.

Aesthetics

- [Strongly support] Great idea (looks great)
- [Strongly support] I think it would be a great idea it looks terrible right now. “ghetto” would be the term I would use at least if the nice parking lot was there it would look clean and put to good use.
- [Strongly support] Way better than before.
- [Strongly support] It will be a great improvement as right now it is just a dirt pile.
- [Strongly support] The added greenery will improve that rather desolate area.
- [Strongly support] Why not use the space and make it look good
- [Support] I support it. Looks better than a lot going to ruins and no upgrades.
- [Support] Get it done. An empty lot is not very slightly – but City rules should have been and must be followed

Accessibility

- [Strongly support] Due to my age I don't like walking too far have bad knees
- [Strongly support] Strongly support hate walking across the street.
- [Support] I think it would be easier access for the elderly and handicapped
- [Support] Difficult parking now and of little value, seniors wheelchair access is most difficult as is.
- [Support] Easier parking for me as I have walking problems
- [Support] It is close to the casino which is convenient
- [Support] Warm for winter, really close

Safety

- [Strongly support] I am a senior and crossing at those lights make me feel safer in this neighbourhood.
- [Strongly support] Safe environment, close to casino. More ability to have security escort patrons to their car.
- [Strongly support] As mentioned, we need to provide a stable safe facility for our customers. Our current lot is quite a hazard and many vehicles do not fit our layout.
- [Support] Parking is an issue in downtown area so another lot would be a good idea especially being close to the casino so patrons are a little safer getting to their vehicles

Security

- [Strongly support] Not only does this provide more ready available parking; the lighted lot will deter theft and provide a safe zone.
- [Strongly support] Get the cars off the streets into the parking lot. For security and lighting
- [Support to Strongly support] I would rather see a well-lit, well maintained parking lot (with trees and shrubs) then old run-down houses (vacant) that attract unsavory characters.
- [Support] Safer parking

Jackpot Casino Land Use Bylaw Amendment
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 January 2015

- [Support] It would improve security for the Casino's patrons
- [Support] My car was parked on the street and was "hit and run" \$6,000 damage. If I could park in a large, safe, lot that would be much safer for my vehicle and for me.
- [Do not support] Sorry it's just too much of a problem. It could end up being a hassle it is small and well those live near it do deserve some peace. I also do not want to hear or see more drug deals or break-ins.
- [Neutral] Will need massive lots and security outside

Desire for Parking

- [Strongly support] There is not enough parking downtown* (2)
- [Strongly support] Lack of off-street parking in the area
- [Strongly support] Need more parking* (14)
- [Strongly support] More handicapped parking
- [Strongly support] More parking is a good thing* (2)
- [Strongly support] Will create more parking
- [Strongly support] Hard to find parking (10)
- [Support] Lack of off-street parking in the area
- [Support] Need more parking* (4)
- [Support] More parking is a good thing* (2)
- [Support] They own the property, and are trying to do the right thing, alleviate parking problems downtown
- [Support] Parking can be a problem here. I have paid numerous tickets for parking
- [Support] More parking downtown is a great idea and many would benefit
- [Do not support] Why can't a parkade be built instead
- [Neutral] As a non-resident of Red Deer when I come into town to work and visit I am frustrated by the lack of parking. I feel this lot would be a benefit to the City.

Impact on On-Street Parking

- [Strongly support] Letting residents have their parking spaces back
- [Strongly support] This is a win for everyone who lives and owns businesses in the downtown core. Extra parking will be much needed for the upcoming 2019 Canada Winter Games.
- [Strongly support] More parking downtown if there are events
- [Strongly support] Easier access and more Downtown parking will only benefit our community.
- [Strongly support] I think it would be amazing for downtown to have more parking. Any parking the Casino can create frees up more parking for other businesses in the area.
- [Support] Feel that it is a positive action supporting both the adjacent homeowners and the casino both.
- [Support] I think it is a good idea and would help surrounding businesses where their customers would have better access to the pay parking on Ross and 49th Street.
- [Neutral] It will free up some of the street parking

* These comments have been summarized to reduce repetition as their wording and intent was very similar

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

Impact on Traffic

- [Strongly support] We need more parking for the casino. A new lot will free up a lot of the meters and street parking for others.
- [Strongly support] It'll make there be less cars parked on the street and there will be less cars parked in the spaces on Ross St opening up more spaces for residents of Parkvale to use.
- [Strongly support] With the congestion on road parking it should reduce potential traffic hazards. Suggest one way traffic (enter off Ross Street and exist right onto 47th Ave to alleviate traffic conflict)
- [Support] Traffic may be a problem

Business

- [Strongly support] Bring more business because there is more parking.
- [Strongly support] More customers!!! = more money!!!
- [Strongly support] Most needed for business
- [Strongly support] Free up parking for customers, staff, and volunteer parking will improve morale
- [Strongly support] Provide better service for customers
- [Strongly support] As a citizen of Red Deer, I feel that any measures taken by the City to collaborate with a business that ... will only reinforce a sense of community and a willingness to support future developments in this City.
- [Strongly support] Jackpot is a great asset to this community and all of the charities it supports
- [Strongly support] Small business is the backbone of our community – every opportunity for business owners to expand and grow their business should be embraced and encouraged. LET THEM PROCEED with their original plans!
- [Support] I wonder do taxpayers have to pay.
- [Not checked] I feel the casino should be entitled to the use of this as well the amount of people this casino attracts is awesome. (Due to awesome caring/friendly staff.)

General Comments

- [Strongly support] This will only benefit the community and Jackpot and is a very good idea
- [Strongly support] It just makes sense is all
- [Strongly support] Great
- [Strongly support] I feel it is a wonderful idea
- [Strongly support] All in favor
- [Strongly support] Very strongly support this!
- [Strongly support] Will be great in winter
- [Strongly support] I can't think of any negative aspect to having parking across from the Casino.
- [Strongly support] I live in Parkvale. It is my opinion that the City of Red Deer has given too much power of veto to this small group of busy bodies. The City of Red Deer has a responsibility to work cooperatively with tax payers (property owners) to preserve the individuals' property right granted by the Constitution of Canada.
- [Strongly support] Finally! An improvement that will not cost the tax payer!
- [Strongly support] With the costs not being place on the tax payers, the parking lot cleans up the community and makes good use of the land to the communities/members
- [Strongly support] I strongly support the proposed parking lot for the casino patrons
- [Strongly support] You are asking why when the land [h]as been brought already?

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

- [Strongly support] Parking tickets become expensive after a while.
- [Strongly support] I do not understand any objection to this application as it is “a no brainer”
- [Strongly support] I’m not too sure because I don’t notice it as much as other people.
- [Support] Good idea (2)
- [Support] I support it for reasons mentioned above
- [Support] Maybe you could park and ride to the hospital where there is a parking problem!
- [Support] 😊 About time 😊
- [Support] Would be more convenient
- [Do not support] Strongly

4. Please provide any additional comments you may have regarding this Project. All comments will be reviewed by the City of Red Deer as part of the application process:

Land Use

- What does the City propose to do with this land that they do not own?

Aesthetics

- I think that anything that adds beauty to Red Deer’s downtown core should be appreciated accepted and loved by all citizens of Red Deer. Great idea Jackpot!
- The empty lot is an eye sore of the east end of downtown. In a high traffic congested area lets make steps to make a positive leap forward.
- Why not let them put up a parking lot, cleans up the mess with parking downtown. They are paying what the land is valued at. If you would like to keep it – have a shit lot income rental –bad idea
- Be sure to beautify the parking lot with ‘deer’ flower pots!
- The casino keeps their area clean and well kept.
- Whenever I walk by, which is once or twice a week, the Casino keeps their property very clean and attractive. I think they behave as a responsible neighbour.
- Lite beneficial to area

Accessibility

- As an out of town guest it would be more accessible and convenient when visiting.

Security

- I live in close proximity to this proposed parking lot and I can’t envision any negative aspect to it. The two old derelict houses that were there before were an eyesore and I know that people were using them for drug purposes as well as being party house and temporary housing for street people.
- It’s gonna be a win win for all customers especially if using a north entrance. It really feels safe after when it gets dark as its downtown and for a woman to walk to their vehicle is not safe.
- I feel this parking lot will be used for “.. stay” patrons, ... there will be some noise by no more than at the present time. Will likely be used more by seniors.

Desire for Parking

- Need more parking* (9)

* These comments have been summarized to reduce repetition as their wording and intent was very similar

Jackpot Casino Land Use Bylaw Amendment
 Feedback Summary
 January 2015

- Parking is at a premium downtown; why would you deny addition parking spaces? There are other parking lots all over downtown so why not on this corner?
- Parking in this area would be welcome asset
- Convenient parking is essential
- As above, real lack of off street parking in this area. This parking area will enhance the need of off-street parking.
- We come here from out of town and can't find parking at the casino is full because residents working downtown fill up close parking and we are elders and unable to walk far.
- It would be nice if we had more parking for customer. Thanks
- Dedicated parking is needed. The lot across the street is too small and the jay-walking is dangerous.
- I shop in Red Deer and volunteer at the casino. There is a need for more parking in the area. The neighbourhood would not be impacted in any negative way by vehicle parking that I can see.

Impact on On-Street Parking

- By allowing Jackpot Casino to have ample parking lot their customer base would take pressure off the City pay parking.
- City workers park their vehicles outside City core taking up many spots – so they don't feed the meters
- There is a lack of public parking and would eliminate using the parking stalls with meters.
- I think this would be a real positive for the community. It would free up many street parking stalls in the area and enhance the property in question. It would be a real plus for the area.

Impact on Traffic

- The parking lot will ease congestion; however, a designated cross-walk might be needed as people j-walk illegally in front of cars on 49th Street from the other parking lot.

Business

- This project will improve the Parkvale area. The Casino is a vital part of the downtown. Even though I do not gamble myself it is a growing business.
- As a volunteer for the casino, I come to the City and spend money as any consumer would. I believe the casino and City would benefit greatly from having more lots for parking.
- The proposed parking lot is on a corner lot and I don't feel it would affect the surrounding residential area. Access to parking available will be positive for this business
- Keep business and people downtown

General Comments

Positive

- Great idea (3)
- I am all for it!
- It is a huge improvement
- Over due
- Do it
- Handy for all
- Go for it!

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

- Won't be able to attend the meeting so this is my show of support.
- An improvement for the City of Red Deer
- I see no harm in putting some parking downtown!
- Best idea brought to my attention for improving the downtown and Parkvale area. Much more useable than the way it is now.
- I think that Casinos in general are great in Las Vegas and should have stayed there. But if the powers-that-be are going to allow them in Red Deer, the least they could do is allow the owners to supply parking. There is no way that the parking is going to detract from the area.
- Good job for all hard work
- Have never been to a more welcoming friendly and just down right "at home" casino. I think any and all changes that are able to be made to aid in the convenience to staff, customers, volunteers, should be made to do just that.

Negative

- This proposed parking lot would negatively affect the neighbourhood and negatively impact the value of surrounding properties. The count of 15 parking lots listed above does not take into account the Parkade owned and operated by the City, as it appears to be just outside the 300m circle. This also does not take into account on street parking, which is permitted at.
- I understand that the proposed parking lot also violates various municipal bylaws and/or plans that were put in place in consultation with the community. There is no overall benefit to the community by this proposal. If this parking lot is not built the casino patrons may have to walk as much as a further 100m to get to their vehicles. This is hardly an inconvenience in a city the size of Red Deer.

Other

- City of Red Deer has procrastinated giving approval of this parking lot.
- I live in Parkvale and enjoy having the casino as a great place for food and entertainment. They treat us seniors with respect.
- As long as you don't have to pay for it
- Who else wanted this prop[erty]
- I would ask all City Councilors why they so vehemently deny the utilization of downtown Red Deer. This does appear to be a direct attack on a certain business in Red Deer – shame on all of you!!!
- Send in one of your people that is doing nothing to look around. I am sure they have time!
- [Support] In July of 1969 the American public were asked what should we do with the moon now that we landed on it. One man said (pave it use it as a parking lot)
- I support not drinking and driving

Thank you for providing us with your valuable feedback. Please return via mail, email, or fax by no later than November 12, 2014 to:

Franklin Daines
Jackpot Casino
4950 47 Avenue
Red Deer, AB T4N 6P8
jackpotcasino@telus.net

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

5.0 COMMENTS SUBMITTED VIA LETTER

The following comments were submitted in letter format either prior to, at, or following the Public Information Session. These comments are taken word for word from their letters which are attached in **Appendix C**.

TO WHOM IT MAY CONCERN,

Please accept this letter in support of the application for a land use amendment on the East corner of Jackpot Casino for the development of a parking lot to be used for volunteers, staff and patrons.

The gaming model in Alberta generates important funding resources for the numerous charitable organizations in Red Deer and throughout Central Alberta. I believe it is important that the casino volunteers have access to safe and affordable parking within walking proximity to the casino.

As MLA for Red Deer North, I support Jackpot Casino's proposal to develop a parking lot on 50 Street and 47 Avenue.

Yours truly,
Mary Anne Jablonski, MLA
Red Deer North

Re: Land Use Bylaw Amendment for Construction of Parking Lot for Jackpot Casion 4643 and 4637 – 50 Street

I am not opposed to having a parking lot next to my business, McIntosh Bed and Breakfast. Mr Daines met with me before he initially applied June 20. He assured me that the lot would be well lit, secure, and kept clean. He has always kept the outside of Jackpot Casino clean. This winter his staff shoveled the sidewalks every day.

I would rather have a parking lot next door to me than a duplex or apartment. The rental properties along this block are in disgraceful condition except the apartment across the lane from the empty lots. The back yards are full of vehicles that don't leave the property and dumpsters full to overflowing. The police come regularly due to drug activity. The back lane is full of potholes. Calls to the City are largely ignored. The low impact commercial properties have cleaned up the neighbourhood somewhat, but the rental properties are a mess.

Please, listen to property owners that are close to the property as we are more affected by your decision regarding rezoning.

Sincerely,
Trudy Madole
Owner McIntosh B+B

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

RE: Objection to Jackpot Casino Parking Lot Application Proposed Land Use Bylaw Amendment for 4643 and 4637 Ross Street LOTS 41-46, BLOCK A, PLAN KB

I wish to add my objection to the proposed parking lot development by jackpot Casino for the property located at 4643 and 464 7 Ross Street.

As a resident of the neighbourhood, I oppose this development on a property that has far greater potential than what is being proposed and is totally inconsistent with the current Land Use Bylaw.

I applaud the Planning Department and City Council for their original decision and urge that they maintain this direction and hold true to the principles by which the decision was originally made.

The property sits on one of Red Deer's 'main streets' and is a gateway to our downtown ... surely there are better opportunities for this than a parking lot.

The City of Red Deer has ambitious and exciting plans for our entire downtown and with that, sound planning principles in place to capitalize on the potential for the neighbourhood. As currently zoned, the opportunity for quality semi-detached residences that have the potential of combined low impact commercial opportunities need to be supported and encouraged-let's make this happen. As a mature neighbourhood of historical significance, imagine the potential this property has if developed within a vision that was developed by the City and residents of the neighborhood.

While I am not familiar with the process and discussions between the developer and the City, I am deeply concerned at what appears to be the process the developer undertook in demolishing the residences on the site and beginning the property's transformation into a parking lot prior to seeking approval. One has to ask ... did they just assume that it would simply be granted knowing full well that their plans were inconsistent with the Land Use Bylaw? And then to make the same application six months later requesting the same decision! In my mind, such actions will only deepen the community's opposition to the application.

The Land Use Bylaw and the designations for this area are based on community input and consultation, sound planning principles and the vision we have for Red Deer. While amendments are made to the bylaw when they enhance an area, this parking lot will only detract from the neighbourhood.

Over 30 years, I have lived in three residences within blocks of this development I love this community! Having recently built a new home in the neighbourhood, I along with many others have invested in what we see as the potential and future vision for the downtown area and its neighbouring communities. I am fearful that any consideration for this request would only set a precedent for other applications that would take away from the character and beauty of the neighbourhood. Please do not let this happen- let's not regret in the future what we can correct today!

I strongly urge that the application to amend the Land Use Bylaw be rejected and that the developer consider alternative uses for a property that has incredible potential and has the opportunity to support the positive transformation of our downtown area.

Furthermore, I would request to be kept up to date on the application process and any opportunities to speak in opposition to the application.

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

Sincerely,
Original signed
Bruce Buruma

To whom it may concern:

I have been a resident of Parkvale community for 5 years. It is a good, settled community and I intend to live there many more years. In our neighbourhood is Jackpot Casino - a place I do not frequent, but some others do. They wish to expand their business by adding a parking lot across the street. This would definitely increase the clientele every week.

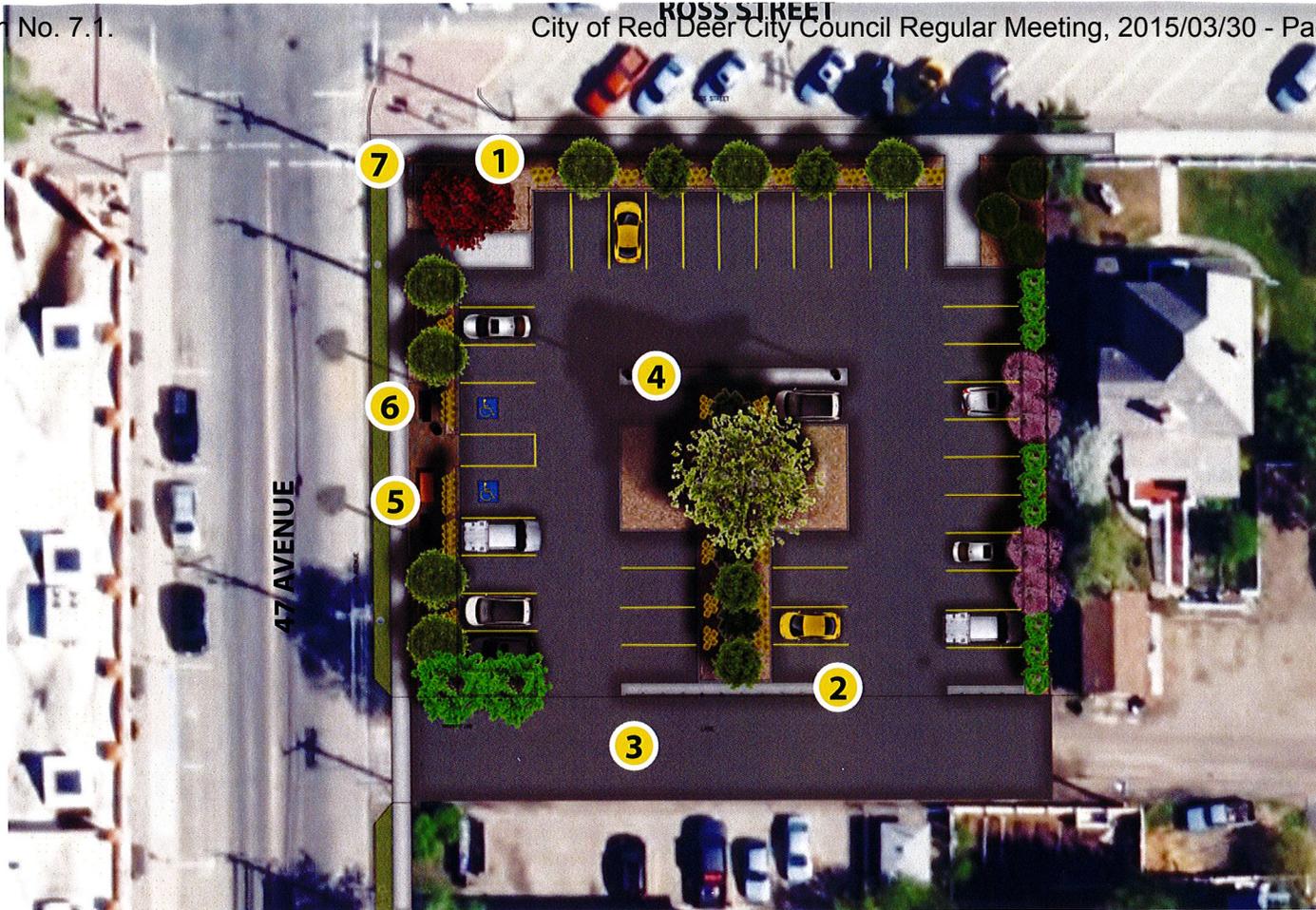
I am opposed to this expansion. Gambling is not in the best interest of the citizens of Red Deer. Often gambling leads to addiction, causing hardship on the family, and stress and strain on the person involved. We already have the highest rate of domestic violence in Red Deer per capita. Increase in access to gambling would not help this situation.

This increase in business for the Jackpot Casino would also bring increased traffic to the residential area involved. Every day there is a shortage of parking now and it would only be worse if the casino uses that space across the street.

Sincerely,
Terry Vogelaar

Jackpot Casino Land Use Bylaw Amendment
Feedback Summary
January 2015

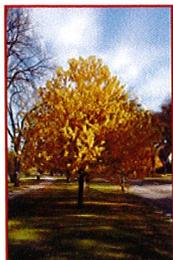
Appendix A: Display Boards



1



Northern Treasure Ash



Amur Maple



Spring Snow Crabapple



Tower Poplar



Thunderchild Crabapple



Mugo Pine



Karl Forester Grass

2



Vinyl Privacy Fence



3' Decorative Iron Fence



3' Vinyl Semi Private Fence

3



Asphalt Lane Improvement

4



Domus LED Decorative Light

5



Historic Pedestal Made from Original Botterill House Bricks (Feature is dedicated to the history and character of the Botterill House)

6



Black Decorative Bench

7



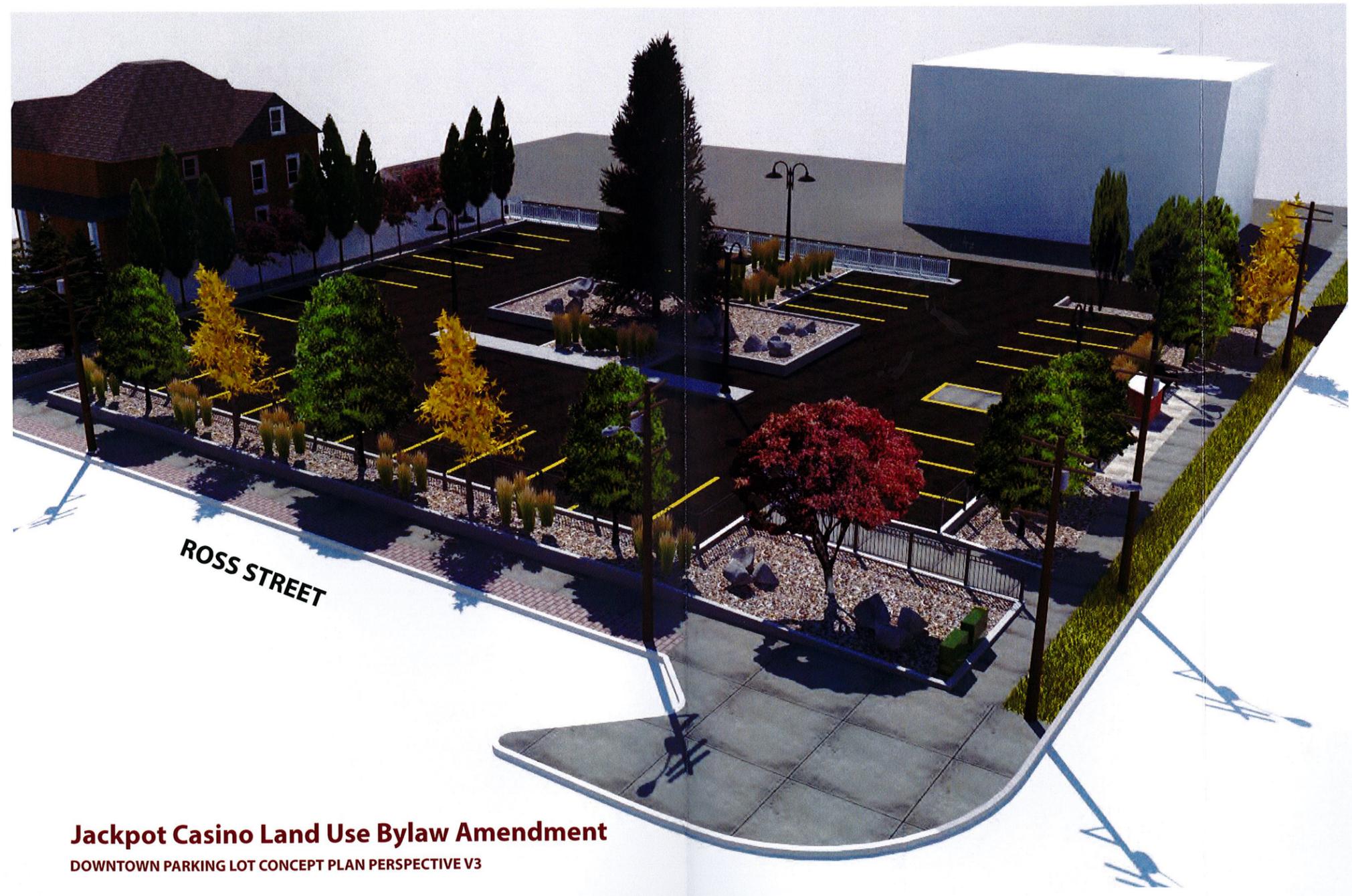
Utility Box Vinyl to Reflect Character and History of the Parkvale Community

Jackpot Casino Land Use Bylaw Amendment

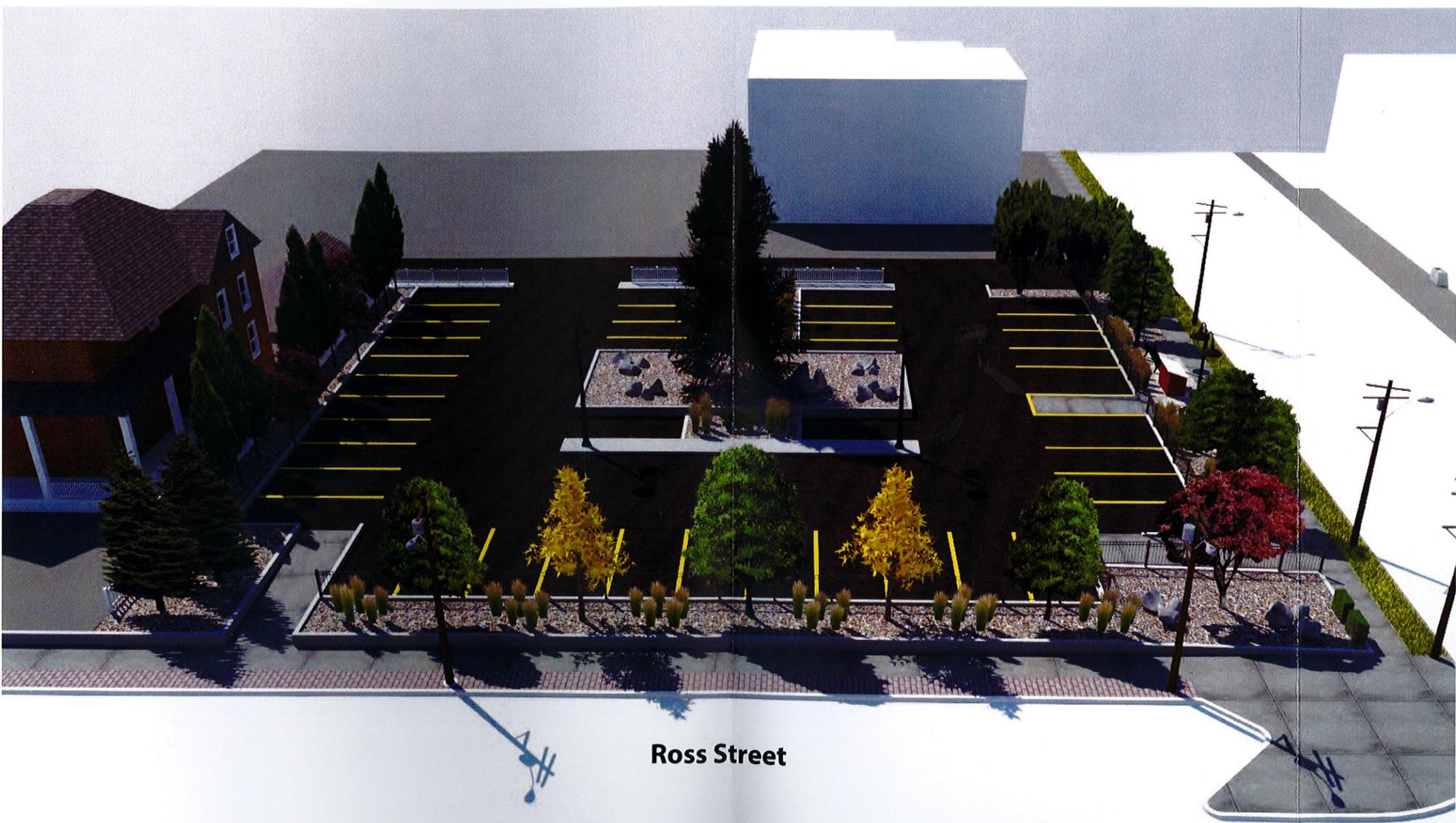
DOWNTOWN PARKING LOT



Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT CONCEPT PLAN



Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT CONCEPT PLAN PERSPECTIVE V3



Ross Street

Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT CONCEPT PLAN PERSPECTIVE V2



Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT CONCEPT PLAN PERSPECTIVE V1

PURPOSE: Jackpot Casino requires a Land Use Bylaw Amendment for a parcel of land located on Ross Street and 47 Avenue to develop a necessary temporary, parking lot for the business. This parking lot will provide a safe, well-lit, clean and close facility for use by staff, volunteers, and customers.

NEED FOR: Jackpot Casino previously had an agreement with the Coronation Inn to share their 72 space parking lot; due to the conversion of this building to seniors housing, this agreement has been terminated. In total, the Casino is only able to provide 51 daytime parking stalls for employees, volunteers, and customers.

EXISTING CONDITIONS: Gravel lot with 4 existing trees.

EXISTING ZONING: R1A with an exception for low impact commercial uses. In addition to the zoning, the Plan Area is identified in the Mature Neighbourhood of Parkvale Overlay District.

PROPOSED AMENDMENT: A land use exception would keep the existing zoning and add an exception statement in the Land Use Bylaw to specifically permit the use of a parking lot on the Plan Area.

Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT



Guiding Policies	Proposed Site Design
<ul style="list-style-type: none"> Discretionary low impact commercial uses are allowed along Ross and 49th Streets 	<p>This parking lot is a complementary commercial land use to the Jackpot Casino. Its ideal location provides an opportunity for low impact development while supporting the continued operation of the business.</p> <ul style="list-style-type: none"> 41 parking spots will be constructed 35% of the Plan Area to be landscaped
<ul style="list-style-type: none"> Maintain the traditional character and pedestrian-friendly design of the streetscape and ensure privacy and sun penetration on adjacent properties. The boulevards with mature trees are to remain as a dominant element on the streets. 	<p>The design of the parking lot is respectful of the street and has incorporated.</p> <ul style="list-style-type: none"> Creation of a significant streetscape on Ross Street and 47 Avenue through street trees, landscaping, consistent fencing and increased setbacks from the roadways. Planting of Northern Treasure Ash and Spring Snow Crabapple for street trees Enhanced landscaping within the site
<ul style="list-style-type: none"> Where mature vegetation needs to be removed to facilitate new development or, where no mature vegetation exists in a front yard, new landscaping material shall be added Mature trees contained within residential properties are to be preserved to the greatest extent possible. 	<p>A wide variety of plant materials has been selected for the area.</p> <ul style="list-style-type: none"> Retaining 4 existing trees Addition of 22 trees and 103 shrubs Plant list includes <ul style="list-style-type: none"> Colorado spruce, Spring Snow Crabapple, Thunderchild Crabapple, Northern Treasure Ash, Tower Poplar, Amur Cherry, Mugo Pine, Karl Forester Grass
<ul style="list-style-type: none"> Designed in a manner which is sensitive to the local context and neighbourhood character 	<p>In addition to the enhanced landscape, two features have been identified to highlight the character of the Parkvale Community.</p> <ul style="list-style-type: none"> Utility Box Vinyl Wrap Interpretive signage on top a pedestal made of the original Botterill House bricks to tell the history of the site and community
<ul style="list-style-type: none"> The combination of features which make up the various elements of the public street, including the edge of the public environment - curb, pavement, boulevard, light fixtures, sidewalk materials, grates, benches, waste receptacles, street landscaping and building elevations are referred to as the "Streetscape". Character street signs, street lighting, gateways, and street furniture. 	<p>The design of the parking lot considers various landscape elements that are consistent and reflect the historic streetscapes of Parkvale. These elements include:</p> <ul style="list-style-type: none"> Fencing, ground cover, retaining walls, wrapped Utility Boxes, character benches, hardscape, feature pedestal, decorative lighting, decorative fencing

Jackpot Casino Land Use Bylaw Amendment
DOWNTOWN PARKING LOT

**COMMENTS RECEIVED
FROM THE PUBLIC
REGARDING
LAND USE BYLAW
AMENDMENT 3357/H-2015
JACKPOT CASINO
-
PROPOSED PARKING LOT**

June 3, 2014

Planning Department
City of Red Deer
4914 48 Avenue
Red Deer, AB

To whom it may concern;

**Re: Proposed Land Use Bylaw Amendment 4643 and 4637 50th Street
(Lots 41-46, Block A, Plan K8)**

I do not support the proposed amendment to the Land Use Bylaw to allow a parking lot at 4643 and 4637 50 Street. The existing low impact commercial regulations were put in place to recognize the existing commercial uses and prevent further intrusion of commercial use into the neighbourhood.

Over the years of 2001 to 2003, the Parkland Community Association (PCA) participated in extensive discussions with the City of Red Deer Planning Department (Parkland Community Planning Services) to develop a long-term vision for our community, one that would support the Greater Downtown Action Plan approved by Council on August 14, 2000.

There were two significant outcomes, the introduction of the Parkvale Community Modest Infill Design Guidelines (Section 7: Overlay and Other Districts and Regulations) and the introduction of the Low Impact Commercial Overlay District for certain properties in and around Parkvale. Both of these outcomes, together, were seen as essential to support the Greater Downtown Action Plan and to the community long term vision of protecting the residential and historical character of our neighbourhood.

Since the introduction of these Land Use Bylaw (LUB) amendments, our neighbourhood has seen wonderful development happen. The Infill Guidelines have led to many beautiful new homes in Parkvale, home that enhance the eclectic historical residential character of our neighbourhood. No longer do we see homes being demolished to allow for the annexation of properties for large scale development. The development that is taking place supports safe and caring community living.

The Low Impact Commercial district has seen several professional businesses establish themselves in and around Parkvale including a law office, a dentist office, a hairdresser, a counselling service, a school and a small distributor business. We continue to enjoy the presence of the Macintosh Bed and Breakfast and the Youth and Volunteer Centre. All of these businesses bring incredible vitality to our neighbourhood. They are open during the day ensuring a constant flow of life while residents may be absent and closed in the evening to ensure privacy and less traffic in the evenings when residents are home. The Low Impact Commercial district has proven to be a great buffer zone from the commercial business district of our downtown for our community and the community North of Red Deer.

Long-term visions are often only felt many years down the road. However, we are proud to say that we see the vision happening already. The character of our neighbourhood is envied by many in Red Deer. The proposed amendment erodes our vision, one that we have worked so hard to achieve and protect.

Respectfully,

[Redacted Signature]

Parkvale Resident

[Redacted Address]

Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street

Your Name*: [REDACTED]

Your Property Address*: [REDACTED] ST [REDACTED] ST

Your Mailing Address (if different from above)*: _____

Comments:

I am 100% in favor of a parking Lot. This will be a positive step to help cleaning up this area.

[Handwritten signature]
[REDACTED]
[REDACTED]

* required

Any personal information on this form is collected under authority of section 33(c) of the Freedom of Information and Protection of Privacy (FOIP) Act for the purpose of reviewing and analyzing the proposed Land Use Bylaw amendment. Your comments may be used anonymously and collectively in publications or reports related to the proposed amendment. If you have any questions regarding the collection, use and protection of this information, please contact the Planning Services Division located on the third floor of City Hall, 4914 - 48 Avenue, Red Deer, Alberta, ph. 403-406-8700.

Please return this comment sheet no later than **June 2nd, 2014.**

Mail: The City of Red Deer, Planning Department, Box 5008, Red Deer, Alberta, T4P 3T4
Drop off: Planning Department, 3rd Floor, City Hall
Email: haley.mountstephen@reddeer.ca
Fax: 403.342.8200

[REDACTED]

[REDACTED]

[REDACTED]

Our File: 3020
Your File: Unknown

June 13, 2014

City of Red Deer Planning Department
Box 5008
Red Deer AB T4P 3T4

VIA FAX: 342-8200

Attn: Haley Mountstephen

Dear Madam:

**Re: Proposed Land Use Bylaw Amendment 4643 and 4637 – 50th Street
Lots 41 to 46 Block A Plan K8**

Thank you for your letter of May 30, 2014 regarding the requested amendments to the land-use bylaw to provide for the construction of a parking lot for the Jackpot Casino at the above noted address. I would like to register my objection to this proposed development, both as a business owner and as a property owner. In my view, this proposal is bad for the immediate area, bad for the neighborhood as a whole, and bad for the greater downtown.

Construction of a parking lot at this location would have a negative effect on the area. It would add another barren parking lot to an area that is already full of them. Immediately to the north of the Jackpot Casino is a large parking area for the Co-op Plaza Shopping Center. Immediately to the west is a reasonably large parking area attached to the building that is now known as the Coronation Centre. The Jackpot Casino has its own small on-site parking lot, and a much larger one to the south across the street from the Coronation Centre lot. The Lexington apartment building directly south of the Jackpot Casino has its own parking lot, which in turn borders on a City parking lot. There is another City parking lot to the northwest of Jackpot Casino that borders the grounds of Central Middle School. Of course there is also the large parking structure on 49th Street that is also owned by the City. By my count that would be seven parking lots within a block of the Jackpot Casino, not including the parking lot between the Courthouse and the Red Deer remand center or counting the City's Parkade. I appreciate that not all of these parking lots would be available for patrons of the Jackpot Casino at all times, however there would be ample parking within two blocks of that business, and I would suggest that in all major urban centers that situation would be envied.

- 2 -

The site in question was formally occupied by the "Botterill House" a home that would have qualified as a historic home under the City's guidelines, and indeed it was identified as a potential property eligible for protection under the City's Heritage Preservation Bylaw. Despite the best efforts of the City's Heritage Preservation Committee, the property was never listed or protected. It has since been demolished with the apparent intention of constructing this parking lot. It has been suggested that the Botterill House was in a state of disrepair and could not be salvaged. In response to that suggestion I would make two observations. Firstly, until immediately prior to its demolition the Botterill House was occupied by an elderly gentleman who had lived there for many years, and so it would hardly be surprising that the house might not be entirely kept up. Secondly, the same observations (too old, too hard to repair etc.) were made about the Payne House that has been restored and is currently used as a residence and the Manning House where my office is located.

The site is also home to a unique Siberian Larch tree that has, for the moment, been preserved. I believe that this tree was identified as being worthy of protection under the City's Heritage Preservation bylaw, but I have been unable to determine whether or not it was in fact listed. I doubt very much that the construction of a parking lot surrounding it, (if the tree is permitted to remain) will permit survival of that tree. Anecdotally, I have been told that there was once a stand of pine trees for which the neighborhood of Pines was named but they were surrounded by the parking lot of the Parkland Mall and quickly died. I suspect a similar fate awaits the Siberian Larch tree if this proposal goes ahead.

I believe that the proposed parking lot will have a negative effect on the neighbourhood generally. My law office occupies "the Manning House" at 4641 - 49 Street. Across the street, north from me is the Payne house and to the north of that facing Ross Street is the MacIntosh House. These historic homes have been renovated and restored and I believe are an asset to the area, and to the city as a whole. I would suggest that the redevelopment such as the one suggested puts more pressure on these properties by devaluing all properties in the surrounding area. I believe that allowing this proposal would send a strong message that there is no real interest in preserving our City's heritage and properties of historic value can be demolished for the sake of convenience.

There are many options available to an owner of the property in question to redevelop it in ways that would enhance the neighbourhood and the east entrance to the City's downtown core. I urge all members of council to reject this proposal and assist in the search of a more positive alternative. Thank you for your time and attention to this matter.

Yours truly,

[REDACTED]

May 15, 2014
Page 3 of 297

Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street.

Your Name*: [Redacted]
Your Property Address*: [Redacted] 50th Ave Red Deer
Your Mailing Address (if different from above)*: [Redacted] Quebec St, [Redacted]

Comments:

I HAVE NO ISSUE WITH THIS LUR
AMENDMENT AS I BELIEVE IT WILL KEEP
CASINO PATRONS OFF OF THE PUBLIC
STREETS WHERE THEY COMPETE WITH RESIDENTS
FOR PARKING SPOTS. HAVE ADEQUATE
PARKING IS GOOD CUSTOMER SERVICE &
RESPECTFUL OF NEIGHBORHOOD IMPACTS.
THEY NEED TO DESIGN THE PARKING LOT
TO FIT IN WITH THE NEIGHBORHOOD &
PROVIDE PLENTY OF SOFT LANDSCAPING.

* required

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Please return this comment sheet no later than **June 2nd, 2014.**
Mail: The City of Red Deer, Planning Department, Box 5008, Red Deer, Alberta, T4P 3T4
Drop off: Planning Department, 3rd Floor, City Hall
Email: haley.mountstephen@reddeer.ca
Fax: 403.342.8200

Page 3 of 27

Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street

Your Name*: [Redacted]

Your Property Address*: 4640 [Redacted]

Your Mailing Address (if different from above)*: [Redacted]

Comments:

would like input on where entrance & exit would be located, (would like to see entrance/exit located on Ross or 49th ~~our alley~~ we have concerns on the high density of cars on our back alley! As well as cars starting up and turning right next to my build (ie noise) we need some noise barrier in fence, beam.) Alley way could be made a one way as well paved. if this is to proceed

Regards [Redacted] P

* required

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Drop off: Planning Department, 3rd Floor, City Hall
Email: haley.mountstephen@reddeer.ca
Fax: 403.342.8200

Haley Mountstephen

From: Planning Services
Sent: June 02, 2014 10:49 AM
To: Haley Mountstephen
Subject: FW: Proposed land use bylaw amendment 4643 and 4637 - 50th street

Gwendalee Woody
Admin. Assistant
Inspection & Licensing
City of Red Deer

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

[Redacted]
Sent: June 02, 2014 10:15 AM
To: Planning Services
Cc: Tara Veer
Subject: Proposed land use bylaw amendment 4643 and 4637 - 50th street

To whom it may concern

Our family is in opposition to the proposed amendment to allow a parking lot on the corner of 47 avenue and 50th street.

This corner is a prominent corner on the north west boundary of our neighbourhood and also a prominent corner for any low impact commercial business that would like to have high visibility in the city. A parking lot here would certainly not contribute to the look and feel that we have been striving toward to keep the historical nature of our downtown neighbourhood.

We have been property owners and residents of Parkvale since 1981. My husband and I chose this neighbourhood to live and raise our family. We have been involved in and supported the Parkvale community association with the vision to keep the historical and eclectic nature of our neighbourhood intact. Not many neighbourhoods in Red Deer have such a strong community association with the support of the residents. In our neighbourhood, we know our neighbours and work together for the good of all that own residential property in this area. And to support the city's vision of a vibrant and contributing downtown area.

Parkvale residents and the association have worked hard and long at maintaining the integrity of our neighbourhood with the regulations put in place 2001-2003 for the low impact commercial guidelines. Please help us to ensure that the Parkvale community can remain as a much sought after neighbourhood to live, work, and raise a family in. We contribute a fun, safe and friendly environment to visit when taking advantage of the many amenities that are part of our great city. The farmers market, pool, museum, spray park, rotary park, golden circle, skating oval, Barrett park, Tennis courts, Arenas, skateboard park, and when just visiting down town.

Thank you for your time and attention to a matter that is paramount to keeping our community what we envision it to be.



[This message has been scanned for security content threats and viruses.] [The City of Red Deer I.T. Services asks that you consider the environment before printing this e-mail.]



June 1, 2014

Mayor Veer & Members of Council
City of Red Deer
4914 – 48 Ave
Red Deer, AB
T4N 3T3

Dear Mayor Veer & Members of Council,

**Re: Proposed Land Use Bylaw Amendment 4643 and 4637 50th Street
(Lots 41-46, Block A, Plan K8)**

It is my understanding that the issue of rezoning the above mentioned property within the Low Impact Commercial (LIC) zone of Parkvale is being brought back once again before Red Deer City Council for consideration.

As mention in my letter of August 28, 2013 (attached) you will see that during my time as President of the Community Association a great deal of community consultation was done prior to the establishment of the Low Impact Commercial (LIC) bylaw and the related guidelines. I feel it necessary to note that it was with the **long term vision** in mind that this zoning was established. It was about the creation of a buffer zone to the commercial area and one that would maintain the residential tone of the Parkvale and North Red Deer neighbourhood.

It must also be noted that since that time we have seen a number of very appropriate applications entertained and approved by the municipality and supported by the community association. I look back to the community that I moved into in 1996, one that frankly my Realtor was not recommending to me. But I saw a community that had character and a sense of history. I soon learnt some of the history of this community, one that had faced development pressures over the years. But if not for the vision and work of Parkvalians I am not sure we would have the vibrant community we have today. One that is an eclectic mix of housing. Some like mine built in the early 1900s and now newer modern infills all guided by the work and input done by residents and the municipality. We are a great mix of young and old, professional, para-professional and blue collar workers.

I remember moving here in 1996 when I could count the number of children living in our neighbourhood. I have spoken to many a person that lived and have fond memories of Parkvale. Today it is alive again with young families. We are a vibrant community because of the people that live here and care about not just what it looks like today but about how we will leave it for future generations.

We can all look back on planning decisions that have led to less favourable results that have created challenges. We have also seen a great deal of work that has gone into creating change in downtown Red Deer including the growth of LIC business owners. I ask you to consider the vision of a community and how they envisioned seeing the gateway into our downtown and continue to show your support for the residents of Parkvale.

Respectfully,




City Planning Department





Mr. Craig Curtis
Red Deer City Manager
City of Red Deer
4914 – 48 Ave
Red Deer, AB
T4N 3T3

August 28, 2013

Dear Mr. Curtis,

This letter is to address the request by owners of the Jackpot Casino located at 4950 – 47Ave, Red Deer Alberta request for rezoning of Block A, plan K8, Lots 41 -43 and Block A, Plan K8, Lot 44- 46.

As Past President of the Parkvale Community Association (PCA) and former Chair of the Land use Committee for the PCA I must state my objection to this request. During my time on the Executive and specifically as President of the Association I was extremely pleased with the work that we together with our residents took on to consider the development of a Low Impact Commercial (LIC) zone within our neighbourhood. Working with Parkland Community Planning Services, the then contracted planning authority for the City of Red Deer, the PCA took great strides to involve our residents in the long term vision of our historical community.

We recognized the vision within the Greater Downtown Action Plan suggesting that we needed a buffer to the commercial district that we lived adjacent to. The zoning allowed for smaller based businesses (larger than home-based) to operate out of a residential property hence allowing for the neighbourhood to maintain its residential feel. Through that process there was much discussion of what would be allowable uses, development guidelines were developed and supported by our residents and ultimately by the Council of the day. Those guidelines have allowed for what has been a tremendous asset to Parkvale as well as to Downtown Red Deer. We have seen growth in the number of LIC uses and interest continues as properties evolve. Clearly in those guidelines and in the bylaw there are parking requirements that business owners must adhere to and at the same time it is very clear that stand alone parking lots are not an acceptable use. In fact I would suggest that allowing for a parking lot would increase traffic on the laneway and impact the residents that live and already share that laneway. It is my opinion from having been involved with those discussions that Parkvale did not believe that it was in the long term vision for our neighbourhood or gateway to our downtown to allow for this type of use and that in effect such development would discourage any further LIC development allowing for more parking lots and ultimately brownfields in our neighbourhood.

I would therefore request that Red Deer City Council take the position to continue to support this historical neighbourhood and the present LIC bylaw, therefore refusing this and any future requests to rezone parcels of property in the Parkvale neighbourhood into parking lots.

Respectfully,



Past President, Parkvale Community Association




[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

June 2, 2014

City of Red Deer
Planning Department
4914 48 Avenue
Red Deer, AB

RE: PROPOSED LAND USE BYLAW AMENDMENT 4643 AND 4637 50TH STREET
(LOTS 41-46, BLOCK A, PLAN K8)

To whom it may concern,

As residents and property owners in Parkvale for over 50 years, we wish to express our opposition to the proposed Land Use Bylaw amendment that would allow for a parking lot on the corner lot 46 Avenue and 50 Street.

In 2001 to 2003, we were very involved in the consultation that that gave rise to the current LUB that applies to Parkvale. The consultations over those two years were extensive, tedious, long and involved City Council. Everyone was very engaged in finding the right LUB amendments that would support a vision for our neighbourhood. City Council adopted them in 2003 and the residents of Parkvale celebrated.

In our opinion, the effort has been well worth it. Beautiful mature trees and boulevard are no longer being destroyed to accommodate front drive garages. Nor are properties being annexed to build large multi-family buildings. New infill homes fit into our neighbourhood and add character to our already eclectic neighbourhood.

Our family moved to Parkvale in 1960. It was not the attractive neighbourhood it is today. But from its inception, it had an engaged community. In the late 1970s, a group of Parkvale residents, led by former Mayor Ed Barrett, had a dream for Parkvale, and they successfully lobbied for amendments to the LUB to protect the residential character of Parkvale. They brought a vision forward - what a legacy they left us!

Today Parkvale continues to be a spirited and engaged community. A very active community association organizes several well attended social gatherings every year. The association also oversees the management of the Pioneer Lodge with the assistance of volunteers residing in Parkvale. There is a vibrant social network in Parkvale. Neighbours know and help each other! Because of this, our crime rate is no worse, perhaps even enviable, compared to other Red Deer neighbourhoods.

JEANNE & GORDON DAVIS
4522 48 STREET
RED DEER, AB T4N 1S5
403.546.3949

Parkvale stands out in so many other ways. For example, its proximity to downtown, to the Farmers Markets, the Recreation Centre, the skateboard park, Rotary Park, spray park, the two arenas, the curling rink, the tennis courts, Heritage Park, the museum, the Golden Circle, Barrett Park and the Plaza Mall truly enriches the lives of Parkvale residents.

But all these close amenities bring many pressures on our neighbourhood especially as our city and downtown grow. The proposed amendment to the LUB is an example of such pressures.

We do not believe that the proposed LUB amendment contributes to the wellbeing of Parkvale and its residents. A parking lot does not foster social interaction, does not enhance safe and caring community initiatives, nor does it add to the historical, architectural and residential character of the neighbourhood.

In addition, there are many practical and immediate concerns that come to mind with the proposed parking lot:

- Will there be tour buses? How appropriate would that be in a residential neighbourhood?
- Does this not open the door to other parking lots in our LIC district?
- Why would LIC business invest in parking spaces when parking lots are allowed?
- Why would we want a parking lot on such a visible corner of our downtown?
- Does this not open the door to other requests for lot annexations in Parkvale?

Inspiring and fostering a community vision takes a lot of time, patience, work and dedication. And it requires the support of the municipality. We ask that City Council continue to support the vision that was created in 1980 and re-affirmed in 2003.

Respectfully submitted,




Parkvale residents



Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street

Your Name*: [Redacted]

Your Property Address*: [Redacted]

Your Mailing Address (if different from above)*: [Redacted]

Comments: I do not think that City Council should approve the request for the LUB amendment to allow for the construction of a parking lot. It should remain a R1A Semi-detached Residential district to keep traffic to a minimum.

* required

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Please return this comment sheet no later than June 2nd, 2014.
Mail: The City of Red Deer, Planning Department, Box 5008, Red Deer, Alberta, T4P 3T4
Drop off: Planning Department, 3rd Floor, City Hall
Email: haley.mountstephen@reddeer.ca
Fax: 403.342.8200

The Land Use Bylaw and the designations for this area are based on community input and consultation, sound planning principles and the vision we have for Red Deer. While amendments are made to the bylaw when they can enhance an area, this parking lot will only detract from the neighbourhood and should not be approved.

Over 30 years, I have lived in three residences within blocks of this development. I love this community! Having recently built a new home in the neighbourhood, I along with many others have invested in what we see as the potential and future vision for the downtown area and its neighbouring communities. Keep this vision moving forward and many others will see the possibilities and potential for the area. I am fearful that any consideration for this request would only set a precedent for other applications that would take away from the character and beauty of my neighbourhood. Please do not let this happen—let's not regret in the future what we can correct today!

I strongly urge that the application to amend the Land Use Bylaw be rejected and that the developer consider alternative uses for the property and use this as an opportunity to support the positive transformation of our downtown area.

Furthermore, I would request to be kept informed on the application process and any opportunities to speak in opposition to the application.

Sincerely,

Original signed
[Redacted signature]

PARKVALE COMMUNITY ASSOCIATION



June 2, 2014

Planning Department
City of Red Deer
4914 48 Avenue
Red Deer, AB

To whom it may concern;

**Re: Proposed Land Use Bylaw Amendment 4643 and 4637 50th Street
(Lots 41-46, Block A, Plan K8)**

On May 30, the Board of Directors of the Parkvale Community Association (PCA) passed the following motion:

THAT the following be communicated to the Planning Department of the City of Red Deer in response to the May 20, 2014 communication regarding Proposed Land Use Bylaw Amendment 4643 and 4637 50th Street (Lots 41-46, Block A, Plan K8).

"The Parkvale Community Association does not support the proposed amendment to the Land Use Bylaw to allow a parking lot at 4643 and 4637 50 Street. The existing low impact commercial regulations were put in place to recognize the existing commercial uses and prevent further intrusion of commercial use into the neighbourhood. As with the previous application we do not see any reason for a change to the Land Use Bylaw to allow the construction of a surface parking lot. The Parkvale Community Association does not feel that the construction of a surface parking lot at this prominent corner and edge of our neighbourhood would be a positive contribution."

Over the years of 2001 to 2003, the PCA and the community participated in extensive discussions with the City of Red Deer Planning Department (Parkland Community Planning Services), consultants of the Greater Downtown Action Plan (GDAP) and Red Deer City Council to develop a long-term vision for our community, one that would support the GDAP approved by Council on August 14, 2000.

There were two significant outcomes from our work. The introduction of the Parkvale Community Modest Infill Design Guidelines (Section 7: Overlay and Other Districts and Regulations) and the introduction of the Low Impact Commercial (LIC) Overlay District for certain properties in and around Parkvale. Both of these outcomes together were seen as essential to support the GDAP and the community's long term vision of protecting the residential and historical character of our neighbourhood.

City Centre RPO, P.O. Box 27112
Red Deer, AB T4N 6X8

pca@parkvale.ab.ca

www.parkvale.ab.ca

Since the introduction of Land Use Bylaw (LUB) amendments, our neighbourhood has seen wonderful development. The Infill Guidelines have led to many beautiful new homes in Parkvale, homes that enhance the eclectic historical residential character of our neighbourhood. No longer do we see homes being demolished to allow for the annexation of properties for large scale development. The development that is taking place supports safe and caring community living.

The LIC district has seen several professional businesses establish themselves in and around Parkvale including a law office, a dental office, a hairdresser, a counselling service, a school and a small distributor business. We continue to enjoy the presence of the Macintosh Bed and Breakfast and the Youth and Volunteer Centre. All of these businesses bring incredible vitality to our neighbourhood. They are open during the day ensuring a constant flow of life while residents may be absent and closed in the evening to ensure privacy and less traffic in the evenings when residents are home. The LIC district has proven to be a great buffer zone from the commercial business district of our downtown for our community and the community North of Parkvale.

Long-term visions are often only felt many years down the road. However, we are proud to say that we see the vision happening already. The character of our neighbourhood is envied by many in Red Deer. The proposed amendment erodes our long term vision, one that we have worked so hard to achieve and protect. Therefore as outlined in the motion, the PCA respectfully requests that this application be denied.

Respectfully,



President, Parkvale Community Association

Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street

Your Name*: [REDACTED] (766) (HUBBARD LTD)

Your Property Address*: 4637 - 50 STREET RED DEER, AB T4N 1A1

Your Mailing Address (if different from above)*: _____

Comments: I AM NOT OPPOSED TO HAVING A PARKING LOT NEXT TO MY

BUSINESS (MCINTOSH BED + BREAKFAST) MR DAINES MET WITH ME BEFORE

INITIALLY APPLYING JUNE 2013. HE ASSURED ME THAT THE LOT WOULD BE WELL

LIT, SECURE & KEPT CLEAN. HE HAS ALWAYS KEPT THE OUTSIDE OF JACKPOT CASINO

CLEAN. THIS WINTER HIS STAFF SHOVELLED THE SIDEWALKS EVERY DAY. I WOULD

RATHER HAVE A PARKING LOT NEXT DOOR TO ME THAN A DUPLEX OR APARTMENT.

THE RENTAL PROPERTIES ALONG THIS BLOCK ARE IN DISGRACEFUL CONDITION

EXCEPT THE APARTMENT ACROSS THE LANE FROM THE EMPTY LOTS.

THE BACK YARDS ARE FULL OF ABANDONED VEHICLES AND DUMPSTERS ARE

FULL TO OVERFLOWING. THE POLICE COME REGULARLY DUE TO DRUG

ACTIVITY

* required

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Please return this comment sheet no later than **June 13th, 2014.**

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Drop off: Planning Department, 3rd Floor, City Hall

Email: haley.mountstephen@reddeer.ca

Fax: 403.342.8200

THE BACK LANE IS FULL OF POTHOLES, CALLS TO THE CITY ARE LARGELY IGNORED. THE LOW IMPACT COMMERCIAL PROPERTIES HAVE CLEANED UP THE NEIGHBOURHOOD SOMEWHAT, BUT THE RENTAL PROPERTIES ARE A MESS. PLEASE LISTEN TO PROPERTY OWNERS THAT ARE CLOSE TO THE PROPERTY AS WE ARE MORE AFFECTED BY YOUR DECISION REGARDING REZONING. MCINTOSH BED + BREAKFAST IS A HERITAGE BUILDING AS WELL AS MY HOME. I WOULD NOT LIKE YOUR DECISION TO NEGATIVELY IMPACT THE VALUE OF MY PROPERTY.

SINCERELY

[REDACTED]

[REDACTED]

[REDACTED] 2008 MCINTOSH BED + BREAKFAST

2014
01/27/14

Area Landowner Comment Sheet

Proposed Land Use Bylaw Amendment to provide for a commercial parking lot at 4643 and 4637 50th Street

Your Name*: LORNE BOSCHMAN

Your Property Address*: 4615 51 ST. R.D. T4N2A7

Your Mailing Address (if different from above)*: -

Comments: *I have no objections to a clear, well lit parking lot as long as the big pine tree in the center is saved and protected.*

I have more of a problem with the houses and yards across Ross Street that are full of litter, don't clean and we cut grass as well as garbage strewn up and down the alley-way!

* required *[Signature]* 06/23/14

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Please return this comment sheet no later than **June 13th, 2014.**

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Drop off: Planning Department, 3rd Floor, City Hall
Email: haley.mountstephen@reddeer.ca
Fax: 403.342.8200

hand delivered

Dec 5, 12:25

[Redacted]

From: [Redacted]
To: <WWW.CITY OF RED DEER.CA>
Sent: Wednesday, December 03, 2014 1:22 AM
Subject: RE: JACPKOT PARKING LOT ATTN.COUNCIL

Attn. CITY COUNCIL AND MAYOR

I am a 20 year resident of Parkvale, I would like to express my opinion on the zone changing on the corner of Ross st. and 47ave. I would like to see the the zone change go ahead so as Jackpot can get on with thier building of a parking lot.

Jackpots business frontage is one of the best kept in Red Deer , no ice , or snow on thier sidewalks. In summwer they are always cleaning any debris on the sidewalk , dusting benches and over all manintenance , as well of displaying a beautiful bevy of attractive flower pots.

Lets get behind someone who obviously loves thier city and wants it to look attractive to residents and visitors.

tax payer [Redacted]

Louise Maher

From: Council Agenda
Subject: FW: Jackpot Casino Feedback
Attachments: Jackpot Casino Feedback form.pdf

From:
Sent: October 21, 2014 11:41 AM
To: Tara Veer; Craig Curtis
Cc: Jennifer O'Brien
Subject: Jackpot Casino Feedback

Dear Mayor Veer & Mr. Curtis,

I know that you are aware of the public meeting that is scheduled to be held next week by Jackpot Casino and Stantec regarding the request for a land use amendment. I am not sure if you are aware of the extent of feedback that Mr. Danes is collecting. I had a very upset neighbour from Parkvale bring me the attached document that is being handed out and collected by Mr. Danes and his staff. Her comments are those being asked by many residents in Parkvale.

- How can he be collecting comments from people that don't live in Parkvale? May not even live in Red Deer.
- How can they assume how the residents of Parkvale feel or how they will be impacted.
- Parkvale is not a neighbouring neighbourhood of this proposed change. It is in our neighbourhood!
- The statement at the end of the form suggests that it is being done by or at least for the City of Red Deer.

Our residents would not even know of this situation if the Community Association didn't place a notice in their most recent newsletter. Mr. Danes has made no effort to inform the residents beyond sending a letter to the President of the PCA. One analogy being used is that this is feeling more and more like a David & Goliath situation.

I am not sure if there is anything the City can do at this point but I did want to make you aware. Thank you for your time.

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

Jackpot Casino Land Use Bylaw Amendment
PUBLIC INFORMATION SESSION – October 29, 2014



Feedback Form

Jackpot Casino purchased two properties on the East side of our building and has demolished them in hopes of getting approval from the City of Red Deer to build a dedicated parking lot for our volunteers, staff and patrons. We are hosting an informational meeting and Open House to share information and gather feedback on the Jackpot Casino Land Use Bylaw Amendment at the Red Deer Lodge on Wednesday, October 29, 2014 from 5:00 PM – 8:00 PM. Your input is important to us and will be considered by the City of Red Deer during their application process. We would greatly appreciate if you would take a few minutes to fill this questionnaire out and share your view point and we would also like to invite you to drop in on October 29th anytime from 5:00 PM – 8:00 PM to see us at our Open House.

1. How do you think the proposed parking lot will impact the surrounding area:

Positivity Negatively No Impact

Comments:

2. How do you think the proposed parking lot will impact the Parkvale Community, which is our neighboring community:

Positivity Negatively No Impact

Comments:

3. Please indicate how you feel about this proposed parking lot:

Do Not Support Neutral Support Strongly Support

Comments:

4. Please provide any additional comments you have regarding this Project. All comments will be reviewed by the City of Red Deer as part of the application process:

Jackpot Casino Land Use Bylaw Amendment
PUBLIC INFORMATION SESSION – October 29, 2014



Please complete the following information.

The personal information contained on this form is collected under the authority of the Municipal Government Act Section 3 and will solely be used for the purpose(s) of the Land Use Bylaw Amendment process.

Name: _____

Contact Method: _____

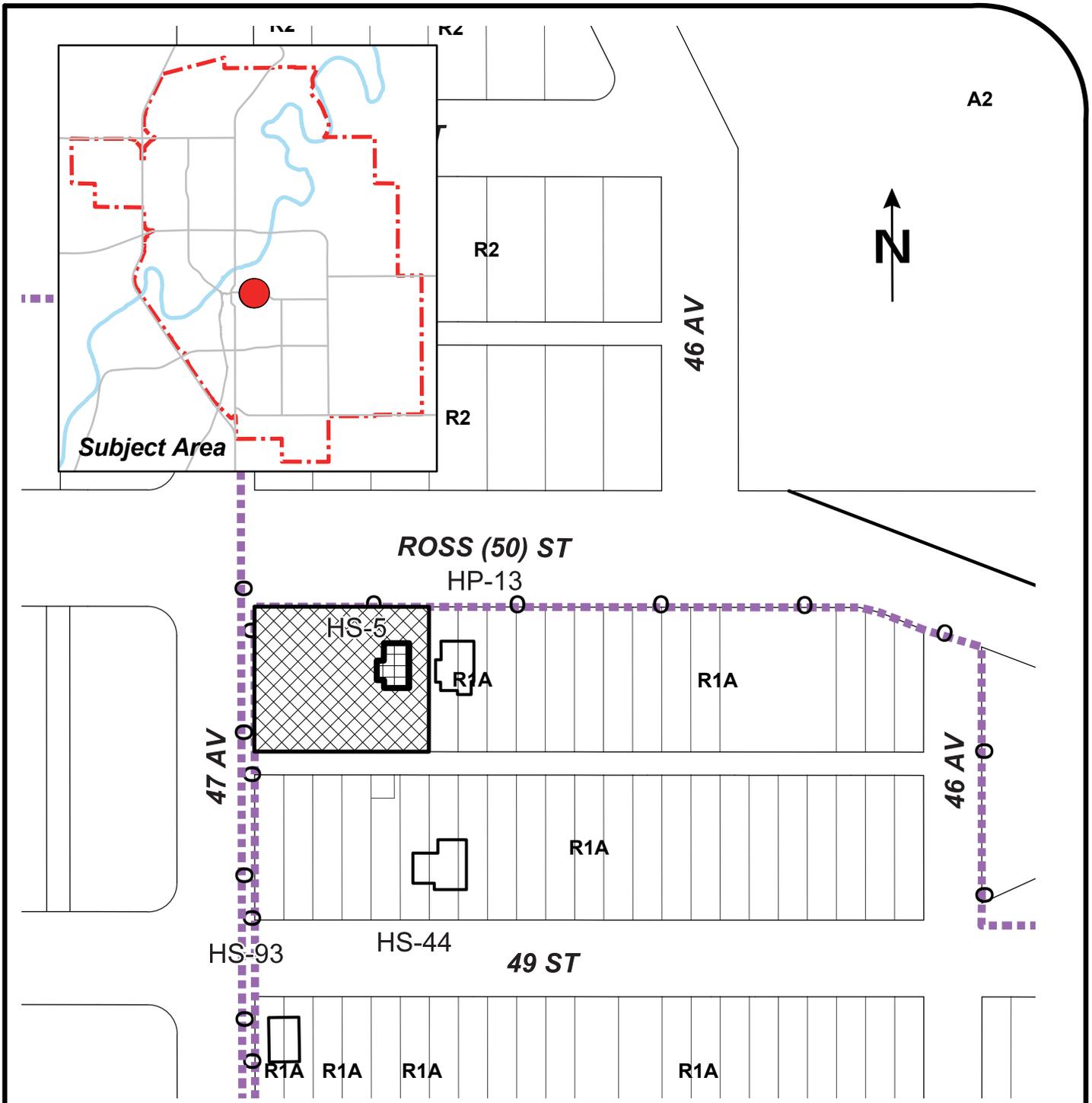
Thank you for providing us with your valuable feedback. Please return via mail, email, or fax by no later than November 12, 2014 to:

Franklin Daines
Jackpot Casino
4950 47 Avenue
Red Deer, AB T4N 6P8
Email: jackpotcasino@telus.net
FAX: (403) 342-5826

Schedule A



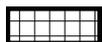
Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:

 R1A (k) to R1A (k) (e) (viii)

Remove Historical Site:

 Remove Historical Site HS-5

Affected District and Historical Site:

R1A (k) - Residential (Semi-Detached Dwelling) District
 HS-5 - Historical Site

Constraints:

 Historical Site
 Overlay District

Proposed Amendment
 Map: 10 / 2015
 Bylaw: 3357 / H-2015
 Date: Feb. 3, 2015

FILE COPY

DATE: March 31, 2015
TO: Angus Schaffenburg, Acting Planning Services Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/H-2015
Jackpot Casino Parking Lot
Consideration of Second & Third Readings

Reference Report:

Planning Department, dated February 9, 2015

Bylaw Reading:

At the Monday, March 30, 2015 Regular Council Meeting, Council gave second and third readings to Land Use Bylaw 3357/H-2015 – an amendment to provide for a parking lot at 4643 - 50 Street and 4637 - 50 Street for the private use by Jackpot Casino.

Report back to Council: No

Comments/Further Action:

The Bylaw is attached for your information.



Frieda McDougall
Legislative Services Manager
/ attach.

- c. T. Lodewyk, Acting Director of Planning Services
E. Stuart, Acting Manager of Inspections and Licensing

BYLAW NO. 3357/H-2015

FILE COPY

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

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

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

1. Add the following text to section 5.7 (6) (d) (iv) as indicated by quotations:

The following specific uses: parking lots “except at, for a temporary parking lot for a 9 year period commencing the date of development permit issuance, Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) for parking provisions for Jackpot Casino Ltd. Lot 15, Block 38, Plan 3479 MC, and” (excluding parking lots ancillary to the low impact commercial use or another use on the same site), drinking establishments, service stations, drug stores, convenience stores, adult entertainment uses, sales and/or rental of adult oriented merchandise, restaurants, fast food outlets, amusement arcades, animal services, commercial entertainment facilities, late night clubs, commercial recreational facilities, dry cleaning or laundering outlet, funeral home, liquor store, gaming establishments, any industrial or warehousing uses or motor vehicle sales or service or repair.

2. Add the following text to section 8.22 (1) (e) (viii) “temporary parking lot for a 9 year period commencing the date of development permit issuance at Lots 44-46, Block A, Plan K8 (4643 50 Street) and Lots 41-43, Block A, Plan K8 (4637 50 Street) for parking provisions for Jackpot Casino Ltd. Lot 15, Block 38, Plan 3479 MC, subject to parking regulations established in sections 3.2, 3.2.1, and 3.2.2 of this bylaw. Additional landscaping and/or design enhancements may be required at the discretion of City Council as the approving authority”.
3. The “Land Use District Map M15” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 10/2015 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 23rd day of February 2015.

READ A SECOND TIME IN OPEN COUNCIL this 30th day of March 2015.

READ A THIRD TIME IN OPEN COUNCIL this 30th day of March 2015.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30th day of March 2015.

‘Tara Veer’

MAYOR

‘Frieda McDougall’

CITY CLERK

PUBLIC HEARING

6:15-8:37

LAND USE BYLAW AMENDMENT 3357/H-2015

Jackpot Casino – Temporary Parking Lot Application

Paul

Please print your name below if you would like to speak

NAME	ADDRESS	
Jon Wieler <i>general.</i>	21 Charles Ave Red Deer	7+Q X
(resident) Vi Pogmore	4606-42nd st. Cresc Red. Deer	4+Q ✓
BILL Pogmore	" " " "	✓ /
Rachel Beltran	4640 45 st Red Deer	X. 4+Q
Brandon Bouchard	4545 45 st	X 6+Q
BRENDA GRANDE	666 6765 40 AVE RED DEER	✓ 5+Q
DAN MCKENSA	4148 38 AVE RED DEER T4B 0T5	✓ 2+Q
SCOTT MATHER	4950- 47 Ave Red deer, AB T4N 3T5	✓ 3+Q
Amanda Gould	on behalf of Red Deer Downtown Business Association.	2. ✓

2

PUBLIC HEARING

LAND USE BYLAW AMENDMENT 3357/H-2015

Jackpot Casino – Temporary Parking Lot Application

Please print your name below if you would like to speak

NAME	ADDRESS	
SAC GENTILE	12 SAVOY CREW	✓ 1
Stockert	4624 - 49 ST	✓ 2+Q
Shirley Daines	4626 - 49 ST	
JOE PROSPERO	68 ANQUETEL ST	✓ 1
Lloyd Lloyd Khusu	810-600 Pines Drive	✓ 1+Q
Matt Diehl	4630 47 TH ST. RD. AB.	✓ 1+Q
Lauren Grangl (Grangl).	"	✓ 1 1+Q
Jesse Yeats + Jessica	4621 47 street RD	✓ 1
Henry Diehl	# 7 McConnell Close	✓ 1
SHIRLEY DAINES	49 ARCADE DRIVE R. Deer	✓ 1+Q

3

PUBLIC HEARING

LAND USE BYLAW AMENDMENT 3357/H-2015

Jackpot Casino – Temporary Parking Lot Application

Please print your name below if you would like to speak

NAME	ADDRESS	
Franklin Daines	#49 Archer Drive R.D.	✓ 2
Adam Daines	49 th 50 47 th Ave Red Deer Jackpot Casino	✓ 2+Q
LARRY BARRS	CENTRAL ALBERTA CO-OP RED DEER	?? (left)
VIRGINIA HAYS	4627-45 th ST	X 2+Q
JESSE HAYS	4621 47th Street.	
Math Mercer	4621 47 th Street	✓ 1
Angela Sommers	4634 49 th ST.	Payne House ✓ 3+Q
CHERYL SAMUEL	4522-47 ^a AVE	✓ 2+Q
	+ Please Call + Contact Star	

4

PUBLIC HEARING

LAND USE BYLAW AMENDMENT 3357/H-2015

Jackpot Casino – Temporary Parking Lot Application

Please print your name below if you would like to speak

NAME	ADDRESS	
Lisa MacQuarrie	4631 - 50th Street	✓ 3. Macintosh House
Trent Hornum	4629-46 St	✓ 2. Doesu 4 Carole
(Mr. + Mrs.) Carole Berger	4634 - 48th	✓ 4
Liz Bulic	4607 49th St.	✓
<u>Bulic</u>		

Carole →

5

PUBLIC HEARING

LAND USE BYLAW AMENDMENT 3357/H-2015

Jackpot Casino – Temporary Parking Lot Application

Please print your name below if you would like to speak

NAME	ADDRESS
Bruce Burnard (overflow area)	4601-51 street RD. X 7+Q.
Jakob Schmidt	4620-428+
Son Bulanger	" "
Adam Schmidt	" "
Emily (?) Schmidt	" "
hyle Keewatin-Richards	" "
pat Marcettes (?)	" "
General call.	
Crimson Star.	

over flow area.

Handwritten marks including a large bracket on the right side of the table, a checkmark, and 'X' marks in the right margin.

RECEIVED
APR 13 2015
Public Comments
Development Authority
CITY OF RED DEER

Comment Forms due by: Friday, May 1, 2015

Notification of: Jackpot Casino Parking Lot Development 4637 & 4643 50
Street (Lot 41-43, Block A, Plan K8).

Decision to be Made By: Development Authority

Please Print

Contact Information:

Name (required):

LORRY OR ESTHER BOSCHMAN

Mailing Address & Postal Code (optional; will allow administration to respond to you if necessary):

4613-51 ST. R.D.

Phone #: 403-598-5736

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

Comments:

We do not have any
objections to the proposed
parking lot.

Lorry Boschman

Esther Boschman

Your comments are important!

over



April 8, 2015

Dear Frieda McDougall

**Re: Land Use Bylaw Amendment 3357/H-2015
Proposed Site Exception for a temporary parking lot at 4643 50
Street at your property at 4636 49 ST**

ATCO Gas does not have any comments for the above mentioned Amendment. If you have any questions or concerns, you can contact Dave Weinkauff at 403-357-5220.

A handwritten signature in black ink that reads "Amber Keni". The signature is written in a cursive, flowing style.

for

Dave Weinkauff
Senior Engineer
Red Deer District Operations