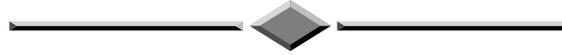




A G E N D A



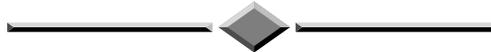
FOR THE *REGULAR MEETING OF RED DEER CITY COUNCIL*

TO BE HELD IN

THE COUNCIL CHAMBERS, CITY HALL

MONDAY, November 30, 2009

COMMENCING AT 3:00 P.M.



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, November 16, 2009.

- (2) **POINTS OF INFORMATION**
 1. Canadian Public Works Association honourable mention to The City of Red Deer.

- (3) **UNFINISHED BUSINESS**
 1. Bylaw Research Coordinator - *Re: Veterans Recognition Program* ..1
 2. Director of Community Services - *Re: Curfew Bylaw* ..15

- (4) **PUBLIC HEARINGS**
 1. Parkland Community Planning Services -

Re: Land Use Bylaw Amendment 3357/DD-2009 Rezoning from R1 Residential (Low Density) to R2 Residential (Medium Density) District. Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street) Active Group Holdings Inc. ..25
(Consideration of Second & Third Readings)

2. Parkland Community Planning Services - *Re: Land Use Bylaw Amendment 3357/II-2009 Timberstone Park - Phase 3 Peter & Kathy Lacey, Laebon Developments* ..30
(Consideration of Second & Third Readings)

(5) **REPORTS**

1. Electric Light & Power Manager - *Re: Revision to Distribution Tariff Effective January 1, 2010* ..34
(Consideration of 3 readings)

2. Electric Light & Power Manager - *Re: Compliance Report to the Alberta Market Surveillance Administration Q3 2009* .. 57

3. Program Coordinator - Housing, Social Planning Department - *Re: Community Housing Advisory Board Recommendations for Funding: Affordable Housing Municipal Block Funding Program* ..60

(6) **CORRESPONDENCE**

1. Legislative & Administrative Services Manager - *Re: Downtown Business Association Membership Appointments* ..64

(7) **PETITIONS AND DELEGATIONS**

(8) **NOTICES OF MOTION**

(9) **ADMINISTRATIVE INQUIRIES**

(10) **BYLAWS**

1. **3357/DD-2009** – Land Use Bylaw Amendment – *Rezoning from R1 Residential (Low Density) District to R2 (Medium Density) District. Lots 24-27, Block 1, Plan 2802 AE (4017 Ross Street) Active Holdings Inc.* ..65
(Consideration of 2nd and 3rd Readings) ..25
2. **3357/II-2009** – Land Use Bylaw Amendment – *Timberstone Park- Phase* ..67
(Consideration of 2nd and 3rd Readings) ..30
3. **3273/B-2009** – Electric Utility Bylaw– *Proposing to amend the Electric Utility Bylaw 3273/2000 Appendix A and Appendix B.* ..69
(Consideration of 3 readings) ..57

(11) **COMMITTEE OF THE WHOLE**

1. Legislative & Administrative Services Manager -
Re: Membership Appointments

****That the Recommendation, Report and Attachments remain confidential following the in-camera session pursuant to Sections 23 (1)(b), 24 (1)(a)(g) and 25 (1)(b) of the *Freedom of Information and Protection of Privacy Act*****

Amber Senuk

From: Elaine Vincent
Sent: November 18, 2009 4:47 PM
To: Frieda McDougall; Amber Senuk
Subject: FW: CPWA Award Application - Update

fyi

Elaine Vincent

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

From: Morris Flewwelling
Sent: Wednesday, November 18, 2009 2:20 PM
To: Char Rausch
Cc: Elaine Vincent; Craig Curtis; City Councillors; Mary McGarry
Subject: RE: CPWA Award Application - Update

Thanks, Char. We missed the award but we should celebrate the Certificate of Appreciation at a Council meeting point of information. Morris

From: Char Rausch
Sent: November 18, 2009 1:36 PM
To: Frank Colosimo; Ligong Gan; Tom Warder; Greg Sikora; Trevor Poth; Greg Scott; Kevin Joll; Char Rausch; Colleen Jensen; Craig Curtis; Lorraine Poth; Marge Wray; Paul Goranson; Buck Buchanan; Cindy Jefferies; Frank Wong; Gail Parks; Larry Pimm; Lorna Watkinson-Zimmer; Lynne Mulder; Morris Flewwelling; Tara Veer (Shaw)
Cc: Julia Harvie-Shemko; Charity Dyke; Elaine Vincent; Bev Greter
Subject: CPWA Award Application - Update

Good Afternoon:

Following the many events undertaken during Public Works in May 2009 to celebrate the official opening of Civic Yards and to recognize Public Works Week, we submitted an application for a Canadian Public Works Association award. Although The City did not receive an award, we were provided with a Certificate of Appreciation for our municipality's involvement in the CPWA National Public Works Week campaign and awards program. In that application we had outlined each of the events and tours undertaken that week. Seven in total.

National Public Works Week is an important opportunity to share with the community the contributions that public works bring to the quality of everyday life. This year, over 450 employees working in Public Works, EL & P, Environmental Services, Parks and Transit were included and attended The City's annual Public Works Week BBQ.

Char ...

Charlaine Rausch
Corporate Events Specialist
Communications & Strategic Planning
The City of Red Deer

Amber Senuk

From: Elaine Vincent
Sent: November 19, 2009 10:14 AM
To: Amber Senuk; Frieda McDougall
Subject: FW: Strategic Planning road show to Council at topics

Fyi... to be scheduled for open council not topics...

Elaine Vincent

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

From: Craig Curtis
Sent: Tuesday, November 17, 2009 8:21 AM
To: Lisa Perkins
Cc: Julia Harvie-Shemko; Elaine Vincent
Subject: RE: Strategic Planning road show to Council at topics

Yes next public agenda

From: Lisa Perkins
Sent: November 17, 2009 8:14 AM
To: Craig Curtis
Cc: Julia Harvie-Shemko
Subject: Strategic Planning road show to Council at topics

After our presentation on Monday, Morris thought it may be a good idea to bring the road show to Council. After much to -ing and fro-ing Julia and I think we would be willing to add one more show to our tour schedule.

If you think it is worth putting on the agenda – I leave it to you.

Lisa

Lisa M. Perkins

Divisional Strategist, Corporate Services
The City of Red Deer
Phone: 403.342.8738 Fax: 403.346.6195
Lisa.perkins@reddecr.ca



Unfinished Business Item No. 1

DATE: November 25, 2009
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Veteran Recognition Program

History:

At the Monday September 21, 2009 Council Meeting consideration of the Veteran Recognition Program report was tabled for up to two months as per the resolution noted below:

“Resolved that Council of the City of Red Deer, agrees to table the report from the Bylaw Research Coordinator, dated August 28, 2009, Re: Veteran Recognition Program, for up to two months.”

At the Monday, November 16, 2009 Council Meeting consideration of the Veteran Recognition Program was tabled for a further 3 months as per the following resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Legislative and Administrative Services Manager, dated November 16, 2009 **Re: Veteran Recognition Program** hereby agrees to table the Veteran Recognition Program for an additional 3 months.”

A report from the Bylaw Research Coordinator has now been prepared for Council’s consideration.

Recommendation:

That Council consider

- 1) Passing a resolution lifting from the table consideration of the Veteran Recognition Program.

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

Elaine Vincent, Manager



DATE: November 18, 2009

TO: Elaine Vincent – Legislative and Administrative Services Manager

FROM: Julia Townell – Bylaw Research Coordinator

RE: **VETERAN RECOGNITION PROGRAM**

Issue

In December 2008, Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion, requested that The City of Red Deer exempt vehicles displaying veteran license plates from parking meter fees. The intent of the request is to:

- 1) show appreciation and thanks for the sacrifices and contributions veterans have made; and,
- 2) keep the memory of veterans alive, past and present.

What Is A Veteran?

In 2001, the Department of National Defence and Veteran Affairs Canada refined the definition of a 'veteran' to recognize all former Canadian Forces members, Regular and Reserve, who have met both DND's Military Occupational Classification (MOC) requirements and have been honourably discharged. As well, anyone serving in United Nations or NATO Operations as a member of the Canadian Forces, Royal Canadian Mounted Police, other Canadian police forces, or an allied force can also be considered a veteran.

Why Honour Veterans?

Through combat and peacekeeping operations, Canadians have gained a reputation for being a peace loving nation. Thousands of veterans have fought to protect human rights, freedom, and justice around the world. Some have returned with permanent physical and emotional scars, others never make it home. Even today, as Canada engages in overseas military action, soldiers and families are facing the same hardships as those that fought in previous wars. "Countless young men and women are sacrificing all they know, all the comforts, love, and safety of home in order to defend the rights and freedoms of others," said Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion. "By specifically honouring veterans, we promote an understanding of the sacrifices they made to protect Canadian values, and the impact this has had on Canada". By honouring our veterans, we are demonstrating that we appreciate the significance of what our armed forces has done, and continues to do for our country.

It is the soldier, not the reporter who has given us the freedom of the press. It is the soldier, not the poet, who has given us the freedom of speech. It is the soldier, not the campus organizer, who gives us the freedom to demonstrate. It is the soldier who salutes the flag, who serves beneath the flag, and whose coffin is draped by the flag, who allows the protester to burn the flag.

~ Father Dennis Edward O'Brien, USMC

Don't We Already Do Enough?

Much of the specific benefits for veterans are at the federal level and are intended to support individual soldiers through things such as pensions, medical benefits and other supports. There is little in terms of creating public awareness that exists on an ongoing basis. Furthermore, a good portion of the population is too young to have experienced the threats of war, making it difficult for them to connect with Remembrance Day. With this in mind, Ms. McCoy is asking for more to be done. "Regardless of our political beliefs and how we feel about war, it is vital that we remember those who fought for our civil liberties," said Mrs. McCoy.

How Can We Honour Our Veterans?

Under Council's direction, Administration explored a number of options to honour our veterans, including a parking fee exemption. The options were:

1) Street naming and dedication

The City's street naming conventions would be well-suited to naming streets after area veterans. Through applications from City residents or by working with the City archives, a database of people who served during wartime could be compiled. The City could then use the surnames according to our street naming policies for any new developments.

City departments: Civic Addressing Committee / Recreation, Parks, & Culture

2) Free transit service during Veterans' Week

Many municipalities, including Edmonton and Toronto, have offered free transit service to veterans to recognize their service. Some cities offer free transit for veterans year round, while others do only on Remembrance Day. Red Deer could find a happy medium between these two extremes by offering free veteran transit for Veterans' Week.

City departments: Transit / Communications & Strategic Planning

3) Free parking at meters

The Government of Alberta introduced a special Veterans' License Plate in 2005, the Year of the Veteran, to honour the contributions of Alberta veterans. Since then, some municipalities have offered free metered parking for those with veterans' license plates on their vehicles. Such parking programs vary between cities.

City departments: Inspections & Licensing / Communications & Strategic Planning

4) Mayor's tea or luncheon

Mayor Morris Flewwelling plays host to a number of community events throughout the year, including the annual Mayor's Garden Party and the Mayor's Prayer Breakfast. Organizing a tea or luncheon hosted by the Mayor and City Council could be another way for The City to honour veterans.

City departments: Office of the Mayor & City Manager; City Council; Communications & Strategic Planning

5) Light post banners featuring veterans' names

Red Deer's downtown core features decorative light posts, complemented by ornamental banners. During the month of November, The City could partner with the Downtown Business Association to replace the existing banners with banners that commemorate the men and women of our community who have served in war. This program could be extended into the Riverlands and Railyards as development occurs in these areas.

City departments: Communications & Strategic Planning; Electric Light & Power

6) A flag-raising ceremony at City Hall

Every year on September 11, The City holds a memorial march to honour fire fighters, police officers, and emergency services workers who have lost their lives in the line of duty. The City could host a similar type of ceremony at City Hall to kick off Veterans Week.

City departments: Office of the Mayor & City Manager; Communications & Strategic Planning

7) A veterans' commemorative plaza

The upcoming development of the plaza along Gaetz Avenue may provide the perfect opportunity for The City to commemorate Red Deer veterans. The plaza could feature personal stories, symbolic flags, commemorative benches, and poppies in the summer. It would also include the cenotaph in its historic and symbolic location.

City departments: Recreation, Parks, & Culture; Communications & Strategic Planning

8) Archives exhibits

The City's archives feature a collection of images and documents from 1899 to 1953, when Red Deer and its citizens were experiencing the impacts of armed conflicts abroad. This collection could be exhibited during Veterans Week in a high-traffic location, such as City Hall or the library.

City departments: Recreation, Parks, & Culture; Communications & Strategic Planning

Recommendation

The merit of each option was considered in relation to the original request and discussions with Mrs. McCoy. Administration also considered each request in terms of its alignment with The City's direction in building a sustainable future, while preserving its heritage. As a

result, Administration is recommending that Council approve one or both of the following options.

1) Free parking year-round for all veterans

A parking fee exemption for veterans at parking meters was selected because it was requested specifically by Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion. A parking fee exemption sends a strong message that the citizens of Red Deer are grateful for the individual sacrifices that veterans have made for all Canadians. It is a way to thank our veterans, on an individual basis, for the important role they have had in shaping our country. Veteran plate parking exemption programs have been introduced in many municipalities, in different forms. In general, programs like this have received widespread public support. As a small token of our appreciation, Administration is recommending a year-round parking fee exemption for all veterans with a veterans' license plate and a parking pass.

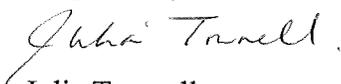
For more information on the parking exemption option, see Attachment 1.

2) A veterans' commemorative plaza

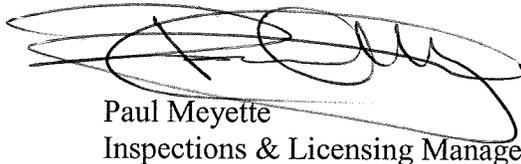
A veterans' commemorative plaza was selected because it aligns well with The City's Downtown Action Plan. The plan includes a pedestrian plaza as part of the Ross Street upgrade, which will incorporate the cenotaph in its existing historical and symbolic location. In fact, Council recently approved the budget for the development of the plaza in the 2010 capital budget and plan, presented on November 23, 2009. However, the theme and the design of the plaza have not yet been defined. The dedication of the plaza to veterans would be a fitting way to remember and honour the contributions and sacrifices veterans have made for all Canadians. As well, the plaza would provide a permanent place for visitors to reflect upon those who sacrificed so much for the freedoms and comforts we so often take for granted. Administration is recommending that the plaza be dedicated to our veterans, past and present.

For more information on the commemorative garden or park, see Attachment 2.

Respectfully submitted,



Julia Townell
Bylaw Research Coordinator



Paul Meyette
Inspections & Licensing Manager

ATTACHMENT 1: FREE PARKING YEAR-ROUND AT CITY PARKING METERS

Background

- In 2001, the Department of National Defence and Veteran Affairs Canada expanded the definition of 'veteran'.
- In 2005, to commemorate the Year of the Veteran, the Government of Alberta introduced a special veterans' license plate.
- Since 2005, 16,518 veteran license plates have been issued in Alberta. Of those, 990 were issued in the Red Deer area.
- A number of municipalities across Canada have initiated parking programs that allow vehicles displaying veteran license plates to be exempt from metered parking fees.
- Parking programs range from year round exemptions for all veterans, to parking exemptions for some veterans confined to a specific time period, such as Veterans Week.
- Different Provinces administer veterans' plates in different ways. In BC, one license plate is issued per veteran while in Alberta three plates are available for each veteran.

Assumptions

Any veteran parking program that The City initiates would include these common elements:

- Veterans utilizing the free parking would be required to adhere to all other parking signs and regulations.
- Veterans would only be able to remain parked for the time limit specified by the coloured sticker on each meter.
- Veterans would not be exempt from parkade fees, only on street parking meter fees.
- The program would be administered by the Inspections & Licensing Department and enforced by the Commissionaires.
- Any expenses incurred through the program would be the sole responsibility of The City; the costs would not be passed on to veterans in the form of a fee.

Considerations

A comparison of Parking Programs

The City has three viable options in exploring a veteran parking program:

1. Free parking for all veterans year round: Cities like Grande Prairie, Lethbridge, Prince Albert, and Windsor have initiated parking programs that allow all veterans to park for free year round. Essentially, the veteran must simply have a veterans' plate on his or her vehicle in order to take advantage of the free parking.
2. Free parking for some veterans year round: Saskatoon, Burlington, and Hamilton have restricted their free veteran parking to veterans over the age of 65 or those who fought in WWII or the Korean War. These cities rely on their own application process to determine eligibility, and veterans must use a parking pass in order to park for free at the meter.
3. Similar to Option 1, The City of Red Deer could offer parking to all veterans. However, rather than relying on the veterans' plate, The City could provide parking passes. Parking

passes would prevent the risk of abuse associated with Alberta's practice of distributing up to 3 plates per veteran. The passes could be distributed through both The City and the Royal Canadian Legion, without utilizing a significant amount of administrative resources.

4. Free parking for all veterans during Veterans Week (November 5 to 11): The City of Vancouver implemented free parking during Veterans Week after exploring a variety of other options to honour veterans. This program is based around the veterans' plates as well, but runs for a one-week period instead of a one-year span.

Rather than weigh the benefits and drawbacks of each option in isolation, we have identified five common areas of concern and developed a scale for comparison, where "3" means "best," "2" means "medium," and "1" means "worst."

This table identifies each area of concern, with corresponding grades for each option:

	Option 1	Option 2	Option 3	Option 4
Administrative Ease	3	1	2	3
Enforcement Ease	3	2	2	3
Abuse Prevention	1	2	3	3
Perceived Equity for Veterans	3	1	3	2
Perceived Equity for the Public	1	2	3	3
Intent of Request	3	2	3	1
Totals*	14	10	16	15

* Please note: Each area of concern has not been weighted for relative importance.

Administrative and Enforcement Ease

The City must consider how easy each parking program option would be to administer and enforce. There would be very little administrative or enforcement work for a program like Option 1, which provides free parking for all veterans year round. No parking passes would be necessary, as the parking limits would be enforced strictly based on the distinctive veterans plates. A parking enforcement officer would only need to ascertain that a valid veterans' plate is affixed to the vehicle to determine if it is parked legally.

In comparison, a program like Option 2 that limits the free parking to "wartime veterans" would be less simple. The City would need to develop an application process, including forms, and parking passes. The application process may also need to be extended to include a renewal process. It would also be less simple for veterans, who would have to complete forms both for the veterans' plate and for the veteran parking pass. Enforcement, too, would be more challenging for a program like Option 2. Rather than simply checking for a veterans' plate, the parking enforcement officer would need to check for a veterans' plate and a valid parking pass to ensure that the vehicle is parked legally.

Option 3 would require some administrative oversight to ensure that only one parking pass is provided per veteran. The application process would feasibly be a lot simpler than Option 2, as there aren't as many restrictions (i.e. age). The applicant would only have to show that they have a veterans' plate. As well, the administrative side of it could be managed either by The City or the Royal Canadian Legion.

Option 4 would be simple, much in the same way Option 1 would be: it would be administered and enforced through the existing veterans' plate program and would not require City-specific parking passes. As the free parking would only be provided during Veterans Week, however, The City would need to conduct yearly awareness campaigns to ensure veterans and parking enforcement officers are reminded about the benefit and regulations, which would add a layer of complexity to the program.

Abuse Prevention

Option 1 may be simple from an administrative and enforcement perspective, but that simplicity comes at a cost: the program would also be easy to abuse. Veterans' plates are issued for vehicles, not people. Anyone who has the opportunity to drive a veteran's vehicle could take advantage of the free parking. In addition, up to three veterans' plates can be issued to a veteran in Alberta, for use on any vehicles a veteran owns or co-owns. This also provides an opportunity for someone to abuse a parking exemption program.

Option 2 poses a challenge in administering a program that caters to a specific group of veterans, as was the case with Saskatoon. While Option 2 reduces the opportunity for abuse by limiting parking passes to one per veteran, more recourses are required to administer the program. Parking passes will have to be issued, and revoked when misused.

Option 3 provides a solution to Option 1 in that it reduces the risk of abuse. Since three veteran plates can be issued per veteran in Alberta, the risk of having non-veterans exploit the free parking program is higher. However, by assigning one parking pass per veteran, the risk of abuse is substantially reduced. Once more, the administration of such a program is relatively simple, when compared to Option 2.

Option 4 shares the same potential for abuse as Option 1, but the impact would be significantly less. As Option 4 runs for a one-week period rather than one year, any abuse of the system would not result in a significant amount of lost revenue or parking.

Perceived Equity for Veterans

Many people believe veterans are elderly men and women, which not reflected in Veterans Affairs Canada's definition of a veteran. Options 1, 3 and 4 would remove the subjectivity of determining who should be considered a veteran. Further, The City is not in a position to measure the value of one level of military service against another. By working within the existing veterans' plate program, The City can administer and enforce the parking program in an unbiased and objective manner.

Option 2, in contrast, ascribes different levels of value to different types of military service, which could be perceived to be inequitable to veterans who have been honourably discharged after serving in Afghanistan, for example. If the City wishes to honour veterans for their service to Canada, the program should be open to all veterans, regardless of age or level of mobility.

Perceived Equity for the Public

The City must consider the perceived equity of any program that singles out a group or organization for preferential treatment. Veterans, of course, have done a great service to

Canadians by ensuring our security and safety. The same, however, could be argued about Canada's police officers or firefighters. Although it may be unlikely that anyone would protest free parking for veterans, The City should take into account that such a program may set a precedent for other requests of a similar nature. The City should also consider that once a veteran parking program is in place, it will be difficult to remove without complaint should it prove to be too costly or hard to enforce.

The perceived equity of a program can also be affected by the rate of abuse. Option 1 has the highest potential for abuse; it has the least amount of restrictions and, consequently, the possibility of abuse is highest. As before mentioned, in Alberta three plates are available for each veteran. This provides greater access to a car with a veteran plate, increasing the potential for abuse. Option 2 provides restrictions based on age, making abuse of the program more visible to the public. In Saskatoon, for example, it became clear that it wasn't just veterans utilizing the program. Options 3 and 4 provide some restrictions that are aimed at preventing abuse, but do not discriminate against particular groups of veterans.

Intent of request

The City must also consider the intent of the request, to make sure that the needs of the veterans are met. While all options show appreciation and thanks for the sacrifices and contributions veterans have made, Option 2 is limited to a particular group of veterans, those over the age 65. Consequently, Option 2 falls short in keeping the memory of veterans alive, past and present. Option 4 does not fully meet the intent of the request, as it is only offered for a short period, during Veterans' Week. Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion requested that more be done to create public awareness on an ongoing basis. Both Option 1 and 3 meet the request from Mrs. McCoy. However, Option 3 offers more control in terms of minimizing the risk of abuse.

Economic

Cost is another key area for consideration; however, at this time, we can only offer a general evaluation of the cost of each program option.

Option 1 could be costly based on the high potential for lost revenue of this program. The City of Saskatoon initiated a free year-round parking program for all veterans initially, but switched to a more restrictive program when it learned it was losing approximately \$25,000 of revenue yearly.

Option 2 could be costly based on the time it would take to administer and enforce the program. This option also has the potential for lost revenue, though that risk is less than that of Option 1.

Option 3 could also be costly based on the potential for lost revenue and the time it would take to administer and enforce the program. However, by introducing parking passes, the risk of abuse is significantly reduced, minimizing the loss of revenue. The Royal Canadian Legion's participation could also reduce the cost associated with administering such a program.

Option 4 is likely the most cost-effective option from an administrative and enforcement perspective. The potential for lost revenue is also mitigated by the fact that this program runs for one week rather than a full year.

To determine the actual cost of enforcement and administration, and the potential lost revenue, The City would need to determine how often veterans are currently using metered parking and the duration of their stays.

Recommendation

Administration is recommending that Council adopt Option 3, a year-round parking program for all veterans. Veterans would require a veterans' plate and a parking pass to limit the possibility of abuse. By making the program available to all veterans, and by working within the confines of the current veterans' plate program, The City can remain objective and fair. (The City cannot measure the worth of one group of veterans over another, nor should it.) Furthermore, a year-round program is a way of saying "thank you" to each veteran, on an individual basis. It is a way to show our appreciation for the contributions and sacrifices they have made for all Canadians, beyond an annual remembrance celebration.

ATTACHMENT 2: A VETERANS' COMMEMORATIVE PLAZA

Background

The City of Red Deer's Downtown Action Plan includes a pedestrian plaza as part of the Ross Street upgrade, between Gaetz Avenue and 49 Avenue. Further, Council approved the development of the plaza in the 2010 capital budget and plan, presented on Monday, November 23. However, the theme and the design of the plaza have not yet been defined. The plaza incorporates the cenotaph in its historical and symbolic location.

Erected in 1922 in the centre of Ross Street, the cenotaph was built in memory of the men and women of Central Alberta who served during the First World War. From its site at the centre of Ross Street, the sculpted figure faces west toward the train station, symbolizing the yearning of Canadian soldiers to return home from the battle-torn fields of France. This memorial remains a proud and grateful tribute to Red Deer's war dead, and has since commemorated those that fought in World War Two and the Korean War. It is a historic and important monument in downtown Red Deer.

In the past year, veterans have pushed the City of Red Deer to move the cenotaph to City Hall Park. In April, 2009, in the Red Deer Advocate, the Korean Veterans Association expressed concern over its current location, asserting that people would find it easier and safer to visit the cenotaph in the proposed new location. In doing so, passersby would be able to read the plaques in memory of those who served in the First and Second World Wars, and the Korean War. The dedication of the plaza would preserve the cenotaph in its historic and symbolic location, while addressing the concerns of veterans who feel the cenotaph is inaccessible in its current location.

Veterans' plaza also fits well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The plaza would be a sustainable and distinct feature in Red Deer's historic downtown, and help to balance the need for slow, safe moving vehicles with a pedestrian friendly walkable environment.

Considerations

Social

Alberta has one of the strongest economies in Canada, and is still attracts many Canadians. Even during the current economic recession, Alberta's population rose 0.59 percent in the first quarter of this year. Calgary saw an increase of approximately 22,500 people, Edmonton an increase of approximately 30,027 people, and Red Deer an increase of approximately 2,075 people from last year. Consideration must be given to the sustainability of Red Deer's downtown and its appeal to businesses, families, and visitors alike.

Red Deer's Greater Downtown Action Plan calls for a balance between slow, safe moving vehicles and a pedestrian-friendly, walkable environment. With this in mind, safety and security measures should be put in place, such as proper lighting and design, to ensure the intent of Veterans' Plaza is preserved. (The City of Red Deer has access to a CPTED consultant.)

Environmental

Developing an environmentally friendly and sustainable city is more important than ever. This requires a commitment to a number of principles, such as efficient use of land and infrastructure, building up and not out, and avoiding sensitive natural areas. With this in mind, developing pedestrian-friendly pathways, parks, and gardens all contribute to a more attractive, liveable and sustainable downtown environment.

Economic

The City of Red Deer's has an impressive capital program, with approximately \$1,734 million in projects between 2009 and 2018. With the current economic downturn and resulting challenges, Council has the complex role of striking a balance between meeting its immediate needs and putting the resources in place to achieve the community's vision of the kind of city Red Deer will become as it continues to grow and mature.

On April 1, 2009, Council approved ten key project packages, which included preservation of Red Deer's historical downtown. Most of the budget requirements for specific work would be submitted in the 2010 and 2011 budgets, with varied time to complete each package of work. The budget for the development of the plaza has already been approved in the 2010 capital budget and plan, presented to Council on November 23, 2009. Dedicating the plaza to veterans would likely not add significant costs to the project, if any.

However, in light of the current economic downturn, The City is looking at delaying a number of significant capital infrastructure projects until additional funding is available. This may include a number of planned recreation, park, and cultural facilities. As a result, funding for Veterans' Plaza may not be immediately available.

Alignment with Existing Policy

Veterans' Plaza aligns extremely well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The proposed plaza would occupy two lanes along Ross Street, and incorporate the existing cenotaph in its historic and symbolic location. In effect, the Veterans' Plaza would provide a meaningful and accessible way of remembering and honouring the contributions and sacrifices veterans made for all Canadians. Downtown Red Deer would also benefit from a more inviting, pedestrian-friendly and sustainable environment.

The City of Red Deer's Municipal Development Plan identifies the importance of protecting Red Deer's strong heritage. Beginning in 2000, several initiatives strengthened the position of heritage sites in the city. Importantly, The City of Red Deer Heritage Management Plan was commissioned and adopted in 2006 as a planning tool by City Council, at the recommendation of the Heritage Preservation Committee. The comprehensive plan provides ongoing guidance to heritage property owners, community volunteers, heritage organizations and The City.

In fact, heritage preservation is featured in The City of Red Deer's Greater Downtown Action Plan. In 2008, the revised plan embraced a renewed vision of vitality, authenticity, and sustainability -- with a focus on three distinct districts: Historic Downtown, Riverlands,

and Railyards. The plan recognizes that Red Deer's built history is an irreplaceable asset that connects citizens and visitors to the community's stories and accomplishments. The plan also promotes a thriving, pedestrian-friendly environment through the development of outdoor and information spaces, such as courtyards, plazas, fountains and gardens.

Further, The City of Red Deer's 2009 – 2011 Strategic Plan provides new direction, encouraging strategic thinking, excellence and authenticity. The plan promotes a sustainable future, while preserving Red Deer's history, culture and sense of community through innovation and collaboration. In keeping with The City's strategy, on July 27, 2009, the Heritage Preservation Committee requested, and Council approved, the designation of the cenotaph as a Municipal Historic Resource. Thus, preserving the cenotaph in its current location and creating a focal point for reflection, inspiring a feeling of civic pride in Red Deer's history.

Recommendation

It is important to honour and remember those men and women who put themselves in harms way to serve their nation. Risking safety and life itself to a cause greater than oneself is the ultimate selfless sacrifice. Millions have lost their lives, and many more have suffered pains and injury of all kinds: physical, emotional and spiritual. It is appropriate that we do more to honour our veterans. A plaza dedicated to our veterans is a fitting way to remember their contributions and sacrifices your-round: it aligns well with The City's strategic plan, capital budget, and it incorporates the cenotaph in its historic and symbolic location.

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



DATE: November 18, 2009

TO: Elaine Vincent – Legislative and Administrative Services Manager

FROM: Julia Townell – Bylaw Research Coordinator

RE: **VETERAN RECOGNITION PROGRAM**

Issue

In December 2008, Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion, requested that The City of Red Deer exempt vehicles displaying veteran license plates from parking meter fees. The intent of the request is to:

- 1) show appreciation and thanks for the sacrifices and contributions veterans have made; and,
- 2) keep the memory of veterans alive, past and present.

What Is A Veteran?

In 2001, the Department of National Defence and Veteran Affairs Canada refined the definition of a 'veteran' to recognize all former Canadian Forces members, Regular and Reserve, who have met both DND's Military Occupational Classification (MOC) requirements and have been honourably discharged. As well, anyone serving in United Nations or NATO Operations as a member of the Canadian Forces, Royal Canadian Mounted Police, other Canadian police forces, or an allied force can also be considered a veteran.

Why Honour Veterans?

Through combat and peacekeeping operations, Canadians have gained a reputation for being a peace loving nation. Thousands of veterans have fought to protect human rights, freedom, and justice around the world. Some have returned with permanent physical and emotional scars, others never make it home. Even today, as Canada engages in overseas military action, soldiers and families are facing the same hardships as those that fought in previous wars. "Countless young men and women are sacrificing all they know, all the comforts, love, and safety of home in order to defend the rights and freedoms of others," said Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion. "By specifically honouring veterans, we promote an understanding of the sacrifices they made to protect Canadian values, and the impact this has had on Canada". By honouring our veterans, we are demonstrating that we appreciate the significance of what our armed forces has done, and continues to do for our country.

It is the soldier, not the reporter who has given us the freedom of the press. It is the soldier, not the poet, who has given us the freedom of speech. It is the soldier, not the campus organizer, who gives us the freedom to demonstrate. It is the soldier who salutes the flag, who serves beneath the flag, and whose coffin is draped by the flag, who allows the protester to burn the flag.

~ Father Dennis Edward O'Brien, USMC

Don't We Already Do Enough?

Much of the specific benefits for veterans are at the federal level and are intended to support individual soldiers through things such as pensions, medical benefits and other supports. There is little in terms of creating public awareness that exists on an ongoing basis. Furthermore, a good portion of the population is too young to have experienced the threats of war, making it difficult for them to connect with Remembrance Day. With this in mind, Ms. McCoy is asking for more to be done. "Regardless of our political beliefs and how we feel about war, it is vital that we remember those who fought for our civil liberties," said Mrs. McCoy.

How Can We Honour Our Veterans?

Under Council's direction, Administration explored a number of options to honour our veterans, including a parking fee exemption. The options were:

1) Street naming and dedication

The City's street naming conventions would be well-suited to naming streets after area veterans. Through applications from City residents or by working with the City archives, a database of people who served during wartime could be compiled. The City could then use the surnames according to our street naming policies for any new developments.

City departments: Civic Addressing Committee / Recreation, Parks, & Culture

2) Free transit service during Veterans' Week

Many municipalities, including Edmonton and Toronto, have offered free transit service to veterans to recognize their service. Some cities offer free transit for veterans year round, while others do only on Remembrance Day. Red Deer could find a happy medium between these two extremes by offering free veteran transit for Veterans' Week.

City departments: Transit / Communications & Strategic Planning

3) Free parking at meters

The Government of Alberta introduced a special Veterans' License Plate in 2005, the Year of the Veteran, to honour the contributions of Alberta veterans. Since then, some municipalities have offered free metered parking for those with veterans' license plates on their vehicles. Such parking programs vary between cities.

City departments: Inspections & Licensing / Communications & Strategic Planning

4) Mayor's tea or luncheon

Mayor Morris Flewwelling plays host to a number of community events throughout the year, including the annual Mayor's Garden Party and the Mayor's Prayer Breakfast. Organizing a tea or luncheon hosted by the Mayor and City Council could be another way for The City to honour veterans.

City departments: Office of the Mayor & City Manager; City Council; Communications & Strategic Planning

5) Light post banners featuring veterans' names

Red Deer's downtown core features decorative light posts, complemented by ornamental banners. During the month of November, The City could partner with the Downtown Business Association to replace the existing banners with banners that commemorate the men and women of our community who have served in war. This program could be extended into the Riverlands and Railyards as development occurs in these areas.

City departments: Communications & Strategic Planning; Electric Light & Power

6) A flag-raising ceremony at City Hall

Every year on September 11, The City holds a memorial march to honour fire fighters, police officers, and emergency services workers who have lost their lives in the line of duty. The City could host a similar type of ceremony at City Hall to kick off Veterans Week.

City departments: Office of the Mayor & City Manager; Communications & Strategic Planning

7) A veterans' commemorative plaza

The upcoming development of the plaza along Gaetz Avenue may provide the perfect opportunity for The City to commemorate Red Deer veterans. The plaza could feature personal stories, symbolic flags, commemorative benches, and poppies in the summer. It would also include the cenotaph in its historic and symbolic location.

City departments: Recreation, Parks, & Culture; Communications & Strategic Planning

8) Archives exhibits

The City's archives feature a collection of images and documents from 1899 to 1953, when Red Deer and its citizens were experiencing the impacts of armed conflicts abroad. This collection could be exhibited during Veterans Week in a high-traffic location, such as City Hall or the library.

City departments: Recreation, Parks, & Culture; Communications & Strategic Planning

Recommendation

The merit of each option was considered in relation to the original request and discussions with Mrs. McCoy. Administration also considered each request in terms of its alignment with The City's direction in building a sustainable future, while preserving its heritage. As a

result, Administration is recommending that Council approve one or both of the following options.

1) Free parking year-round for all veterans

A parking fee exemption for veterans at parking meters was selected because it was requested specifically by Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion. A parking fee exemption sends a strong message that the citizens of Red Deer are grateful for the individual sacrifices that veterans have made for all Canadians. It is a way to thank our veterans, on an individual basis, for the important role they have had in shaping our country. Veteran plate parking exemption programs have been introduced in many municipalities, in different forms. In general, programs like this have received widespread public support. As a small token of our appreciation, Administration is recommending a year-round parking fee exemption for all veterans with a veterans' license plate and a parking pass.

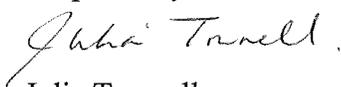
For more information on the parking exemption option, see Attachment 1.

2) A veterans' commemorative plaza

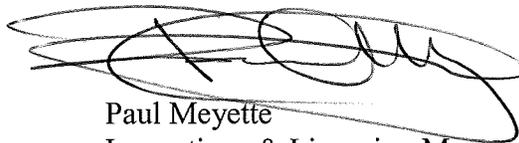
A veterans' commemorative plaza was selected because it aligns well with The City's Downtown Action Plan. The plan includes a pedestrian plaza as part of the Ross Street upgrade, which will incorporate the cenotaph in its existing historical and symbolic location. In fact, Council recently approved the budget for the development of the plaza in the 2010 capital budget and plan, presented on November 23, 2009. However, the theme and the design of the plaza have not yet been defined. The dedication of the plaza to veterans would be a fitting way to remember and honour the contributions and sacrifices veterans have made for all Canadians. As well, the plaza would provide a permanent place for visitors to reflect upon those who sacrificed so much for the freedoms and comforts we so often take for granted. Administration is recommending that the plaza be dedicated to our veterans, past and present.

For more information on the commemorative garden or park, see Attachment 2.

Respectfully submitted,



Julia Townell
Bylaw Research Coordinator



Paul Meyette
Inspections & Licensing Manager

ATTACHMENT 1: FREE PARKING YEAR-ROUND AT CITY PARKING METERS

Background

- In 2001, the Department of National Defence and Veteran Affairs Canada expanded the definition of 'veteran'.
- In 2005, to commemorate the Year of the Veteran, the Government of Alberta introduced a special veterans' license plate.
- Since 2005, 16,518 veteran license plates have been issued in Alberta. Of those, 990 were issued in the Red Deer area.
- A number of municipalities across Canada have initiated parking programs that allow vehicles displaying veteran license plates to be exempt from metered parking fees.
- Parking programs range from year round exemptions for all veterans, to parking exemptions for some veterans confined to a specific time period, such as Veterans Week.
- Different Provinces administer veterans' plates in different ways. In BC, one license plate is issued per veteran while in Alberta three plates are available for each veteran.

Assumptions

Any veteran parking program that The City initiates would include these common elements:

- Veterans utilizing the free parking would be required to adhere to all other parking signs and regulations.
- Veterans would only be able to remain parked for the time limit specified by the coloured sticker on each meter.
- Veterans would not be exempt from parkade fees, only on street parking meter fees.
- The program would be administered by the Inspections & Licensing Department and enforced by the Commissionaires.
- Any expenses incurred through the program would be the sole responsibility of The City; the costs would not be passed on to veterans in the form of a fee.

Considerations

A comparison of Parking Programs

The City has three viable options in exploring a veteran parking program:

1. Free parking for all veterans year round: Cities like Grande Prairie, Lethbridge, Prince Albert, and Windsor have initiated parking programs that allow all veterans to park for free year round. Essentially, the veteran must simply have a veterans' plate on his or her vehicle in order to take advantage of the free parking.
2. Free parking for some veterans year round: Saskatoon, Burlington, and Hamilton have restricted their free veteran parking to veterans over the age of 65 or those who fought in WWII or the Korean War. These cities rely on their own application process to determine eligibility, and veterans must use a parking pass in order to park for free at the meter.
3. Similar to Option 1, The City of Red Deer could offer parking to all veterans. However, rather than relying on the veterans' plate, The City could provide parking passes. Parking

passes would prevent the risk of abuse associated with Alberta’s practice of distributing up to 3 plates per veteran. The passes could be distributed through both The City and the Royal Canadian Legion, without utilizing a significant amount of administrative resources.

4. Free parking for all veterans during Veterans Week (November 5 to 11): The City of Vancouver implemented free parking during Veterans Week after exploring a variety of other options to honour veterans. This program is based around the veterans’ plates as well, but runs for a one-week period instead of a one-year span.

Rather than weigh the benefits and drawbacks of each option in isolation, we have identified five common areas of concern and developed a scale for comparison, where “3” means “best,” “2” means “medium,” and “1” means “worst.”

This table identifies each area of concern, with corresponding grades for each option:

	Option 1	Option 2	Option 3	Option 4
Administrative Ease	3	1	2	3
Enforcement Ease	3	2	2	3
Abuse Prevention	1	2	3	3
Perceived Equity for Veterans	3	1	3	2
Perceived Equity for the Public	1	2	3	3
Intent of Request	3	2	3	1
Totals*	14	10	16	15

* Please note: Each area of concern has not been weighted for relative importance.

Administrative and Enforcement Ease

The City must consider how easy each parking program option would be to administer and enforce. There would be very little administrative or enforcement work for a program like Option 1, which provides free parking for all veterans year round. No parking passes would be necessary, as the parking limits would be enforced strictly based on the distinctive veterans plates. A parking enforcement officer would only need to ascertain that a valid veterans’ plate is affixed to the vehicle to determine if it is parked legally.

In comparison, a program like Option 2 that limits the free parking to “wartime veterans” would be less simple. The City would need to develop an application process, including forms, and parking passes. The application process may also need to be extended to include a renewal process. It would also be less simple for veterans, who would have to complete forms both for the veterans’ plate and for the veteran parking pass. Enforcement, too, would be more challenging for a program like Option 2. Rather than simply checking for a veterans’ plate, the parking enforcement officer would need to check for a veterans’ plate and a valid parking pass to ensure that the vehicle is parked legally.

Option 3 would require some administrative oversight to ensure that only one parking pass is provided per veteran. The application process would feasibly be a lot simpler than Option 2, as there aren’t as many restrictions (i.e. age). The applicant would only have to show that they have a veterans’ plate. As well, the administrative side of it could be managed either by The City or the Royal Canadian Legion.

Option 4 would be simple, much in the same way Option 1 would be: it would be administered and enforced through the existing veterans' plate program and would not require City-specific parking passes. As the free parking would only be provided during Veterans Week, however, The City would need to conduct yearly awareness campaigns to ensure veterans and parking enforcement officers are reminded about the benefit and regulations, which would add a layer of complexity to the program.

Abuse Prevention

Option 1 may be simple from an administrative and enforcement perspective, but that simplicity comes at a cost: the program would also be easy to abuse. Veterans' plates are issued for vehicles, not people. Anyone who has the opportunity to drive a veteran's vehicle could take advantage of the free parking. In addition, up to three veterans' plates can be issued to a veteran in Alberta, for use on any vehicles a veteran owns or co-owns. This also provides an opportunity for someone to abuse a parking exemption program.

Option 2 poses a challenge in administering a program that caters to a specific group of veterans, as was the case with Saskatoon. While Option 2 reduces the opportunity for abuse by limiting parking passes to one per veteran, more recourses are required to administer the program. Parking passes will have to be issued, and revoked when misused.

Option 3 provides a solution to Option 1 in that it reduces the risk of abuse. Since three veteran plates can be issued per veteran in Alberta, the risk of having non-veterans exploit the free parking program is higher. However, by assigning one parking pass per veteran, the risk of abuse is substantially reduced. Once more, the administration of such a program is relatively simple, when compared to Option 2.

Option 4 shares the same potential for abuse as Option 1, but the impact would be significantly less. As Option 4 runs for a one-week period rather than one year, any abuse of the system would not result in a significant amount of lost revenue or parking.

Perceived Equity for Veterans

Many people believe veterans are elderly men and women, which not reflected in Veterans Affairs Canada's definition of a veteran. Options 1, 3 and 4 would remove the subjectivity of determining who should be considered a veteran. Further, The City is not in a position to measure the value of one level of military service against another. By working within the existing veterans' plate program, The City can administer and enforce the parking program in an unbiased and objective manner.

Option 2, in contrast, ascribes different levels of value to different types of military service, which could be perceived to be inequitable to veterans who have been honourably discharged after serving in Afghanistan, for example. If the City wishes to honour veterans for their service to Canada, the program should be open to all veterans, regardless of age or level of mobility.

Perceived Equity for the Public

The City must consider the perceived equity of any program that singles out a group or organization for preferential treatment. Veterans, of course, have done a great service to

Canadians by ensuring our security and safety. The same, however, could be argued about Canada's police officers or firefighters. Although it may be unlikely that anyone would protest free parking for veterans, The City should take into account that such a program may set a precedent for other requests of a similar nature. The City should also consider that once a veteran parking program is in place, it will be difficult to remove without complaint should it prove to be too costly or hard to enforce.

The perceived equity of a program can also be affected by the rate of abuse. Option 1 has the highest potential for abuse; it has the least amount of restrictions and, consequently, the possibility of abuse is highest. As before mentioned, in Alberta three plates are available for each veteran. This provides greater access to a car with a veteran plate, increasing the potential for abuse. Option 2 provides restrictions based on age, making abuse of the program more visible to the public. In Saskatoon, for example, it became clear that it wasn't just veterans utilizing the program. Options 3 and 4 provide some restrictions that are aimed at preventing abuse, but do not discriminate against particular groups of veterans.

Intent of request

The City must also consider the intent of the request, to make sure that the needs of the veterans are met. While all options show appreciation and thanks for the sacrifices and contributions veterans have made, Option 2 is limited to a particular group of veterans, those over the age 65. Consequently, Option 2 falls short in keeping the memory of veterans alive, past and present. Option 4 does not fully meet the intent of the request, as it is only offered for a short period, during Veterans' Week. Bobbi McCoy, Vice President of the AB-NWT Command Royal Canadian Legion requested that more be done to create public awareness on an ongoing basis. Both Option 1 and 3 meet the request from Mrs. McCoy. However, Option 3 offers more control in terms of minimizing the risk of abuse.

Economic

Cost is another key area for consideration; however, at this time, we can only offer a general evaluation of the cost of each program option.

Option 1 could be costly based on the high potential for lost revenue of this program. The City of Saskatoon initiated a free year-round parking program for all veterans initially, but switched to a more restrictive program when it learned it was losing approximately \$25,000 of revenue yearly.

Option 2 could be costly based on the time it would take to administer and enforce the program. This option also has the potential for lost revenue, though that risk is less than that of Option 1.

Option 3 could also be costly based on the potential for lost revenue and the time it would take to administer and enforce the program. However, by introducing parking passes, the risk of abuse is significantly reduced, minimizing the loss of revenue. The Royal Canadian Legion's participation could also reduce the cost associated with administering such a program.

Option 4 is likely the most cost-effective option from an administrative and enforcement perspective. The potential for lost revenue is also mitigated by the fact that this program runs for one week rather than a full year.

To determine the actual cost of enforcement and administration, and the potential lost revenue, The City would need to determine how often veterans are currently using metered parking and the duration of their stays.

Recommendation

Administration is recommending that Council adopt Option 3, a year-round parking program for all veterans. Veterans would require a veterans' plate and a parking pass to limit the possibility of abuse. By making the program available to all veterans, and by working within the confines of the current veterans' plate program, The City can remain objective and fair. (The City cannot measure the worth of one group of veterans over another, nor should it.) Furthermore, a year-round program is a way of saying "thank you" to each veteran, on an individual basis. It is a way to show our appreciation for the contributions and sacrifices they have made for all Canadians, beyond an annual remembrance celebration.

ATTACHMENT 2: A VETERANS' COMMEMORATIVE PLAZA

Background

The City of Red Deer's Downtown Action Plan includes a pedestrian plaza as part of the Ross Street upgrade, between Gaetz Avenue and 49 Avenue. Further, Council approved the development of the plaza in the 2010 capital budget and plan, presented on Monday, November 23. However, the theme and the design of the plaza have not yet been defined. The plaza incorporates the cenotaph in its historical and symbolic location.

Erected in 1922 in the centre of Ross Street, the cenotaph was built in memory of the men and women of Central Alberta who served during the First World War. From its site at the centre of Ross Street, the sculpted figure faces west toward the train station, symbolizing the yearning of Canadian soldiers to return home from the battle-torn fields of France. This memorial remains a proud and grateful tribute to Red Deer's war dead, and has since commemorated those that fought in World War Two and the Korean War. It is a historic and important monument in downtown Red Deer.

In the past year, veterans have pushed the City of Red Deer to move the cenotaph to City Hall Park. In April, 2009, in the Red Deer Advocate, the Korean Veterans Association expressed concern over its current location, asserting that people would find it easier and safer to visit the cenotaph in the proposed new location. In doing so, passersby would be able to read the plaques in memory of those who served in the First and Second World Wars, and the Korean War. The dedication of the plaza would preserve the cenotaph in its historic and symbolic location, while addressing the concerns of veterans who feel the cenotaph is inaccessible in its current location.

Veterans' plaza also fits well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The plaza would be a sustainable and distinct feature in Red Deer's historic downtown, and help to balance the need for slow, safe moving vehicles with a pedestrian friendly walkable environment.

Considerations

Social

Alberta has one of the strongest economies in Canada, and is still attracts many Canadians. Even during the current economic recession, Alberta's population rose 0.59 percent in the first quarter of this year. Calgary saw an increase of approximately 22,500 people, Edmonton an increase of approximately 30,027 people, and Red Deer an increase of approximately 2,075 people from last year. Consideration must be given to the sustainability of Red Deer's downtown and its appeal to businesses, families, and visitors alike.

Red Deer's Greater Downtown Action Plan calls for a balance between slow, safe moving vehicles and a pedestrian-friendly, walkable environment. With this in mind, safety and security measures should be put in place, such as proper lighting and design, to ensure the intent of Veterans' Plaza is preserved. (The City of Red Deer has access to a CPTED consultant.)

Environmental

Developing an environmentally friendly and sustainable city is more important than ever. This requires a commitment to a number of principles, such as efficient use of land and infrastructure, building up and not out, and avoiding sensitive natural areas. With this in mind, developing pedestrian-friendly pathways, parks, and gardens all contribute to a more attractive, liveable and sustainable downtown environment.

Economic

The City of Red Deer's has an impressive capital program, with approximately \$1,734 million in projects between 2009 and 2018. With the current economic downturn and resulting challenges, Council has the complex role of striking a balance between meeting its immediate needs and putting the resources in place to achieve the community's vision of the kind of city Red Deer will become as it continues to grow and mature.

On April 1, 2009, Council approved ten key project packages, which included preservation of Red Deer's historical downtown. Most of the budget requirements for specific work would be submitted in the 2010 and 2011 budgets, with varied time to complete each package of work. The budget for the development of the plaza has already been approved in the 2010 capital budget and plan, presented to Council on November 23, 2009. Dedicating the plaza to veterans would likely not add significant costs to the project, if any.

However, in light of the current economic downturn, The City is looking at delaying a number of significant capital infrastructure projects until additional funding is available. This may include a number of planned recreation, park, and cultural facilities. As a result, funding for Veterans' Plaza may not be immediately available.

Alignment with Existing Policy

Veterans' Plaza aligns extremely well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The proposed plaza would occupy two lanes along Ross Street, and incorporate the existing cenotaph in its historic and symbolic location. In effect, the Veterans' Plaza would provide a meaningful and accessible way of remembering and honouring the contributions and sacrifices veterans made for all Canadians. Downtown Red Deer would also benefit from a more inviting, pedestrian-friendly and sustainable environment.

The City of Red Deer's Municipal Development Plan identifies the importance of protecting Red Deer's strong heritage. Beginning in 2000, several initiatives strengthened the position of heritage sites in the city. Importantly, The City of Red Deer Heritage Management Plan was commissioned and adopted in 2006 as a planning tool by City Council, at the recommendation of the Heritage Preservation Committee. The comprehensive plan provides ongoing guidance to heritage property owners, community volunteers, heritage organizations and The City.

In fact, heritage preservation is featured in The City of Red Deer's Greater Downtown Action Plan. In 2008, the revised plan embraced a renewed vision of vitality, authenticity, and sustainability -- with a focus on three distinct districts: Historic Downtown, Riverlands,

and Railyards. The plan recognizes that Red Deer's built history is an irreplaceable asset that connects citizens and visitors to the community's stories and accomplishments. The plan also promotes a thriving, pedestrian-friendly environment through the development of outdoor and information spaces, such as courtyards, plazas, fountains and gardens.

Further, The City of Red Deer's 2009 – 2011 Strategic Plan provides new direction, encouraging strategic thinking, excellence and authenticity. The plan promotes a sustainable future, while preserving Red Deer's history, culture and sense of community through innovation and collaboration. In keeping with The City's strategy, on July 27, 2009, the Heritage Preservation Committee requested, and Council approved, the designation of the cenotaph as a Municipal Historic Resource. Thus, preserving the cenotaph in its current location and creating a focal point for reflection, inspiring a feeling of civic pride in Red Deer's history.

Recommendation

It is important to honour and remember those men and women who put themselves in harms way to serve their nation. Risking safety and life itself to a cause greater than oneself is the ultimate selfless sacrifice. Millions have lost their lives, and many more have suffered pains and injury of all kinds: physical, emotional and spiritual. It is appropriate that we do more to honour our veterans. A plaza dedicated to our veterans is a fitting way to remember their contributions and sacrifices your-round: it aligns well with The City's strategic plan, capital budget, and it incorporates the cenotaph in its historic and symbolic location.

Amber Senuk

From: Elaine Vincent
Sent: November 09, 2009 9:22 AM
To: Amber Senuk
Subject: FW: Veteran's recognition

I think we may need a motion to lift and retable on this one.

Elaine

Elaine Vincent

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

From: Paul Meyette
Sent: Monday, November 09, 2009 8:36 AM
To: Elaine Vincent
Subject: RE: Veteran's recognition

Elaine

I hope you got my message. Due to Bobbi's illness/remembrance day, we do not expect to have the report to council until the end of the month.

***Paul Meyette ACP MCIP
Inspections and Licensing Manager
Team Leader Red Deer 300,000
City of Red Deer
Box 5008
Red Deer, Alberta
T4N 3T4
Phone: 403-342-8195***

From: Elaine Vincent
Sent: November 04, 2009 10:11 AM
To: Paul Meyette
Subject: Veteran's recognition

Good Morning Paul.

Just a quick follow up on the veteran's recognition report. Do you have a sense of when that is anticipated to come forward to Council? If you could let me know would be appreciated.

FILE COPY ^{2/1/09} copy



Council Decision – September 21, 2009

DATE: September 22, 2009
TO: Julia Townell, Bylaw Research Coordinator
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Veteran Recognition Program

Reference Report:

Bylaw Research Coordinator, dated August 28, 2009

Resolution:

"Resolved that Council of the City of Red Deer, agrees to table the report from the Bylaw Research Coordinator, dated August 28, 2009, Re: Veteran Recognition Program, for up to two months."

MOTION CARRIED

Report Back to Council: Yes, within two months time.

A handwritten signature in black ink, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

cc: Director of Development Services
Inspections & Licensing Manager

BACKUP

Kim Woods

From: Frieda McDougall
Sent: August 28, 2009 12:00 PM
To: Kim Woods
Cc: Elaine Vincent
Subject: Veteran's report

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

I just spoke to Joyce Boon and Julia Townell (the writer of the report) and as both Julia and Paul will be away September 8 they'd like this moved to the September 21 agenda. Thanks.

Frieda McDougall, Deputy City Clerk
Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8136
frieda.mcdougall@reddeer.ca

Kim Woods

From: Frieda McDougall
Sent: August 28, 2009 9:16 AM
To: Kim Woods
Subject: FW: Veteran Recognition Report
Attachments: Veteran Recognition Report 08-20-09-DRAFT(2).doc

Frieda McDougall, Deputy City Clerk
Legislative and Administrative Services
The City of Red Deer
Phone: 403-342-8136
frieda.mcdougall@reddeer.ca

From: Julia Townell
Sent: August 28, 2009 8:27 AM
To: Frieda McDougall
Subject: Veteran Recognition Report

Hi Frieda,

I've attached the Veteran Recognition Report to this email for the next Council meeting. Please let me know if there's anything else you need from me.

Thank you!

Julia Townell
Bylaw Research Coordinator
Inspections & Licensing Department
City of Red Deer
403.356.8896



DATE: August 28, 2009

TO: Elaine Vincent – Legislative and Administrative Services Manager

FROM: Julia Townell – Bylaw Research Coordinator

RE: Veteran Recognition Program

ISSUE

In December 2008, the Royal Canadian Legion requested that The City of Red Deer exempt vehicles displaying veteran license plates from downtown parking meter fees. The intent of the request was to “keep the memory of all veterans alive”, and to remind future generations of the contributions and sacrifices veterans have made for all Canadians.

This report goes beyond the original request, for a veteran parking exemption from the Royal Canadian Legion, to explore the best way to honour veterans. The summary below evaluates and discusses option to honour veterans.

INVESTIGATION

Veterans have made significant sacrifices and contributions in their service to Canada. For this reason, Administration reviewed a number of options to honour and to keep the memory of all veterans alive. From those, Administration selected two options based on the intent of the request, with consideration given to each option’s meaningfulness, fairness, accessibility, and sustainability. The two options are as follows.

1. Veteran Metered Parking Exemption - An exemption from downtown metered parking fees for vehicles that display veteran license plates.

Background

- In 2001, the Department of National Defence and Veterans Affairs Canada refined the definition of a ‘veteran’ to recognize all former Canadian Forces members, Regular and Reserve, who have met both DND’s Military Occupational Classification (MOC) requirements and have been honourably discharged.
- As well, anyone serving in United Nations or NATO Operations as a member of the Canadian Forces, Royal Canadian Mounted Police, other Canadian polices forces, or an allied force can also be considered a veteran.

- In 2005, to commemorate the Year of the Veteran, the Government of Alberta introduced a special veterans' license plate.
- Since 2005, 16,518 veteran license plates have been issued in Alberta. Of those, 990 were issued in the Municipal District of Red Deer.
- A number of municipalities across Canada have initiated parking programs that allow vehicles displaying veteran license plates to be exempt from metered parking fees. Parking programs range from year round exemptions for all veterans, to parking exemptions for some veterans confined to a specific time period, such as Veterans Week.
- On December 7, 2008, The City of Red Deer received a request from the Royal Canadian Legion to institute a similar program whereby vehicles displaying a veteran license plate would be exempt from paying for metered parking.

Discussion

Meaningfulness - Veteran plate parking exemption programs have been introduced in many municipalities, some more successfully than others. In general, programs like this have received widespread public support. Offering an exemption from parking meter fees is a show of appreciation. However, if the goal is to not only honour veterans, but to teach future generations about their contributions and sacrifices, a parking fee exemption falls short.

Accessibility - While the definition of veteran has become more inclusive, a parking exemption program is not highly visible or accessible to everyone. As a result, the intent of the Royal Canadian Legion request is not fully met.

Fairness - The City of Red Deer must also consider the perceived equity of any program that singles out a group or organization for preferential treatment. Furthermore, the complexities of controlling the use of such a program by non-City agencies can be difficult, as was experienced in Saskatoon. An article in the Canadian Press reports, "City officials and downtown business owners began to notice the some people getting out of their cars and parking for free didn't look much like veterans at all, and would leave their cars in spots all day." This perception may be, in part, due to the misconception of what a veteran is, as defined by the Department of National Defence. Nevertheless, veterans who have met the Department of National Defence (DND) MOC requirements can apply for up to three license plates, where the veteran is not necessarily the primary driver.

Sustainability - Sustainability refers to The City of Red Deer's commitment to assist in the conservation of key heritage resources for the enjoyment and benefit of future generations. Therefore, the parking exemption program does not apply.

2. Veterans' Square – The dedication of the forthcoming pedestrian square to veterans. The square would occupy two lanes along Ross Street, and feature the Cenotaph in its historic and symbolic location.

Background

- Erected in 1922 in the centre of Ross Street, the Cenotaph was built in memory of the men and women of Central Alberta who served during the First World War. From its site at the centre of Ross Street, the sculpted figure faces west toward the train station, symbolizing the yearning of Canadian soldiers to return home from the battle-torn fields of France. This memorial remains as a proud and grateful tribute to Red Deer's war dead, and has since commemorated those that fought in World War Two and the Korean War. It is an historic and important monument in downtown Red Deer.
- In the past year, veterans have pushed the City of Red Deer to move the cenotaph to City Hall Park. In April, 2009, in the Red Deer Advocate, the Korean Veterans Association expressed concern over its current location, asserting that people would find it easier and safer to visit the Cenotaph in the proposed new location. Passersby would be able to read the plaques in memory of those who served in the First and Second World Wars, and the Korean War.
- The City of Red Deer's Greater Downtown Action Plan, revised in 2008, highlights plans to close two lanes along Ross Street to make the Cenotaph more accessible through creation of a square.

Discussion

Meaningfulness - Veterans' Square would serve as a meaningful and effective reminder of the contributions and sacrifices veterans made during wartime. Importantly, it would preserve the Cenotaph in its historic and symbolic location, while addressing the concerns of veterans who feel the Cenotaph is inaccessible in its current location.

Accessibility - Veterans' Square could be used by residents and visitors alike. It would also provide greater access to an important and historic monument in Red Deer's history, The Cenotaph. The square would serve to promote discussion and further understanding of the contributions and sacrifices veterans have made in their service to Canada.

Fairness - Veterans' Square would be accessible to residents and visitors. Its development would likely not be seen as preferential, as it incorporates an already existing landmark that has meaning for all Canadians.

Sustainability - Veterans' Square fits well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The square would be a sustainable and distinct feature in Red Deer's historic downtown, and help to balance the need for slow, safe moving vehicles with a pedestrian friendly walkable environment.

RECOMMENDATION

The City of Red Deer's Downtown Action Plan includes a pedestrian square as part of the Ross Street upgrade, between Gaetz Avenue and 49 Avenue. However, the theme and design of the square have not yet been defined. Based on the analysis of the above options, Administration recommends that Council dedicate the forthcoming square to our veterans. Importantly, "Veterans' Square" would feature the Cenotaph in its historic and symbolic location, and could include a number of commemorative elements within the design. In doing so, the square would provide a reminder to future generations of the sacrifices and contributions veterans have made for all Canadians. Fittingly, the dedication of the square would also align with The City of Red Deer's direction in building a sustainable future, while preserving its heritage.

Administration also recommends that, if approved, the design of Veterans' Square incorporate the principles of Crime Prevention Through Environmental Design (CPTED). CPTED is a multi-disciplinary approach to deterring criminal behavior through environmental design, such as suitable landscaping and lighting. The City of Red Deer currently has access to a CPTED consultant.

PREVIOUS COUNCIL DIRECTION/POLICY

The City of Red Deer hosts a number of commemorative events, including an Annual Armistice exhibit and Remembrance Day Tea at the Red Deer museum and Art Gallery.

ATTACHMENTS

Attachment 1: Alignment with Existing Policy

Attachment 2: Implications of Recommendation

Alignment with Existing Policy

Veterans' Square aligns extremely well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The proposed square would occupy two lanes along Ross Street, and incorporate the existing Cenotaph in its historic and symbolic location. In effect, the Veterans' Square would provide a meaningful and accessible way of remembering and honouring the contributions and sacrifices veterans made for all Canadians. Downtown Red Deer would also benefit from a more inviting, pedestrian-friendly and sustainable environment.

The City of Red Deer's Municipal Development Plan identifies the importance of protecting Red Deer's strong heritage. Beginning in 2000, several initiatives strengthened the position of heritage sites in the city. Importantly, The City of Red Deer Heritage Management Plan was commissioned and adopted in 2006 as a planning tool by City Council, at the recommendation of the Heritage Preservation Committee. The comprehensive plan provides ongoing guidance to heritage property owners, community volunteers, heritage organizations and The City.

In fact, heritage preservation is featured in The City of Red Deer's Greater Downtown Action Plan. In 2008, the revised plan embraced a renewed vision of vitality, authenticity, and sustainability -- with a focus on three distinct districts: Historic Downtown, Riverlands, and Railyards. The plan recognizes that Red Deer's built history is an irreplaceable asset that connects citizens and visitors to the community's stories and accomplishments. The plan also promotes a thriving, pedestrian-friendly environment through the development of outdoor and information spaces, such as courtyards, plazas, fountains and gardens.

Further, The City of Red Deer's 2009 – 2011 Strategic Plan provides new direction, encouraging strategic thinking, excellence and authenticity. The plan promotes a sustainable future, while preserving Red Deer's history, culture and sense of community through innovation and collaboration. In keeping with The City's strategy, on July 27, 2009, the Heritage Preservation Committee requested that Council designate the Cenotaph as a Municipal Historic Resource, reaffirming that the preservation of the Cenotaph in its current location creates a focal point for reflection, while inspiring a feeling of civic pride in Red Deer's history.

Implications of Recommendation

General

No implications were identified.

Social

Consideration must be given to the sustainability of Red Deer's downtown and its appeal to businesses, families, and visitors alike. Red Deer's Greater Downtown Action Plan calls for a balance between slow, safe moving vehicles and a pedestrian-friendly, walkable environment. With this in mind, safety and security measures should be put in place, such as proper lighting and design, to ensure the intent of Veterans' Square is preserved. As before mentioned, The City of Red Deer has access to a CPTED consultant.

As well, a traffic impact study should be completed to ensure the square does not impede traffic as the city grows. Alberta has one of the strongest economies in Canada, and is still attracts many Canadians. Even during the current economic recession, Alberta's population rose 0.59 percent in the first quarter of this year. Calgary saw an increase of approximately 22,500 people, Edmonton an increase of approximately 30,027 people, and Red Deer an increase of approximately 2,075 people from last year.

Environmental

Developing an environmentally friendly and sustainable city is more important than ever. This requires a commitment to a number of principles, such as efficient use of land and infrastructure, building up and not out, and avoiding sensitive natural areas. With this in mind, developing pedestrian-friendly pathways, parks, and gardens all contribute to a more attractive, liveable and sustainable downtown environment -- one that is inviting to businesses, families, and visitors.

Economic

The City of Red Deer's has an impressive capital program, with approximately \$1,734 million in projects between 2009 and 2018. With the current economic downturn and resulting challenges, Council has the complex role of striking a balance between meeting its immediate needs and putting the resources in place to achieve the community's vision of the kind of city Red Deer will become as it continues to grow and mature.

RISKS

On April 1, 2009, Council approved ten key project packages, which included preservation of Red Deer's historical downtown. Most of the budget requirements for specific work would be submitted in the 2010 and 2011 budgets, with varied time to complete each package of work. However, in light of the current economic downturn, The City is looking at delaying a number of significant capital infrastructure projects until additional funding is available. This may include a number of planned recreation, park, and cultural facilities. As a result, funding for Veterans' Square may not be immediately available.

Kim Woods

BACKUP INFORMATION
NOT SUBMITTED TO COUNCIL

From: Elaine Vincent
Sent: August 13, 2009 8:28 AM
To: Kim Woods; Frieda McDougall
Subject: FW: Veteran Recognition Report 08-04-09-DRAFT (2).doc

Attachments: Veteran Recognition Report 08-04-09-DRAFT (2).doc

For discussion at next agenda prep...

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

*Pulled Frieda/Sanga.
Sent to Char SMT.
needs Policy changes.*

From: Joyce Boon
Sent: Thursday, August 13, 2009 8:15 AM
To: Craig Curtis; Morris Flewelling; Elaine Vincent
Cc: Paul Meyette
Subject: Veteran Recognition Report 08-04-09-DRAFT (2).doc



Veteran cognition Report 08

Hello Craig and Morris, I am sending this report on to you for your review on behalf of Paul and Julia. It has a recommendation in the report and my understanding is that we would like to get this report on the next Council Agenda. Paul will be back next week and if you would like to meet with him on the report I can get a meeting set up.

Please let me know. Thanks

Have a good day.

Joyce Boon

*Veterans Report vs
- next Council mtg. Sept 8
Paul Meyette
Re: Pros-Professional
pld - next council
mtg - Aug 24
open (ku)*

*Frieda to follow-up
Julia to fuel 4:30 Friday
New Report.*



DATE: August 05, 2009

TO: Elaine Vincent – Legislative and Administrative Services Manager

FROM: Julia Townell – Bylaw Research Coordinator

RE: Veteran Recognition Program

ISSUE

In December 2008, the Royal Canadian Legion requested that The City of Red Deer exempt vehicles displaying veteran license plates from downtown parking meter fees. The intent of the request was to “keep the memory of all veterans alive”, and to remind future generations of the contributions and sacrifices veterans have made for all Canadians.

This report goes beyond the original request, for a veteran parking exemption from the Royal Canadian Legion, to explore the best way to honour veterans. The summary below discusses what options were considered and why.

SUMMARY

The City of Red Deer appreciates the sacrifices and contributions veterans have made in their service and sacrifice to Canada. For this reason, Administration considered a number of options to honour and keep the memory of veterans alive. The resulting three options were selected based on the intent of the request, with consideration given to each option’s meaningfulness, fairness, accessibility, and sustainability.

1. Veteran parking meter exemption – An exemption from downtown metered parking fees for vehicles that display veteran license plates.
2. Veterans’ Square – A permanent memorial square that would occupy two lanes along Ross Street, and feature the Cenotaph in its historic and symbolic location.
3. Veterans’ Week exhibit – A collation of images and information from The City of Red Deer’s archives that would be displayed in a high-traffic location during Veterans Week.

Attachment 1 provides further analysis of each option and the rationale behind Administrations recommendation.

RECOMMENDATION

Based on the analysis in Attachment 1, it is recommended that Council approve the development of Veterans Square along Ross Street, which would highlight the existing Cenotaph and include a permanent information exhibit. The combination of the Square and the exhibit will, from this point forward, be referred to simply as Veterans Square.

Although the plans for the downtown have identified a pedestrian square for the area extending from Executive Place to the Cenotaph, the theme and design of the square have not been defined. The development of Veterans Square would help to “keep the memory of all veterans alive” by providing a meaningful and accessible reminder to future generations of the contributions and sacrifices veterans have made for all Canadians. Importantly, it would feature the Cenotaph in its historic and symbolic location. The Square also aligns with The City’s direction in building a sustainable future, while preserving the City of Red Deer’s heritage.

Attachment 2 discusses the implications and risks of the recommendation.

Attachment 3 offers a few potential features that could be considered in designing the Square, with the aim of keeping the memory of veterans alive.

PREVIOUS COUNCIL DIRECTION/POLICY

The City of Red Deer hosts a number of commemorative events, including an Annual Armistice exhibit and Remembrance Day Tea at the Red Deer museum and Art Gallery.

ATTACHMENTS

Attachment 1: Analysis of Options for Honouring Veterans

Attachment 2: Implications of Recommendation

Attachment 3: Veterans’ Square Design Features

Analysis of Options for Honouring Veterans

Option 1: Veteran parking metered exemption

Background

In 2005, to commemorate the Year of the Veteran, the Government of Alberta introduced a special veterans' license plate.

A number of municipalities across Canada have initiated parking programs that allow vehicles displaying veteran license plates to be exempt from metered parking fees. Parking programs range from year round exemptions for all veterans, to parking exemptions for some veterans confined to a specific time period, such as Veterans Week.

On December 7, 2008, The City of Red Deer received a request from the Royal Canadian Legion to institute a similar program whereby vehicles displaying a veteran license plate would be exempt from paying for metered parking.

Discussion

	Option 1	Weight
Meaningfulness	The veteran plate parking exemption programs have been introduced in many municipalities, some more successfully than others. In general, programs like this have received widespread public support. The license plates serve as a reminder of the contributions and sacrifices veterans have made. Offering an exemption from parking meter fees is a show of appreciation. However, if the goal is to not only honour veterans, but to teach future generations about their contributions and sacrifices, a parking fee exemption falls short.	2
Accessibility	<p>In 2001, the Department of National Defence and Veterans Affairs Canada refined the definition of a 'veteran' to recognize all former Canadian Forces members, Regular and Reserve, who have met both DND's Military Occupational Classification (MOC) requirements and have been honourably discharged.</p> <p>As well, anyone serving in United Nations or NATO Operations as a member of the Canadian Forces, Royal Canadian Mounted Police, other Canadian police forces, or an allied force can also be considered a veteran.</p> <p>While the definition of veteran has become more inclusive, a parking exemption program is not highly visible or accessible to everyone. As a result, the intent of the Royal</p>	2

	Canadian Legion request is not fully met.	
Fairness	<p>The City of Red Deer must consider the perceived equity of any program that singles out a group or organization for preferential treatment. (For example, Fire and Police Services.)</p> <p>Furthermore, the complexities of controlling the use of such a program by non-City agencies can be difficult, as was experienced in Saskatoon. An article in the Canadian Press reports, “City officials and downtown business owners began to notice the some people getting out of their cars and parking for free didn’t look much like veterans at all, and would leave their cars in spots all day.” This perception may be, in part, due to the misconception of what a veteran is, as defined by the Department of National Defence.</p> <p>Nevertheless, veterans who have met the Department of National Defence (DND) MOC requirements can apply for up to three license plates, where the veteran is not necessarily the primary driver.</p>	2
Sustainability	Sustainability refers to The City of Red Deer’s commitment to assist in the conservation of key heritage resources for the enjoyment and benefit of future generations. Therefore, the parking exemption program does not apply.	0

0=Not at all (or Not Applicable), 1=Somewhat, 2=Very

Administration accepts that a parking fee exemption for veterans would demonstrate a token of our appreciation for the contribution veterans have made in their service to Canada. However, in the context of providing a meaningful, effective, fair, accessible and sustainable program, Administration cannot recommend this option.

Option 2: Veterans’ Square

Background

Erected in 1922 in the centre of Ross Street, the Cenotaph was built in memory of the men and women of Central Alberta who served during the First World War. From its site at the centre of Ross Street, the sculpted figure faces west toward the train station, symbolizing the yearning of Canadian soldiers to return home from the battle-torn fields of France. This memorial remains as a proud and grateful tribute to Red Deer’s war dead, and has since commemorated those that fought in World War Two and the Korean War. It is an historic and important monument in downtown Red Deer.

In the past year, veterans have pushed the City of Red Deer to move the cenotaph to City Hall Park. In April, 2009, in the Red Deer Advocate, the Korean Veterans Association expressed concern over its current location, asserting that people would find it easier and

safer to visit the Cenotaph in the proposed new location. Passersby would be able to read the plaques in memory of those who served in the First and Second World Wars, and the Korean War.

The City of Red Deer’s Greater Downtown Action Plan, revised in 2008, highlights plans to close two lanes along Ross Street to make the Cenotaph more accessible through creation of a square.

Discussion

	Option 1	Weight
Meaningfulness	Veterans’ Square would serve as a meaningful and effective reminder of the contributions and sacrifices veterans made during wartime. Importantly, it would preserve the Cenotaph in its historic and symbolic location, while addressing the concerns of veterans who feel the Cenotaph is inaccessible in its current location.	2
Accessibility	Veterans’ Square could be used by residents and visitors alike. It would also provide greater access to an important and historic monument in Red Deer’s history, The Cenotaph. The square would serve to promote discussion and further understanding of the contributions and sacrifices veterans have made in their service to Canada.	2
Fairness	Veterans’ Square would be accessible to residents and visitors. Its development would likely not be seen as preferential, as it incorporates an already existing landmark that has meaning for all Canadians.	2
Sustainability	Veterans’ Square fits well with The City of Red Deer’s Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The square would be a sustainable and distinct feature in Red Deer’s historic downtown, and help to balance the need for slow, safe moving vehicles with a pedestrian friendly walkable environment.	2

0=Not at all (or Not Applicable), 1=Somewhat, 2=Very

Administration recommends the development of Veterans’ Square as it provides the city of Red Deer a meaningful and accessible way to remember the contributions and sacrifices veterans have made for all Canadians. It also aligns extremely well with The City of Red Deer’s Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan, and provides a sustainable and distinct feature in the city’s historic downtown.

Option 3: Veteran’ Week Exhibit

Background

Each year, Canada marks Veterans' Week from November 5 to 11. It is a time to honour and remember all those who served Canada in times of war, military conflict and peace. During Veterans' Week, events honouring our Veterans are held in communities across the country. These events are a time for Canadians to remember and reflect on those who served and died protecting Canadian values.

The Red Deer and District Archives was created in March 1964 by City Council to collect and preserve the documentary and photographic history of Central Alberta. Today, the Archives manage and make available to the public a wealth of historical information, and feature a collection of images and documents from 1899 to 1953, when the city was experiencing the impacts of armed conflicts aboard.

Discussion

	Option 1	Weight
Meaningfulness	An exhibit during Veteran's Week would serve to honour and bring awareness of the contributions and sacrifices veterans made for all Canadians.	2
Accessibility	The exhibit could be placed in a high-traffic area, such as City Hall or the library, giving residents and visitors the opportunity to participate and learn from the exhibit.	2
Fairness	The exhibit would be displayed during Veteran's Week, an already established commemorative event.	2
Sustainability	Though not a permanent fixture, the exhibit does assist in the conservation of key heritage resources for the enjoyment and benefit of future generations.	1

0=Not at all (or Not Applicable), 1=Somewhat, 2=Very

Administration recommends the Veterans' Week Exhibit, as it provides a meaningful, fair and accessible way of honouring the contribution and sacrifices veterans have made for all Canadians.

Conclusion

	Option 1	Option 2	Option 2
Meaningfulness	1	2	2
Accessibility	1	2	2
Fairness	1	2	2
Sustainability	0	2	1
Total	3	8	7

0=Not at all (or Not Applicable), 1=Somewhat, 2=Very

Administration recommends that Council approve the development of Veterans' Square along Ross Street, which would appropriately include the existing Cenotaph in its current location. Administration also recommends that, instead of a temporary exhibit displayed during Veterans' Week, a permanent exhibit be placed in the Square. The interpretive

exhibit would serve to teach future generations about the contributions and sacrifices veterans have made for all Canadians.

Alignment with Existing Policy

Veterans' Square aligns extremely well with The City of Red Deer's Municipal Development Plan, Greater Downtown Action Plan, and Strategic Plan. The proposed square would occupy two lanes along Ross Street, and incorporate the existing Cenotaph in its historic and symbolic location. In effect, the Veterans' Square would provide a meaningful and accessible way of remembering and honouring the contributions and sacrifices veterans made for all Canadians. Downtown Red Deer would also benefit from a more inviting, pedestrian-friendly and sustainable environment.

The City of Red Deer's Municipal Development Plan identifies the importance of protecting Red Deer's strong heritage. Beginning in 2000, several initiatives strengthened the position of heritage sites in the city. Importantly, The City of Red Deer Heritage Management Plan was commissioned and adopted in 2006 as a planning tool by City Council, at the recommendation of the Heritage Preservation Committee. The comprehensive plan provides ongoing guidance to heritage property owners, community volunteers, heritage organizations and The City.

In fact, heritage preservation is featured in The City of Red Deer's Greater Downtown Action Plan. In 2008, the revised plan embraced a renewed vision of vitality, authenticity, and sustainability -- with a focus on three distinct districts: Historic Downtown, Riverlands, and Railyards. The plan recognizes that Red Deer's built history is an irreplaceable asset that connects citizens and visitors to the community's stories and accomplishments. The plan also promotes a thriving, pedestrian-friendly environment through the development of outdoor and information spaces, such as courtyards, plazas, fountains and gardens.

Further, The City of Red Deer's 2009 – 2011 Strategic Plan provides new direction, encouraging strategic thinking, excellence and authenticity. The plan promotes a sustainable future, while preserving Red Deer's history, culture and sense of community through innovation and collaboration. In keeping with The City's strategy, on July 27, 2009, the Heritage Preservation Committee requested that Council designate the Cenotaph as a Municipal Historic Resource, reaffirming that the preservation of the Cenotaph in its current location creates a focal point for reflection, while inspiring a feeling of civic pride in Red Deer's history.

Implications of Recommendation

General

No implications were identified.

Social

Consideration must be given to the sustainability of Red Deer's downtown and its appeal to businesses, families, and visitors alike. Red Deer's Greater Downtown Action Plan calls for a balance between slow, safe moving vehicles and a pedestrian-friendly, walkable environment. With this in mind, safety and security measures should be put in place, such as proper lighting and design, to ensure the intent of Veterans' Square is preserved.

As well, a traffic impact study should be completed to ensure the square does not impede traffic as the city grows. Alberta has one of the strongest economies in Canada, and is still attracts many Canadians. Even during the current economic recession, Alberta's population rose 0.59 percent in the first quarter of this year. Calgary saw an increase of approximately 22,500 people, Edmonton an increase of approximately 30,027 people, and Red Deer an increase of approximately 2,075 people from last year.

Environmental

Developing an environmentally friendly and sustainable city is more important than ever. This requires a commitment to a number of principles, such as efficient use of land and infrastructure, building up and not out, and avoiding sensitive natural areas. With this in mind, developing pedestrian-friendly pathways, parks, and gardens all contribute to a more attractive, liveable and sustainable downtown environment -- one that is inviting to businesses, families, and visitors.

Economic

The City of Red Deer's has an impressive capital program, with approximately \$1,734 million in projects between 2009 and 2018. With the current economic downturn and resulting challenges, Council has the complex role of striking a balance between meeting its immediate needs and putting the resources in place to achieve the community's vision of the kind of city Red Deer will become as it continues to grow and mature.

RISKS

On April 1, 2009, Council approved ten key project packages, which included preservation of Red Deer's historical downtown. Most of the budget requirements for specific work would be submitted in the 2010 and 2011 budgets, with varied time to complete each package of work. However, in light of the current economic downturn, The City is looking at delaying a number of significant capital infrastructure projects until additional funding is available. This may include a number of planned recreation, park, and cultural facilities. As a result, funding for Veterans' Square may not be immediately available.

Veterans' Square Design Features

Veterans Square should be an attractive and welcoming place for the public, such as families and the elderly, to sit and reflect. The bulk of the design features should focus on the contribution and sacrifices veterans have made while serving Canada. Safety should also be a strong consideration in the design of the Square. Listed below are a few potential features that could be considered in designing the square.

Benches – It is important to have well designed benches that provide a place for the public to sit and reflect.

Interpretive Plaques / Service Panels – Interpretive plaques and service panels could provide information on Canada's involvement in each war, such as the contributions and sacrifices soldiers from Central Alberta have made while serving Canada, or stories of heroism that resonate with all Canadians. (The specific content of the plaques or panels would be determined through stakeholder consultation.)

Lighting – Good lighting is important when considering safety and protection of Veteran Square and its visitors. Spotlights could light the Cenotaph and the information plaques. Light posts could also be installed to light the area, decorated with hanging plants and memorial flags, adding to the Square's overall appeal.

Urban Green Spaces – Plants add great appeal to any public area. Green spaces are considered a wise investment for all levels of government; they contribute to the increase of property values, and improve community health and civic vitality.

Flags – The first flags were used to assist military coordination on battlefields, and have since evolved into a general tool for rudimentary signalling and identification. National flags are potent symbols with varied wide-ranging interpretations, often including strong military associations due to their original and ongoing military uses. Fittingly, including flags in Veterans Plaza could not be only decorative, but also very symbolic and representative of Canada's military past and present.

Engraved Bricks – Engraved bricks have been used in a number of veteran memorials across North America. The bricks are sold to individuals or organizations that wish to support the memorial or commemorate a particular soldier. They are an interesting design feature, which allows the community to contribute and be a part of the memorial.

FILE COPY

DATE: December 1, 2009
TO: Julia Townell, Bylaw Research Coordinator
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Veteran Recognition Program

Reference Report:

Legislative and Administrative Services Manager, dated November 25, 2009
Bylaw Research Coordinator, dated November 18, 2009

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator, dated November 18, 2009 hereby approves free parking year-round for all veterans. “

MOTION CARRIED

“Resolved that Council of the City of Red Deer having considered the report from the Bylaw Research Coordinator, dated November 18, 2009 hereby approves a veterans’ commemorative plaza to be dedicated to our veterans, past and present as was approved at Council’s 2010 Capital Budget Meeting on November 23, 2009.”

MOTION CARRIED

Report Back to Council: No



Elaine Vincent
Legislative and Administrative Services Manager

c: Director of Development Services
Inspections & Licensing Manager



Unfinished Business Item No. 2

DATE: November 16, 2009
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Curfew Bylaw

History:

In June 2009 members of the Northwood Estates Neighbourhood Watch Committee proposed that there be changes to the City of Red Deer Curfew Bylaw which would change the curfew period for youth under 16 years of age from between 1:00 – 6:00 a.m. to be between 11:00 p.m. -6:00 a.m.

At the Monday, July 13 2009 Council Meeting the Curfew Bylaw report was directed to the Crime Prevention Advisory Committee for consideration and recommendations to be provided back to Council at a future Council Meeting.

The Crime Prevention Advisory Committee has considered and made recommendations to be brought forward to Council.

Recommendation:

That Council consider

- 1) Passing a resolution lifting from the table consideration of the Curfew Bylaw.

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

Elaine Vincent
Manager

**Community Services Division**

Date: November 23, 2009

To: Elaine Vincent, Manager
Legislative and Administrative Services

From: Colleen Jensen, Director
Community Services

Dean Scott, Crime Prevention Coordinator
Brian Simpson, RCMP Superintendent

Re: Curfew Bylaw

BACKGROUND

In the latter part of 2008, issues related to crime and behaviour were identified by the neighbourhood of Northwood Estates in north Red Deer. These issues were brought to the attention of The City and the RCMP. A number of approaches were taken to address the concerns; meetings with the RCMP, a Crime Prevention Through Environmental Design (CPTED) review, and work with the Community Association and other members of the neighbourhood. The work has seen some success toward finding solutions to some of the problems, including the formation of a Neighbourhood Watch Committee.

In June 2009, members of the Northwood Estates Neighbourhood Watch Committee proposed that there be changes to The City of Red Deer Curfew Bylaw which would change the curfew period for youth under 16 years of age from between 1:00am and 6:00am to between 11:00pm and 6:00am.

In an effort to demonstrate strong community support for this change they circulated a petition, which was submitted to The City. While the petition is not deemed a valid petition in that an insufficient number of names were collected (651 names as compared to over 9000 required for a valid petition), the Neighbourhood Watch Committee still felt the support shown was broad based and strong and they wish to proceed with their request to Council for the above noted change.

Council considered a brief report from Administration at the July 13, 2009 meeting of Council and passed the following resolution.

“Resolved that Council of the City of Red Deer after considering the report from the Community Services Director, dated July 8, 2009 Re: Petition to Change City of Red

used to some extent, the ability of police to use other pieces of legislation to address issues has changed. They have always had the Criminal Code, but now also use The City's Community Standards Bylaw and the provincial Child, Youth, and Family Enhancement Act extensively. In practice, these three pieces of legislation are used rather than the current curfew bylaw, which is rarely the preferred approach to addressing youth who are found to be causing issues at any time of the day or night. The Community Standards Bylaw, in particular, covers issues such as noise, nuisance, graffiti, littering, spitting/urinating, fighting, loitering, bullying and panhandling. These issues are of concern regardless of the time of day or night and the police can issue tickets to both youth and adults that are not in compliance with the standards as set out.

Youth Voice

There is an interest in the community to have Red Deer become a Child and Youth Friendly community. This involves engaging youth in finding solutions to issues that affect them and also supports those things that will assist youth in reaching their full potential. Youth Voice, who have been seen over the past number of years as advisory to Council, is very interest in participating in finding solutions and are requesting involvement (see attached letter).

Conclusion

The Crime Prevention Advisory Committee has had extensive discussion about the petition that was submitted, the success of curfews and how that relates to the curfew bylaw. Their resolution suggests combining the current curfew bylaw with the Community Standards Bylaw, including a proposed time change. Administration feels that further thought may be needed as to whether other changes may be necessary in the Community Standards Bylaw that could further support youth and ensure community safety and security. So to that end, administration suggests that the current curfew bylaw be maintained while such a review is undertaken.

RECOMMENDATION

That Council for The City of Red Deer maintain the current curfew bylaw with the timeframes of 1:00 am to 6:00 am and request that the Crime Prevention Advisory Committee, with the support of Administration, undertake further discussions with stakeholders such as Youth Voice to explore whether other changes might be necessary in the Community Standards Bylaw so that youth issues and community safety and security concerns are further addressed; and further that, once this work is complete, recommendations be brought back to Council for consideration.



Colleen Jensen
Director, Community Services

cc:



October 27, 2009

Mayor Morris Flewwelling
City of Red Deer
Box 5008, Red Deer, AB T4N 3T4

Dear Mayor Flewwelling,

Recently Youth Voice became aware that the Crime Prevention Advisory Committee has been discussing changes to the current curfew bylaw. We understand their recommendation is three fold:

- That the curfew bylaw be incorporated into the Community Standards Bylaw;
- That it becomes illegal for youth under the age of 16 to be on public property after 12 midnight; and,
- That it adopt a model similar to Domestic Relationship Violence Initiative Committee (DRVIC) to identify youth at risk.

We would like to express our concerns with responding to the presented youth issue in Northwood Estates area by changing the curfew bylaw. Instead of putting more restrictions on youth, we feel the City of Red Deer and our community would have a more effective long term outcome by responding with more healthy and positive solutions for youth. Youth Voice feels that the Community Standards Bylaw and the Criminal Code of Canada already adequately addresses all negative behaviors that may occur in our community. We agree the DRVIC collaborative model is a strong one. We need to create a more inclusive community for youth instead of penalizing or isolating them further.

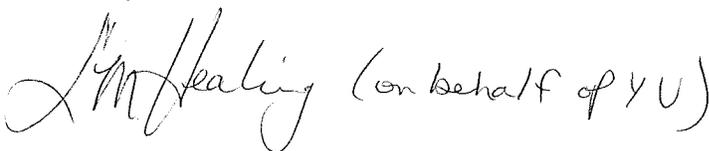
Your support of Child Youth Friendly principles at the recent launch event indicate that you value youth. This bylaw does not. Our concerns are due to the following reasons:

- Youth crime statistics do not support the need for this bylaw (In the time period of 11 PM – 6 AM over 60 days, out of 114 incidents where charges could have been laid, there were only 5 involving youth under the age of 16¹).

- Youth can be penalized for innocent activities
- The city values public input, yet up to this point there has not been any real youth dialogue around the issue.
- The curfew infringes on youth rights under the Charter of Rights and Freedoms. This bylaw is an example of age discrimination.

Thank you for considering our perspective as you further discuss the recommendation presented. Youth Voice supports a proactive, preventative approach and would love to have the opportunity to present alternative recommendations should you and Council deem this appropriate.

Sincerely,



Linda Healing (on behalf of YV)

Youth Voice 2009 – 2010
Stan Cardinal
Madeleine Schultz
Courtney Hueppelsheuser
Angelika Matson
Kelli Gustafson
Bailie Davidson
Jason Utz

Cc: Dean Scott, Crime Prevention Coordinator
Terry Lee Ropchan, Crime Prevention Advisory Committee, Chairperson
Colleen Jensen, Community Services Director
Scott Cameron, Social Planning Manager
Brian Einarson, Social Planning, Community Facilitator
Linda Healing, Social Planning, Community Facilitator

¹ Red Deer City RCMP statistics supplied to Dean Scott on October 2009.



Community Services Division

Date: November 9, 2009

To: Elaine Vincent, Manager
Legislative and Administrative Services

From: TerryLee Ropchan, Chair
Crime Prevention Advisory Committee

Re: Curfew Bylaw

BACKGROUND

At the July 13, 2009 meeting of Council the following resolution was passed:
“Resolved that Council of the City of Red Deer after considering the report from the Community Services Director, dated July 8, 2009 Re: Petition to Change City of Red Deer Curfew Bylaw, hereby directs the petition dated June 24, 2009 to the Crime Prevention Advisory Committee for consideration and recommendations to be provided back to Council at a future Council Meeting”

DISCUSSION

The Crime Prevention Advisory Committee (CPAC) considered the issue of the curfew bylaw at three regular meetings. Written information, presentations and agency site visits were a part of what the Committee heard and did to ensure due diligence in seeking a broad range of perspectives as part of their deliberations. There was significant discussion and debate, and varied opinions on the approach that might be best in addressing the issues of youth safety and community order and security, which were brought forward in the original petition from Northwood Estates.

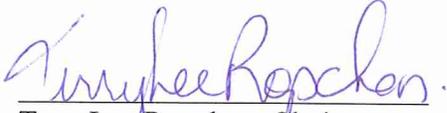
The following recommendation was approved at the October 13, 2009 meeting of CPAC:

RECOMMENDATION

“Recognizing the importance and safety of the youth under the age of sixteen; and Whereas the Crime Prevention Advisory Committee has concerns related to timeframes as set out in the Curfew Bylaw;

Therefore, be it resolved, that the Crime Prevention Advisory Committee recommends to City of Red Deer Council that the Curfew Bylaw be incorporated into the Community Standards Bylaw and that the following recommendations be considered:

1. *Curfew time be changed from 1:00 am to 12:00 am to better reflect transit schedules*
2. *In keeping with the Community Standards Bylaw, appropriate fines be imposed for violation of curfew times; and*
3. *Work with agencies and community resource groups to develop a model to help identify youth at risk similar to the Domestic Violence (DRVIC) model”.*



TerryLee Ropchan, Chair
Crime Prevention Advisory Committee

cc:

BYLAW NO. 3216/98

WHEREAS, a certain number of young people in the City of Red Deer are on the streets and in public places late at night unsupervised by adults and this presents a danger to the health, safety and welfare of such persons;

AND WHEREAS, the City of Red Deer may pass bylaws for municipal purposes respecting the following matters:

- (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;

AND WHEREAS, Council for the City of Red Deer deems it appropriate to protect the safety and health of children and to enact a Curfew Bylaw to accomplish those objectives;

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

- 1 This bylaw shall be known as the Curfew Bylaw.
- 2 For the purpose of this bylaw the following words shall have the following meanings:
 - "child" means a person who is or who appears to be under 16 years of age;
 - "curfew period" means the period of time between 1:00 a.m. and 6:00 a.m. in the same day;
 - "parent or guardian" means the actual parent, guardian or foster parent of a child and shall include any other person 18 years of age or over having the care and control of a child;
 - "public place" includes any place whether publicly or privately owned or leased, to which the public have access as a right or by invitation, express or implied.
- 3 No child shall be in a public place during the curfew period unless accompanied by a parent or guardian.
- 4 No parent or guardian shall suffer, permit or allow any child who is in his or her custody, care or control to be in a public place during the curfew period unless that child is accompanied by a parent or guardian.
- 5 Notwithstanding anything contained herein, it shall not be an offence under this bylaw for a child to be in a public place during the curfew period while acting in the interests of an employer or voluntary organization or while returning home as soon as reasonably practical from an organized sporting or other event which has been supervised by an adult.
- 6 Any person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a specified penalty of \$50.00 in the case of a first offence and to a specified penalty of \$100.00 in the case of a second or subsequent offence.
- 7 Where a peace officer has reasonable grounds to believe that a person has contravened any provision of this bylaw, such officer may serve upon such person an offence ticket allowing payment of the specified penalty to the City, which payment shall be accepted by the City in lieu of prosecution for the offence.
- 8 Bylaw No. 1894/56 is hereby repealed.

Bylaw No. 3216/98
Page 2

READ A FIRST TIME IN OPEN COUNCIL this 21 day of September A.D. 1998.
READ A SECOND TIME IN OPEN COUNCIL this 21 day of September A.D. 1998.
READ A THIRD TIME IN OPEN COUNCIL this 21 day of September A.D. 1998.
AND SIGNED BY THE MAYOR AND CITY CLERK this 21 day of September A.D. 1998.

"G. D. Surkan"

MAYOR

"Kelly Kloss"

CITY CLERK

Comments:

We support the recommendation of Administration and note that the RCMP have found a better tool with the use of the Community Standards Bylaw. As such, we do not support changing the curfew bylaw at this time and look forward to the Crime Prevention Advisory Committee for further input on the merits of changes and enhancements to the Community Standards Bylaw to ensure safety and security of our community.

"Morris Flewwelling"
Mayor

"Craig Curtis"
City Manager

ORIGINAL



Community Services Division

Date: November 23, 2009

To: Elaine Vincent, Manager
Legislative and Administrative Services

From: Colleen Jensen, Director
Community Services

Dean Scott, Crime Prevention Coordinator
Brian Simpson, RCMP Superintendent

Re: Curfew Bylaw

BACKGROUND

In the latter part of 2008, issues related to crime and behaviour were identified by the neighbourhood of Northwood Estates in north Red Deer. These issues were brought to the attention of The City and the RCMP. A number of approaches were taken to address the concerns; meetings with the RCMP, a Crime Prevention Through Environmental Design (CPTED) review, and work with the Community Association and other members of the neighbourhood. The work has seen some success toward finding solutions to some of the problems, including the formation of a Neighbourhood Watch Committee.

In June 2009, members of the Northwood Estates Neighbourhood Watch Committee proposed that there be changes to The City of Red Deer Curfew Bylaw which would change the curfew period for youth under 16 years of age from between 1:00am and 6:00am to between 11:00pm and 6:00am.

In an effort to demonstrate strong community support for this change they circulated a petition, which was submitted to The City. While the petition is not deemed a valid petition in that an insufficient number of names were collected (651 names as compared to over 9000 required for a valid petition), the Neighbourhood Watch Committee still felt the support shown was broad based and strong and they wish to proceed with their request to Council for the above noted change.

Council considered a brief report from Administration at the July 13, 2009 meeting of Council and passed the following resolution.

“Resolved that Council of the City of Red Deer after considering the report from the Community Services Director, dated July 8, 2009 Re: Petition to Change City of Red

Deer Curfew Bylaw, hereby directs the petition dated June 24, 2009 to the Crime Prevention Advisory Committee for consideration and recommendations to be provided back to Council at a future Council Meeting”

As a result, the Crime Prevention Advisory Committee considered the issue at three of their meetings. Information was provided in writing and in presentations from Social Planning, Recreation, Parks and Culture, RCMP and Provincial Child and Youth Services. In addition, Crime Prevention Advisory Committee members visited various social agencies in Red Deer and collected information from other communities.

At the October 13, 2009 meeting of the Crime Prevention Advisory Committee, after extensive discussion and consideration, the following resolution was passed:

“Recognizing the importance and safety of the youth under the age of sixteen; and Whereas the Crime Prevention Advisory Committee has concerns related to timeframes as set out in the Curfew Bylaw;

Therefore, be it resolved, that the Crime Prevention Advisory Committee recommends to City of Red Deer Council that the Curfew Bylaw be incorporated into the Community Standards Bylaw and that the following recommendations be considered:

- 1. Curfew time be changed from 1:00 am to 12:00 am to better reflect transit schedules*
- 2. In keeping with the Community Standards Bylaw, appropriate fines be imposed for violation of curfew times; and*
- 3. Work with agencies and community resource groups to develop a model to help identify youth at risk similar to the Domestic Violence (DRVIC) model*

See attached memo from the Committee.

DISCUSSION

Research

The research information provided to the Crime Prevention Advisory Committee, through the various City departments, strongly support the preventive approach that focuses on opportunities to mitigate behavior. While there is acknowledgement that enforcement is required in some cases, addressing risk factors in youth so that negative activity is minimized has been much more successful. A recent study concerning times of unlawful activity related to youth, which was undertaken in Calgary by the Canadian Research Institute for Law and the Family, shows that only 12% of all chargeable offenses involving youth occurred during the timeframe of midnight to 6:00 am, and 54% took place between 9:00 am and 6:00 pm. These statistics also reflect a similar outcome from much smaller sampling taken by our local detachment over the summer of 2009.

Legislation

Red Deer implemented its first curfew bylaw in 1904. The original curfew bylaw was amended in 1919 and later repealed by a revised bylaw in 1956. The most recent bylaw was implemented in 1998. At that time, it was seen by the police as a positive tool that could assist them in addressing some of the issues with youth. While the bylaw has been

used to some extent, the ability of police to use other pieces of legislation to address issues has changed. They have always had the Criminal Code, but now also use The City's Community Standards Bylaw and the provincial Child, Youth, and Family Enhancement Act extensively. In practice, these three pieces of legislation are used rather than the current curfew bylaw, which is rarely the preferred approach to addressing youth who are found to be causing issues at any time of the day or night. The Community Standards Bylaw, in particular, covers issues such as noise, nuisance, graffiti, littering, spitting/urinating, fighting, loitering, bullying and panhandling. These issues are of concern regardless of the time of day or night and the police can issue tickets to both youth and adults that are not in compliance with the standards as set out.

Youth Voice

There is an interest in the community to have Red Deer become a Child and Youth Friendly community. This involves engaging youth in finding solutions to issues that affect them and also supports those things that will assist youth in reaching their full potential. Youth Voice, who have been seen over the past number of years as advisory to Council, is very interest in participating in finding solutions and are requesting involvement (see attached letter).

Conclusion

The Crime Prevention Advisory Committee has had extensive discussion about the petition that was submitted, the success of curfews and how that relates to the curfew bylaw. Their resolution suggests combining the current curfew bylaw with the Community Standards Bylaw, including a proposed time change. Administration feels that further thought may be needed as to whether other changes may be necessary in the Community Standards Bylaw that could further support youth and ensure community safety and security. So to that end, administration suggests that the current curfew bylaw be maintained while such a review is undertaken.

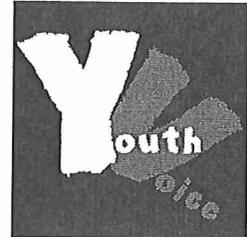
RECOMMENDATION

That Council for The City of Red Deer maintain the current curfew bylaw with the timeframes of 1:00 am to 6:00 am and request that the Crime Prevention Advisory Committee, with the support of Administration, undertake further discussions with stakeholders such as Youth Voice to explore whether other changes might be necessary in the Community Standards Bylaw so that youth issues and community safety and security concerns are further addressed; and further that, once this work is complete, recommendations be brought back to Council for consideration.



Colleen Jensen
Director, Community Services

cc:



October 27, 2009

Mayor Morris Flewwelling
City of Red Deer
Box 5008, Red Deer, AB T4N 3T4

Dear Mayor Flewwelling,

Recently Youth Voice became aware that the Crime Prevention Advisory Committee has been discussing changes to the current curfew bylaw. We understand their recommendation is three fold:

- That the curfew bylaw be incorporated into the Community Standards Bylaw;
- That it becomes illegal for youth under the age of 16 to be on public property after 12 midnight; and,
- That it adopt a model similar to Domestic Relationship Violence Initiative Committee (DRVIC) to identify youth at risk.

We would like to express our concerns with responding to the presented youth issue in Northwood Estates area by changing the curfew bylaw. Instead of putting more restrictions on youth, we feel the City of Red Deer and our community would have a more effective long term outcome by responding with more healthy and positive solutions for youth. Youth Voice feels that the Community Standards Bylaw and the Criminal Code of Canada already adequately addresses all negative behaviors that may occur in our community. We agree the DRVIC collaborative model is a strong one. We need to create a more inclusive community for youth instead of penalizing or isolating them further.

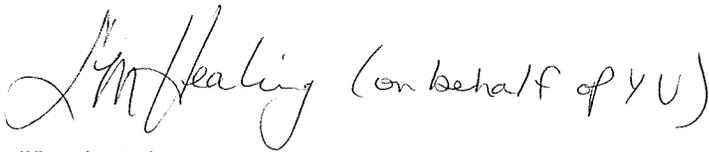
Your support of Child Youth Friendly principles at the recent launch event indicate that you value youth. This bylaw does not. Our concerns are due to the following reasons:

- Youth crime statistics do not support the need for this bylaw (In the time period of 11 PM – 6 AM over 60 days, out of 114 incidents where charges could have been laid, there were only 5 involving youth under the age of 16¹).

- Youth can be penalized for innocent activities
- The city values public input, yet up to this point there has not been any real youth dialogue around the issue.
- The curfew infringes on youth rights under the Charter of Rights and Freedoms. This bylaw is an example of age discrimination.

Thank you for considering our perspective as you further discuss the recommendation presented. Youth Voice supports a proactive, preventative approach and would love to have the opportunity to present alternative recommendations should you and Council deem this appropriate.

Sincerely,

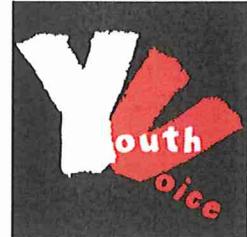


Linda Healing (on behalf of YV)

Youth Voice 2009 – 2010
Stan Cardinal
Madeleine Schultz
Courtney Hueppelsheuser
Angelika Matson
Kelli Gustafson
Bailie Davidson
Jason Utz

Cc: Dean Scott, Crime Prevention Coordinator
Terry Lee Ropchan, Crime Prevention Advisory Committee, Chairperson
Colleen Jensen, Community Services Director
Scott Cameron, Social Planning Manager
Brian Einarson, Social Planning, Community Facilitator
Linda Healing, Social Planning, Community Facilitator

¹ Red Deer City RCMP statistics supplied to Dean Scott on October 2009.



October 27, 2009

Mayor Morris Flewwelling
City of Red Deer
Box 5008, Red Deer, AB T4N 3T4

Dear Mayor Flewwelling,

Recently Youth Voice became aware that the Crime Prevention Advisory Committee has been discussing changes to the current curfew bylaw. We understand their recommendation is three fold:

- That the curfew bylaw be incorporated into the Community Standards Bylaw;
- That it becomes illegal for youth under the age of 16 to be on public property after 12 midnight; and,
- That it adopt a model similar to Domestic Relationship Violence Initiative Committee (DRVIC) to identify youth at risk.

We would like to express our concerns with responding to the presented youth issue in Northwood Estates area by changing the curfew bylaw. Instead of putting more restrictions on youth, we feel the City of Red Deer and our community would have a more effective long term outcome by responding with more healthy and positive solutions for youth. Youth Voice feels that the Community Standards Bylaw and the Criminal Code of Canada already adequately addresses all negative behaviors that may occur in our community. We agree the DRVIC collaborative model is a strong one. We need to create a more inclusive community for youth instead of penalizing or isolating them further.

Your support of Child Youth Friendly principles at the recent launch event indicate that you value youth. This bylaw does not. Our concerns are due to the following reasons:

- Youth crime statistics do not support the need for this bylaw (In the time period of 11 PM – 6 AM over 60 days, out of 114 incidents where charges could have been laid, there were only 5 involving youth under the age of 16¹).

- Youth can be penalized for innocent activities
- The city values public input, yet up to this point there has not been any real youth dialogue around the issue.
- The curfew infringes on youth rights under the Charter of Rights and Freedoms. This bylaw is an example of age discrimination.

Thank you for considering our perspective as you further discuss the recommendation presented. Youth Voice supports a proactive, preventative approach and would love to have the opportunity to present alternative recommendations should you and Council deem this appropriate.

Sincerely,

Youth Voice 2009 – 2010
Stan Cardinal
Madeleine Schultz
Courtney Hueppelsheuser
Angelika Matson
Kelli Gustafson
Bailie Davidson
Jason Utz

Cc: Dean Scott, Crime Prevention Coordinator
Terry Lee Ropchan, Crime Prevention Advisory Committee, Chairperson
Colleen Jensen, Community Services Director
Scott Cameron, Social Planning Manager
Brian Einarson, Social Planning, Community Facilitator
Linda Healing, Social Planning, Community Facilitator

ⁱ Red Deer City RCMP statistics supplied to Dean Scott on October 2009.

ORIGINAL



Community Services Division

Date: November 9, 2009

To: Elaine Vincent, Manager
Legislative and Administrative Services

From: TerryLee Ropchan, Chair
Crime Prevention Advisory Committee

Re: Curfew Bylaw

BACKGROUND

At the July 13, 2009 meeting of Council the following resolution was passed:

“Resolved that Council of the City of Red Deer after considering the report from the Community Services Director, dated July 8, 2009 Re: Petition to Change City of Red Deer Curfew Bylaw, hereby directs the petition dated June 24, 2009 to the Crime Prevention Advisory Committee for consideration and recommendations to be provided back to Council at a future Council Meeting”

DISCUSSION

The Crime Prevention Advisory Committee (CPAC) considered the issue of the curfew bylaw at three regular meetings. Written information, presentations and agency site visits were a part of what the Committee heard and did to ensure due diligence in seeking a broad range of perspectives as part of their deliberations. There was significant discussion and debate, and varied opinions on the approach that might be best in addressing the issues of youth safety and community order and security, which were brought forward in the original petition from Northwood Estates.

The following recommendation was approved at the October 13, 2009 meeting of CPAC:

RECOMMENDATION

“Recognizing the importance and safety of the youth under the age of sixteen; and Whereas the Crime Prevention Advisory Committee has concerns related to timeframes as set out in the Curfew Bylaw;

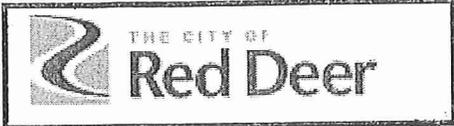
Therefore, be it resolved, that the Crime Prevention Advisory Committee recommends to City of Red Deer Council that the Curfew Bylaw be incorporated into the Community Standards Bylaw and that the following recommendations be considered:

1. *Curfew time be changed from 1:00 am to 12:00 am to better reflect transit schedules*
2. *In keeping with the Community Standards Bylaw, appropriate fines be imposed for violation of curfew times; and*
3. *Work with agencies and community resource groups to develop a model to help identify youth at risk similar to the Domestic Violence (DRVIC) model”.*



TerryLee Ropchan, Chair
Crime Prevention Advisory Committee

cc:



**Request: Report for Inclusion
on a Council Agenda**

Requests to include a report on a Council Agenda must be received by 4:30pm on Monday (5 business days) prior to the scheduled meeting.

PLEASE NOTE: If reports are not received by Monday (5 business days) prior to the scheduled meeting/hearing the report may be moved to the next Agenda.

CONTACT INFORMATION		
Name of Report Writer:	Colleen Jensen / Dean Scott	
Department & Telephone Number:	8323 8387	
REPORT INFORMATION		
Preferred Date of Agenda:	Nov 19/09	
Subject of the Report (provide a brief description)	Curfew Bylaw	
Is this Time Sensitive? Why?	No	
What is the Decision/Action required from Council?	How to proceed with the curfew bylaw	
Please describe Internal/ External Consultation, if any.	- Northwood Estates people	
Is this a Committee of the Whole item?	No	
How does the Report link to the Strategic Plan?		
N/A		
Has Legal Counsel been consulted? Are there any outstanding issues? Please describe.		
N/A		
Has Financial Services been consulted? Are there any budget implications? Please describe.		
N/A		
Presentation: (10 Min Max.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Presenter Name and Contact Information: Colleen or Dean - answer questions
COMMUNITY IMPACT		
Should External Stakeholder(s) be advised of the Agenda item? (e.i. Community Groups, Businesses, Community Associations) If Yes, please provide the Contact Information for the External Stakeholder(s)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
External Stakeholder(s) Contact Information: (please provide, name, mailing address, telephone number and e-mail address)		
Youth Voice (through Brian Einarson) & Terry Lee Kopchan Northwood Estates - Crystal Smith 8961		
LEGISLATIVE & ADMINISTRATIVE USE ONLY		
Has this been to SMT / Topics/ Committees: MPC, EAC, CPAC		(Please circle those that apply)
SMT When/describe:	Topics When/Describe:	Board(s) / Committee(s) When/Describe:
Do we need a Media Release?		<input type="checkbox"/> YES <input type="checkbox"/> NO

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

Amber Senuk

From: Elaine Vincent
Sent: November 23, 2009 11:47 AM
To: Dean Scott
Cc: Sanja Milinovic; Amber Senuk; Vanessa Connors
Subject: RE: curfew bylaw

CPAC memo is no problem for us.... Will have included.

Elaine Vincent

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

From: Dean Scott
Sent: Monday, November 23, 2009 11:40 AM
To: Elaine Vincent; Colleen Jensen
Subject: RE: curfew bylaw

Hi Elaine,

I put a call into Vanessa and she is looking for the original bylaw for me. The other dates are correct, based on the information I have, but 1919 was not the date of our first curfew bylaw for sure. The 1919 (February) date is an amendment to bylaw 59, so the actual first curfew bylaw may be before that. Vanessa is tracking down bylaw 59 for me at the moment.

I just saw that Colleen responded already... oh, and Vanessa just sent a scan of Bylaw 59. I have a copy of the Youth Voice letter that I can include, but the original of the CPAC memo (that TerryLee signed) is at LAS already from the last report that went over. I gave it to Sanja to take back after the last CPAC meeting. I will include the copy of the Youth Voice letter, but can you put in the CPAC memo? I will also polish off the report here with the dates and get it over to you as soon as I can.

Dean

From: Elaine Vincent
Sent: Monday, November 23, 2009 11:30 AM
To: Colleen Jensen
Cc: Dean Scott
Subject: FW: curfew bylaw

I think the report is perfect.... It finds the right balance between political will and community view of action.... Exactly what Craig and Morris were looking for.

Well done.... We will research those dates and include in the report.

Thanks,

E

Elaine Vincent

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

From: Craig Curtis
Sent: Monday, November 23, 2009 6:09 AM
To: Colleen Jensen; Elaine Vincent; Dean Scott
Subject: RE: curfew bylaw

I would support these recommendations as presented.
Craig

From: Colleen Jensen
Sent: November 20, 2009 6:18 PM
To: Elaine Vincent; Dean Scott
Cc: Craig Curtis
Subject: curfew bylaw
Importance: High

Elaine

Here is a draft for the report to Council on the curfew bylaw. I have tried to simplify it considerably and leave the recommendation so that the current bylaw is maintained (which meets the need to deal with the petition) and still include what the CPAC recommended around the Community Standards Bylaw.

As I mentioned to you....this is draft and there still are pieces missing.

DEAN...you will need to work with Elaine to fill these in (Scott has the information on when the first bylaw came into being etc). You will also need to get this into proper format once Elaine and Craig give the go ahead for the content. I will be in meetings and union negotiations for all of the first three days next week so will not be able to do further work on this.

Hope this does the trick. There still may be pieces that Craig and Morris would like deleted.

Cj

<< File: curfew bylaw report to council #2.doc >>

Amber Senuk

From: Elaine Vincent
Sent: November 23, 2009 11:02 AM
To: Amber Senuk; Frieda McDougall
Subject: FW: curfew bylaw

Importance: High

Attachments: curfew bylaw report to council #2.doc

[More items for council meeting](#)

Elaine Vincent

Manager, Legislative and Administrative Services

The City of Red Deer

Phone: 403-342-8134

Fax: 403-346-6195

elaine.vincent@reddeer.ca

From: Colleen Jensen
Sent: Friday, November 20, 2009 6:18 PM
To: Elaine Vincent; Dean Scott
Cc: Craig Curtis
Subject: curfew bylaw
Importance: High

Elaine

Here is a draft for the report to Council on the curfew bylaw. I have tried to simplify it considerably and leave the recommendation so that the current bylaw is maintained (which meets the need to deal with the petition) and still include what the CPAC recommended around the Community Standards Bylaw.

As I mentioned to you....this is draft and there still are pieces missing.

DEAN...you will need to work with Elaine to fill these in (Scott has the information on when the first bylaw came into being etc). You will also need to get this into proper format once Elaine and Craig give the go ahead for the content. I will be in meetings and union negotiations for all of the first three days next week so will not be able to do further work on this.

Hope this does the trick. There still may be pieces that Craig and Morris would like deleted.

Cj



curfew bylaw
report to council...

Curfew Bylaw Recommendation Report October 6, 2009

For submission to the Crime Prevention Advisory Committee

Background:

The Northwood Estates Neighbourhood Watch Committee submitted a petition to The City of Red Deer requesting a change of the current curfew Bylaw from 1:00am – 6:00am to 11:00pm – 6:00am.

While City Council acknowledged that the petition did not meet the requirements of the Municipal Government Act to be considered a valid petition, the issue was referred to the Crime Prevention Advisory Committee (CPAC) for consideration and recommendation.

Discussions were held and information reviewed at the August and September CPAC meetings. A recommendation to Council is to be determined at the regular meeting in October.

Social Planning Report:

The Social Planning department prepared a background report for the committee before the August meeting.

In the literature review it was discovered that while curfew ordinances are generally established to prevent juvenile crime and to protect youth from victimization, there is little empirical data to confirm the effectiveness of such objectives. Within what little evidence there is some studies suggest that the presence of curfews seems to reduce crime during curfew times, but increase it in the afternoon. Some reports further suggest that the highest juvenile crime rate was after school without a curfew bylaw. Overall, there is no strong evidence to validate that curfews are an effective means of controlling youth behaviour.

The literature suggests that where curfews have been effective, they share a number of key components:

- Sustained enforcement
 - Enhanced officer training
- Strong community involvement, including
 - volunteers to fill out paper work, wait for parents to pick up children, and provide counselling
 - provide a curfew center
 - provide staff from community social services creating recreational, educational, and anti-drug programs
 - provide a hotline for community questions
 - creative partnerships

It was reported that locally, the RCMP occasionally use the current Curfew Bylaw as a tool, to encourage youth to go home, with high rates of compliance. In those cases where there is not compliance, there is usually something else going on with the youth. In this case, other tools such as the Community Standards bylaw or other statutes are more useful or necessary.

If the RCMP apprehend a young person under the Curfew Bylaw, the member is obligated to be with the youth until there is another legal entity (parents or appropriate social agency) to take responsibility, which consumes considerable RCMP resources.

Family and Community Support Services (FCSS) has been considering how risk and protective factors might be used in establishing priorities for the investment of resources into preventative social services. The use of risk and protective factors in understanding the complexity of youth behaviour is appropriate in the context of understanding curfews. These factors are summarized below:

<i>Risk Factors</i>	<i>Protective Factors</i>
<i>These are risk factors for the problems or conditions usually associated with youth being out late at night.</i>	<i>These are protective factors that when in place can mitigate against the risks, protecting the individual (child/youth) and community from the problems identified.</i>
<ul style="list-style-type: none"> ▪ Excessive unstructured/unsupervised use of time ▪ Negative peer influences ▪ Experience of racism, discrimination, trauma ▪ Low parental expectations ▪ Experience of abuse/neglect ▪ Experience with the child welfare system ▪ Living in a stressed family with low capacity ▪ Living in chronic poverty ▪ Neighbourhood design ▪ Short term residency ▪ Neighbourhood stigma 	<ul style="list-style-type: none"> ▪ Positive peer relationships and friendships ▪ Positive adult mentors and role models ▪ Positive community environments ▪ Participation in structured extra-curricular activities, particularly those with a positive child/youth development focus ▪ Community organizations and networks with high participation ▪ Coordinated social agencies ▪ Inclusion in activities and decision making ▪ Opportunities and places for social interaction ▪ Community organizations and networks with high participation

The Social Planning background report also highlighted some of the services and initiatives that impact youth and the risk factors they face. These included Parkland Youth Homes Street Ties Program, the Youth and Volunteer Centre including the 49th Street Shelter, the High Risk Youth Initiative, Deadline 3:30 Out of School Programming, Youth Voice, Circus Camp, and others.

In addition, the Safe Communities Innovation Fund from the Government of Alberta Safe Communities Secretariat also uses the risk and protective factors in review funding requests.

Additional Information

CPAC Discussions

Discussions of the curfew at the previous CPAC meetings seemed to reflect that the CPAC generally feels that it is important to explore the root causes of why youth might be out late and of the behaviours that can sometimes go along with that. Finding solutions to these issues will help to address needs that are not being met in healthy or productive ways otherwise.

Profile of Youth Offenders in Calgary

This is a summary of the findings from the first year of a three-year study. This report establishes the foundation of a model to predict why some youth become more seriously involved in crime than others. They examine the presence and involvement of risk and protective factors for youth of varying degrees of criminal involvement.

Of interest within this summary were the bar graphs on page two, and in particular, the graph relating data around the time during which chargeable incidents involving youth took place. This study shows that 54.4 percent of chargeable incidents involving youth took place between 9:00am and 6:00pm. The percentage of incidents that took place between midnight and 6:00am totalled 12.3 percent.

This study was included as it is definitely the “closest to home”. Links to the study and summaries can be found at <http://www.ucalgary.ca/~crilf/sub/research.html>

It should be noted here that a small 2 month sample of local data was compiled from Red Deer City RCMP just before the finalization of this report. The data is included in the information package and is comparable to the Calgary research results.

Summary

The issue of youth behaviour and curfew is a complicated one. While a curfew is intended to address the immediate situation of youth being in public after a particular time of day, it does not address any of the reasons behind why those youth might be out at that time or provide support in finding solutions where there are underlying issues.

Curfews are often purely enforcement based and the fines associated with the curfew can put increased pressures on an already troubled home, whether that be by adding additional stress and potential for escalating punishment or abuse, or by pulling money away from an already thin budget.

The concern for the safety of our youth is valid, but it must also be remembered that for some youth, being out of the home is their safe place. Issues of addictions, neglect, or violence in the home can easily overshadow the existence of a curfew.

The matter of curfew times, or the existence of curfews in general is usually paired with concerns over problem behaviours of youth in the community. These youth are a small percentage of the total, and their behaviours are often the result of other issues. Building on programs and initiatives that are addressing these issues and providing support and alternative activities to engage youth in a positive way will be key in finding solutions to these overall problems of concern.

There is evidence that neighbourhood engagement and development such as the Normandeau Revitalization project, Community Association development in Inglewood/Anders, and the Neighbourhood Watch Committee in Northwood Estates are also critical around addressing questions of youth behaviour in the community.

If there is to be continued use of a curfew bylaw it would be suggested that efforts be made to explore and support the work that is currently being done by City departments and community

This relates directly to the information on Risk and Protective Factors that has previously been presented by the Social Planning Department. Dealing with these issues will be an effective way to solve problems and achieve the goals of keeping youth safe, off the streets, and engaged.

RCMP Capacity

The RCMP have reported that they do not have the resources to respond to, and enforce, the curfew bylaw beyond current levels. Police won't generally stop youth, much like any other member of the community, unless they are doing something wrong. Enforcement levels and styles will not be able to change at this time.

Blackfalds

The community of Blackfalds had incorporated their curfew bylaw into their Community Standards Bylaw, and the CPAC requested information regarding this for the next meeting. The Blackfalds Community Standards were modelled directly from the City of Red Deer Community Standards Bylaw.

Their Curfew Bylaw, in turn, also seems to have been crafted from wording borrowed from another source stating that youth can be taken home or to a shelter when picked up by a peace officer under the bylaw. Blackfalds does not have a youth shelter of any sort. Town of Blackfalds Bylaw officers will attempt to take a youth home or find an appropriate relative or friend to take the youth. However if this cannot be done, or the issues they are facing are unmanageable, they will attempt to contact the Red Deer Rural RCMP to take responsibility for the youth.

The Blackfalds Curfew Bylaw has been simply inserted into their Community Standards Bylaw, with no adjustments or considerations for underlying issues or alternative measures. The bylaw is based purely on enforcement within a much smaller community than that of Red Deer.

Strathcona County

Information from Strathcona County was included as an example for review. They have constructed their curfew bylaw in a slightly different way than most communities. In particular they state that the enforcement of the bylaw lies within the sole discretion of the Peace Officer. In this way a Peace Officer is not bound strictly to a time of day and a fine, and could possibly be included in existing partnerships. It is through these partnerships and networks that connections could be made between youth and relevant programs or agencies to work toward finding solutions to youth issues they encounter.

In addition, the Peace Officer is able to immediately write a violation ticket for a mandatory court appearance. There could be opportunity to utilize a similar model to incorporate diversion or alternative measures for youth who are charged under the bylaw, in an attempt to address underlying issues. Again, this would require the participation of those partnerships and networks and the consistent support the programs and agencies, and the work that they do.

Information was also included to illustrate the background work, research, and results that Strathcona County undertook in considering whether to adopt a curfew bylaw.

agencies, and the work that could be further undertaken to address the health and safety of our youth, families, and community. It is important to use our varied partners and resources, look to the use of other bylaws, such as the bully bylaw, and work together to find creative ways to balance the use of prevention and intervention with enforcement.

Recommendation Options

- Currently police use other bylaws such as the Community Standards Bylaw, the criminal code, and Provincial statutes (including the Child, Youth and Family Enhancement Act) to address problem behaviours, criminal activity, and safety of youth. Considering the previous, it is an option to repeal the curfew bylaw and continue to use these tools which are most often used over the curfew bylaw already.
- The current Curfew Bylaw addresses only a specific time period for which youth are simply not allowed in public. It is another option to include the Curfew Bylaw in the Community Standards Bylaw with revisions to relate its enforcement to the behaviours outlined in the Community Standards Bylaw and make adjustments for any related gaps that may exist.
- Regardless of the decisions made around the curfew the CPAC, through this curfew process, has learned a lot around the complexity of the issue and the work that is being done and the resources within our community. It is suggested that the CPAC continue their education regularly with presentations, tours, and any other resources to continue to build the knowledge base to make informed decisions and recommendations.

A PROFILE OF YOUTH OFFENDERS IN CALGARY

A Study of Youth Offending Patterns, Serious Habitual Offenders and System Response

Canadian Research Institute for Law and the Family
Highlights from the Interim Report - March 2008

A summary of the findings from the first year of a three-year study, this report establishes the foundation of a model to predict why some youth become more seriously involved in crime than others.

Research Questions

1. What are the contemporary trends of youth crime in Calgary?
2. How do the criminal histories of Serious Habitual Offenders (SHOs) in Calgary differ from those of non-SHOs?
3. What characteristics (i.e., demographic, familial, educational, community, interpersonal) and experiences (i.e., delinquency, substance use, gang involvement) differentiate youth in Calgary with various levels of involvement with the law?

Research Methods

1. An examination of the characteristics of youth crime in Calgary in 2006 using data from the Calgary Police Service Police Information Management System (PIMS).
2. An examination of the criminal histories of SHOs compared to non-SHOs using data from PIMS.
3. In-depth reviews of probation files and interviews with youth offenders who ranged from having minimal criminal involvement to serious criminal involvement.

Full Report Available: www.ucalgary.ca/~crilf/sub/research.html

For Further Information:

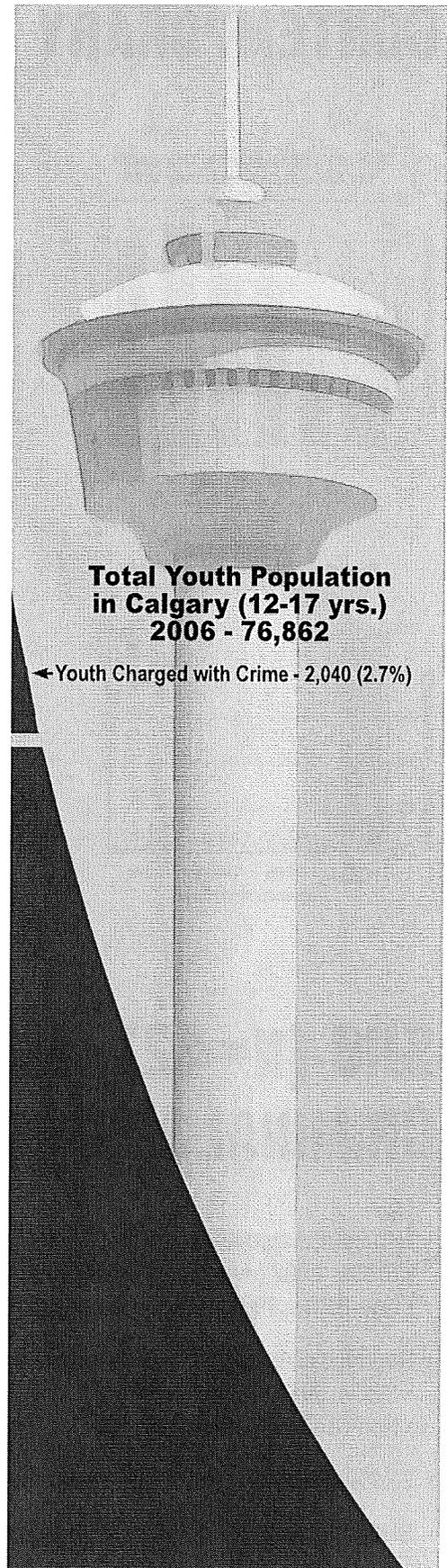
Doug Borch - doug.borch@calgary.ca
The City of Calgary Community & Neighbourhood Services

Joseph P. Hornick, Executive Director - crilf@ucalgary.ca
Canadian Research Institute for Law and the Family

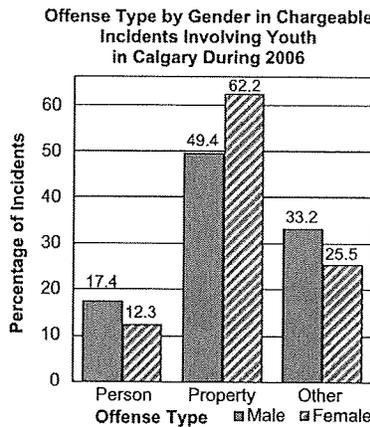
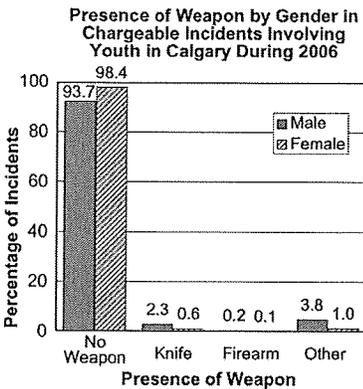
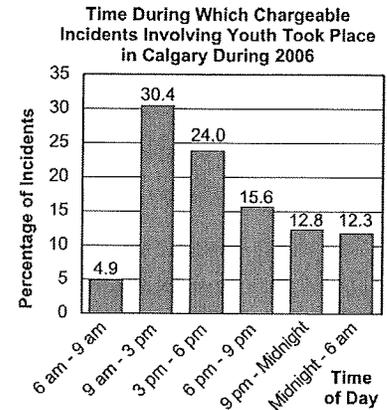
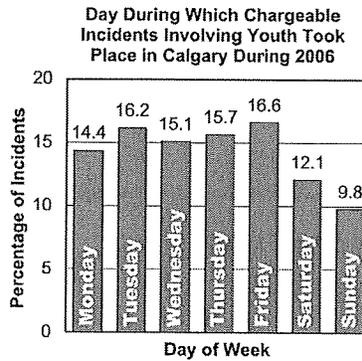
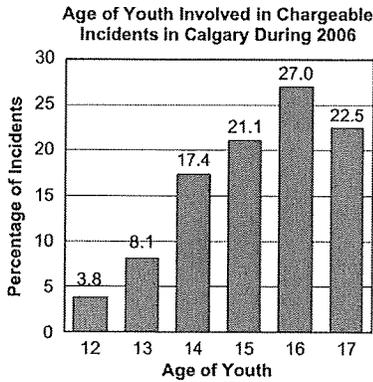


Alberta **LAW**
FOUNDATION

Calgary Transit



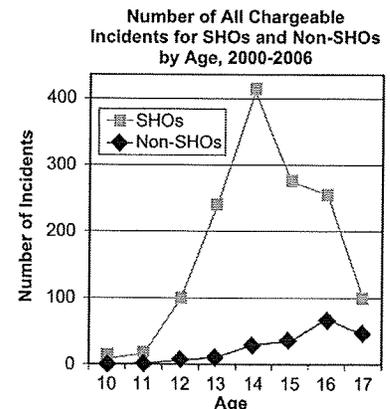
CONTEMPORARY TRENDS 2006



- Almost three-quarters (73.0%) of the incidents involved males.
- Co-offenders were involved in 40.3% of incidents.
- Charges were laid in almost two-thirds of incidents (61.5%).
- The most common reasons for not laying a charge were extrajudicial measures (54.4%) & extrajudicial sanctions (27.0%).

SHO (N=42)/NON-SHO (N=42) CRIMINAL HISTORY COMPARISON 2000-2006

- Reported chargeable incidents
 - SHOs: 1,402 (average 33.4 per youth)
 - Non-SHOs: 196 (average 4.7 per youth)
- Reported chargeable incidents involving weapons
 - SHOs: 69 (4.9%)
 - Non-SHOs: 5 (2.6%)
- 92.9% of identified youth SHOs were male.
- SHOs had an earlier onset of recorded criminal contact than non-SHOs.



PROFILE OF 123 YOUTH OFFENDERS

Study Groups	n	Gender		Avg. Age	Description
		M	F		
Gateway Participants	20	45%	55%	15.6	Youth who have participated in Gateway, a pre-charge extrajudicial measures program administered by the City of Calgary Community and Neighbourhood Services and the Calgary Police Service.
One-time Offenders	42	83%	17%	16.4	Youth who have one substantive criminal finding of guilt (with no subsequent charges pending).
Chronic Offenders	41	93%	7%	16.8	Youth who have five or more substantive criminal findings of guilt (not including SHOs).
Serious Habitual Offenders (SHOs)	20	100%	0%	17.0	Youth designated as SHOs by the Alberta Solicitor General, as recommended by the Multi-Disciplinary Resource Team and the Calgary Police Service.

All percentages are based on the number of valid responses.

	Gateway		One-time Offenders		Chronic Offenders		Serious Habitual Offenders	
	n	%	n	%	n	%	n	%
Home Life								
Live with both parents/siblings at time of interview	10	50.0%	14	33.0%	5	12.2%	5	25.0%
Live with one parent/siblings at time of interview	10	50.0%	19	45.2%	14	34.1%	11	55.0%
Have run away from home at least once	4	20.0%	20	47.6%	35	85.4%	16	80.0%
History of family violence (based on Probation file)	NA	NA	18	45.0%	29	74.4%	11	68.8%
Parents approve of friends	17	85.0%	22	52.4%	12	30.8%	5	25.0%
Engage in social or leisure activities with their families at least 1x/wk	12	75.0%	12	30.0%	13	35.1%	5	26.3%
Never engage in social or leisure activities with their families	2	12.5%	19	47.5%	19	51.4%	10	52.6%
Involvement with Children's Services								
Have had contact with Children's Services	3	15.0%	15	35.7%	34	82.9%	15	75.0%
Have ever lived in a foster care	2	10.0%	7	16.7%	15	36.6%	10	50.0%
Have ever lived in a group home	0	0.0%	10	23.8%	29	70.7%	13	65.0%
School Involvement								
Currently attending school	20	100.0%	28	66.7%	28	68.3%	9	45.0%
If currently attending: Expect to complete high school	19	100.0%	27	100.0%	27	96.4%	7	77.8%
Ever skipped classes	10	50.0%	16	59.3%	21	77.8%	7	77.8%
Ever been suspended	8	40.0%	23	82.1%	23	82.1%	8	88.9%
Ever considered dropping out	6	30.0%	16	57.1%	19	67.9%	7	77.8%
Ever been bullied	9	45.0%	24	57.1%	16	39.0%	6	30.0%
Ever been in fights at school	11	57.9%	34	81.0%	37	90.2%	20	100.0%
Involvement in Community/Leisure Activities								
Involved in organized activities after school	15	75.0%	13	31.0%	9	22.0%	2	10.0%
Involved in adult-coached sports	11	65.0%	9	21.4%	4	9.8%	0	0.0%
Involved in organized non-sport activities	7	35.0%	3	7.1%	0	0.0%	0	0.0%
Calgary Transit Use and Experiences								
Use Calgary Transit bus more than once per week	14	70.0%	29	69.0%	32	78.0%	15	75.0%
Feel generally safe waiting or riding bus after dark	14	82.4%	26	81.3%	32	88.9%	17	100.0%
Use Calgary Transit LRT more than once per week	11	55.0%	26	61.9%	27	67.5%	12	60.0%
Feel generally safe waiting or riding LRT after dark	15	88.2%	31	83.8%	31	86.1%	17	94.4%
Ever ridden without a valid ticket	13	65.0%	34	81.0%	34	82.9%	18	90.0%
Ever damaged/vandalized/tagged Transit property	0	0.0%	15	35.7%	9	22.0%	7	35.0%

All percentages are based on the number of valid responses.

	Gateway		One-time Offenders		Chronic Offenders		Serious Habitual Offenders	
	n	%	n	%	n	%	n	%
Self-Reported Weapon Possession								
Ever taken a weapon to school	1	5.0%	15	35.7%	20	48.8%	15	75.0%
Ever carried a weapon in the community	3	15.0%	13	31.0%	23	56.1%	11	55.0%
Self Reported Alcohol and Drug Use								
Ever consumed 5 or more drinks of alcohol on one occasion	15	75.0%	37	88.1%	41	100.0%	20	100.0%
Ever used illegal drugs	12	60.0%	35	83.3%	41	100.0%	20	100.0%
If yes, marijuana	12	100.0%	35	100.0%	41	100.0%	20	100.0%
mushrooms	6	50.0%	25	73.5%	35	85.4%	16	80.0%
ecstasy	5	41.7%	26	76.5%	36	87.8%	18	90.0%
methamphetamine	2	16.7%	5	14.7%	6	14.6%	6	30.0%
crack	1	8.3%	6	17.6%	17	41.5%	10	50.0%
cocaine	3	25.0%	18	52.9%	31	75.6%	13	65.0%
Know where to find drugs	11	55.0%	31	73.8%	39	95.1%	17	85.0%
Ever bought illegal drugs	6	30.0%	30	71.4%	38	92.7%	18	90.0%
Ever sold illegal drugs	7	35.0%	20	47.6%	28	68.3%	14	70.0%
Self-Reported Knowledge of and Experience with Gangs								
Presence of gangs at their school	9	45.0%	20	50.0%	19	47.5%	7	36.8%
Presence of gangs in their community	6	30.0%	15	37.5%	23	57.5%	12	60.0%
Have friends that belonged to gangs	3	15.8%	15	36.6%	22	55.0%	14	70.0%
Gang tried to recruit respondent	3	15.0%	14	34.1%	24	60.0%	13	65.0%
Ever been a member of a gang	2	10.0%	7	17.1%	22	55.0%	10	52.6%
Self-Reported Person Crimes								
Ever assaulted or hurt someone	5	25.0%	34	81.0%	37	90.2%	20	100.0%
If yes: With a weapon	0	0.0%	16	48.5%	22	59.5%	18	90.0%
With friends	3	60.0%	18	52.9%	26	70.3%	17	85.0%
Ever taken (or tried) something by force or threat of force	0	0.0%	11	32.4%	25	61.0%	13	72.2%
Ever harassed, threatened or bullied someone	12	60.0%	36	85.7%	33	80.5%	17	85.0%
If yes: With a weapon	1	8.3%	17	47.2%	20	60.6%	14	82.4%
Ever had or tried to have any kind of sexual contact with someone against their will (including kissing or sexual touching)	0	0.0%	0	0.0%	1	2.4%	1	5.0%
Self-Reported Property Crimes								
Ever broken into a house	1	5.0%	13	31.0%	25	61.0%	16	80.0%
Ever stolen anything	17	85.0%	34	81.0%	41	100.0%	19	95.0%
If yes: Something worth less than \$50	15	88.2%	27	79.4%	26	63.4%	15	83.3%
Something worth more than \$50	8	47.1%	20	58.8%	37	90.2%	15	83.3%
Car/motorcycle	3	18.8%	11	32.4%	29	70.7%	14	77.8%
With a group of friends	9	56.3%	23	67.6%	30	73.2%	16	82.2%
Charges								
Average number of property-related charges	NA	NA	20	6.3	41	8.1	19	12.5
Average number of person crime charges	NA	NA	21	1.5	37	5.1	19	6.7
Average number of drug-related charges	NA	NA	7	1.1	10	1.4	11	2.2
Average number of administration of justice charges	NA	NA	9	2.2	39	14.5	19	21.1

Red Deer City Crime Stats – July 1, 2009 to August 31, 2009

Departmental Discretion

Police officers used officer discretion with a total of 811 people, this means no charges were laid when there could have been. 38 young persons were dealt with using officer discretion.

Times that officers used Discretion involving Youth

Time of day	Number of young people
6:00 am – 11:59 am	3
12:00 pm – 3:59 pm	12
4:00 pm – 5:59 pm	4
6:00 pm – 6:59 pm	2
7:00 pm – 7:59 pm	3
8:00 pm – 8:59 pm	1
9:00 pm – 9:59 pm	1
10:00 pm – 10:59 pm	3
11:00 pm – 11:59 pm	2
12:00 am – 12:59 am	2
1:00 am – 1:59 am	1
2:00 am – 2:59 am	2
3:00 am – 5:59 am	2
TOTAL	38

Time of Day	Mischief	Theft	Bylaw	Prov Stat	Other C.C.
6:00 – 11:59 am		3			
12:00 – 3:59 pm	1	9		1	1
4:00 – 5:59 pm	1	2	1		
6:00 – 6:59 pm	1		1		
7:00 – 7:59 pm		3			
8:00 – 8:59 pm					1
9:00 – 9:59 pm	1				
10:00 – 10:59 pm	1		1		1
11:00 – 11:59 pm		1			1
12:00 – 12:59 am		1	1		
1:00 – 1:59 am					1
2:00 – 2:59 am			2		
3:00 – 5:59 am	1	1			
TOTAL	6	20	6	1	5

During this same two month period there were 919 charges laid. Of the Charges that were laid, 76 were laid against persons under the age of 18 (excluding traffic related offences).

Number of youth charged broken down by time of day

Time of day	Number of young people
6:00 am – 11:59 am	7
12:00 pm – 3:59 pm	14
4:00 pm – 5:59 pm	9
6:00 pm – 6:59 pm	4
7:00 pm – 7:59 pm	4
8:00 pm – 8:59 pm	3
9:00 pm – 9:59 pm	6
10:00 pm – 10:59 pm	11
11:00 pm – 11:59 pm	7
12:00 am – 12:59 am	5
1:00 am – 1:59 am	2
2:00 am – 2:59 am	0
3:00 am – 5:59 am	4
TOTAL	76

Youth charges broken down by time of day

Time of Day	Mischief	Theft	Bylaw	Prov Stat	Other C.C.
6:00 – 11:59 am	1	1			5
12:00 – 3:59 pm	3	3	3	1	4
4:00 – 5:59 pm	1	1	4		3
6:00 – 6:59 pm		1	2		1
7:00 – 7:59 pm			2		2
8:00 – 8:59 pm		1	1		1
9:00 – 9:59 pm	2	1		2	1
10:00 – 10:59 pm	1		6	2	2
11:00 – 11:59 pm		2	1	3	1
12:00 – 12:59 am	1		2	2	
1:00 – 1:59 am				1	1
2:00 – 2:59 am					
3:00 – 5:59 am					4
TOTAL	9	10	21	11	25

Age of youth involved in incidents after 11:00 pm

Age of	# of Youth Involved
12	0
13	2
14	2
15	1
16	3
17	3
TOTAL	11

- There were 114 incidents involving youth that were charged with an offence or could have been charged with an offence (officer discretion)
- Of the total incidents, 27 occurred after 11:00 pm
- Of the incidents occurring after 11:00 pm, 11 incidents occurred in a public place as specified within the curfew bylaw (regardless of age)
- Of the 11 incidents, 5 involved youth 15 years old and under; falling within the designation of the Curfew Bylaw.

Curfew Options Comparison Chart

	Repeal Curfew	Revise and Incorporate Curfew into Community Standards	Status Quo
<p>Elements</p>	<ul style="list-style-type: none"> • Enforcement would remain the same, with RCMP involvement when youth are either suspicious or engaged in illegal activities; the same way everyone is dealt with. • Community Standards Bylaw would continue to be used to address the problem behaviours associated with the curfew issue; more severe incidents would still be handled via other statutes such as: <ul style="list-style-type: none"> • Child, Youth and Family Enhancement Act (CYFE) which deals with safety, security, and basic needs of youth; • Youth Criminal Justice Act (YCJ) which deals with chargeable criminal offences; • Criminal Code which deals further with chargeable criminal offences. • Reasons for, and process of reporting would be unchanged, as it relates to these other bylaws and statutes. 	<ul style="list-style-type: none"> • Enforcement would remain the same, with RCMP involvement when youth are either suspicious or engaged in illegal activities; the same way everyone is dealt with. • Community Standards Bylaw would continue to be used to address the problem behaviours associated with the curfew issue; more severe incidents would still be handled via provincial statutes and the criminal code. • The time range of the bylaw needs to be considered; should take transit times into account (dealing with a range of youth from 12 – 15 years old) • Fines may need to be adjusted to be more consistent with the rest of the Community Standards Bylaw. • Alternative measures could be incorporated to alleviate pressures of charging an already stressed family or keep a potential single incident 	<ul style="list-style-type: none"> • Enforcement would remain the same, with RCMP involvement when youth are either suspicious or engaged in illegal activities; the same way everyone is dealt with. • Community Standards Bylaw would continue to be used to address the problem behaviours associated with the curfew issue; more severe incidents would still be handled via provincial statutes and the criminal code.

		<p>youth from entering the justice system.</p> <ul style="list-style-type: none"> • Approval from Council would be needed. • If there are substantial changes, there may be a need for public consultation. • Public consultation would precede the council meeting. • Inspections and Licensing would also need to draft a bylaw amendment. 	<ul style="list-style-type: none"> • Continue with the current process.
Process	<ul style="list-style-type: none"> • Approval from Council would be needed. 	<ul style="list-style-type: none"> • Options and expectations regarding fines. • Implications of fines on recipients. • Options and best practices for alternative measures and community programming. • Existing partnerships and potential partners in working with youth, in and out of legal system. 	<ul style="list-style-type: none"> • Existing partnerships and potential partners in working with youth, in and out of legal system.
What else do we need to know	<ul style="list-style-type: none"> • Existing partnerships and potential partners in working with youth, in and out of legal system. • Various responses, around prevention and Intervention, related to each level of offence or issue. 		

BYLAW NO. 3383/2007

Being a bylaw of the City of Red Deer, in the Province of Alberta, to prohibit certain activities in order to prevent and compel the abatement of noise, nuisances, unsightly premises and public disturbances;

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

1 This Bylaw shall be called the "Community Standards Bylaw".

2 In this Bylaw, the following definitions shall apply:

"Bullying" means verbal or physical abuse, threats, taunts, teasing, name calling or repeated abusive communication, direct or through any medium whatsoever.

"Inspections and Licensing Manager" means the person acting in the position of Inspections and Licensing Manager for the City of Red Deer or a person designated to act on the Manager's behalf.

¹**"Graffiti"** means the defacement or disfigurement of any property or object, through the performance of any of the following acts:

- (i) the application of any substance, including paint, ink, stain or whitewash to any surface; or
- (ii) the affixing of any substance, including paper, fabric or plastic, by any form of adhesion that does not remove cleanly when pulled away from the applied surface; or
- (iii) the marking, scratching, etching or other alteration or disfigurement of any surface.

"Minor" means an individual under 18 years of age.

"Panhandling" shall mean the personal, verbal and direct solicitation by a person of gratuitous donations of money, food or goods of any kind, or the exchange of money, food or goods, or an unsolicited service for money of any kind from any member of the public, but does not include a solicitation allowed or authorized pursuant to the Charitable Fundraising Act, or any other legislation permitting the solicitation of charitable donations.

"Public Place" means any place, including privately owned or leased property, to which the public reasonably has or is permitted to have access.

¹ 3383/A-2008

“Youth” means an individual 12 to 17 years of age;

“Social Planning Manager” means the person acting in the position of Social Planning Manager for the City of Red Deer or a person designated to act on the Manager’s behalf.

Part 1 – Noise

- 3 (1) No person shall cause or permit any noise that annoys or disturbs the peace of any other person.
- (2) No person shall permit property that they own or control to be used so that noise from the property annoys or disturbs the peace of any other person.
- (3) No person shall yell, scream, or swear in any public place.
- (4) In determining what constitutes noise likely to annoy or disturb the peace of other persons, consideration may be given, but is not limited to:
- a) type, volume and duration of the sound;
 - b) time of day and day of the week;
 - c) nature and use of the surrounding area.
- (5) No drinking establishment shall permit any noise to emanate from the premises of such drinking establishment such that it annoys or disturbs any person outside the boundary of the drinking establishment. Section 3 (4) of this Bylaw applies to this provision.
- 4 (1) Where an area is designated by signs or other means as being a Hospital District, no person shall:
- (a) carry on any noise-making activity in the area unless it cannot be carried on in some other area; or
 - (b) make or continue any noise or loud sound within the area.
- 5 No person may activate or apply engine retarder brakes in the City of Red Deer except City of Red Deer Emergency Services Vehicles in the course of responding to an emergency situation or to train drivers in the use of retarder brakes.

Industrial/Construction Noise

- 6 Nothing in this bylaw shall prevent the continual operation or carrying on of an industrial activity where the activity is one which:
- (a) is a permitted use; or
 - (b) is an approved discretionary use; or
 - (c) is a non-conforming, but not illegal, use as defined in the *Municipal Government Act*.
- (2) In the operation or carrying on of an industrial activity, the person operating or carrying on that activity shall make no more noise than is necessary in the normal method of performing or carrying on that activity.
- 7 With the exception of the activities referred to in section 6 herein, unless permission from the Development Authority is first obtained, no person shall use, operate or allow to be used or operated any tools, machinery or equipment so as to create a noise, or disturbance which may be heard in a residential building between the hours of ten o'clock in the evening and seven o'clock in the morning of any day.

Exceptions

- 8 These provisions do not apply to work carried on by The City, or by a contractor carrying out the instructions of The City.
- 9 These provisions do not apply to contractors carrying out snow removal from commercial or industrial site which are not adjacent to residential districts.
- 10 In the case of snow removal from commercial or industrial sites located adjacent to residential districts, and where in the reasonable opinion of the Development Authority it is necessary to do so to ensure the peace and quiet of residents, the Development Authority may require noise abatement practices including one or both of the following conditions:
- (a) a requirement that snow not be removed between 12:00 a.m. and 6:00 a.m.
 - (b) a requirement that snow be removed from a site in a sequence which is least disruptive to the peace and quiet of residents.

Part 2 – Nuisance, Unsightly Premises, Graffiti

- 11 “Nuisance” for the purpose of this bylaw includes any use of or activity upon any property which is offensive to any person, or has or may have a detrimental impact upon any person or other property in the neighbourhood, and without limiting the generality of the foregoing, includes the following:
- (a) the failure to cut grass, weeds, shrubs, trees or other landscaping features incidental to a landscaped area;
 - (b) the failure to maintain grass, weeds, shrubs, trees or other landscaping features incidental to an approved landscaped area in a commercial, industrial, institutional, government or multifamily development;
 - (c) the failure to destroy restricted weeds, control noxious weeds, or prevent the spread or scattering of nuisance weeds;
 - (d) the growth of trees or shrubs in such a manner that they interfere with or endanger visibility to street signage or sidewalk roadway clearance;
 - (e) the accumulation of any material that creates unpleasant odours, any material that attracts pests or any animal remains, parts of animal remains or animal feces;
 - (f) the storage or accumulation of or failure to dispose of discarded or dilapidated furniture or household appliances, loose garbage, rubbish, packaging material, scrap metals, scrap lumber, tires, parts of disassembled machinery, equipment or appliances and motor vehicle parts;
 - (g) the causing of opaque or dense smoke and permitting such smoke to be emitted into the atmosphere for a period in excess of 6 minutes in any one hour, or at a point other than the opening to the atmosphere of the flue, stack or chimney, unless specifically authorized by Council;
 - (h) the generation of excessive dust and permitting such dust to escape from the property;
 - (i) the use of any pesticide or herbicide which has significant detrimental or environmental effects on surrounding areas;

- (j) the failure to control or eliminate insect pests harmful to the growth and development of trees and shrubs or any vegetable or plant life;
- (k) the storage or accumulation of dilapidated or derelict vehicles or the storage of unregistered vehicles in excess of two vehicles on any residential or commercial site except vehicles that are stored in an approved accessory or temporary building;
- (l) the failure to maintain an accessory building, structure or fence such that it deteriorates, becomes unsightly or becomes a safety hazard;
- (m) the failure to fence or secure an excavation, drain, ditch or other depression so that it does not become a danger to public safety;
- (n) the posting or exhibiting of posters, signs, billboards, placards, writings or pictures upon any fence or wall on any property, where the same are accumulated and become in a dilapidated and unsightly condition;
- (o) Burning anything other than dry untreated clean wood in a residential wood fireplace.

12 No person being the owner, agent of the owner, lessee or occupier of any property within the City shall permit such property, or the activities upon such property to be or remain a nuisance or safety hazard.

Graffiti

- ²13
- (a) No person shall place graffiti or cause it to be placed on any property.
 - (b) Every property owner shall ensure that graffiti placed on their premises is removed, painted over, or otherwise permanently blocked from public view.
 - (c) A property owner who breaches the provisions of Section 13(b) where, following the issuance of and failure to comply with an Order under section 545 of the Municipal Government Act, shall liable to payment of a penalty as prescribed in Schedule "A".
 - (d) In prosecuting for an offence under this Part, the consent of the property owner of any premises to place graffiti shall not be a defense under this bylaw.

Construction Waste

- 14
- (a) Each construction site shall have a waste container to ensure that waste construction materials are placed in the container to prevent the material from being blown away from the construction site.
 - (b) No loose construction material is to be stored or accumulated on a construction site unless it is not capable of being blown around the construction area.

Repair of Motor Vehicles

- 15
- (1) No person may conduct any repair work on motor vehicles, including mechanical repairs, auto body work, frame repair, collision repair, auto painting, auto detailing or modifications to the body or rebuilding of a motor vehicle, on any site in a residential district.
 - (2) This prohibition shall not apply to routine maintenance work done on any vehicles owned, operated and registered in the name of the owner or occupant of premises, provided that:
 - (a) the work is done in a garage that is capable of having the doors and windows closed;
 - (b) the activity does not create a nuisance or noise complaints from neighbourhood;
 - (c) there is no escape of offensive, annoying or noxious odors, fumes or smoke from the site;
 - (d) vehicle fluids oil, gasoline products or other hazardous materials are properly stored and disposed of and not swept or washed into lanes, streets, or down storm sewers;
 - (e) all discarded vehicle parts and materials are properly stored and disposed of from the site;
 - (f) no power washing of motor or power train is performed on the site;
 - (g) all building and fire code regulations are met.

Nuisance Enforcement

- 16 (1) The Inspections & Licensing Manager may, after giving reasonable notice to the owner or occupier of the premises, enter upon the said premises and carry out an inspection.
- (2) Upon completion of the inspection, the Inspections & Licensing Manager may direct the owner or occupant of the property to:
- (a) cease the activity which causes the nuisance;
 - (b) change the way in which such person is carrying out any activity;
 - (c) direct any person to take any action or measure necessary to compel the elimination or abatement of the nuisance, including:
 - (i) the removal of any thing or matter from the property, which constitutes the nuisance; and
 - (ii) the construction or installation of a garbage bin or enclosure or the repair of an existing garbage enclosure;
 - (iii) enter into a cleanliness agreement in a form to the satisfaction of the Inspections & Licensing Manager.
 - (d) specify the time within which such person must comply with the directions contained in the notice; and
 - (e) notify the owner or occupant that, if compliance with the notice is not effected within a specified time, the municipality will take the actions or measures specified in the notice to abate the nuisance, at the expense of the owner or occupier;
 - (f) offer the owner or occupant of the property an opportunity to enter into any other voluntary agreement with the City to keep the premises clean, tidy and free of nuisances.
- (3) Any person who refuses to allow an inspection of the premises under Section 16(1) is guilty of an offence.
- (4) Any person who fails to comply with a direction made under Section 16(2) is guilty of an offence.

- 17 No person shall cause or permit or undertake any activity upon any City property which is a nuisance.

Littering

- 18 (1) No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any City property, including any street, lane, sidewalk, parking lot, park, public transportation vehicle, public transportation shelter, or other public transportation facility or other public place or water course:
- (a) a cardboard or wooden box, carton, container, or receptacle of any kind;
 - (b) a paper, wrapper, envelope, or covering of any kind, whether paper or not, from food or confectionery;
 - (c) paper of any kind, whether or not containing written or printed matter thereon;
 - (d) any human, animal or vegetable matter or waste;
 - (e) any glass, crockery, nails, tacks, barbed-wire or other breakable or sharp objects;
 - (f) scrap metal, scrap lumber, tires, dismantled wrecked or dilapidated motor vehicles or parts therefrom;
 - (g) any motor vehicle or any part of any motor vehicle which may, in whole or in part, obstruct any highway, street, lane, alley, bi-way or other public place;
 - (h) dirt, filth or rubbish of any kind whether similar or dissimilar to the foregoing.
- (2) A person who has placed, deposited or thrown or caused to be placed or thrown anything or any matter mentioned in subsection (1) upon any street, lane, sidewalk, parking place, park, public transportation vehicle, public transportation shelter, or other public transportation facility or other public place or water course shall forthwith remove it.

Spitting/Urinating

- 19 (1) No person shall urinate or deposit any human waste in any public place or in any place to which the public is allowed access, other than a public

washroom.

- (2) No person shall spit at any person or on any public or private property that they do not own.

Flyers on Vehicles

- 20 No person shall place, deposit or throw or cause to be placed, deposited or thrown upon or into any motor vehicle, which is parked on any street, lane, parking lot or other public place, any leaflet, pamphlet, poster, handbill, flyer or any paper containing printed or written matter, whether advertising or not, with the exception of any violation ticket or summons issued pursuant to lawful authority.

Authority to Remove

- 21 The Inspections & Licensing Manager may authorize any City employee, or other person, to remove and put in storage or destroy anything placed upon City property in contravention of this bylaw.

Part 3 – Fighting, Loitering, Panhandling, Assembly of Persons,

Fighting/Loitering

- 22 No person shall participate in a fight or any physical confrontation in any public place or any place to which the public is allowed access.
- 23 No person shall be a member of an assembly of three or more persons in any public place or any place to which the public is allowed access where a peace officer has reasonable grounds to believe the assembly will disturb the peace of the neighbourhood, and any such person shall disperse as requested by a peace officer.
- 24 No person shall loiter and thereby obstruct any other person in any public place.

Bullying

- 25 (1) (a) No person shall bully any person in any public place.

- (b) No person shall participate in or encourage by verbal or public means in the bullying of any person in any public place.
- (c) Any person who contravenes sections 25(1)(a) or 25(1)(b) is guilty of an offence.

Panhandling

- 26 (1) (a) No person shall engage in panhandling:
- (i) between the hours of 6:00 p.m. and 8:00 a.m.;
 - (ii) from any person who at the time is an occupant or engaged in operating a motor vehicle;
 - (iii) from a person who has refused or declined the solicitation;
 - (iv) so as to obstruct the passage of, walk next to, or follow the person being solicited;
 - (v) within 10 meters of the entrance to a bank, credit union, trust company or other financial institution where cash can be withdrawn;
 - (vi) within 10 meters of an automated teller machine or other device from which cash can be electronically accessed; or
 - (vii) within 10 meters of a bus stop or transit terminal.

Part 4 - Penalties

- 27 (1) Any person who breaches any section of this Bylaw is guilty of an offence and liable to:
- a) payment of the penalty specified in Schedule "A" hereto; or
 - b) for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.00;
- and in default of payment of any penalty, to imprisonment for up to 6 months.
- 28 A Peace Officer, Inspections and Licensing Manager, or a Compliance Officer is hereby authorized and empowered to issue a violation ticket

Schedule "A"
Schedule of Fines

<u>Offence</u>	<u>Section</u>	<u>Fine</u>
Make noise	3(1)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Permit Noise	3(2)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Yelling, screaming or swearing	3(3)	150.00
a) second offence within 1 year		250.00
b) third and subsequent offences within 1 year		500.00
Drinking Establishment making noise	3(5)	2,000.00
b) second offence within 1 year		5,000.00
c) third and subsequent offences within 1 year		10,000.00
Noise in hospital district	4	150.00
a) second offence within 1 year		250.00
b) third and subsequent offences within 1 year		500.00
Activating engine retarder brakes	5	250.00
Industrial or construction noises	6 or 7	150.00
a) second offence within 1 year		300.00
b) third and subsequent offences within 1 year		600.00
Permitting a nuisance on Private Property	12	200.00
a) second offence within 1 year		400.00
b) third and subsequent offences within 1 year		600.00
³ Placing Graffiti on property	13(a)	2,500.00
a) a second offence within 1 year		5,000.00
b) third and subsequent offences within 1 year		7,500.00
³ Failure to remove Graffiti	13(b)	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		1,000.00

³ 3383/A-2008

pursuant to the Provincial Offences Procedure Act to any person who the Peace Officer, Inspections and Licensing Manager, or a Compliance Officer has reasonable grounds to believe has contravened any provision of this byaw.

- 29 If a violation ticket is issued in respect of an offence, the violation ticket may:
- (a) specify the fine amount established by this Bylaw for the offence; or
 - (b) require a person to appear in Court without the alternative of making a voluntary payment.
- 30 A person who commits an offence may:
- (a) If a violation ticket is issued in respect of the offence; and
 - (b) If the violation ticket specifies the fine amount established by this Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the violation ticket and the specified fine to the Provincial Court Office specified on the violation ticket.

Severability

- 31 The invalidity of any provision of this Bylaw shall not affect the validity of the remainder.
- 32 Bylaw No. 3326/2004, the Public Order Bylaw is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 29th day of January 2007

READ A SECOND TIME IN OPEN COUNCIL this 12th day of February 2007

READ A THIRD TIME IN OPEN COUNCIL this 12th day of February 2007

AND SIGNED BY THE MAYOR AND CITY CLERK this 12th day of February 2007

"Lynne Mulder"

DEPUTY MAYOR

"Kelly Kloss"

CITY CLERK

³ Failure to comply with Graffiti order	13(c)	250.00 for each day that the breach continues.
Failing to contain construction waste	14	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences		1000.00
Automobile repairs in residential district	15(1)	250.00
a) second offence within 1 year		400.00
b) third and subsequent offences within 1 year		600.00
Refusing to allow the License and Inspections Manager access to carry out an inspection	16(3)	500.00
Failing to comply with order of License and Inspections Manager	16(4)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Nuisance upon City property	17	500.00
Depositing litter on City property	18(1)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Failing to remove litter	18(2)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Urinating or depositing human waste in a public place	19(1)	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences within 1 year		1,000.00
Spitting	19(2)	75.00
a) second and subsequent offences		150.00
Placing item on motor vehicle	20	250.00

³ 3383/A-2008

Fighting in a public place	22	500.00
a) second offence within 1 year		750.00
b) third and subsequent offences offence within 1 year		1,000.00
Being a member of an assembly and failing to disperse as requested by peace officer	23	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Loitering	24	250.00
a) second offence within 1 year		500.00
b) third and subsequent offences within 1 year		750.00
Bullying		
a) first offence by a youth*	25	125.00
b) second and subsequent offences by a youth		250.00
c) first offence by an adult*		500.00
d) second and subsequent offences by an adult		1,000.00
* The fine for the first offence may be waived if the offender successfully completes an anti-bullying educational program approved by the Social Planning Manager.		
Panhandling	26	75.00
a) second offence		200.00
b) third and subsequent offences		500.00

DATE: December 1, 2009

TO: Colleen Jensen, Director of Community Services
Dean Scott, Crime Prevention Coordinator
Brian Simpson, RCMP Superintendent

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Curfew Bylaw

Reference Report:

Legislative and Administrative Services Manager, dated November 16, 2009
Director of Community Services, Crime Prevention Coordinator, and RCMP Superintendent, dated
November 23, 2009

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Director of Community Services, dated November 23, 2009 re: Curfew Bylaw hereby agrees that Administration working with the Crime Prevention Advisory Committee undertake further discussions with regard to:

- (1) The incorporation of Curfew Bylaw times into the Community Standards Bylaw;
- (2) Explore amendments to the Community Standards Bylaw as it relates to youth and crime prevention; and
- (3) To work with agencies and community resource groups to develop a model to help identify youth at risk; and

that once this work is completed, recommendations from the Committee be brought back to Council.”

MOTION CARRIED

Report Back to Council: Yes



Elaine Vincent
Legislative and Administrative Services Manager

/attach.

c: Crime Prevention Advisory Committee Chair
Social Planning Manager
Social Planning, Community Facilitator, Linda Healing
Social Planning, Community Facilitator, Brian Einarson

FILE COPY

December 2, 2009

Northwood Estates Neighbourhood Watch Committee
c/o Crystal Smith
#268, 5344-76 Street
Red Deer, AB T4P 2A6

Dear Ms. Smith:

Re: Curfew Bylaw

At the City of Red Deer's Council Meeting held Monday, November 30, 2009, Council passed the following resolution regarding the Curfew Bylaw.

Resolved that Council of the City of Red Deer having considered the report from the Director of Community Services, dated November 23, 2009 re: Curfew Bylaw hereby agrees that Administration working with the Crime Prevention Advisory Committee undertake further discussions with regard to:

- (1) The incorporation of Curfew Bylaw times into the Community Standards Bylaw;
- (2) Explore amendments to the Community Standards Bylaw as it relates to youth and crime prevention; and
- (3) To work with agencies and community resource groups to develop a model to help identify youth at risk; and

that once this work is completed, recommendations from the Committee be brought back to Council."

MOTION CARRIED

We will notify you when this item is brought back to Council.

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

Sincerely,

Elaine Vincent
Legislative and Administrative Services Manager



Public Hearing Item No. 1

DATE: November 24, 2009
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/DD-2009

History:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/DD-2009 received first reading.

Land Use Bylaw Amendment 3357/DD-2009 provides for the rezoning from R1 Residential (Low Density) to R2 Residential (Medium Density) District to accommodate an existing apartment block.

Public Consultation Process:

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, November 30, 2009. Advertisements were placed in the Red Deer Advocate on November 13, 2009 and November 20, 2009.

Recommendation:

That following the Public Hearing, Council consider second and third readings of Land Use Bylaw Amendment 3357/DD-2009.

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

Elaine Vincent
Manager



Originally submitted to
Council on Monday,
November 2, 2009.

DATE: October 22, 2009

TO: Elaine Vincent, Legislative and Administrative Services Manager

FROM: Martin Kvapil, Planning Assistant

RE: **Land Use Bylaw Amendment No. 3357/DD-2009
Rezoning from R1 Residential (Low Density) District to
R2 Residential (Medium Density) District
Lots 24-27, Block 1, Plan 2805 AE (4017 Ross Street)
Active Group Holdings Inc.**

Proposal

Active Group Holdings Inc. has requested to amend the City of Red Deer Land Use Bylaw (LUB). The applicant wishes to rezone the property at 4017 Ross Street, located in the Grandview neighbourhood, from R1 Residential (Low Density) District to R2 Residential (Medium Density) District.

The site currently contains an existing two-storey, 9-unit apartment building that was constructed in 1978. Under its present land use district, the apartment is a legal non-conforming use, which means that the existing apartment use is allowed to continue until redevelopment of the site occurs.

Background

The neighbouring parcels are presently zoned R1 with exceptions that allow for the existing gas/service station developments (FasGas, Petro-Can). On the opposite side of Ross Street, there are C3 Commercial (Neighbourhood Convenience) District and R2 District zonings.

The subject site was zoned R2A Residential (General) District from 1960 until 1980, which allowed for apartment buildings as a discretionary use. In 1980, the subject site, like much of the immediate area, was rezoned to R1 Residential Low Density District. An exception to the land use bylaw allowed for the existing apartment to continue as a legal non-conforming use. Then, in 1996, the general exception was removed from the land use bylaw and site specific exceptions were then required to form part of the LUB – one was not provided for this site.

An inspection of the site was conducted in August 2009. The following photos of the north and south building elevations show the front and rear yards of the subject site.



Front Yard – Street View, North Side



Rear Yard – Lane View, South Side

Referral

The referral process consisted of the circulation of the application to City departments and a mail-out to landowners. Considering that the apartment building is existing, it was determined that a public meeting for the amendment was not required. Notification of the proposed amendment was provided to landowners within the same block or adjacent to the site. No objections were received from City departments and no comments were received from referred landowners.

City Plans

The subject area is presently not contained within the boundaries of any City area structure or redevelopment plan. Within the Municipal Development Plan (MDP), the site is identified as general residential. While the MDP contains policies pertaining to infill development, and given that this is an existing apartment building, it is not deemed to be infill development

Planning Analysis

In reviewing the amendment request, several key factors have been considered.

The existing use has been in existence for over 30 years. From a planning perspective, it has been compatible with the surrounding uses. The site is suitable for medium density residential development as it is located along an arterial road. The existing apartment meets the minimum requirements of the Land Use Bylaw's R2 district.

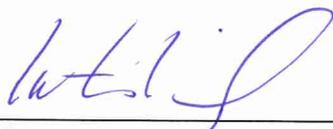
As a discretionary use within the R2 District, the existing building could be renovated, replaced in the event of a fire, or reconstructed. This would meet the needs of the applicant and the application's intent. The present zoning would allow only for detached dwellings to be constructed on site should the existing building be demolished or destroyed.

Within the R2 district, the existing use is discretionary and therefore any new development could be considered by the Development Authority with the opportunity for input from surrounding landowners. Within the requirements of the Land Use Bylaw, the existing development is constructed to its maximum density; however, with an R2 zoning, the landowner may further opt to develop a lesser intense use such as a four-plex or row housing. These uses are also discretionary within the R2 district and would be subject to the Development Authority decision or appeal process.

It should be noted that the general neighbourhood area, as is the case with some other city neighbourhoods of a similar age, may benefit from an area redevelopment plan. The area is centrally situated with many neighbourhood amenities and contains a mix of land uses; however, the area may face some redevelopment pressure in the future. The service station development to the west was recently improved and it is anticipated that this use will continue for some time. The service station site to the east may have the potential for redevelopment. Any future uses will need to be compatible with the surrounding neighbourhood.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/DD -2009.



Martin Kvapil
PLANNING ASSISTANT



Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

FILE COPY

December 2, 2009

Active Group Holdings
9 Del Monica Bay NE
Calgary, AB T1Y 6R2

Dear Sir/Madam:

**Re: Land Use Bylaw Amendment 3357/DD-2009
Rezoning from R1 Residential (Low Density) District to R2 Residential
(Medium Density) District, Lots 24-27, Block 1, Plan 2805 AE (4017 Ross
Street)**

At the City of Red Deer's Council Meeting held Monday, November 30, 2009, a Public Hearing was held with respect to Land Use Bylaw Amendment 3357/DD-2009. Following the Public Hearing, Land Use Bylaw Amendment 3357/DD-2009 was given second and third readings, a copy of which is attached.

Land Use Bylaw Amendment 3357/DD-2009 provides for rezoning from R1 Residential (Low Density) to R2 Residential (Medium Density) of an existing 9-unit apartment building located at 4017 Ross Street (Lots 24-27, Block 1, Plan 2805 AE). Under its present land use district, the apartment is a legal non-conforming use, which means that the existing apartment use is allowed to continue until redevelopment of the site occurs.

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

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager

/attach.

c. Parkland Community Planning Services

FILE COPY

DATE: December 1, 2009

TO: **Martin Kvapil, Parkland Community Planning Services**
Nancy Hackett, City Planning Manager
Tony Lindhout, Assistant City Planning Manager

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment 3357/DD-2009 Rezoning from R1 Residential (Low Density) District to R2 Residential (Medium Density) District Lots 24-27, Block 1, Plan 2805AE (4017 Ross Street) Active Group Holdings Inc.

Reference Report:

Legislative and Administrative Services Manager, dated November 24, 2009
Parkland Community Planning Services, dated October 22, 2009

Bylaw Readings:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/DD-2009 received first reading. This Bylaw was advertised in the Red Deer Advocate on November 13, 2009 and November 20, 2009. On November 30, 2009 Council passed second and third reading of Land Use Bylaw Amendment 3357/DD-2009. A copy of the bylaw is attached.

Report Back to Council: No


Elaine Vincent

Legislative and Administrative Services Manager

/attach.

c: Development Services Director	Inspections & Licensing Manager
Corporate Services Director	Inspections & Licensing Supervisor
Community Services Director	Land & Economic Development Manager
Engineering Services Manager	Leigh-Ann Butler, Graphics Supervisor
Financial Services Manager	Property Assessment Technician
Assessment and Taxation Manager	LAS File
City Assessor	

BYLAW NO. 3357/DD -2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

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

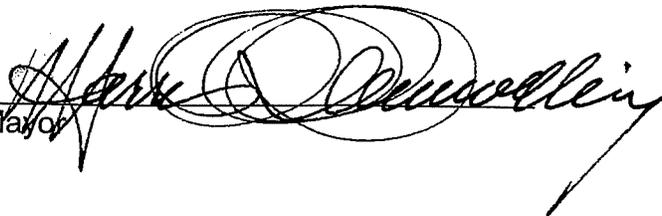
1. That "Use District Map N14" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 18 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 2 day of November 2009.

READ A SECOND TIME IN OPEN COUNCIL this 30 day of November 2009.

READ A THIRD TIME IN OPEN COUNCIL this 30 day of November 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30 day of November 2009.

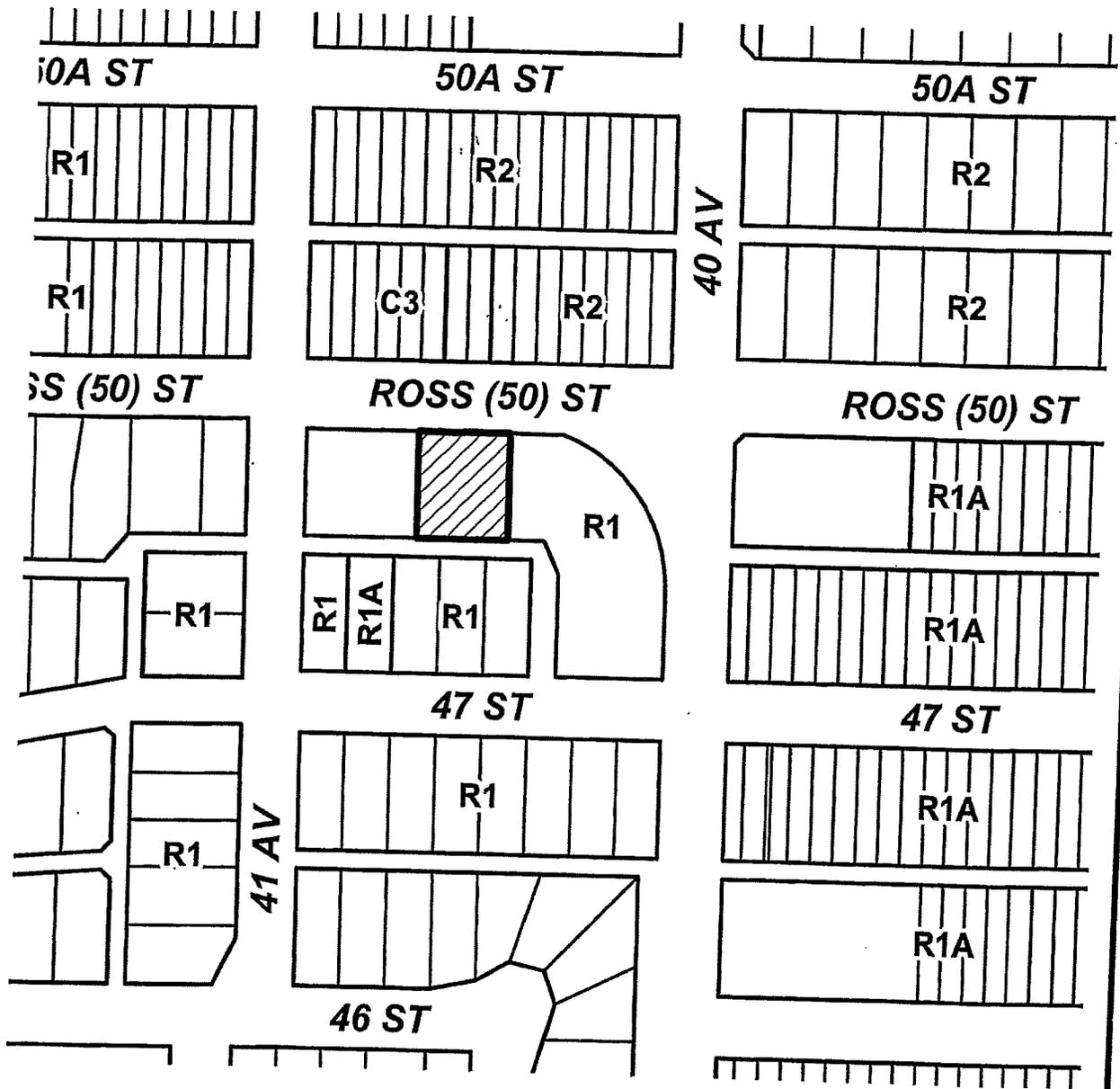


Mayor



City Clerk

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Affected Districts:
 R1 - Residential (Low Density) District
 R2 - Residential (Medium Density) District

Change District from:
Legend

 R1 to R2

Proposed Amendment
 Map: 18/2009
 Bylaw: 3357/DD-2009



Public Hearing Item No. 2

DATE: November 24, 2009
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Land Use Bylaw Amendment 3357/II-2009

History:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/II-2009 received first reading.

Land Use Bylaw Amendment 3357/II-2009 provides for the development of 7.311 ha in Timberstone Park – Phase 3.

Public Consultation Process:

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, November 30, 2009. Advertisements were placed in the Red Deer Advocate on November 13, 2009 and November 20, 2009.

Recommendation:

That following the Public Hearing, Council consider second and third readings of Land Use Bylaw Amendment 3357/II-2009.

A handwritten signature in cursive script that reads 'Elaine Vincent'.

Elaine Vincent
Manager



**PARKLAND
COMMUNITY
PLANNING
SERVICES**

Originally submitted to
Council on Monday,
November 2, 2009.

Suite 404, 4808 Ross Street
Red Deer, Alberta T4N 1X5
Ph: (403) 343-3394
Fax: (403) 346-1570
Email: pcps@pcps.ab.ca
www.pcps.com

DATE: October 21, 2009
TO: Elaine Vincent, Legislative and Administrative Services Manager
FROM: Martin Kvapil, Planning Assistant
RE: Land Use Bylaw Amendment No. 3357/II-2009
Timberstone Park – Phase 3
Peter & Kathy Lacey, Laebon Developments

Proposal

Laebon Developments is proposing to develop Phase 3 of the Timberstone Park neighbourhood, which is situated in the most northeasterly portion of the neighbourhood. A land use bylaw amendment is being sought for approximately 7.311 ha (18.07 ac.) in order to allow for development in accordance with the *Timberstone Park Neighbourhood Area Structure Plan (NASP)*.

Before proceeding with subdivision, rezoning from the present designation of A1 Future Urban Development District is required. Laebon Developments wishes to create 43 R1 (Residential Low Density) lots, 50 R1N (Residential Narrow Lot) lots and 3 public utility lots - one of which is to be used for public utilities and a pedestrian linkage. The two remaining public utility lots are proposed to be designated to R1 and R1N, as they do not form part of the overall open space concept as trail linkages.

All of the proposed land use districts of Bylaw 3357/II-2009 conform with the NASP.

Staff Recommendation

That City Council proceed with first reading of Land Use Bylaw Amendment No. 3357/II -2009.

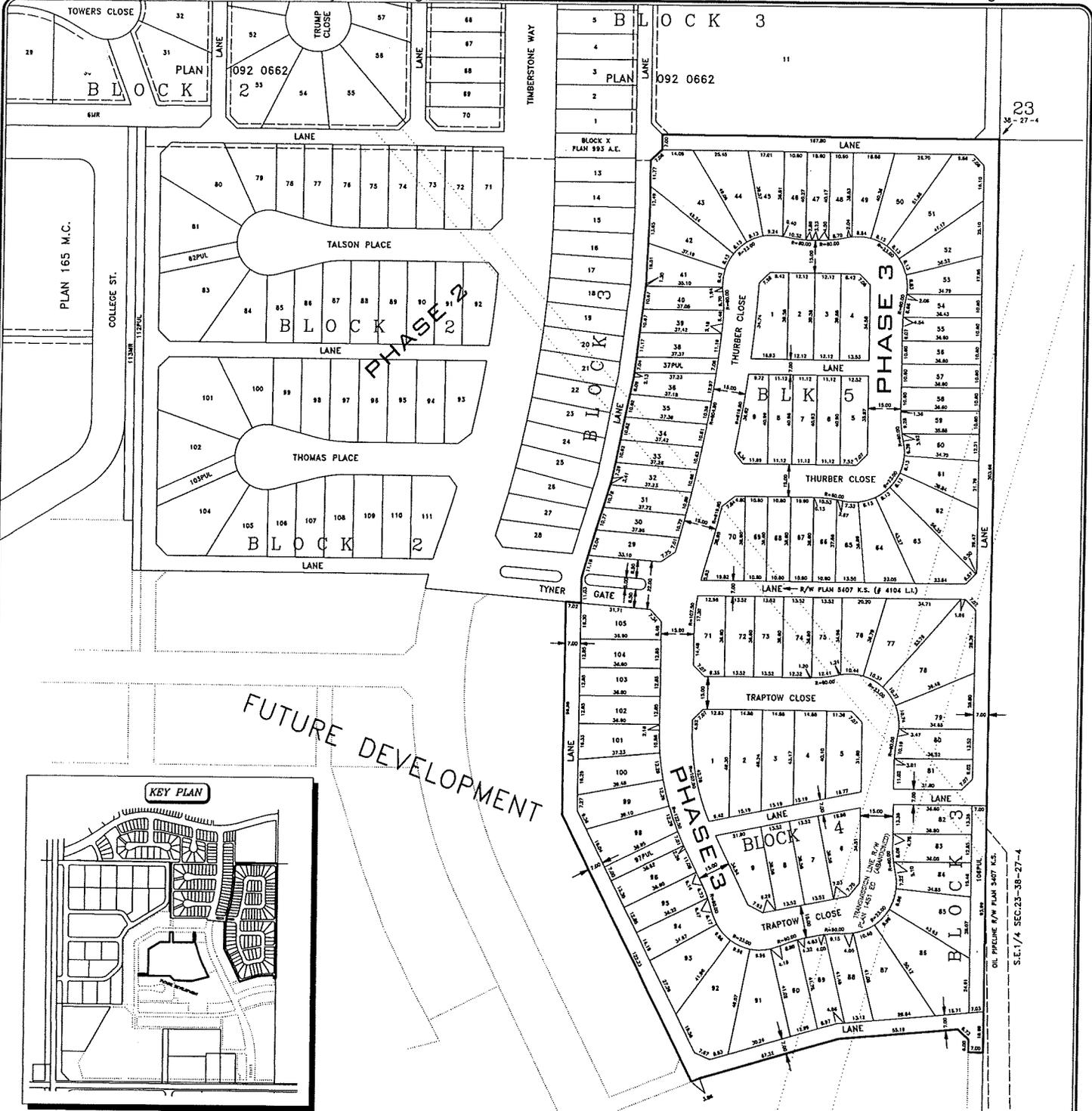
Handwritten signature of Martin Kvapil in blue ink.

Martin Kvapil
PLANNING ASSISTANT

Handwritten signature of Nancy Hackett in black ink.

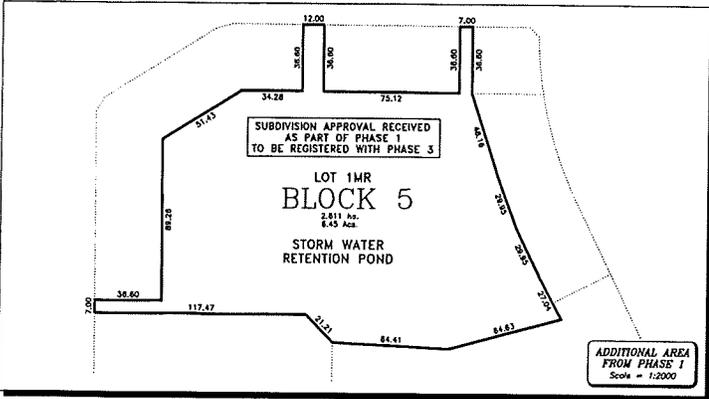
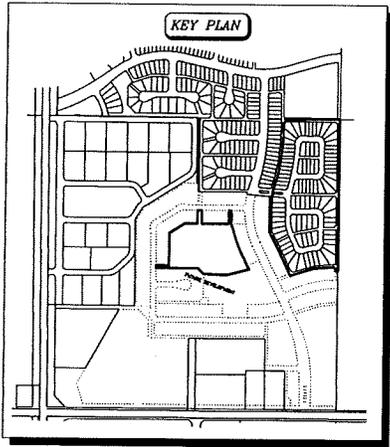
Nancy Hackett, MCIP, ACP
CITY PLANNING MANAGER

Attachments



FUTURE DEVELOPMENT

KEY PLAN



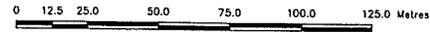
ADDITIONAL AREA FROM PHASE 1 Scale = 1:2000

RED DEER (TIMBERSTONE - PHASE 3)

Plan Showing a Proposed Subdivision of part of BLOCK X, PLAN 993 A.E. in the S.W.1/4 SEC.23-38-27-4

SCALE = 1:1250

BY: DANK VANDENBRINK A.L.S.



LEGEND & NOTES

DISTANCES ALONG A CURVE ARE ARC DISTANCES. DISTANCES ARE IN METRES AND DECIMALS THEREOF.

AREA TO BE REGISTERED IS OUTLINED THUS AND CONTAINS 7.311 ha. (18.07 Acs.)



Snell & Orlund

OCTOBER 6, 2009 JOB No.: 397-192A

WEJ

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

FILE COPY

DATE: December 1, 2009

TO: Martin Kvapil, Parkland Community Planning Services
Tony Lindhout, Parkland Community Planning Services
Nancy Hackett, Parkland Community Planning Services

FROM: Elaine Vincent, Legislative & Administrative Services Manager

SUBJECT: Land Use Bylaw Amendment No. 3357/II-2009 Timberstone Park – Phase 3 Peter & Kathy Lacey, Laebon Developments

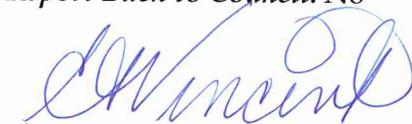
Reference Report:

Legislative and Administrative Services Manager, dated November 24, 2009
Parkland Community Planning Services, dated October 21, 2009

Bylaw Readings:

At the Monday, November 2, 2009 Council Meeting, Land Use Bylaw Amendment 3357/II-2009 received first reading. This Bylaw was advertised in the Red Deer Advocate on November 13, 2009 and November 20, 2009. On November 30, 2009 Council passed second and third reading of Land Use Bylaw Amendment 3357/II-2009. A copy of the bylaw is attached.

Report Back to Council: No



Elaine Vincent
Legislative and Administrative Services Manager

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

Inspections & Licensing Manager
Inspections & Licensing Supervisor
Land & Economic Development Manager
Leigh-Ann Butler, Graphics Supervisor
Property Assessment Technician
City Assessor
LAS File

BYLAW NO. 3357/II -2009

Being a bylaw to amend Bylaw No. 3357/2006, the Land Use Bylaw of the City of Red Deer.

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

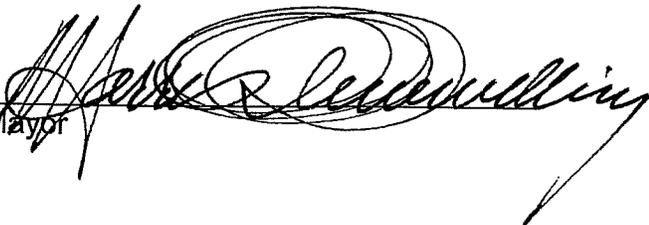
1. That "Use District Map Q16" contained within "Schedule A" of the Land Use Bylaw is hereby amended in accordance with Land Use District Map No. 24 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 2 day of November 2009.

READ A SECOND TIME IN OPEN COUNCIL this 30 day of November 2009.

READ A THIRD TIME IN OPEN COUNCIL this 30 day of November 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30 day of November 2009.

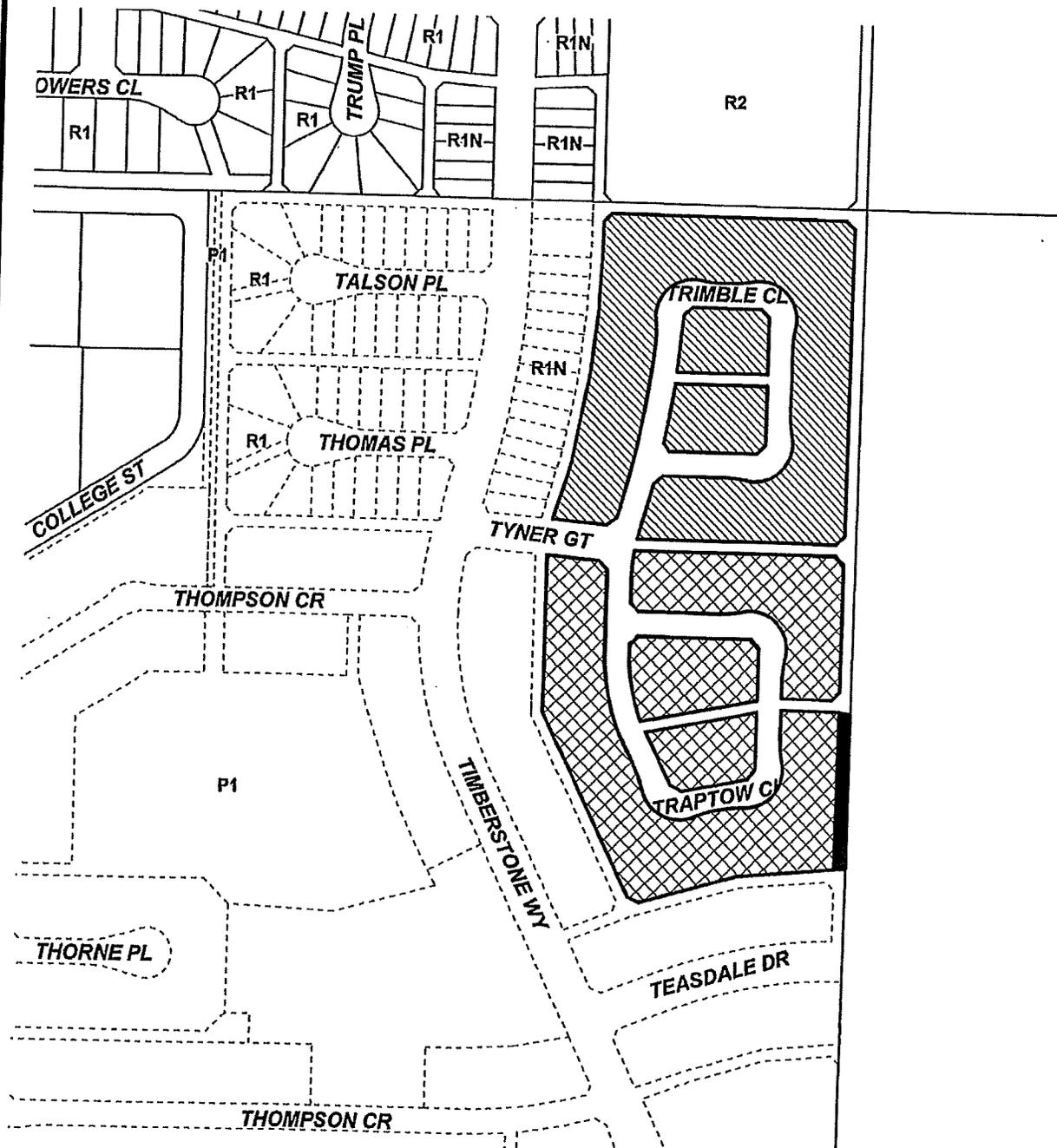


Mayor



City Clerk

Proposed Amendment to Land Use Bylaw 3357/2006



Affected Districts:
 R1 - Residential (Low Density) District
 R1N - Residential (Narrow Density) District

Change District from:

- A1 to P1
- A1 to R1
- A1 to R1N

Proposed Amendment
 Map: 24/2009
 Bylaw: 3357/11-2009

December 2, 2009

Laebon Homes
289, 28042 Hwy.11
Red Deer County, AB T4S 2L4

Dear Sir/Madam:

**Re: Land Use Bylaw Amendment 3357/II-2009
Timberstone Park – Phase 3**

At the City of Red Deer's Council Meeting held Monday, November 30, 2009, a Public Hearing was held with respect to Land Use Bylaw Amendment 3357/II-2009. Following the Public Hearing, Land Use Bylaw Amendment 3357/II-2009 was given second and third readings, a copy of which is attached.

Land Use Bylaw Amendment 3357/II-2009 provides for the development of Phase 3 of the Timberstone Park neighbourhood for approximately 7.311 ha (18.07ac) in accordance with the *Timberstone Park Neighbourhood Area Structure Plan (NASP)*. Rezoning of the present designation of A1 Future Urban Development District is required and proposes 43 R1 (Residential Low Density) lots, 50 R1N (Residential Narrow Lot) lots and 3 public utility lots – one of which is to be used for public utilities and a pedestrian linkage. The two remaining public utility lots are proposed to be designated to R1 and R1N, as they do not form part of the overall open space concept as trail linkages.

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

Sincerely,



Elaine Vincent
Legislative and Administrative Services Manager

/attach.

c. Parkland Community Planning Services



Reports Item No. 1

ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: November 20, 2009
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Revision to Distribution Tariff Effective January 1, 2010

The EL&P Department is requesting Council's approval of rate adjustments to the Distribution Tariff, Appendices A and B, Electric Utility Bylaw No. 3273/2000, effective January 1, 2010.

This application includes four separate adjustments to the Distribution Tariff.

1. Appendix A – an average increase of 1.2% to the Distribution Tariff to recover increases to operating cost forecasted for 2010;
2. Appendix A – a decrease to the Balancing Pool Flow-Through Rebate from \$0.00673 per kWh (2009 level) to \$0.00414 per kWh for 2010; and
3. Appendix A – an increase to the Local Access Fee from 25% (2009 level) to 31% for 2010;
4. Appendix B – an increase to service fee charges to recover increase to operating cost forecasted for 2010.

BACKGROUND

The EL&P Department, as the operator of the electric distribution system in Red Deer, recovers its cost of operating the utility system through its Distribution Tariff (“DT”), which is regulated and approved by City Council. The provincial Distribution Tariff Regulation (AR 254/2007) requires that a DT tariff present the following charge components separately in an end-use utility bill.

- **System Access Charge (“SAC”)** to recover the cost of accessing the provincial transmission grid. This is a charge from the Alberta Electric System Operator (“AESO”) as the provincial Transmission Administrator.
- **Distribution Access Charge (“DAC”)** to recover costs of owning and operating the local distribution infrastructure. This is the money required to maintain, operate, repair and expand the local electric distribution system.
- **Local Access Fee (“LAF”)**, a charge levied by a municipality to the electric utility as a franchise fee for the exclusive rights for utility services.
- **Balancing Pool Flow-Through Rebate (“BP Rebate”)**, a charge or refund levied by the Alberta Balancing Pool to all electricity consumers in Alberta.

- **Rate Riders (“Rider”)** to recover extremely volatile costs and prevent significant working capital fluctuations. Currently, Red Deer’s DT tariff does not have any rate riders.

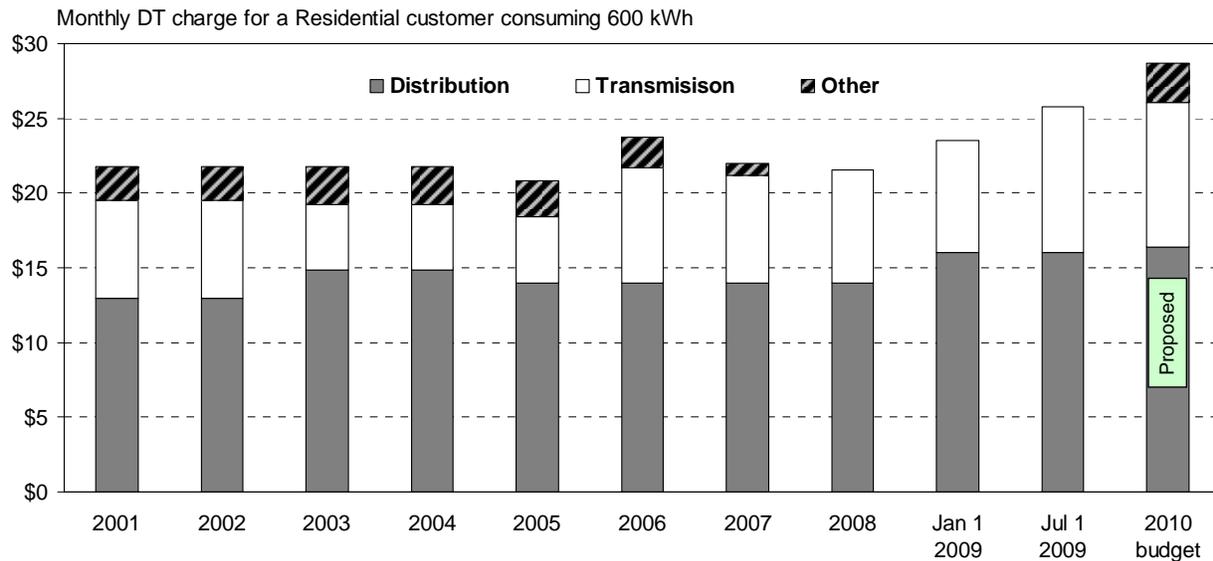
In the submission to Council on November 10, 2006 on rate adjustment, EL&P proposed to align EL&P’s DT tariff cycle with the AESO tariff cycle on a going-forward basis. Aligning with AESO’s tariff cycle would minimize working capital requirement and avoid rate riders. This means that EL&P’s DT tariffs will always commence on January 1 of each year as AESO’s tariff runs on a calendar year basis. This alignment requires EL&P to file rate applications with Council before completion of the process of budget debate and discussions. Since November 10, 2006, EL&P has been following this approach to setting rates.

1. INCREASE IN DISTRIBUTION TARIFF

The EL&P Department’s 2010-2012 operating budget has gone through internal discussions with the City Manager and will soon be presented to Council for final approval. The department anticipates a total increase of cost of approximately **\$360,000** for 2010 to the operating cost of the EL&P Department, which is equivalent to increasing the DT tariff by 1.2%. Major cost drivers are shown in the following table.

Items	Increase (decrease) \$000	Note
Cost		
PCB regulation & compliance	\$250	To comply with federal PCB regulation
Net increase to other O&M cost	\$256	Operating & maintenance cost
TOTAL COST INCREASE	\$506	
Revenue		
Decrease in investment income	(\$80)	Lower interest rate
Decrease in service & job fees	(\$347)	Service order revenue & customer jobs
Load growth	\$573	1.5% load growth forecast for 2010
NET REVENUE INCREASE	\$146	
Net increase to cost	\$360	Equivalent to rate increase of 1.2%

The following graph shows the DT charge history between 2001 and 2009 for the residential rate class.



Note: **Transmission** = AESO charge for accessing the provincial transmission system
Distribution = EL&P cost to operate and maintain the City's electric distribution system
Other = Includes Local Access Fee and Balancing Pool Flow-Through Rebate

2. DECREASE IN BALANCING POOL FLOW-THROUGH REBATE

The Alberta Balancing Pool ("BP") was established in 1998 by the provincial government and was mandated to ensure the benefits (or losses) associated with the formerly regulated generating capacity are retained (or paid) by customers in Alberta on a going forward basis. The BP plays a number of roles in the deregulated Alberta electricity market, including managing the power purchase arrangements and selling the output of the regulated generation assets at fair market prices.

In 2000, the rights to the output of a number of formerly regulated thermal generating plants were sold by auctions. The proceeds from the auctions were placed into the balancing pool account. The unsold thermal generating capacity, as well as the formerly regulated hydro generating plants, continued to be managed by the BP after 2000. The formerly regulated plants were built in a regulated environment whereby electricity consumers in Alberta are financially committed to purchase, at a regulated price, the output of these plants over their useful lifespan.

Under the provincial Electric Utilities Act ("EUA"), the net balance of the balancing pool account, either positive (net surplus) or negative (net shortfall), must be flowed back to customers. The following is the sequence of events that take place to flow a rebate back to (or recover a shortfall from) all end-use customers.

- The BP transfers the funds to the AESO;
- A distribution system owner receives a share of the funds from the AESO as a credit against their AESO transmission invoice;
- The distribution system owner transfers the rebate to the retailers through the DT tariff billing process;
- The retailers rebate back to customers through end-use billing.

Each year, the BP is required to forecast its revenues and expenses to determine the future year's surpluses or shortfalls. Since the establishment of the BP in 1998, Alberta consumers have received rebates in 2001 and 2006-2009.

On November 16, 2009, the BP forecast a net operating surplus of over \$220 million for 2010. This amount, when expressed in rate terms, is equivalent to 0.4 cents per kWh to all electricity customers in Alberta. The kWh energy is measured at the transmission-distribution demarcation point, which is the lower voltage terminal of the transformers at a transmission substation.

As customers are normally billed based on the end-use meter readings, the above refund of 0.4 cents per kWh at the transmission substation level must be converted to the end-use meter point by adding distribution system losses and the unaccounted-for-energy. In the Red Deer electric system, the distribution system loss factor is set at 3.6%, and the unaccounted-for-energy is generally negligible. The refund rate at the end-use meter level then becomes

$$0.4 \times (1 + 3.6\%) = 0.414 \text{ (cents per kWh)}$$

The EL&P Department submits that a rebate of 0.414 cents per kWh, measured at the end-use meter level, be flowed back to all customers in Red Deer, starting January 1, 2010 and ending December 31, 2010.

3. INCREASE TO LOCAL ACCESS FEE

The Local Access Fee is a separate line item within the Distribution Tariff and is a charge levied by the municipality to the electric utility as a franchise fee for the exclusive rights to use portions of road, right-of-way and other City owned properties and lands for the purpose of placing and maintaining electrical distribution facilities. This fee is assessed against only the DAC (Distribution Access Charge) component of the DT with no assessment against the SAC (System Access Charge) component.

The current LAF for electric customers is set at **25%**. The City's financial policy, approved by the Senior Management Team in 2007, requires that electric customers pay LAF charges at the same level as natural gas customers. For 2010, we propose to increase the LAF to **31%**, which is the current LAF for the natural gas utility.

This increase in LAF will generate approximately **\$921,000** of extra financial contribution to the City.

4. INCREASE IN SERVICE FEES

Appendix B of EL&P's DT Tariff sets out charges on distribution access services, including load settlement, connection & disconnection of sites, and meter services. These services are typically requested from developers, retailers or customers. In 2008, EL&P responded to 5,738 service requests from developers, retailers, property owners and end-use customers.

The current fee schedule was set on January 1, 2005 and has not been adjusted since then. Recent reviews on the services charges suggest that costs for providing these services have

increased by 17% to 45%, driven primarily by fleet charge (higher fuel cost) and labor rate escalation.

EL&P submits that the service fees be adjusted as detailed in the attached red-lined fee schedule.

PROPOSED RATE ADJUSTMENT

The attached red-lined bylaw presents detailed information of the proposed changes to the DT tariff, specifically to Appendices A and B.

The provincial regulation requires a wires service provider to give 30 days of advance notice to retailers about any changes to the DT Tariff. In order for EL&P to comply with this requirement and for the retailers in Red Deer to make the required changes in their billing systems with an effective date of January 1, 2010, it is requested that Council provide all three readings to approve the proposed rates.

IMPACT ON CUSTOMERS

Impacts of the above tariff adjustments on customers, excluding BP Flow-Through Rebate, are shown in the following table.

Impact of each rate adjustment on total DT tariff charge – monthly charge

Rate Class	DT Tariff Charge increase		Local Access Fee increase		Total increase	
	\$	%	\$	%	\$	%
E61 Residential (energy)	\$0.31	1.2%	\$0.96	3.7%	\$1.27	4.9%
E63 Small General Service (energy)	\$0.96	1.2%	\$2.99	3.8%	\$3.95	5.0%
E64 General Service (demand)	\$7.91	1.0%	\$27.27	3.4%	\$33.20	4.4%
E78 Large General Service (demand)	\$121.11	1.3%	\$333.80	3.6%	\$424.63	4.9%

BP Rebate is a provincial program and is set solely by the Alberta Balancing Pool. The City, as the owner of an electrical distribution system, is required to flow the refund back to customers. Because BP refund is based on the volume of consumption only, customers with a higher load factor would likely receive a higher proportion of the refund.

Because the proposed increases are to the delivery charge only, the percentage increase would be smaller when applied to the bottom line of the customer's end-use bill, which also includes the electricity commodity charge (also called energy charge).

MUNICIPAL IMPACTS

The increase to the DT tariff will have no impact on the revenue transfers to the City as this is strictly a recovery of increased operating cost to EL&P.

Changes to the BP Flow-Through Rebate make no impact on the revenue transfer to the municipality as the adjustments are strictly a flow-through from the province to the end-use consumers.

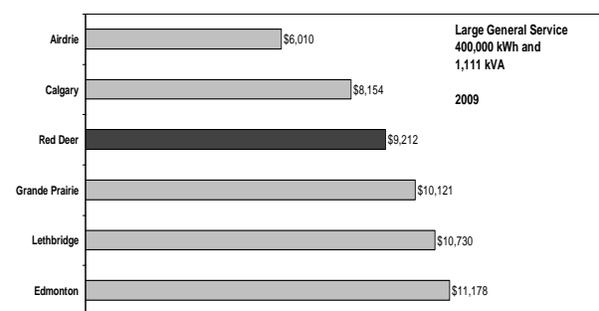
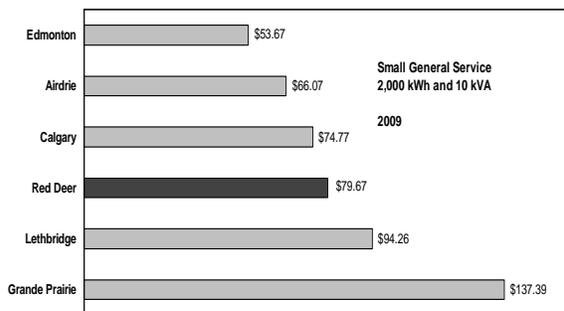
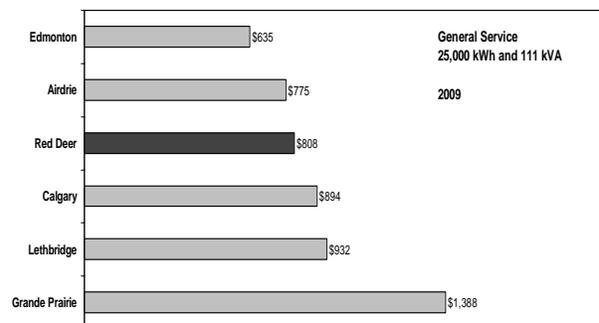
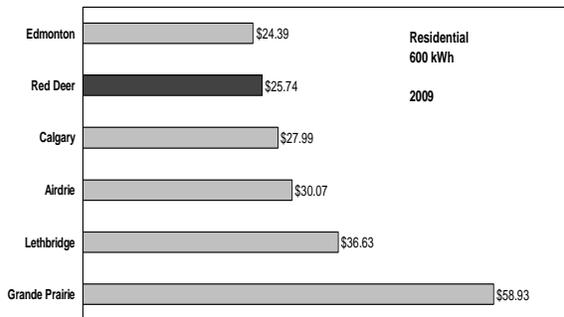
The upward adjustment to the LAF will result in a net increase of **\$921,000** to the revenue transfer to the City.

The increase to service fees will have no impact on the revenue transfer to the City as this is strictly a recovery of increased operating cost to EL&P.

RATE COMPARISONS

At this moment, it is difficult to make a meaningful comparison on the distribution tariff with other Alberta utilities for 2010, as the rates of most other Alberta utilities for 2010 are presently unknown and will remain unknown until early 2010 when they receive final approvals from their regulators. The EL&P Department conducts regular studies on comparing distribution access charges and will update the rate surveys when the 2010 rate data becomes available.

The following four graphs show the current (November 2009) monthly DT tariff charges for typical customer classes in selected service areas in the province. It should be noted that these graphs are for delivery charges only. Retailer charges, including energy charge and billing charge, are not included.



RECOMMENDATION

It is recommended and respectfully requested that City Council provide the necessary three readings, at the Council meeting of November 30, 2009, for final approval of the proposed revisions to

**“Appendix A – Distribution Tariff” and
“Appendix B – Distribution Access Service Schedule of Fees”**

of the Electric Utility Bylaw No. 3273/2000 as detailed in the attachments with the effective date being January 1, 2010.



Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

- cc. Paul Goranson, Director, Development Services
- Dean Krejci, Manager, Financial Services
- Karen Yetter, Divisional Controller, Development Services
- Andreas Zabel, Utility Specialist, EL&P
- Farah Samani, Regulatory Analyst, EL&P

Attachments



November 16, 2009

Allocation to Power Consumers set a \$4.00 per MWh for 2010

The Balancing Pool announces that the allocation to power consumers in 2010 will be set at \$4.00 per MWh of consumption, which will result in over \$200 million being received by Alberta's electricity consumers.

“The Balancing Pool assets have been generating lower cashflows during 2009 due to softer electricity prices,” said Gary Reynolds, President and CEO, “and we forecast this to continue during 2010. As such, the consumer allocation will be reduced to \$4.00 per MWh for calendar 2010.”

During the four year period since the initiation of the annual consumer allocation in 2006, the Balancing Pool has paid out over \$750 million in allocations to Alberta's electricity consumers. In addition, in 2001 the Balancing Pool paid \$2 billion in electricity rebates to consumers from proceeds of the PPA auction.

Under provisions of the Electric Utilities Act, each year the Balancing Pool is required to forecast its revenues and expenses and to determine whether any excess (or shortfall) funds will be allocated to electricity consumers. The consumer allocation amount will be reviewed for 2011 and annually thereafter.

For further information:

Gary Reynolds
President and CEO
403-539-5351

www.balancingpool.ca



November 19, 2009

Submitted via AUC Digital Data Submission (DDS) System

Alberta Utilities Commission
Utilities Division, Calgary Office
Fifth Avenue Place
400, 425 – 1st Street SW
Calgary, Alberta
T2P 3L8

Dear sir or madam:

Re: **AESO 2010 Balancing Pool Consumer Allocation Rider F Application**

- 1 On November 17, 2009 the Balancing Pool notified the Alberta Electric System Operator (“AESO”) of an estimated annualized positive amount of \$227.0 million to be reflected in the AESO’s rates under sections 30 and 82 of the *Electric Utilities Act* (“Act”). The annualized amount is similar in nature to that which is currently being refunded to AESO customers through the Balancing Pool Consumer Allocation Rider F under the AESO’s tariff.
- 2 The Balancing Pool has requested that the amount be paid to AESO customers as a \$4.00/MWh credit during 2010. A copy of the Balancing Pool’s letter providing the notice is attached. The Balancing Pool’s notice complies with the requirements of section 82(4) of the Act.
- 3 Rider F was first approved as a \$1.00/MWh credit by the predecessor of the Alberta Utilities Commission (“Commission”), the Alberta Energy and Utilities Board (“Board”), in Order U2005-464 for 2006 consumption. Rider F was revised in subsequent years to a \$3.00/MWh credit in Board Order U2006-332 for 2007 consumption, to a \$5.00/MWh credit in Board Order U2007-309 for 2008 consumption, and to a \$6.50/MWh credit in Commission Order U2008-356 for 2009 consumption. No objections were received in any of the AESO’s previous Rider F applications.
- 4 The AESO accepts the Balancing Pool’s recommendation that the annualized amount continue to be refunded to AESO customers as a \$/MWh amount, set at \$4.00/MWh credit effective from January 1 to December 31, 2010. The AESO further proposes that other aspects of the 2010 Rider F, including applicability criteria, continue unchanged from the 2009 Rider F which is currently in effect. The AESO notes that the City of Medicine Hat and BC Hydro at Fort Nelson are ineligible for Rider F according to Board Order U2006-307.
- 5 The AESO therefore requests approval by the Commission pursuant to subsection 82(6) of the Act, for a Balancing Pool Consumer Allocation Rider F to provide a \$4.00/MWh credit to all

Demand Transmission Service (DTS) and Demand Opportunity Service (DOS) customers, with the exceptions of the City of Medicine Hat and BC Hydro at Fort Nelson, for consumption from January 1 through December 31, 2010, inclusive. A proposed Rider F schedule is attached.

6 As this application is a simple revision to the level of Rider F and complies with relevant legislation, the AESO requests that the Commission deal with this application through an expedited process.

7 Please direct all correspondence relating to this application to:

John Martin
Director, Tariff Applications
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2465
Fax: 403-539-2524
Email: john.martin@aeso.ca

Raj Sharma
Senior Tariff Analyst
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2632
Fax: 403-539-2524
Email: raj.sharma@aeso.ca

April Walters
Executive Assistant, Regulatory
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2463
Fax: 403-539-2524
Email: april.walters@aeso.ca

8 If you have any questions on this application or need additional information, please contact me at 403-539-2465 or by e-mail to john.martin@aeso.ca.

Yours truly,

[original signed by]

John Martin
Director, Tariff Applications

attachments

cc: Heidi Kirmaier, Vice-President, Regulatory, AESO
Raj Sharma, Senior Tariff Analyst, AESO



Rider F Balancing Pool Consumer Allocation Rider Page 1 of 1

Purpose: To collect from or refund to AESO Customers an annualized amount estimated by the Balancing Pool and transferred to the AESO under section 82 of the *Electric Utilities Act*.

Applicable to: Customers receiving service under the following Rate Schedules:

- DTS, with the exception of the City of Medicine Hat
- DOS, with the exceptions of the City of Medicine Hat and BC Hydro at Fort Nelson

Effective: The rider is effective for all billing periods from January 1, 2010 to December 31, 2010.

Rate: A credit of **\$4.00/MWh** of Metered Energy during the Billing Period.

Terms: The Terms and Conditions form part of this Rate Schedule.



Calgary Place
2350, 330 – 5th Ave. S.W.
Calgary, Alberta T2P 0L4

tel (403) 539-5350
fax (403) 539-5366
www.balancingpool.ca

November 17, 2009

Ms. Heidi Kirrmaier, Vice-President, Regulatory
Alberta Electric System Operator
Suite 2500, 330 – 5th Avenue SW
Calgary, AB T2P 0L4

RE: AESO 2010 Tariff Application

Dear Ms. Kirrmaier:

The Balancing Pool has announced a consumer allocation of \$4.00 per MWh of consumption for an estimated annualized amount of \$226,992,000. Pursuant to Section 30(2) (b) of the Electric Utility Act, any such allocation must be included in the AESO's tariff.

Please consider this our formal request to have this included as part of the AESO's tariff effective January 1 to December 31, 2010.

If you have any questions, please contact the undersigned at (403) 539-5353.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Heath", is written over a light blue circular background.

Doug Heath
VP Operations

C.C John Martin, Alberta Electric System Operator
C.C Gary Reynolds, Balancing Pool



CITY OF RED DEER

ELECTRIC LIGHT & POWER DEPARTMENT

DISTRIBUTION TARIFF

GENERAL

Effective Date

This Tariff is effective on ~~July~~ **January** 1, ~~2009~~ **2010**. It applies to all consumptions, whether estimated or actual, on and after ~~July~~ **January** 1, ~~2009~~ **2010**, for the use of System Access and Distribution Access services.

Terms and Conditions

The "Terms and Conditions for Distribution Access Services" and the "Terms and Conditions for Retail Access Services" are part of this Tariff. Furthermore, the "Schedule of Fees for Distribution Access Services" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

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

1. the highest kVA Metered Demand in the monthly billing period; or
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the monthly billing period.

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

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

APPENDIX "A"
Bylaw 3273/A-2009
Page 2 of 8

RESIDENTIAL - RATE 61

Application Applies to all residential premises which are measured by a single meter and which contain not more than two dwelling units.

Distribution Tariff

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.1896	0.3162 0.3225
Variable Charge	\$/kWh of all energy	0.0066	0.0107 0.0109

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, ~~2009~~ **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A -2009
Page 3 of 8

GENERAL SERVICE - RATE 63

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

Services are to be taken at one of the following nominal voltages:

- 120/240 Volts, single phase, 3 wire;
- 120/208Y Volts, network, 3 wire;
- 120/208Y Volts, three phase, 4 wire;
- 347/600Y Volts, three phase, 4 wire.

Distribution Tariff

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.7880	0.9195 0.9379
Variable Charge	\$/kWh of all energy	0.0066	0.0084 0.0086

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, ~~2009~~ **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2009
Page 4 of 8

GENERAL SERVICE - RATE 64

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

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0870	0.0803 0.0819
Variable Charge	\$/kWh of all energy	0.0066	0.0057 0.0058

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, ~~2009~~ **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2009
Page 5 of 8

LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78

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

Rate 78 is also applicable to all customers who were billed on Rate 78 prior to December 31, 2000 regardless of the kVA Metered Demand.

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0915	0.0810 0.0834
Variable Charge	\$/kWh of all energy	0.0066	0.0055 0.0056

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, ~~2009~~ **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

STREET LIGHT SERVICE - RATE 81

Application Applies to standard street light fixtures.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.0985 0.1005
Variable Charge	\$/kWh of all energy	0.0066	0.0067 0.0068

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

**Balancing
Pool
Allocation**

A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

**Local Access
Fee**

Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge**

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2009
Page 7 of 8

TRAFFIC LIGHT SERVICE - RATE 82

Application Applies to standard traffic light systems.

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.1012 0.1032
Variable Charge	\$/kWh of all energy	0.0066	0.0066 0.0067

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

Balancing Pool Allocation

A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

Local Access Fee

Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

DISTRIBUTION GENERATION - RATE 83

Application Applies to generators meeting all of the following requirements

1. Have a capacity of 150 kW or greater, and connected to a distribution voltage;
2. Have installed a revenue class bi-directional 15-minute interval meter.

Generators not meeting the above requirements are reviewed on an individual basis.

Distribution Tariff

	Unit	Distribution Access
Capacity Charge	\$/kW of peak output per day	0.0825
Variable Charge	\$/kWh of supplied energy	0.0057

- Note:
1. Power consumption by the customer for standby purposes is subject to an applicable rate (61, 63, 64, 78, 81 or 82) for load customers
 2. Peak output is measured and calculated in the same manner as the Billing Demand for load customers

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Transmission Charge As per the applicable supply tariff of the Transmission Administrator. This is a charge to the customer and is added to the customer's bill.

Transmission Credit $DTS \times \Sigma(A - B)$ where
 DTS is the applicable demand tariff of the Transmission Administrator
 A is hourly gross billing determinants at the Point of Delivery to which the customer is connected
 B is hourly net billing determinants at the Point of Delivery to which the customer is connected

This is a credit to the customer and is calculated on a monthly basis.

Distribution Access Services Schedule of Fees

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Distribution Access Services Terms and Conditions.

1. Connection/Disconnection/Reconnection Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request

Overtime Hours: ~~\$190.00~~ **\$275.96** per request

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. The fee may be charged to the owner/landlord of the property where the disconnection has been in effect for less than six months.

2. Revoke Disconnection Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request

Overtime Hours: ~~\$190.00~~ **\$275.96** per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee:

Applicable Overtime Rates

This fee is applied when supply is required on an emergency basis. The fee is applicable to every new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request

Overtime Hours: ~~\$190.00~~ **\$275.96** per request

Applicable where the extra Service trip is required because of failure of the Customer or the Customer's equipment to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: November 20, 2009
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Revision to Distribution Tariff Effective January 1, 2010

The EL&P Department is requesting Council's approval of rate adjustments to the Distribution Tariff, Appendices A and B, Electric Utility Bylaw No. 3273/2000, effective January 1, 2010.

This application includes four separate adjustments to the Distribution Tariff.

1. Appendix A – an average increase of 1.2% to the Distribution Tariff to recover increases to operating cost forecasted for 2010;
2. Appendix A – a decrease to the Balancing Pool Flow-Through Rebate from \$0.00673 per kWh (2009 level) to \$0.00414 per kWh for 2010; and
3. Appendix A – an increase to the Local Access Fee from 25% (2009 level) to 31% for 2010;
4. Appendix B – an increase to service fee charges to recover increase to operating cost forecasted for 2010.

BACKGROUND

The EL&P Department, as the operator of the electric distribution system in Red Deer, recovers its cost of operating the utility system through its Distribution Tariff ("DT"), which is regulated and approved by City Council. The provincial Distribution Tariff Regulation (AR 254/2007) requires that a DT tariff present the following charge components separately in an end-use utility bill.

- **System Access Charge ("SAC")** to recover the cost of accessing the provincial transmission grid. This is a charge from the Alberta Electric System Operator ("AESO") as the provincial Transmission Administrator.
- **Distribution Access Charge ("DAC")** to recover costs of owning and operating the local distribution infrastructure. This is the money required to maintain, operate, repair and expand the local electric distribution system.
- **Local Access Fee ("LAF")**, a charge levied by a municipality to the electric utility as a franchise fee for the exclusive rights for utility services.
- **Balancing Pool Flow-Through Rebate ("BP Rebate")**, a charge or refund levied by the Alberta Balancing Pool to all electricity consumers in Alberta.

- **Rate Riders ("Rider")** to recover extremely volatile costs and prevent significant working capital fluctuations. Currently, Red Deer's DT tariff does not have any rate riders.

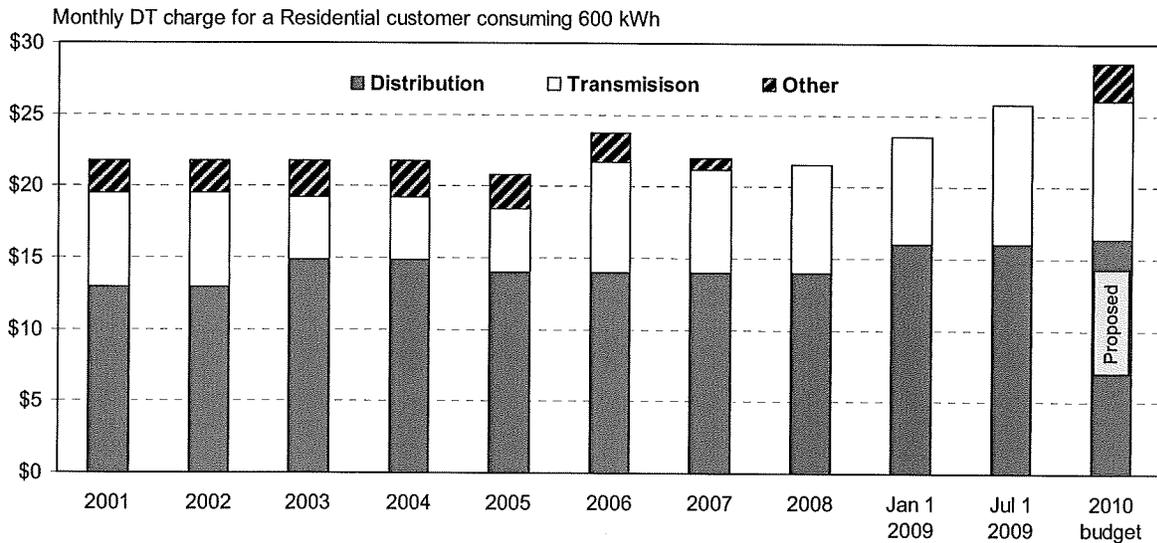
In the submission to Council on November 10, 2006 on rate adjustment, EL&P proposed to align EL&P's DT tariff cycle with the AESO tariff cycle on a going-forward basis. Aligning with AESO's tariff cycle would minimize working capital requirement and avoid rate riders. This means that EL&P's DT tariffs will always commence on January 1 of each year as AESO's tariff runs on a calendar year basis. This alignment requires EL&P to file rate applications with Council before completion of the process of budget debate and discussions. Since November 10, 2006, EL&P has been following this approach to setting rates.

1. INCREASE IN DISTRIBUTION TARIFF

The EL&P Department's 2010-2012 operating budget has gone through internal discussions with the City Manager and will soon be presented to Council for final approval. The department anticipates a total increase of cost of approximately **\$360,000** for 2010 to the operating cost of the EL&P Department, which is equivalent to increasing the DT tariff by 1.2%. Major cost drivers are shown in the following table.

Items	Increase (decrease) \$000	Note
Cost		
PCB regulation & compliance	\$250	To comply with federal PCB regulation
Net increase to other O&M cost	\$256	Operating & maintenance cost
TOTAL COST INCREASE	\$506	
Revenue		
Decrease in investment income	(\$80)	Lower interest rate
Decrease in service & job fees	(\$347)	Service order revenue & customer jobs
Load growth	\$573	1.5% load growth forecast for 2010
NET REVENUE INCREASE	\$146	
Net increase to cost	\$360	Equivalent to rate increase of 1.2%

The following graph shows the DT charge history between 2001 and 2009 for the residential rate class.



Note: **Transmission** = AESO charge for accessing the provincial transmission system
Distribution = EL&P cost to operate and maintain the City's electric distribution system
Other = Includes Local Access Fee and Balancing Pool Flow-Through Rebate

2. DECREASE IN BALANCING POOL FLOW-THROUGH REBATE

The Alberta Balancing Pool ("BP") was established in 1998 by the provincial government and was mandated to ensure the benefits (or losses) associated with the formerly regulated generating capacity are retained (or paid) by customers in Alberta on a going forward basis. The BP plays a number of roles in the deregulated Alberta electricity market, including managing the power purchase arrangements and selling the output of the regulated generation assets at fair market prices.

In 2000, the rights to the output of a number of formerly regulated thermal generating plants were sold by auctions. The proceeds from the auctions were placed into the balancing pool account. The unsold thermal generating capacity, as well as the formerly regulated hydro generating plants, continued to be managed by the BP after 2000. The formerly regulated plants were built in a regulated environment whereby electricity consumers in Alberta are financially committed to purchase, at a regulated price, the output of these plants over their useful lifespan.

Under the provincial Electric Utilities Act ("EUA"), the net balance of the balancing pool account, either positive (net surplus) or negative (net shortfall), must be flowed back to customers. The following is the sequence of events that take place to flow a rebate back to (or recover a shortfall from) all end-use customers.

- a) The BP transfers the funds to the AESO;
- b) A distribution system owner receives a share of the funds from the AESO as a credit against their AESO transmission invoice;
- c) The distribution system owner transfers the rebate to the retailers through the DT tariff billing process;
- d) The retailers rebate back to customers through end-use billing.

Each year, the BP is required to forecast its revenues and expenses to determine the future year's surpluses or shortfalls. Since the establishment of the BP in 1998, Alberta consumers have received rebates in 2001 and 2006-2009.

On November 16, 2009, the BP forecast a net operating surplus of over \$220 million for 2010. This amount, when expressed in rate terms, is equivalent to 0.4 cents per kWh to all electricity customers in Alberta. The kWh energy is measured at the transmission-distribution demarcation point, which is the lower voltage terminal of the transformers at a transmission substation.

As customers are normally billed based on the end-use meter readings, the above refund of 0.4 cents per kWh at the transmission substation level must be converted to the end-use meter point by adding distribution system losses and the unaccounted-for-energy. In the Red Deer electric system, the distribution system loss factor is set at 3.6%, and the unaccounted-for-energy is generally negligible. The refund rate at the end-use meter level then becomes

$$0.4 \times (1 + 3.6\%) = 0.414 \text{ (cents per kWh)}$$

The EL&P Department submits that a rebate of 0.414 cents per kWh, measured at the end-use meter level, be flowed back to all customers in Red Deer, starting January 1, 2010 and ending December 31, 2010.

3. INCREASE TO LOCAL ACCESS FEE

The Local Access Fee is a separate line item within the Distribution Tariff and is a charge levied by the municipality to the electric utility as a franchise fee for the exclusive rights to use portions of road, right-of-way and other City owned properties and lands for the purpose of placing and maintaining electrical distribution facilities. This fee is assessed against only the DAC (Distribution Access Charge) component of the DT with no assessment against the SAC (System Access Charge) component.

The current LAF for electric customers is set at **25%**. The City's financial policy, approved by the Senior Management Team in 2007, requires that electric customers pay LAF charges at the same level as natural gas customers. For 2010, we propose to increase the LAF to **31%**, which is the current LAF for the natural gas utility.

This increase in LAF will generate approximately **\$921,000** of extra financial contribution to the City.

4. INCREASE IN SERVICE FEES

Appendix B of EL&P's DT Tariff sets out charges on distribution access services, including load settlement, connection & disconnection of sites, and meter services. These services are typically requested from developers, retailers or customers. In 2008, EL&P responded to 5,738 service requests from developers, retailers, property owners and end-use customers.

The current fee schedule was set on January 1, 2005 and has not been adjusted since then. Recent reviews on the services charges suggest that costs for providing these services have

increased by 17% to 45%, driven primarily by fleet charge (higher fuel cost) and labor rate escalation.

EL&P submits that the service fees be adjusted as detailed in the attached red-lined fee schedule.

PROPOSED RATE ADJUSTMENT

The attached red-lined bylaw presents detailed information of the proposed changes to the DT tariff, specifically to Appendices A and B.

The provincial regulation requires a wires service provider to give 30 days of advance notice to retailers about any changes to the DT Tariff. In order for EL&P to comply with this requirement and for the retailers in Red Deer to make the required changes in their billing systems with an effective date of January 1, 2010, it is requested that Council provide all three readings to approve the proposed rates.

IMPACT ON CUSTOMERS

Impacts of the above tariff adjustments on customers, excluding BP Flow-Through Rebate, are shown in the following table.

Impact of each rate adjustment on total DT tariff charge – monthly charge

Rate Class	DT Tariff Charge increase		Local Access Fee increase		Total increase	
	\$	%	\$	%	\$	%
E61 Residential (energy)	\$0.31	1.2%	\$0.96	3.7%	\$1.27	4.9%
E63 Small General Service (energy)	\$0.96	1.2%	\$2.99	3.8%	\$3.95	5.0%
E64 General Service (demand)	\$7.91	1.0%	\$27.27	3.4%	\$33.20	4.4%
E78 Large General Service (demand)	\$121.11	1.3%	\$333.80	3.6%	\$424.63	4.9%

BP Rebate is a provincial program and is set solely by the Alberta Balancing Pool. The City, as the owner of an electrical distribution system, is required to flow the refund back to customers. Because BP refund is based on the volume of consumption only, customers with a higher load factor would likely receive a higher proportion of the refund.

Because the proposed increases are to the delivery charge only, the percentage increase would be smaller when applied to the bottom line of the customer's end-use bill, which also includes the electricity commodity charge (also called energy charge).

MUNICIPAL IMPACTS

The increase to the DT tariff will have no impact on the revenue transfers to the City as this is strictly a recovery of increased operating cost to EL&P.

Changes to the BP Flow-Through Rebate make no impact on the revenue transfer to the municipality as the adjustments are strictly a flow-through from the province to the end-use consumers.

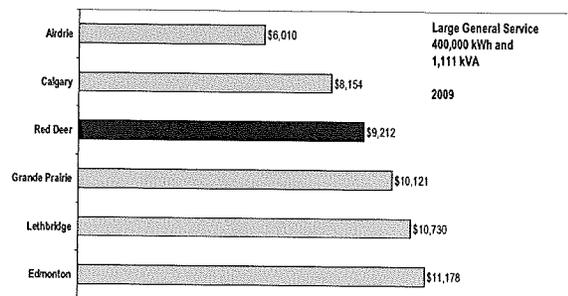
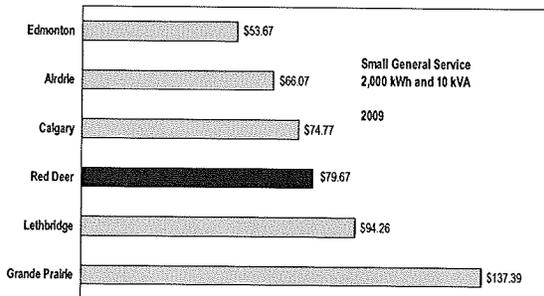
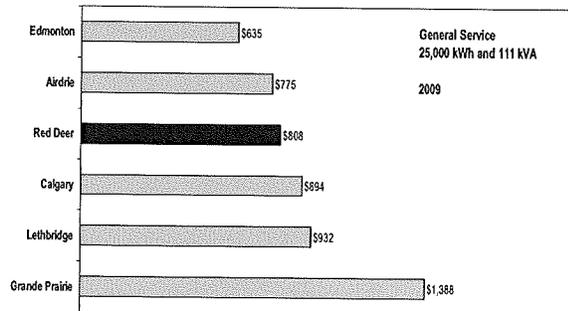
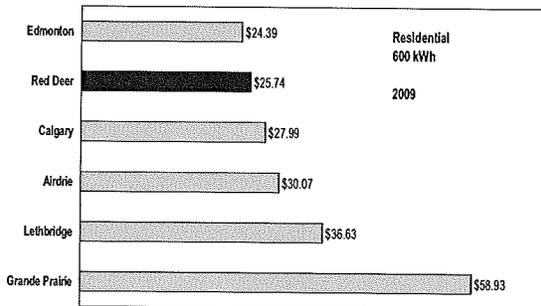
The upward adjustment to the LAF will result in a net increase of **\$921,000** to the revenue transfer to the City.

The increase to service fees will have no impact on the revenue transfer to the City as this is strictly a recovery of increased operating cost to EL&P.

RATE COMPARISONS

At this moment, it is difficult to make a meaningful comparison on the distribution tariff with other Alberta utilities for 2010, as the rates of most other Alberta utilities for 2010 are presently unknown and will remain unknown until early 2010 when they receive final approvals from their regulators. The EL&P Department conducts regular studies on comparing distribution access charges and will update the rate surveys when the 2010 rate data becomes available.

The following four graphs show the current (November 2009) monthly DT tariff charges for typical customer classes in selected service areas in the province. It should be noted that these graphs are for delivery charges only. Retailer charges, including energy charge and billing charge, are not included.



RECOMMENDATION

It is recommended and respectfully requested that City Council provide the necessary three readings, at the Council meeting of November 30, 2009, for final approval of the proposed revisions to

"Appendix A – Distribution Tariff" and
"Appendix B – Distribution Access Service Schedule of Fees"

of the Electric Utility Bylaw No. 3273/2000 as detailed in the attachments with the effective date being January 1, 2010.



Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

- cc. Paul Goranson, Director, Development Services
- Dean Krejci, Manager, Financial Services
- Karen Yetter, Divisional Controller, Development Services
- Andreas Zabel, Utility Specialist, EL&P
- Farah Samani, Regulatory Analyst, EL&P

Attachments

CITY OF RE
ELECTRIC LIGHT & PO

DISTRIBUTION

GENERAL

Effective Date

This Tariff is effective on ~~July~~ **January 1, 2009 2010**, or actual, on and after ~~July~~ **January 1, 2009 2010**, for services.

Terms and Conditions

The "Terms and Conditions for Distribution Access Services" are part of this Tariff. Furthermore, the "Retail Access Service Agreement" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

The kVA of Billing Demand with respect to the month shall be:

1. the highest kVA Metered Demand in the month;
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the monthly billing period.

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

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

902841.

copy doc # 803482 . A

Name 3273/A-2009
Electric Utility Bylaw
Appendix A
effective January 1, 2010

move Draft Bylaws

RESIDENTIAL - RATE 61

Application Applies to all residential premises which are measured by a single meter and which contain not more than two dwelling units.

**Distribution
 Tariff**

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.1896	0.3162 0.3225
Variable Charge	\$/kWh of all energy	0.0066	0.0107 0.0109

**Balancing
 Pool
 Allocation** A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

**Local Access
 Fee** Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
 Monthly
 Charge** Total Basic Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

GENERAL SERVICE - RATE 63

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

Services are to be taken at one of the following nominal voltages:

- 120/240 Volts, single phase, 3 wire;
- 120/208Y Volts, network, 3 wire;
- 120/208Y Volts, three phase, 4 wire;
- 347/600Y Volts, three phase, 4 wire.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.7880	0.9195 0.9379
Variable Charge	\$/kWh of all energy	0.0066	0.0084 0.0086

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

GENERAL SERVICE - RATE 64

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

**Distribution
 Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0870	0.0803 0.0819
Variable Charge	\$/kWh of all energy	0.0066	0.0057 0.0058

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, ~~2009~~ **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78

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

Rate 78 is also applicable to all customers who were billed on Rate 78 prior to December 31, 2000 regardless of the kVA Metered Demand.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0915	0.0810 0.0834
Variable Charge	\$/kWh of all energy	0.0066	0.0055 0.0056

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

STREET LIGHT SERVICE - RATE 81

Application Applies to standard street light fixtures.

Distribution Tariff	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.0985 0.1005
Variable Charge	\$/kWh of all energy	0.0066	0.0067 0.0068

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

Balancing Pool Allocation A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

TRAFFIC LIGHT SERVICE - RATE 82

Application Applies to standard traffic light systems.

**Distribution
 Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.1012 0.1032
Variable Charge	\$/kWh of all energy	0.0066	0.0066 0.0067

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

**Balancing
 Pool
 Allocation**

A credit of ~~\$0.00673/kWh~~ **\$0.00414/kWh** of all energy effective from January 1, 2009 **2010** to December 31, 2009 **2010** inclusive and nil for any other time periods.

**Local Access
 Fee**

Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
 Monthly
 Charge**

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

DISTRIBUTION GENERATION - RATE 83

Application Applies to generators meeting all of the following requirements

1. Have a capacity of 150 kW or greater, and connected to a distribution voltage;
2. Have installed a revenue class bi-directional 15-minute interval meter.

Generators not meeting the above requirements are reviewed on an individual basis.

**Distribution
Tariff**

	Unit	Distribution Access
Capacity Charge	\$/kW of peak output per day	0.0825
Variable Charge	\$/kWh of supplied energy	0.0057

- Note:
1. Power consumption by the customer for standby purposes is subject to an applicable rate (61, 63, 64, 78, 81 or 82) for load customers
 2. Peak output is measured and calculated in the same manner as the Billing Demand for load customers

Local Access Fee Assessed as ~~25%~~ **31%** of each and every component of the Distribution Access Charge and is added to the customer's bill.

Transmission Charge As per the applicable supply tariff of the Transmission Administrator. This is a charge to the customer and is added to the customer's bill.

Transmission Credit $DTS \times \Sigma(A - B)$ where
 DTS is the applicable demand tariff of the Transmission Administrator
 A is hourly gross billing determinants at the Point of Delivery to which the customer is connected
 B is hourly net billing determinants at the Point of Delivery to which the customer is connected

This is a credit to the customer and is calculated on a monthly basis.

Distribution Access Services Schedule of Fees

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Distribution Access Services Terms and Conditions.

1. Connection/Disconnection/Reconnection Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request
Overtime Hours: ~~\$190.00~~ **\$275.96** per request

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. The fee may be charged to the owner/landlord of the property where the disconnection has been in effect for less than six months.

2. Revoke Disconnection Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request
Overtime Hours: ~~\$190.00~~ **\$275.96** per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee: **Applicable Overtime Rates**

This fee is applied when supply is required on an emergency basis. The fee is applicable to every new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: ~~\$35.00~~ **\$40.85** per request
Overtime Hours: ~~\$190.00~~ **\$275.96** per request

Applicable where the extra Service trip is required because of failure of the Customer or the Customer's equipment to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

Appendix B
A

5. **Ad Hoc Meter Test:** **\$100.00 for Self-Contained Meter**
\$140.00 for Instrument-type Meter

This fee applies when the City tests a City owned meter at the request of a Retailer or Customer. The fee is charged only if the accuracy proves to be within the limits allowed by the Government of Canada.

6. **Dishonoured Cheques:** **\$25.00 per Cheque**

This fee is applicable for all dishonoured cheques returned to the City for any reason.

7. **Non-Access Fee:** **\$25.00 per Meter per Month**

This fee is applicable where an actual meter reading by the City cannot be obtained for twelve consecutive months. The fee is applied in the thirteenth month in which an actual meter reading cannot be obtained and every month thereafter until an actual meter reading is obtained.

8. **Security Deposit** **Situation Specific**

A security deposit may be requested from a Customer. Alternatively, the City may rely on the Customer's credit history.

9. **Meter Verification/Certification**
~~\$60.00~~ **\$89.87 per hour plus Materials**

This fee applies when a Retailer or Customer requests verification or certification of a Customer owned meter.

10. **Meter Upgrade Fee:**
~~\$80.00~~ **\$100.00 per hour for one man/one truck (single phase)**
~~\$120.00~~ **\$150.00 per hour for two men/one truck (multi phase)**

This fee is applicable for the time associated with City owned meter upgrades performed during regular business hours only. The Customer is also responsible for the cost of the materials, including the meter.



balancingpool

November 16, 2009

Allocation to Power Consumers set a \$4.00 per MWh for 2010

The Balancing Pool announces that the allocation to power consumers in 2010 will be set at \$4.00 per MWh of consumption, which will result in over \$200 million being received by Alberta's electricity consumers.

"The Balancing Pool assets have been generating lower cashflows during 2009 due to softer electricity prices," said Gary Reynolds, President and CEO, "and we forecast this to continue during 2010. As such, the consumer allocation will be reduced to \$4.00 per MWh for calendar 2010."

During the four year period since the initiation of the annual consumer allocation in 2006, the Balancing Pool has paid out over \$750 million in allocations to Alberta's electricity consumers. In addition, in 2001 the Balancing Pool paid \$2 billion in electricity rebates to consumers from proceeds of the PPA auction.

Under provisions of the Electric Utilities Act, each year the Balancing Pool is required to forecast its revenues and expenses and to determine whether any excess (or shortfall) funds will be allocated to electricity consumers. The consumer allocation amount will be reviewed for 2011 and annually thereafter.

For further information:

Gary Reynolds
President and CEO
403-539-5351

www.balancingpool.ca



November 19, 2009

Submitted via AUC Digital Data Submission (DDS) System

Alberta Utilities Commission
Utilities Division, Calgary Office
Fifth Avenue Place
400, 425 – 1st Street SW
Calgary, Alberta
T2P 3L8

Dear sir or madam:

Re: **AESO 2010 Balancing Pool Consumer Allocation Rider F Application**

- 1 On November 17, 2009 the Balancing Pool notified the Alberta Electric System Operator (“AESO”) of an estimated annualized positive amount of \$227.0 million to be reflected in the AESO’s rates under sections 30 and 82 of the *Electric Utilities Act* (“Act”). The annualized amount is similar in nature to that which is currently being refunded to AESO customers through the Balancing Pool Consumer Allocation Rider F under the AESO’s tariff.
- 2 The Balancing Pool has requested that the amount be paid to AESO customers as a \$4.00/MWh credit during 2010. A copy of the Balancing Pool’s letter providing the notice is attached. The Balancing Pool’s notice complies with the requirements of section 82(4) of the Act.
- 3 Rider F was first approved as a \$1.00/MWh credit by the predecessor of the Alberta Utilities Commission (“Commission”), the Alberta Energy and Utilities Board (“Board”), in Order U2005-464 for 2006 consumption. Rider F was revised in subsequent years to a \$3.00/MWh credit in Board Order U2006-332 for 2007 consumption, to a \$5.00/MWh credit in Board Order U2007-309 for 2008 consumption, and to a \$6.50/MWh credit in Commission Order U2008-356 for 2009 consumption. No objections were received in any of the AESO’s previous Rider F applications.
- 4 The AESO accepts the Balancing Pool’s recommendation that the annualized amount continue to be refunded to AESO customers as a \$/MWh amount, set at \$4.00/MWh credit effective from January 1 to December 31, 2010. The AESO further proposes that other aspects of the 2010 Rider F, including applicability criteria, continue unchanged from the 2009 Rider F which is currently in effect. The AESO notes that the City of Medicine Hat and BC Hydro at Fort Nelson are ineligible for Rider F according to Board Order U2006-307.
- 5 The AESO therefore requests approval by the Commission pursuant to subsection 82(6) of the Act, for a Balancing Pool Consumer Allocation Rider F to provide a \$4.00/MWh credit to all

Demand Transmission Service (DTS) and Demand Opportunity Service (DOS) customers, with the exceptions of the City of Medicine Hat and BC Hydro at Fort Nelson, for consumption from January 1 through December 31, 2010, inclusive. A proposed Rider F schedule is attached.

- 6 As this application is a simple revision to the level of Rider F and complies with relevant legislation, the AESO requests that the Commission deal with this application through an expedited process.
- 7 Please direct all correspondence relating to this application to:

John Martin
Director, Tariff Applications
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2465
Fax: 403-539-2524
Email: john.martin@aeso.ca

Raj Sharma
Senior Tariff Analyst
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2632
Fax: 403-539-2524
Email: raj.sharma@aeso.ca

April Walters
Executive Assistant, Regulatory
Alberta Electric System Operator
2500, 330 – 5th Avenue SW
Calgary, Alberta T2P 0L4
Phone: 403-539-2463
Fax: 403-539-2524
Email: april.walters@aeso.ca

- 8 If you have any questions on this application or need additional information, please contact me at 403-539-2465 or by e-mail to john.martin@aeso.ca.

Yours truly,

[original signed by]

John Martin
Director, Tariff Applications

attachments

cc: Heidi Kirrmaier, Vice-President, Regulatory, AESO
Raj Sharma, Senior Tariff Analyst, AESO



Rider F **Balancing Pool Consumer Allocation Rider** Page 1 of 1

Purpose: To collect from or refund to AESO Customers an annualized amount estimated by the Balancing Pool and transferred to the AESO under section 82 of the *Electric Utilities Act*.

Applicable to: Customers receiving service under the following Rate Schedules:

- DTS, with the exception of the City of Medicine Hat
- DOS, with the exceptions of the City of Medicine Hat and BC Hydro at Fort Nelson

Effective: The rider is effective for all billing periods from January 1, 2010 to December 31, 2010.

Rate: A credit of **\$4.00/MWh** of Metered Energy during the Billing Period.

Terms: The Terms and Conditions form part of this Rate Schedule.



balancingpool

Calgary Place
2350 330 – 5th Ave S W
Calgary, Alberta T2P 0L4

tel (403) 539-5350
fax (403) 539-5366
www.balancingpool.ca

November 17, 2009

Ms. Heidi Kirrmaier, Vice-President, Regulatory
Alberta Electric System Operator
Suite 2500, 330 – 5th Avenue SW
Calgary, AB T2P 0L4

RE: AESO 2010 Tariff Application

Dear Ms. Kirrmaier:

The Balancing Pool has announced a consumer allocation of \$4.00 per MWh of consumption for an estimated annualized amount of \$226,992,000. Pursuant to Section 30(2) (b) of the Electric Utility Act, any such allocation must be included in the AESO's tariff.

Please consider this our formal request to have this included as part of the AESO's tariff effective January 1 to December 31, 2010.

If you have any questions, please contact the undersigned at (403) 539-5353.

Sincerely,

Doug Heath
VP Operations

C.C John Martin, Alberta Electric System Operator
C.C Gary Reynolds, Balancing Pool

FILE COPY



Council Decision – November 30, 2009

DATE: December 1, 2009
TO: Ligong Gan, Electric Light & Power Manager
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Revision to Distribution Tariff Effective January 1, 2010

Reference Report:

Electric Light & Power Manager, dated November 20, 2009

Bylaw Readings:

At the Monday, November 30, 2009 Regular Council Meeting, Bylaw 3273/B-2009 received first, second and third readings. A copy of the Bylaw is attached.

Report Back to Council: No

Comments/Actions:

Bylaw 3273/B-2009 is an amendment to Appendix A and Appendix B of the Electric Utility Bylaw No. 3273/2000, effective January 1, 2010. The amendments include four separate adjustments to the Distribution Tariff.

1. Appendix A: an average increase of 1.2% to the Distribution Tariff to recover increases to operating cost forecasted for 2010;
2. Appendix A: a decrease to the Balancing Pool Flow – Through Rebate from \$0.00673 per kWh (2009 level) to \$0.00414 per kWh for 2010; and
3. Appendix A: an increase to the Local Access Fee from 25% (2009 level) to 31% for 2010;
4. Appendix B: an increase to service fee charges to recover increase to operating cost forecasted for 2010.

A handwritten signature in blue ink, appearing to read 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

c: Director of Corporate Services
Director of Development Services
Financial Services Manager
Divisional Controller, Development Services
Utility Specialist, EL&P
Regulatory Analyst, EL&P

BYLAW NO. 3273/B-2009

Being a bylaw to amend Bylaw No. 3273/2000, the Electric Utility Bylaw of The City of Red Deer.

COUNCIL ENACTS AS FOLLOWS:

Bylaw No. 3273/2000 is hereby amended as follows:

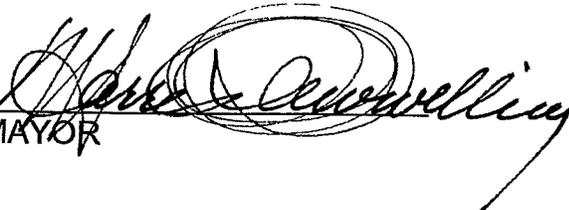
1. By deleting Appendix "A" - Distribution Tariff - and replacing it with Appendix "A" attached hereto.
2. By deleting Appendix "B" - Distribution Access Services Schedule of Fees - and replacing it with Appendix "B" attached hereto.
3. This bylaw shall come into effect on **January 1, 2010**.

READ A FIRST TIME IN OPEN COUNCIL this 30 day of November 2009.

READ A SECOND TIME IN OPEN COUNCIL this 30 day of November 2009.

READ A THIRD TIME IN OPEN COUNCIL this 30 day of November 2009.

AND SIGNED BY THE MAYOR AND CITY CLERK this 30 day of November 2009.


MAYOR


CITY CLERK

CITY OF RED DEER
ELECTRIC LIGHT & POWER DEPARTMENT
DISTRIBUTION TARIFF

GENERAL

Effective Date

This Tariff is effective on January 1, 2010. It applies to all consumptions, whether estimated or actual, on and after January 1, 2010, for the use of System Access and Distribution Access services.

Terms and Conditions

The "Terms and Conditions for Distribution Access Services" and the "Terms and Conditions for Retail Access Services" are part of this Tariff. Furthermore, the "Schedule of Fees for Distribution Access Services" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

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

1. the highest kVA Metered Demand in the monthly billing period; or
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the monthly billing period.

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

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

RESIDENTIAL - RATE 61

Application Applies to all residential premises which are measured by a single meter and which contain not more than two dwelling units.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.1896	0.3225
Variable Charge	\$/kWh of all energy	0.0066	0.0109

**Balancing
Pool
Allocation** A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
Fee** Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge** Total Basic Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

GENERAL SERVICE - RATE 63

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

Services are to be taken at one of the following nominal voltages:

- 120/240 Volts, single phase, 3 wire;
- 120/208Y Volts, network, 3 wire;
- 120/208Y Volts, three phase, 4 wire;
- 347/600Y Volts, three phase, 4 wire.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.7880	0.9379
Variable Charge	\$/kWh of all energy	0.0066	0.0086

**Balancing
Pool
Allocation** A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
Fee** Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge** Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

GENERAL SERVICE - RATE 64

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

**Distribution
 Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0870	0.0819
Variable Charge	\$/kWh of all energy	0.0066	0.0058

**Balancing
 Pool
 Allocation** A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
 Fee** Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
 Monthly
 Charge** Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78

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

Rate 78 is also applicable to all customers who were billed on Rate 78 prior to December 31, 2000 regardless of the kVA Metered Demand.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0915	0.0834
Variable Charge	\$/kWh of all energy	0.0066	0.0056

**Balancing
Pool
Allocation**

A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
Fee**

Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge**

Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

STREET LIGHT SERVICE - RATE 81

Application Applies to standard street light fixtures.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.1005
Variable Charge	\$/kWh of all energy	0.0066	0.0068

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

**Balancing
Pool
Allocation**

A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
Fee**

Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge**

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

TRAFFIC LIGHT SERVICE - RATE 82

Application Applies to standard traffic light systems.

**Distribution
 Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.1216	0.1032
Variable Charge	\$/kWh of all energy	0.0066	0.0067

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

**Balancing
 Pool
 Allocation**

A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
 Fee**

Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
 Monthly
 Charge**

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

DISTRIBUTION GENERATION - RATE 83

Application Applies to generators meeting all of the following requirements

1. Have a capacity of 150 kW or greater, and connected to a distribution voltage;
2. Have installed a revenue class bi-directional 15-minute interval meter.

Generators not meeting the above requirements are reviewed on an individual basis.

**Distribution
Tariff**

	Unit	Distribution Access
Capacity Charge	\$/kW of peak output per day	0.0825
Variable Charge	\$/kWh of supplied energy	0.0057

- Note:
1. Power consumption by the customer for standby purposes is subject to an applicable rate (61, 63, 64, 78, 81 or 82) for load customers
 2. Peak output is measured and calculated in the same manner as the Billing Demand for load customers

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Transmission Charge As per the applicable supply tariff of the Transmission Administrator. This is a charge to the customer and is added to the customer's bill.

Transmission Credit $DTS \times \Sigma(A - B)$ where
 DTS is the applicable demand tariff of the Transmission Administrator
 A is hourly gross billing determinants at the Point of Delivery to which the customer is connected
 B is hourly net billing determinants at the Point of Delivery to which the customer is connected

This is a credit to the customer and is calculated on a monthly basis.

Distribution Access Services Schedule of Fees

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Distribution Access Services Terms and Conditions.

1. **Connection/Disconnection/Reconnection Fee:**
- | | |
|--------------------------------|-----------------------------|
| Regular Business Hours: | \$40.85 per request |
| Overtime Hours: | \$275.96 per request |

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. The fee may be charged to the owner/landlord of the property where the disconnection has been in effect for less than six months.

2. **Revoke Disconnection Fee:**
- | | |
|--------------------------------|-----------------------------|
| Regular Business Hours: | \$40.85 per request |
| Overtime Hours: | \$275.96 per request |

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. **Emergency Service Fee:** **Applicable Overtime Rates**

This fee is applied when supply is required on an emergency basis. The fee is applicable to every new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. **Extra Service Trip Fee:**
- | | |
|--------------------------------|--------------------------|
| Regular Business Hours: | \$40.85 per Call |
| Overtime Hours: | \$275.96 per Call |

Applicable where the extra Service trip is required because of failure of the Customer or the Customer's equipment to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

- 5. Ad Hoc Meter Test:** **\$100.00 for Self-Contained Meter**
\$140.00 for Instrument-type Meter

This fee applies when the City tests a City owned meter at the request of a Retailer or Customer. The fee is charged only if the accuracy proves to be within the limits allowed by the Government of Canada.

- 6. Dishonoured Cheques:** **\$25.00 per Cheque**

This fee is applicable for all dishonoured cheques returned to the City for any reason.

- 7. Non-Access Fee:** **\$25.00 per Meter per Month**

This fee is applicable where an actual meter reading by the City cannot be obtained for twelve consecutive months. The fee is applied in the thirteenth month in which an actual meter reading cannot be obtained and every month thereafter until an actual meter reading is obtained.

- 8. Security Deposit** **Situation Specific**

A security deposit may be requested from a Customer. Alternatively, the City may rely on the Customer's credit history.

- 9. Meter Verification/Certification** **\$89.87 per hour plus Materials**

This fee applies when a Retailer or Customer requests verification or certification of a Customer owned meter.

- 10. Meter Upgrade Fee:** **\$100.00 per hour for one man/one truck (single phase).**
\$150.00 per hour for two men/one truck (multi phase).

This fee is applicable for the time associated with City owned meter upgrades performed during regular business hours only. The Customer is also responsible for the cost of the materials, including the meter.



ELECTRIC, LIGHT & POWER DEPARTMENT

Reports Item No. 2

DATE: November 23, 2009
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Compliance Report to the Alberta Market Surveillance Administrator
Q3 2009

The EL&P Department requests Council's approval of the Compliance Report to the Alberta *Market Surveillance Administrator* ("**MSA**") for the third quarter of 2009.

BACKGROUND

Established under the *Electric Utilities Act* ("**Act**"), the MSA is an independent body to protect the public interest and to ensure fairness, transparency and balance in Alberta's deregulated electricity marketplace. The *Code of Conduct Regulation* ("**Code**") grants powers to the MSA to carry out its duties to "patrol" the Alberta electricity market.

The Code requires EL&P to submit reports to the MSA, both quarterly and annually, to indicate compliance with the Code for certain aspects of its electric system operation. The reports must provide detailed information of how complaints, if any, have been dealt with.

The 2009 Q3 Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in the third quarter of 2009.

RECOMMENDATION

It is respectfully recommended that Council approve the attached report of "2009 Third Quarter Compliance Report to Council of the City of Red Deer".

A handwritten signature in black ink, appearing to read 'Ligong Gan'.

Ligong Gan, P.Eng.
EL&P Manager

Attachment

Electric Light & Power Department, City of Red Deer

2009 Third Quarter Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of The City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* (AR 160/2003) for the period of July 1, 2009 to September 30, 2009.

The EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans, including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: 

Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

Per: _____
City Clerk

Date: November 30, 2009

Comments:

We support the recommendation of Administration.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager



ELECTRIC, LIGHT & POWER DEPARTMENT

DATE: November 23, 2009
TO: Elaine Vincent, Manager, Legislative & Administrative Services
FROM: Ligong Gan, Manager, Electric Light & Power
RE: Compliance Report to the Alberta Market Surveillance Administrator
Q3 2009

The EL&P Department requests Council's approval of the Compliance Report to the Alberta *Market Surveillance Administrator* ("**MSA**") for the third quarter of 2009.

BACKGROUND

Established under the *Electric Utilities Act* ("**Act**"), the MSA is an independent body to protect the public interest and to ensure fairness, transparency and balance in Alberta's deregulated electricity marketplace. The *Code of Conduct Regulation* ("**Code**") grants powers to the MSA to carry out its duties to "patrol" the Alberta electricity market.

The Code requires EL&P to submit reports to the MSA, both quarterly and annually, to indicate compliance with the Code for certain aspects of its electric system operation. The reports must provide detailed information of how complaints, if any, have been dealt with.

The 2009 Q3 Compliance Report is attached. The EL&P Department did not have any incidents of non-compliance with the Code in the third quarter of 2009.

RECOMMENDATION

It is respectfully recommended that Council approve the attached report of "2009 Third Quarter Compliance Report to Council of the City of Red Deer".

A handwritten signature in black ink, appearing to read 'Ligong Gan'.

Ligong Gan, P.Eng.
EL&P Manager

Attachment

Electric Light & Power Department, City of Red Deer

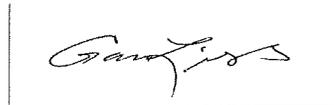
2009 Third Quarter Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of The City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* (AR 160/2003) for the period of July 1, 2009 to September 30, 2009.

The EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans, including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____


Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

Per: _____

City Clerk

Date: November 30, 2009

FILE COPY



Council Decision – November 30, 2009

DATE: December 1, 2009
TO: Ligong Gan, Electric Light & Power Manager
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Compliance Report to the Alberta Market Surveillance Administration Q3 2009

Reference Report:

Electric Light & Power Manager, dated November 23, 2009

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Electric Light & Power Manager, dated November 23, 2009 re: Compliance Report to the Alberta Market Surveillance Administrator Q3 2009 hereby approves the report, “2009 Third Quarter Compliance Report to Council of the City of Red Deer.””

MOTION CARRIED

Report Back to Council: No

A handwritten signature in cursive script that reads 'Elaine Vincent'.

Elaine Vincent
Legislative and Administrative Services Manager

c:

Electric Light & Power Department, City of Red Deer

2009 Third Quarter Compliance Report
to
Council of the City of Red Deer

This Report is submitted to the Council of The City of Red Deer pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* (AR 160/2003) for the period of July 1, 2009 to September 30, 2009.

The EL&P Department advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation*.
- (b) The City of Red Deer took no action to remedy any non-compliance as there were no incidents of non-compliance.
- (c) The City of Red Deer received no complaints of non-compliance with the *Code of Conduct Regulation*, therefore, no complaints were dealt with.
- (d) Enmax Energy and Enmax Power will report directly to their board of directors on the manner in which they dealt with complaints of non-compliance with the *Code of Conduct Regulation* or their own compliance plans, including those complaints respecting the functions performed by those two entities for the City of Red Deer.

Per: _____


Ligong Gan, P.Eng.
Manager, Electric Light & Power Department

Per: _____


City Clerk

Date: November 30, 2009



Reports Item No. 3

DATE: November 23, 2009

TO: Elaine Vincent, Manager
Legislative and Administrative Services

FROM: Roxana Nielsen Stewart, Program Coordinator- Housing
Social Planning Department

CC: Scott Cameron, Social Planning Manager
Dustin Quirk, Community Housing Advisory Board Chair

SUBJECT: Community Housing Advisory Board
Recommendations for Funding: Affordable Housing Municipal Block
Funding Program

Background:

The City of Red Deer took on the responsibility of overseeing the funds allocated through the provincial program of the Municipal Sustainability Housing Initiative (MSHI) and the Capital Enhancement Funding Initiative (CEF) in 2007. At that time, the province committed funds for 2007/08, 2008/09 and 2009/10. A name change has occurred and the grant is currently called the "Affordable Housing Program Municipal Block Funding" program.

Allocation of Grant Proceeds as set out by the Province for the development of Affordable Housing may include:

1. Construction of new units;
2. Purchase/renovation of existing rental accommodation units;
3. Development of secondary suites in private dwellings as Affordable Housing;
4. Rent supplements; or,
5. Other priorities as identified by the municipality.

Other conditions:

- Affordable Housing and Transitional Housing units created with Grant Proceeds must be targeted to households who are at or below the Core Need Income Threshold. Core Need Income Thresholds (CNITs) assist in distinguishing households requiring social housing assistance. Households with annual incomes equal to or less than CNIT are said to have insufficient income to afford the on-going costs of suitable and adequate rental units in their area. CNITs in a market area are established based on 30 percent of the Median Market Rent. CNITs are calculated by Canada Mortgage and Housing Corporation (CMHC) in partnership with Alberta Housing and Urban Affairs.

- Combined Provincial Grant Proceeds must not be in excess of seventy percent (70%) of the Capital Costs of Affordable Housing or Transitional Housing Units created under the Affordable Housing Plan.

Request for Proposal (RFP) Process:

An RFP process was publicized in early September with the RFP release date of September 10, 2009. This RFP consisted of two phases.

Phase 1: an Expression of Interest Phase with a two page application form enabled the Community Housing Advisory Board an overview of the project (funding request, number of units, target client, construction type) but at the same time was not overly onerous for the proponents completely the form. Five (5) applications from the community were received. The Community Housing Advisory Board met on October 7 and upon review of the 5 applications, invited 4 to proceed to Phase 2.

Phase 2: consisted of a very in-depth proposal form. Components of this form included information about the organization applying for the grant, number of units, target client, community needs determination, capital cost estimates, forecasted annual revenues, project partnerships, and current audited financial statements. On November 18, the proponents made brief presentations and answered questions about their projects to the Community Housing Advisory Board.

Total funds available in this RFP:

3,126,427	2009/10 Provincial grant (unallocated funds)
219,772	Interest
244,372	Monarch Place Recovery
2,500	Shining Mountains Motor Home recovery

Total: 3,593,071

Recommendations:

"Resolved that Community Housing Advisory Board respectively request Red Deer City Council to consider the allocation of the funds as follows:

Project	Funds
City of Red Deer Project: Administration Fee	\$52,567.00
Central Alberta's Safe Harbour Society for Health and Housing Project: Family Flex Housing	\$60,000.00
Central Alberta Women's Outreach Society Project: Julietta's Place	\$1,050,997.00
Potter's Hands Development Limited Project: The River Valley	\$1,800,000.00
Total recommended:	\$2,963,564.00

CARRIED UNANIMOUSLY

“Resolved that Community Housing Advisory Board respectively request Red Deer City Council to consider the allocation of funds as follows:

Project	Funds
Heritage Family Services Project: Heritage Family Affordable Housing	\$395,071.00
and that the remaining \$234,436 of funding be allocated to Heritage Family Services towards the development of additional units of the Heritage Family Affordable Housing Project as proposed at the November 18, 2009 Community Housing Advisory Board meeting.	\$234,436.00
Total recommended:	\$629,507.00

CARRIED UNANIMOUSLY



Roxana Nielsen Stewart
Program Coordinator-Housing

Comments:

We support the recommendation of the Community Housing Advisory Board.

“Morris Flewwelling”
Mayor

“Craig Curtis”
City Manager

ORIGINAL



DATE: November 23, 2009

TO: Elaine Vincent, Manager
Legislative and Administrative Services

FROM: Roxana Nielsen Stewart, Program Coordinator- Housing
Social Planning Department

CC: Scott Cameron, Social Planning Manager
Dustin Quirk, Community Housing Advisory Board Chair

SUBJECT: Community Housing Advisory Board
Recommendations for Funding: Affordable Housing Municipal Block
Funding Program

Background:

The City of Red Deer took on the responsibility of overseeing the funds allocated through the provincial program of the Municipal Sustainability Housing Initiative (MSHI) and the Capital Enhancement Funding Initiative (CEF) in 2007. At that time, the province committed funds for 2007/08, 2008/09 and 2009/10. A name change has occurred and the grant is currently called the "Affordable Housing Program Municipal Block Funding" program.

Allocation of Grant Proceeds as set out by the Province for the development of Affordable Housing may include:

1. Construction of new units;
2. Purchase/renovation of existing rental accommodation units;
3. Development of secondary suites in private dwellings as Affordable Housing;
4. Rent supplements; or,
5. Other priorities as identified by the municipality.

Other conditions:

- Affordable Housing and Transitional Housing units created with Grant Proceeds must be targeted to households who are at or below the Core Need Income Threshold. Core Need Income Thresholds (CNITs) assist in distinguishing households requiring social housing assistance. Households with annual incomes equal to or less than CNIT are said to have insufficient income to afford the on-going costs of suitable and adequate rental units in their area. CNITs in a market area are established based on 30 percent of the Median Market Rent. CNITs are calculated by Canada Mortgage and Housing Corporation (CMHC) in partnership with Alberta Housing and Urban Affairs.

- Combined Provincial Grant Proceeds must not be in excess of seventy percent (70%) of the Capital Costs of Affordable Housing or Transitional Housing Units created under the Affordable Housing Plan.

Request for Proposal (RFP) Process:

An RFP process was publicized in early September with the RFP release date of September 10, 2009. This RFP consisted of two phases.

Phase I: an Expression of Interest Phase with a two page application form enabled the Community Housing Advisory Board an overview of the project (funding request, number of units, target client, construction type) but at the same time was not overly onerous for the proponents completely the form. Five (5) applications from the community were received. The Community Housing Advisory Board met on October 7 and upon review of the 5 applications, invited 4 to proceed to Phase 2.

Phase 2: consisted of a very in-depth proposal form. Components of this form included information about the organization applying for the grant, number of units, target client, community needs determination, capital cost estimates, forecasted annual revenues, project partnerships, and current audited financial statements. On November 18, the proponents made brief presentations and answered questions about their projects to the Community Housing Advisory Board.

Total funds available in this RFP:

3,126,427	2009/10 Provincial grant (unallocated funds)
219,772	Interest
244,372	Monarch Place Recovery
2,500	Shining Mountains Motor Home recovery

Total: 3,593,071

Recommendations:

“Resolved that Community Housing Advisory Board respectively request Red Deer City Council to consider the allocation of the funds as follows:

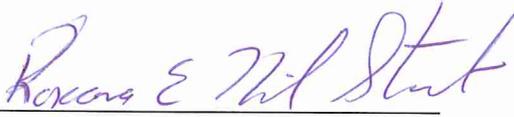
Project	Funds
City of Red Deer Project: Administration Fee	\$52,567.00
Central Alberta’s Safe Harbour Society for Health and Housing Project: Family Flex Housing	\$60,000.00
Central Alberta Women’s Outreach Society Project: Julietta’s Place	\$1,050,997.00
Potter’s Hands Development Limited Project: The River Valley	\$1,800,000.00
Total recommended:	\$2,963,564.00

CARRIED UNANIMOUSLY

“Resolved that Community Housing Advisory Board respectively request Red Deer City Council to consider the allocation of funds as follows:

Project	Funds
Heritage Family Services Project: Heritage Family Affordable Housing	\$395,071.00
and that the remaining \$234,436 of funding be allocated to Heritage Family Services towards the development of additional units of the Heritage Family Affordable Housing Project as proposed at the November 18, 2009 Community Housing Advisory Board meeting.	\$234,436.00
Total recommended:	\$629,507.00

CARRIED UNANIMOUSLY



Roxana Nielsen Stewart
Program Coordinator-Housing

DATE: December 1, 2009
TO: Roxana Nielsen Stewart, Program Coordinator - Housing
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Community Housing Advisory Board
Recommendations for Funding: Affordable Housing Municipal Block Funding
Program

Reference Report:

Program Coordinator – Housing, Social Planning Department dated November 23, 2009

Resolution:

“Resolved that Council of the City of Red Deer having considered the report from the Program Coordinator-Housing Social Planning Department, dated November 23, 2009 **Re: Community Housing Advisory Board Recommendations for Funding: Affordable Housing Municipal Block Funding Program** hereby agrees to table consideration of the report for two weeks to allow administration time to gather additional information regarding a history of funding allocation in chronological order. Future reports to Council are to capture this information.”

MOTION TO TABLE CARRIED

Report Back to Council: Yes



Elaine Vincent
Legislative and Administrative Services Manager

- c. Director of Community Services
Director of Corporate Services
Director of Development Services
Social Planning Manager
Financial Services Manager
Community Housing Advisory Board Chair



Correspondence Item No. 1

DATE: November 25, 2009
TO: City Council
FROM: Elaine Vincent, Legislative & Administrative Services Manager
SUBJECT: Downtown Business Association – Membership Appointments

The City of Red Deer received correspondence from the Downtown Business Association regarding appointments to the Downtown Business Association.

Council will consider these appointments in Committee of the Whole and will be asked to bring a resolution back to open Council.

A handwritten signature in cursive script that reads 'Elaine Vincent'.

Elaine Vincent
Manager

FILE COPY

December 2, 2009

Red Deer Downtown Business Association
111A, 4818-50 Avenue
Red Deer, AB T4N 4A3

Attention: Laura Turner, Executive Director

Dear Ms. Turner:

Re: Downtown Business Association Board Appointments

At the City of Red Deer's Council Meeting held Monday, November 30, 2009, Council passed the following resolution formally appointing the recommended members to the 2010 Board of Directors.

“Resolved that Council of the City of Red Deer hereby appoints the following to serve on the board of the *Downtown Business Association* for terms to expire as follows:

Katherine Bouchard, Crop Hair Boutique	January 1, 2010 to December 31, 2012
David Kemshead Advantage Commercial	January 1, 2010 to December 31, 2012
Terry Krause Alberta Tourism, Parks & Recreation	January 1, 2010 to December 31, 2012
John Mytz The Red Deer Lodge	January 1, 2010 to December 31, 2012”

MOTION CARRIED

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

Sincerely,

Elaine Vincent
Legislative and Administrative Services Manager

Proposed Amendment to Land Use Bylaw 3357/2006



Change District from:
Legend

 R1 to R2

Affected Districts:
R1 - Residential (Low Density) District
R2 - Residential (Medium Density) District

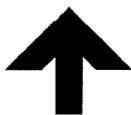
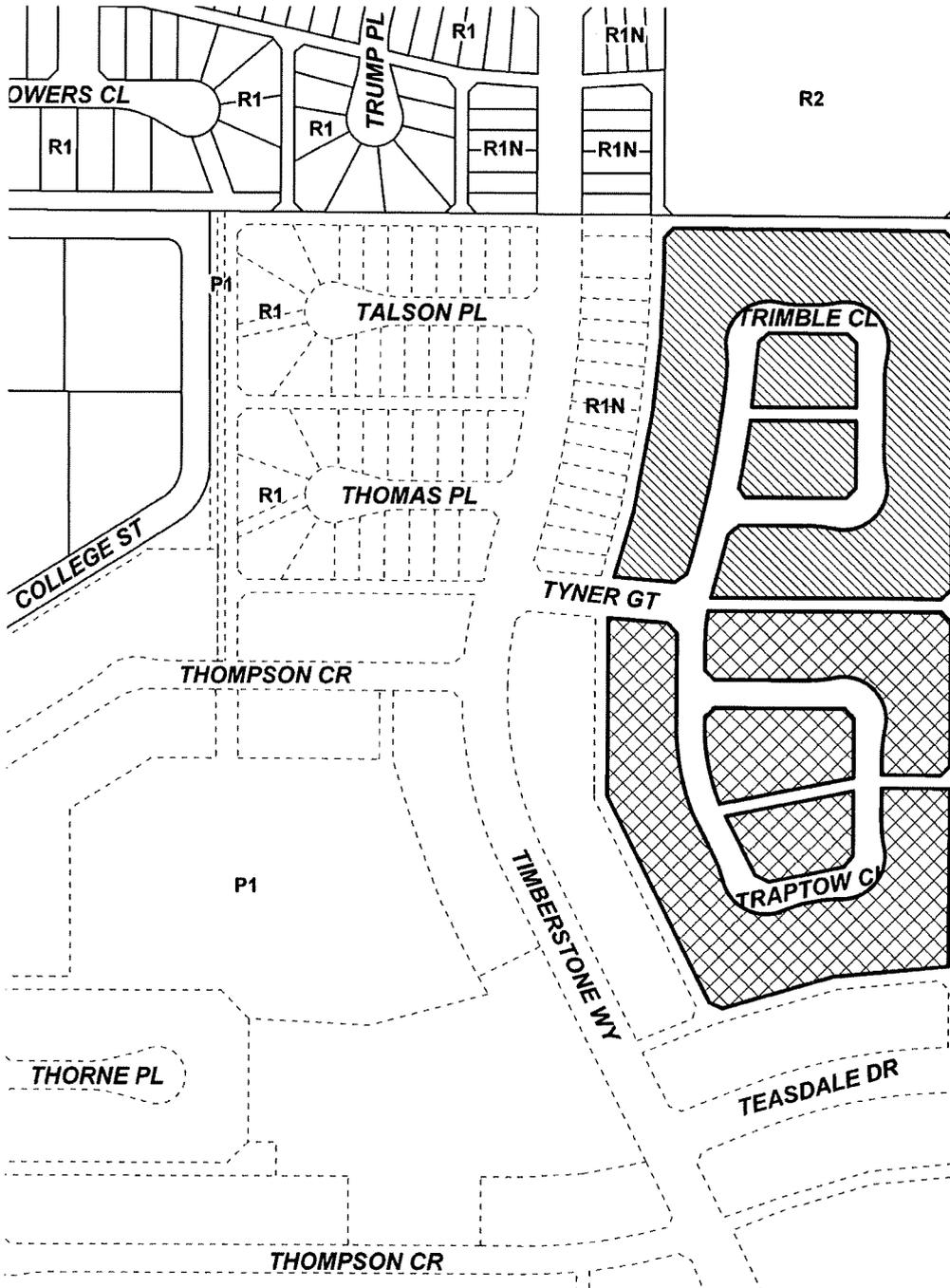


North
Not to Scale



Proposed Amendment
Map: 18/2009
Bylaw: 3357/DD-2009

Proposed Amendment to Land Use Bylaw 3357/2006



North
Not to Scale



Change District from:

-  A1 to P1
-  A1 to R1N
-  A1 to R1

Affected Districts:

R1 - Residential (Low Density) District

R1N - Residential (Narrow Density) District

Proposed Amendment
Map: 24/2009
Bylaw: 3357/11-2009

CITY OF RED DEER
ELECTRIC LIGHT & POWER DEPARTMENT
DISTRIBUTION TARIFF

GENERAL

Effective Date

This Tariff is effective on January 1, 2010. It applies to all consumptions, whether estimated or actual, on and after January 1, 2010, for the use of System Access and Distribution Access services.

Terms and Conditions

The "Terms and Conditions for Distribution Access Services" and the "Terms and Conditions for Retail Access Services" are part of this Tariff. Furthermore, the "Schedule of Fees for Distribution Access Services" and the "Retail Access Service Agreement" are also part of this Tariff.

Billing Demand

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

1. the highest kVA Metered Demand in the monthly billing period; or
2. the highest kVA Metered Demand in the 12 consecutive months including and ending with the monthly billing period.

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

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

APPENDIX "A"
 Bylaw 3273/A-2008
 Page 2 of 8

RESIDENTIAL - RATE 61

Application Applies to all residential premises which are measured by a single meter and which contain not more than two dwelling units.

Distribution Tariff

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.1463	0.3225
Variable Charge	\$/kWh of all energy	0.0051	0.0109

Balancing Pool Allocation A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A -2008
Page 3 of 8

GENERAL SERVICE - RATE 63

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

Services are to be taken at one of the following nominal voltages:

- 120/240 Volts, single phase, 3 wire;
- 120/208Y Volts, network, 3 wire;
- 120/208Y Volts, three phase, 4 wire;
- 347/600Y Volts, three phase, 4 wire.

Distribution Tariff

	Unit	System Access	Distribution Access
Basic Charge	\$ per day	0.608	0.9379
Variable Charge	\$/kWh of all energy	0.0051	0.0086

Balancing Pool Allocation A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

APPENDIX "A"
 Bylaw 3273/A-2008
 Page 4 of 8

GENERAL SERVICE - RATE 64

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

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0671	0.0819
Variable Charge	\$/kWh of all energy	0.0051	0.0058

Balancing Pool Allocation A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2008
Page 5 of 8

LARGE GENERAL SERVICE/INDUSTRIAL - RATE 78

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

Rate 78 is also applicable to all customers who were billed on Rate 78 prior to December 31, 2000 regardless of the kVA Metered Demand.

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0706	0.0834
Variable Charge	\$/kWh of all energy	0.0051	0.0056

Balancing Pool Allocation A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge Total Basic Charge (System Access plus Distribution Charge), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2008
Page 6 of 8

STREET LIGHT SERVICE - RATE 81

Application Applies to standard street light fixtures.

**Distribution
Tariff**

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0938	0.1005
Variable Charge	\$/kWh of all energy	0.0051	0.0068

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

**Balancing
Pool
Allocation**

A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

**Local Access
Fee**

Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

**Minimum
Monthly
Charge**

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

APPENDIX "A"
Bylaw 3273/A-2008
Page 7 of 8

TRAFFIC LIGHT SERVICE - RATE 82

Application Applies to standard traffic light systems.

Distribution Tariff

	Unit	System Access	Distribution Access
Demand Charge	\$/kVA of Billing Demand per day	0.0938	0.1032
Variable Charge	\$/kWh of all energy	0.0051	0.0067

Note: Demand and consumption values of individual fixtures will be established by the Electric Light & Power Manager and will be reviewed by the Electric Light & Power Manager from time to time.

Balancing Pool Allocation

A credit of \$0.00414/kWh of all energy effective from January 1, 2010 to December 31, 2010 inclusive and nil for any other time periods.

Local Access Fee

Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Minimum Monthly Charge

Total Demand Charge (System Access plus Distribution Access), plus any applicable Local Access Fee.

DISTRIBUTION GENERATION - RATE 83

Application Applies to generators meeting all of the following requirements

1. Have a capacity of 150 kW or greater, and connected to a distribution voltage;
2. Have installed a revenue class bi-directional 15-minute interval meter.

Generators not meeting the above requirements are reviewed on an individual basis.

Distribution Tariff

	Unit	Distribution Access
Capacity Charge	\$/kW of peak output per day	0.0825
Variable Charge	\$/kWh of supplied energy	0.0057

- Note:
1. Power consumption by the customer for standby purposes is subject to an applicable rate (61, 63, 64, 78, 81 or 82) for load customers
 2. Peak output is measured and calculated in the same manner as the Billing Demand for load customers

Local Access Fee Assessed as 31% of each and every component of the Distribution Access Charge and is added to the customer's bill.

Transmission Charge As per the applicable supply tariff of the Transmission Administrator. This is a charge to the customer and is added to the customer's bill.

Transmission Credit $DTS \times \Sigma(A - B)$ where
 DTS is the applicable demand tariff of the Transmission Administrator
 A is hourly gross billing determinants at the Point of Delivery to which the customer is connected
 B is hourly net billing determinants at the Point of Delivery to which the customer is connected

This is a credit to the customer and is calculated on a monthly basis.

Distribution Access Services Schedule of Fees

The fees and charges required by this schedule are non-refundable and are charged in all circumstances. They apply to the services described in the Distribution Access Services Terms and Conditions.

1. Connection/Disconnection/Reconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applicable to a new service connection, disconnection of an energized service or reconnection of a de-energized service requested by a Retailer on behalf of a Customer. The fee may be charged to the owner/landlord of the property where the disconnection has been in effect for less than six months.

2. Revoke Disconnection Fee:

Regular Business Hours: \$40.85 per request
Overtime Hours: \$275.96 per request

This fee is applied when instructions were received to disconnect service, subsequent instructions were received to cancel the disconnect order but the crew had been mobilized and was en-route to the Site.

3. Emergency Service Fee:

Applicable Overtime Rates

This fee is applied when supply is required on an emergency basis. The fee is applicable to every new connection or reconnection or other application for Electricity Services, for all new or existing either metered or flat rated, temporary or permanent, regardless of whether or not a physical electrical connection must be made at that particular time. The fee for emergency Electricity Services is in addition to and not in place of the application fee. Electricity Services is conditional upon clearance having been obtained from the appropriate Safety Codes Officers, and construction having been completed (other than a single span of overhead Service drops), and application having been made during normal City business hours.

4. Extra Service Trip Fee:

Regular Business Hours: \$40.85 per Call
Overtime Hours: \$275.96 per Call

Applicable where the extra Service trip is required because of failure of the Customer or the Customer's equipment to comply with conditions for attaching to supply of electricity by the City or because of inadequate or unsafe conditions and equipment. This fee applies to each return trip by the City or its agents.

- 5. Ad Hoc Meter Test: \$100.00 for Self-Contained Meter
\$140.00 for Instrument-type Meter**

This fee applies when the City tests a City owned meter at the request of a Retailer or Customer. The fee is charged only if the accuracy proves to be within the limits allowed by the Government of Canada.

- 6. Dishonoured Cheques: \$25.00 per Cheque**

This fee is applicable for all dishonoured cheques returned to the City for any reason.

- 7. Non-Access Fee: \$25.00 per Meter per Month**

This fee is applicable where an actual meter reading by the City cannot be obtained for twelve consecutive months. The fee is applied in the thirteenth month in which an actual meter reading cannot be obtained and every month thereafter until an actual meter reading is obtained.

- 8. Security Deposit Situation Specific**

A security deposit may be requested from a Customer. Alternatively, the City may rely on the Customer's credit history.

- 9. Meter Verification/Certification \$89.87 per hour plus Materials**

This fee applies when a Retailer or Customer requests verification or certification of a Customer owned meter.

- 10. Meter Upgrade Fee: \$100.00 per hour for one man/one truck (single phase).
\$150.00 per hour for two men/one truck (multi phase).**

This fee is applicable for the time associated with City owned meter upgrades performed during regular business hours only. The Customer is also responsible for the cost of the materials, including the meter.