

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, MARCH 22, 2004

COMMENCING AT 4:30 P.M.



- (1) Confirmation of the Minutes of the Regular Meeting of Monday, March 8, 2004
  
- (2) UNFINISHED BUSINESS
  1. Inspections & Licensing Manager – Re: *Proposed Drinking Establishment Licensing Bylaw* . . . 1
  
- (3) PUBLIC HEARINGS
  1. Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/F-2004 – Rezoning of Approximately 9.05 ha (22.36 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1A Residential (Semi-Detached Dwelling) District, R2 Residential (Medium Density) District, C3 Commercial (Neighbourhood Convenience) District, P1 Parks and Recreation District and ROAD for the development of Phase 7 of Lancaster South (Lancaster Green) Neighbourhood/ City of Red Deer*  
(Consideration of 2<sup>nd</sup> & 3<sup>rd</sup> Readings of the Bylaw) . . . 18

**(4) REPORTS**

1. Recreation, Parks & Culture Manager – Re: *Recreation Centre Renovation Project* . . .21
2. Community Services Director – Re: *Agreement with Tourism Red Deer (Formerly Visitor and Convention Bureau)* . . .33
3. EL & P Manager – Re: *Market Surveillance Administrator 2003 Compliance Report* . . .42
4. Edgar Industrial Park (Johnstone Drive) – Re:
  - (a) Land & Economic Development Manager – Re: *Partial Road Closure, Road Plan 4067 J and 2385 MC / Road Closure Bylaw 3327/2004 – City of Red Deer* (Consideration of 1<sup>st</sup> Reading of the Bylaw) . . .46
  - (b) Parkland Community Planning Services – Re: *Land Use Bylaw Amendment 3156/K-2004 – Rezoning of Land from A1 Future Urban Development District to I1 Industrial (Business Service) District and from Road to I1 District / Edgar Industrial Park (Adjacent to Johnstone Drive) / City of Red Deer* (Consideration of 1<sup>st</sup> Reading of the Bylaw) . . .48
5. Legislative & Administrative Services Manager – Re: *Appointment of Red Deer Downtown Business Association Representative to the Policing Committee* . . .51

(5) **CORRESPONDENCE**

(6) **PETITIONS AND DELEGATIONS**

(7) **NOTICES OF MOTION**

(8) **WRITTEN INQUIRIES**

(9) **BYLAWS**

1. **3156/F-2004** – Land Use Bylaw Amendment Rezoning of Approximately 9.05 ha (22.36 ac) of land from A1 Future Urban Development District to R1 Residential Low Density District, R1A Residential (Semi-Detached Dwelling) District, R2 Residential (Medium Density) District, C3 Commercial (Neighbourhood Convenience) District, P1 Parks and Recreation District and ROAD for the development of Phase 7 of Lancaster South (Lancaster Green) Neighbourhood/ City of Red Deer  
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. .48



**DATE:** March 16, 2004

**TO:** KELLY KLOSS, Manager  
Legislative & Administrative Services

**FROM:** GREG SCOTT, Manager  
Inspections & Licensing Department

**RE:** PROPOSED DRINKING ESTABLISHMENT BYLAW  
ADDITIONAL INFORMATION

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On February 23, 2004 City Council tabled the report from City Administration recommending a new Drinking Establishment Licensing Bylaw program to allow time for the public and stakeholders to review and provide comments on the new proposed bylaw. In addition, a new Option #4 was developed and added to the proposed License Fee Schedule (see Attachment #1).

Administration has continued to review the proposed Drinking Establishment License Bylaw program, specifically Section (13) Appeal of Revocation or Suspension of License, and the rationale for the development of the proposed License Fee schedule and provides the following comments.

- **Appeal Procedure/Committee**  
Administration supports the appeal procedure and structure of the Appeal Committee as outlined in the proposed License Bylaw. This committee would be established under the authority of the City of Red Deer Committees Bylaw with the citizen at large position open for public application through the Legislative Services Department. City Council would review the applications and appoint a representative to the committee.
- **Proposed License Fee Schedule**  
Administration continues to recommend Option #3 as outlined on the proposed Fee Schedule. The intent of this fee schedule is to collect revenue to offset the costs of enforcing and administering the new License program. A scaled fee structure has been developed based on the premise that enforcement of the Bylaw will be more costly for the larger drinking establishments in comparison to the smaller ones.

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### **Rationale for Differential License Fee**

Since 2001 City Council has supported a number of initiatives that required specific funding designed to help mitigate problems associated with large drinking establishments, predominantly in the downtown sector. These include:

2001	Development of a Downtown Safety Task Force;
2002	\$120,000 in overtime was approved by City Council for enhanced policing;
	\$3,000 was approved and directed towards enhanced street cleaning in the downtown during the summer months;
	\$5,000 was approved for the development of a Litter Contract/Agreement program to help reduce the litter problem. Included in this strategy was an enhanced sidewalk cleaning program.
	An enhanced Occupancy inspection program was undertaken;
2003	Development of a specific Crime Prevention Through Environmental Design program (CPTED);
	City Council approved funding to increase the City's Public Works contract with the Downtown Business Association for litter clean up;
	Review and research was completed for the development of a new Drinking Establishment Licensing Bylaw;
2004	Development of a Public Order Bylaw which would amalgamate the City's Nuisance and Noise Bylaw and add a new component related to public order.

In the course of administering the above programs, it has become clear that the majority of concerns arising out of the operation of drinking establishments is in connection with the larger drinking establishments, principally in the downtown core. This includes the following:

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- numerous complaint letters from both the public and downtown business owners identifying community issues and safety concerns
- the establishment of specific community safety committees designed to address problems relating to the activities of patrons from larger drinking establishments
- enhanced RCMP enforcement specifically targeted towards larger drinking establishments
- City Council's ongoing funding approval of specific initiatives designed to deal with and attempt to resolve the problems associated with the operation and spill out from large drinking establishments. (see chart above)

It is proposed that all funds collected from the payment of license fees be used to help offset the enforcement costs of the proposed new Drinking Establishment Licensing Bylaw. While it is difficult to make a detailed and precise estimate of those costs in the absence of practical experience, our past experience with problems associated with drinking establishments shows that about two-thirds (2/3) of City resources devoted to dealing with these issues relate to large establishments in the downtown core. We therefore recommend that the license fee structure be tailored to recover two-thirds (2/3) of the total costs from the larger establishments.

City Administration has projected that enforcement of the new bylaw will require the services of a half-time Bylaw Officer for about half of that person's time. This works out to a cost of approximately \$25,000 - \$30,000 per annum. Enforcement by these Officers will include but not be limited to:

- Regular drinking establishment walk throughs;
- night patrols, both inside and outside the drinking establishment;
- Occupancy load inspections by the Fire Inspectors;
- Administrative License review
- regulation implementation and enforcement.

The goal is to recover about \$24,000 (2/3 x \$36,000) from the larger drinking establishments. As the problems are about evenly associated with drinking establishments in the 300 to 500 size range and those in the over 500 range, we propose that the fee revenue targets would be \$12,000 for the medium sized establishments and \$12,000 for the largest establishments.

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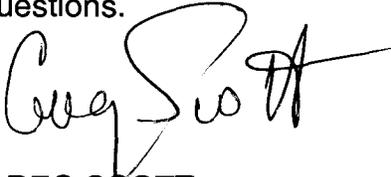
Because the number of large establishments is very low, the fees are of necessity significantly higher for those establishments. However, the scope of their business is similarly higher and we certainly have no reason to think that fees of this magnitude will cause these establishments to be unable to continue to operate their businesses profitably.

Currently there are only 3 establishments in the over 500 category and we do not think this will change as we do not often get development applications for new, large drinking establishments.

In consideration of all of the foregoing information, City Administration feels that a sliding license fee schedule is justified and that those larger drinking establishments where most of the problems exist should pay the higher license fee. We therefore recommend that Council proceed with Option #3.

We also recommend that the amount of the fees be modified based on our enforcement experience and that there be an annual review to determine whether the level of the fees needs to be revised.

The Inspections & Licensing Department presents this as additional information for City Council's consideration and will be available on March 22, 2004 to answer any further questions.



GREG SCOTT  
MANAGER  
INSPECTIONS & LICENSING DEPARTMENT

GS/kb  
Encl. (1)

- c Bryon Jeffers, Director of Development Services
- Norbert Van Wyk, City Manager
- Insp. Jim Steele, RCMP
- Colleen Jensen, Director of Community Services
- Don Simpson, Chapman Riebeck Law Firm

**PROPOSED DRINKING ESTABLISHMENT LICENSE BYLAW  
FEE SCHEDULE**

1. Proposed License Application Fee (\$100.00)  
(for all establishments)

Projected Revenue        \$100 x 49 = \$4,900.00

2. Proposed License Fee Options

Occupancy Load	Projected Number of Establishments	OPTION 1		OPTION 2		OPTION 3		OPTION 4	
		Per Establishment	Total Revenue						
1 – 299	40	\$ 100	\$ 4,000	\$ 200	\$ 8,000	\$ 300	\$12,000	\$ 100	\$ 4,000
300 – 499	6	\$ 500	\$ 3,000	\$1,000	\$ 6,000	\$2,000	\$12,000	\$1,000	\$ 6,000
500 +	3	\$1,000	\$ 3,000	\$2,000	\$ 6,000	\$4,000	\$12,000	\$5,000	\$15,000
<b>Total Recovery</b>	<b>49</b>		<b>\$10,000</b>		<b>\$20,000</b>		<b>\$36,000</b>		<b>\$25,000</b>

# MEMO

**DATE:** March 16, 2004  
**TO:** Legislative & Administrative Services Manager  
**FROM:** OIC Red Deer City RCMP  
**RE:** Drinking Establishment Licensing Bylaw

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On March 10, 2004, the Policing Committee met to discuss the noted bylaw and provide their opinions to City Council.

The Committee heard from Mr. Greg Scott, Inspections & Licensing Manager, giving an overview of the work done in drafting the proposed bylaw.

Policing Committee members supported the Drinking Establishment Licensing Bylaw and provided the following comments:

- Sociological data should be considered when drafting this bylaw. There is a different impact when 19 year olds are let out of bars at closing as opposed to 50 year olds.
- The Appeal Committee (Section 13) should not include the Mayor. A Citizen-at-large who represents the business community, possibly a bar owner or member of the Chamber of Commerce should be included on this Committee.
- Section 8(b)(ii) "in the vicinity of" should be more specific if it is listed under mandatory requirements.
- Section 9(a) "the number and qualifications of security personnel": The City should not set the criteria for the number of security staff required. It should be made mandatory that security personnel be properly trained.
- Section 9(c) "...ensure noise outside or within the venue is minimized" – it should not be necessary to regulate the noise within a venue unless the noise is going outside.

The Committee supported the regulatory portion of the Bylaw, however, Committee members offered several varied opinions regarding the administrative fee portion.

(J. Steele) Supt.  
Officer In Charge  
Red Deer City RCMP

**Being Bylaw to regulate and license Drinking Establishments in Red Deer.**

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

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

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

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

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

NOW THEREFORE COUNCIL ENACTS AS FOLLOWS:

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

**Definitions**

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

- (a) "**Drinking Establishment** " means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services, the sale of alcoholic beverages for consumption away from the premises, and entertainment. A Drinking Establishment includes any premises in respect of which a "Class A" Liquor License has been issued by the Alberta Gaming and Liquor Commission and where the terms of the license prohibit minors.

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

#### **Application for License**

- 4 A person wishing to obtain a license for a Drinking Establishment may apply to the City Inspections and Licensing Department by paying the applicable license fee and by submitting an application in the form established by the License Inspector from time to time and containing the following information:
- (a) the full names and addresses of the following persons:
    - (i) the owner of the Drinking Establishment business (“applicant”);
    - (ii) where the applicant is a corporate entity, the directors and shareholders of the corporation;
    - (iii) where the applicant is a partnership, the individual partners or the individual directors and shareholders of the corporate members of the partnership, whichever is applicable;
    - (iv) the manager of the Drinking Establishment.
  - (b) the name and address of the registered owner of the premises in which the Drinking Establishment is or will be located; and
  - (c) a description of the usual types of events to be held at the Drinking Establishment, including the hours of operation and the method by which admission (if any) will be charged.

#### **License Fee**

- 5 A Drinking Establishment shall pay an annual non-refundable fee as specified in Schedule “A” based on the size of the establishment. For this purpose, the size of the establishment shall be determined by the occupancy load or maximum number of persons entitled to be in the establishment at any one time as specified in the Occupancy Permit issued by the City of Red Deer for such establishment.

#### **Duration of License**

- 6 Every Drinking Establishment license is valid for a period of 12 months from the date that it is issued unless sooner suspended or revoked.

#### **Licenses Prohibited**

- 7 The License Inspector may not issue a Drinking Establishment license, or where a license has been issued, may suspend or revoke it, if there are reasonable grounds to believe that the operation of the proposed establishment would create a nuisance in the community near the proposed establishment, whether by virtue of excess noise, traffic, public disorder or other cause.

### **Mandatory Requirements**

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

### **Conditions Attached to License**

- 9 The License Inspector may include specific conditions in a Drinking Establishment license respecting:
- (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
  - (b) the procedures required to be in place to address emergency medical and security concerns;
  - (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;

- (d) requirements that the establishment install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures governing the retention of copies of video tapes or other visual surveillance recordings;
- (e) a requirement that the establishment not serve drinks in glass containers;
- (f) a requirement that the establishment install and maintain an airport –style metal detecting security gate of a model and type specified by the License Inspector; and
- (g) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the License Inspector, reasonably necessary to protect the safety, health, welfare, and property of the patrons and employees of the Drinking Establishment.

#### **Revocation or Suspension of License**

10 The License Inspector may revoke or suspend any license granted under this bylaw where:

- (a) the applicant fails to comply with any bylaw of the City including this bylaw, whether the holder of the license has been prosecuted for a contravention of that bylaw or not;
- (b) the applicant has provided false or misleading information in his or her application;
- (c) the applicant breaches any condition of a license granted under this bylaw;
- (d) the applicant or any of the officers, agents or employees of the Drinking Establishment denies entry to the premises of the Drinking Establishment by a member of the RCMP, a License Inspector or a bylaw enforcement officer exercising powers of inspection under section 16 of this Bylaw;
- (e) where it appears to the License Inspector that the operation of the Drinking Establishment is resulting in complaints that the provisions of the Public Order Bylaw are being breached.

11 The License Inspector may suspend a license for non-compliance with this Bylaw or a condition of the license, until the requirements of this bylaw or of the condition of the license have been met.

- 12 The License Inspector may permanently revoke a license where, in the reasonable opinion of the License Inspector, the continued operation of the establishment would endanger the safety, health or welfare of the public.

#### **Appeal of Revocation or Suspension of License**

- 13 A person whose Drinking Establishment license has been suspended for a period of 3 months or more, or whose license has been revoked, may appeal such suspension or revocation to the Drinking Establishment License Appeal Committee (the "Appeal Committee") which shall consist of the following persons:
- (a) the Mayor;
  - (b) the City Manager; and
  - (c) a citizen-at-large appointed by Council
- 14 On such appeal, the Appeal Committee shall hear representations from the License Inspector, the applicant and counsel for the applicant and may hear representations from any other interested party which the Appeal Committee agrees to hear.
- 15 Following the hearing of the appeal, the Appeal Committee may confirm, revoke or vary the suspension or revocation of the license or any condition attached to the license or make or substitute an order, decision or condition of its own.

#### **Inspection of premises and facilities**

- 16 A License Inspector, bylaw enforcement officer or member of the RCMP may enter and inspect the premises of any ###licensed Drinking Establishment at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this bylaw, other applicable bylaws of the City or any other laws or regulations which the License Inspector, bylaw enforcement officer or member of the RCMP is authorized to enforce;
  - (b) to ensure that the licensee is complying with the requirements of this bylaw, the conditions attached to a license issued under this bylaw and other applicable bylaws of the City or any other laws or regulations which the License Inspector, bylaw enforcement officer or member of the RCMP is authorized to enforce;
  - (c) in the case of a facility whose Drinking Establishment license has been suspended, to examine the premises to determine whether the conditions leading to the suspension of the license have been corrected.

#### **Obstruction of inspector**

- 17 No person may hinder, obstruct or impede a License Inspector, bylaw enforcement officer or member of the RCMP in the performance of his or her duties or in the exercise of his or her powers of inspection under this bylaw.

**Offences**

- 18 It is an offence for any person who operates a Drinking Establishment to fail to comply with or to breach any term or condition of a license granted hereunder.
- 19 A person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a fine of not less than \$500.00 and not more than \$10,000.00 and in default of payment thereof, to imprisonment for a period not exceeding 6 months.
- 20 A person who breaches any of the provisions of this bylaw where the breach is of a continuing nature, shall, in addition to the penalty set forth in section 19, pay a penalty of \$100.00 for each day that the breach continues.
- 21 If a person is found guilty of an offence under this bylaw, and the conduct that gives rise to the offence involves the non-payment of a fee which remains unpaid, the court shall, in addition to any fine, impose a penalty equivalent to the amount of the unpaid fee.
- 22 If a person is found guilty of an offence under this bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this bylaw.
- 23 Any peace officer, license inspector or bylaw enforcement officer who has reasonable grounds to believe that any person has contravened any provision of this bylaw may:
- (a) serve upon such person a summons for the offence; or
  - (b) serve upon such person an offence ticket allowing payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence; and
  - (c) seize and take possession of any licenses where the same are revoked or suspended, or otherwise required to be returned to the City.

**General**

- 24 A License issued pursuant to this bylaw is the property of the City and may not be transferred.
- 25 No License may be issued or renewed if the applicant, or any individual or corporation named in the application, has an unpaid fine owing to the City for an offence under this bylaw.
- 26 A copy of a record of the City, certified by the License Inspector as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it



SCHEDULE "A"  
DRINKING ESTABLISHMENT LICENSE FEES

1. Drinking Establishment (Occupancy limit 50 or less) \$ \_\_\_\_\_
2. Drinking Establishment (Occupancy limit 51 to 100) \$ \_\_\_\_\_
3. Drinking Establishment (Occupancy limit 100 to 200) \$ \_\_\_\_\_
4. Drinking Establishment (Occupancy limit over 200) \$ \_\_\_\_\_

**DRINKING ESTABLISHMENTS  
OCCUPANCY**

<b>Occupancy 0 – 99</b>	
Albert's Family Restaurant-Lounge	94
Black Stone Lounge – Cash Casino	55
Capri – VLT Lounge	60
Deluxe	31
George's Pizza & Steak Lounge	53
North Hill Inn – Winners	65
North Hill Inn – Evergreen Lounge	96
Post Time (Old Elks Club)	79
<b>Occupancy 100 – 199</b>	
Sambucca Sams	150
Gents Club	176
Jim & Jerry's	182
Bo Diddley's	150
East 40 <sup>th</sup> Pub	180
Cheers	119
Back Street Bar	150
J.D.'s Pub	140
Red Deer Lodge – Reflections	145
Capri Garden Lounge	118
Holiday Inn – Network Lounge	100
Stanford Inn - Granada Lounge	118
North Hill Inn – Lion's Den Pub	119
Boston Pizza – North and South	113 North & 133 South
Café Tiffany Lounge	113
Lucky's Lounge – Jack Pot Casino	175
Moxie's Lounge	120
Smitty's Lounge – Holiday Inn	165
Black Knight Inn	126
Joe Joe's	100
<b>Occupancy 200 – 299</b>	
The Vat	200
Cobby's Bar & Grill	214
Hoffa's	250
Blarney Stone - North	243
Red Deer Lodge – Doubles	294
Buffalo Hotel	270
Valley Hotel	254
Arlington Hotel	242
Tony Roma's	200
X-Static Club	250
<b>Occupancy 300 – 499</b>	
Dakota's	350
Branley's	317
Capri – Billy Bob's	385
Capri – Mortimer's	490
North Hill Inn – Wild Bill's	325
Blarney Stone – South	350
<b>Occupancy Over 500</b>	
Catwalk	700
Manhattan Club	650
The Country Club	500

*Comments:*

This is Council's opportunity to hear the perspective of the community regarding the proposed Drinking Establishment License Bylaw. There are a number of key issues for Council to consider, including:

- (a) Is the licensing of drinking establishments a useful initiative in managing the issues related to the orderliness and cleanliness of the environment surrounding those establishments? Are there better alternatives?
- (b) Is the proposed license constructed in a way which effectively impacts the operations of licensed establishments in terms of both the orderliness and cleanliness of the environment surrounding those establishments?
- (c) Are the proposed license fees a fair distribution of costs in relation to the enforcement and administration of the bylaw?
- (d) Is the appeal procedure fair and reasonable?

We are not recommending a particular approach for Council at this point because we respect the need for Council to remain open to the input of the community during this hearing process. However, we have the following observations to make on a number of specific issues raised by the Policing Committee.

First, on the subject of the Appeal Committee, we believe that a cross-section of representation from the community, the administration and elected officials is sound. However, we believe that the elected representative could be any member of Council.

We do not see the need for the proposed bylaw to more specifically define "vicinity", since this would vary by establishment and would be laid out in more detail in each individual license.

With respect to Section 9 (a), we agree that it is reasonable for the City to have the ability to intervene on a case-by-case basis if security is an issue at an establishment particularly as it impacts the ability of that establishment to manage the conditions of its specific license. This particular intervention on the part of the City would not likely be invoked on a regular basis but would be available to address specific concerns.

With respect to Section 9 (c), we agree that the City does not want to become involved in regulating noise within an establishment unless it impacts the surrounding area. The internal noise is clearly the purview of the operator in meeting the needs and/or desires of the customer.

*Comments:*  
*Drinking Establishments Licensing Bylaw*  
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We look forward to Council's direction on this bylaw. Should Council agree to proceed with a bylaw, a final version will come forward for Council's consideration at a later meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

March 17, 2004

## **Council seeks public feedback on proposed Drinking Establishment Business License bylaw at upcoming meeting on March 22**

(Red Deer, Alberta) – Stemming from a recommendation made in the Downtown Safety Strategy, The City began examining the feasibility of a Drinking Establishment Business License last year. On March 22, The City will present its proposed Drinking Establishment Business License bylaw to Council. The presentation will give Council an opportunity to review the proposed bylaw and gather input from stakeholders and community members on the initiative.

“While we’ve already carried out a consultation process with stakeholders, this will give stakeholders and all citizens an opportunity to personally address Council on this subject,” said Greg Scott, Inspections and Licensing Manager, The City of Red Deer. “We invite anyone interested in this initiative to come to the meeting and share their thoughts on the proposed bylaw.”

The intent of the proposed bylaw is to enhance community safety. Under the license program, drinking establishments would be required to comply with certain conditions. Some regulations would be mandatory for all drinking establishments, while other, additional conditions may only apply to certain operations. Examples of additional conditions include installing video surveillance, providing appropriate safety and security personnel, implementing noise abatement measures, or installing and operating metal detection devices.

The City would collect a license fee based on the approved occupancy permit load of each establishment. These funds would then be used to help offset the costs of bylaw regulation enforcement.

Information on the proposed bylaw, including the proposed fee schedule for drinking establishments, can be found on The City of Red Deer’s Web site at [www.city.red-deer.ab.ca](http://www.city.red-deer.ab.ca). The Council meeting will take place on **Monday, March 22** at **7 p.m.** in the **Council Chambers, second floor, City Hall** (4914, 48 Avenue).

Citizens who are unable to attend the Council meeting may also provide their comments to Council through the following ways:

By mail:           Legislative & Administrative Services  
                          The City of Red Deer  
                          Box 5008 Red Deer, AB T4N 3T4

By e-mail:        [las@city.red-deer.ab.ca](mailto:las@city.red-deer.ab.ca)

By fax:           (403) 346-6195

-end-

For more information, please contact:

Greg Scott  
Inspections & Licensing Manager  
The City of Red Deer  
(403) 342-8190



LEGISLATIVE & ADMINISTRATIVE SERVICES

March 24, 2004

Valerie Beekman  
22 Abbott Avenue  
Red Deer, AB T4R 1B5

Dear Ms Beekman:

***Proposed Drinking Establishment Business License Bylaw***

Thank you for your comments regarding the Proposed Drinking Establishment Business License Bylaw. Your letter will be forwarded to the Mayor and Councillors for their information.

At the March 22, 2004 Red Deer City Council Meeting, Council heard presentations from representatives of the Chamber of Commerce, drinking establishment owners and members of the public. After discussion, Council passed the following resolution:

***“Resolved*** that Council of the City of Red Deer having considered the report from the Inspections & Licensing Manager, dated March 16, 2004, re: Proposed Drinking Establishment Bylaw, hereby directs the Administration to:

- 1) Review the proposed licensing bylaw in light of the proposals and presentations submitted to Council on March 22, 2004.
- 2) Report back to Council and discuss and analyze:
  - (a) proceeding with existing bylaw and,
  - (b) proceeding with the proposals submitted by the bar owners including the process to be followed to achieve voluntary agreements,
  - (c) other remedies which may be appropriate.
- 3) Recommend a course of action with supporting justification.”

..2/

Ms Beekman  
March 24, 2004  
Page 2

This item will be brought back for Council's consideration in approximately 6 weeks time.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss  
Manager

/chk

c Mayor  
Councillors  
City Manager  
Community Services Director  
Inspections & Licensing Manager

March 22, 2004

Legislative & Administrative Services  
The City of Red Deer  
Box 5008  
Red Deer, AB T4N 3T4  
Fax: 403-346-6195

To Whom It May Concern:

I am strongly opposed to the Proposed Drinking Establishment Business License bylaw.

The issue behind the proposal stems from certain incidents that happened in the downtown area and does not reflect or address the overall situation in Red Deer.

The proposed bylaw is redundant legislation that is not in the best interest of the community. The council members and/or the committees that originally approved these downtown area-drinking establishments should address the concerns about the operations of these businesses separately. The original discussions should have taken into consideration the possibilities of congestion, inaccessibility, and crowd control BEFORE approval was granted.

It is completely inappropriate to assess a levy against the entire population of Red Deer based solely on the short sightedness of past decisions. City Council must abandon this proposal and come up with a more suitable and insightful remedy to address the operational concerns of downtown and area drinking establishments.

Sincerely,



Valerie Beekman  
22 Abbott Avenue  
Red Deer, Alberta T4R 1B5

**Christine Kenzie**

**From:** Bevs' Copies Now Telus Account [bevcn@telusplanet.net]  
**Sent:** March 22, 2004 3:33 PM  
**To:** las@city.red-deer.ab.ca  
**Subject:** Proposed Drinking Establishment Bylaw

Dear Mayor and Councillors:

I am most appreciative that you have undertaken a closer look at the issues which surround our drinking establishments in downtown Red Deer. I work downtown and am quite concerned about this situation. It is not uncommon to walk past broken beer bottles, garbage, vomit, and used condoms on my way to and from the parking lot.

I would lend to you my whole-hearted support of your proposed bylaw. I feel that these establishments create far more problems than they are worth, and I am concerned that my already stretched tax dollars are being used to clean up the problem.

Please continue to apply pressure on these businesses and the individuals who own them, operate them, and profit from them, to take responsibility for the problems they create for everyone in Red Deer.

Mrs. Bev Manning  
403 343 6292  
11 Kirkwood Crescent  
Red Deer, AB T4P 3M7

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**Christine Kenzie**

**To:** Bevs' Copies Now Telus Account  
**Cc:** Mayor; Councillors; Greg Scott  
**Subject:** RE: Proposed Drinking Establishment Bylaw

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*"Resolved that Council of the City of Red Deer having considered the report from the Inspections & Licensing Manager, dated March 16, 2004, re: Proposed Drinking Establishment Bylaw, hereby directs the Administration to:*

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- 3) Recommend a course of action with supporting justification."

This item will be brought back for Council's consideration in approximately 6 weeks time.

**Christine Kenzie**  
**Administrative Assistant**  
**City of Red Deer**  
**Legislative & Administrative Services**  
**403.342.8201**  
**chrisk@city.red-deer.ab.ca**

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## Christine Kenzie

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**From:** Ray Fraess [aus-can@telusplanet.net]  
**Sent:** March 22, 2004 7:52 AM  
**To:** las@city.red-deer.ab.ca  
**Subject:** Bar bylaw

To City Council,

I lived downtown for eight years. The place is a zoo at night when the bars get out. Nothing but noise, grief and aggravation.

You could double your proposed fees and fines and they still would not be enough.

Go ahead with your plans and you could shut the bars down for all I care. At least close them down at 12 Midnight or no later than 1AM.

I feel nothing but sympathy for folks who still live downtown.

Ray Fraess  
2 Lampard Crescent.  
340-2919

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**Legislative & Administrative Services**  
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**Christine Kenzie**

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**From:** rob and deb [rcmciver@shaw.ca]

**Sent:** March 22, 2004 8:12 AM

**To:** las@city.red-deer.ab.ca

**Subject:** drinking by law

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Thank you

Rob McIver

4409 Embury Cr.

Red Deer t4n 2s9

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## Christine Kenzie

---

**From:** Ray Fraess [aus-can@telusplanet.net]  
**Sent:** March 23, 2004 4:46 PM  
**To:** Christine Kenzie  
**Subject:** Re: Bar bylaw

Thanks for the information. It's up to Council now.

Ray Fraess

----- Original Message -----

**From:** Christine Kenzie

**To:** 'Ray Fraess'

**Cc:** " Mayor" @dewey2.city.red-deer.ab.ca ; "Greg Scott" @dewey2.city.red-deer.ab.ca ; 'Bev Hughes' ; 'Dennis Moffat' ; 'Diana Rowe' ; 'Jeffrey Dawson' ; 'Larry Pimm' ; 'Lorna Watkinson-Zimmer' ; 'Morris Flewwelling' ; 'Vesna Higham'

**Sent:** Tuesday, March 23, 2004 1:01 PM

**Subject:** RE: Bar bylaw

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**Administrative Assistant**  
**City of Red Deer**  
**Legislative & Administrative Services**  
**403.342.8201**

***chrisk@city.red-deer.ab.ca***

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**Legislative & Administrative Services**

**DATE:** March 23, 2004  
**TO:** Greg Scott, Inspections & Licensing Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Proposed Drinking Establishment Licensing Bylaw

---

**Reference Report:**

Inspections & Licensing Manager, dated March 16, 2004

**Resolutions:**

*“Resolved* that Council of the City of Red Deer having considered the report from the Inspections & Licensing Manager, dated March 16, 2004, re: Proposed Drinking Establishment Bylaw, hereby directs the Administration to:

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**Report Back to Council:** Yes, in approximately 4 to 6 weeks.

***Comments/Further Action:***

Points discussed for consideration include but not limited to:

- a) Revised composition of Appeal Board to arms length
- b) Revised appeal process
- c) Review of fees
- d) All liquor establishments being licensed under bylaw

Attached is the information that was submitted at the Council Meeting.

Please advise the stakeholders of Council's decision.



Kelly Kloss  
Manager

/chk  
attchs.

- c City Manager  
Director of Development Services  
Community Services Director  
Supt. J. Steele, RCMP  
City Solicitor

**Public Hearing, City Council Chambers  
7:00 PM, March 22, 2004  
Proposed Drinking Establishment Bylaw  
Presentation by Jackie Brooks, 2<sup>nd</sup> Vice President  
Red Deer Chamber of Commerce**

Good evening Your Worship, representatives from the Red Deer business community, and members of the public.

Thank you for the opportunity to address you on this important issue. I am Jackie Brooks, 2<sup>nd</sup> vice president of the Red Deer Chamber of Commerce.

The Chamber represents over 860 member businesses. We view the economic health and safety of our community as a partnership.

The City is the heart of our standard of living. The businesses create the jobs, opportunity and prosperity. This is why the Red Deer Chamber of Commerce believes it has a responsibility to provide comment, direction, and support to the City's decision making process.

The Red Deer Chamber of Commerce acknowledges a problem of litter, graffiti, noise, rowdiness, and property damage exists in the Downtown bar area. We commend the City and downtown businesses for working together to address these problems.

We also commend the City for maintaining a competitive business property tax rate and for eliminating the business tax some years ago. I'm sure that all of us agree that a competitive local tax regime attracts new businesses and encourages growth in existing firms. These, in turn, drive the prosperity of our area.

The Red Deer Chamber of Commerce, however, fears the introduction of the proposed Drinking Establishment Licensing Bylaw as a solution to the existing problem. We have three primary reasons for this concern which I will highlight.

I am also pleased to provide several alternate approaches as we are all in agreement that the problems which have been identified MUST be resolved.

Our first two concerns are that the Bylaw focuses on a tax or user fee.

- 1) If it is a tax, then we respectfully point-out that businesses in Red Deer already shoulder a disproportionate burden of tax.

We pay \$2.00 for every \$1.00 paid by a residential property owner despite the fact that studies show that businesses often use fewer municipal services, like garbage collection, than residential property owners.

When administration and licensing fees like the ones being considered here tonight are introduced, they provide the optics to appease voting residents, while placing the burden on businesses with no political or voting recourse.

The result is not fair or equitable.

- 2) Our second concern is based on the explanations of the problem identified in the February 11, 2004 Memo from Greg Scott to Kelly Kloss.

The Memo indicates that the proposed Licensing Fee is designed to “raise revenues to assist with Bylaw enforcement”. The Background goes on to specify that the reasoning for the Bylaw is “to address the issue of safety and security around the Drinking Establishments.” It further identifies that the primary and perhaps only concern lies in the Downtown.

These messages are reiterated in the second and third WHEREAS statements in the proposed Bylaw. These read:

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

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

The license and administration fees may therefore be viewed as user fees.

The Canada West Foundation, in its materials on addressing municipal funding challenges, clearly specifies that user pay systems must promote “effectiveness, equity, and efficiency”. People should pay for what they use and the right amount of service should be provided at the right price.

As all of you know, the purpose of a user pay system is to dispel the myth that public services are free and to create a new dynamic for individuals or organizations to cut back on consumption to save money. User fees should force people and organizations to realize the actual costs of their behaviour.

The proposed Drinking Establishment Licensing Bylaw applies to many establishments that have had few or no incidents of the problem behaviour identified in the Memo’s Background and the WHEREAS statements.

As a result, it is highly unlikely to result in the improvements the Bylaw seeks to achieve.

Downloading costs to businesses that are not at the root of the problem is not equitable or transparent.

When one combines this with the City staff's acknowledgement that the recommended charges are unlikely to cover the costs of operating the enforcement program, it makes the proposal that much more problematic.

- 3) Our third concern focuses on items specifically identified in the proposed Bylaw. These include the following:

8(b)(ii) which specified that these bars are responsible for (I quote) "the vicinity of the Drinking Establishment". This property may not even belong to them and which may be some distance from their buildings.

It is our understanding that some of the problems take place blocks away from the Drinking Establishments and it would be difficult if not impossible to determine which bars the perpetrators had attended. Responsibility on behalf of a particular bar would then be very difficult to determine.

Item 13 indicates an appeal process which is not objective. Bylaw enforcement is responsible to the City. The City mayor and manager to whom Bylaw enforcement officers are responsible, are then the judge and jury with only one additional independent person. We respectfully suggest that, though we agree an appeals process must exist, the one in the proposed Bylaw is not arms-length enough.

Item 16 seems to indicate that additional inspections are required of Drinking Establishment premises. These bars are already subject to inspections from food inspectors, fire inspectors, and others.

The Chamber of Commerce has and continues to encourage the City to operate as efficiently as possible. Adding an additional layer of inspections and inspection personnel may not be the most efficient way to approach this – from the perspective of manpower and costs.

The Red Deer Chamber of Commerce cannot emphasize enough, that we are fully in agreement that the safety issues exist and that our community has experienced increasing costs as a result. We also agree that this **MUST** be resolved.

Our interpretation of the material provided and discussions with local bar owners throughout the City does indicate, however, that the problem is primarily localized to the Downtown Drinking Establishments. For this reason, we believe that the resolution lies there and not as a blanket across an entire bar business sector.

As a result, the Chamber strongly recommends that the City take another look at the cause of the safety and security issues and consider our alternatives instead of passing the proposed Bylaw.

- 1) First, we recommend that solutions to the problem should place primary responsibility for behaviour with the bar patrons who are causing the problems when leaving the Drinking Establishments. Their actions clearly contravene existing laws.

In addition, we understand that the City is looking into Bylaws to better enforce more appropriate behaviour. The Chamber commends you for this and encourages the City to explore this option fully.

- 2) Our second recommendation places more responsibility with the Drinking Establishments that may be contributing to the unacceptable behaviour demonstrated by the bar patrons.

We suggest that formal agreements be made directly with the Drinking Establishments of concern. These would clearly outline the responsibilities they have for their premises, the vicinity for which they are responsible, and harsh penalties for noncompliance.

The Chamber recommends that the resolutions and penalties focus on those Establishments that are repeatedly found to be at the root of the safety and security issues. Only they can change the outcome and they will if the problems and penalties are linked to them and not spread across an entire business sector.

- 3) Finally, if the proposed Bylaw does proceed, we strongly recommend that where possible and where required, the inspection force and administration should be provided from within those that already exist. Drinking Establishments are already visited by a wide range of inspectors. Efficiencies may exist by putting any inspection duties on one of those bodies.

The costs associated with this should be funded by fines for safety and security infractions that are directly linked to specific Drinking Establishments.

In summary, the Red Deer Chamber of Commerce acknowledges the magnitude of the safety and security issue as it relates to the Downtown Drinking Establishments. We also agree that these issues must be resolved.

We do not view the proposed Drinking Establishment Bylaw as an appropriate solution as it diffuses responsibility and costs across a broad segment of the bars which are not causing the safety and security concerns.

Behavioral change is more likely to occur if both the bar patrons and the Drinking Establishments that are causing the problems are held directly accountable through an appropriate, cost-recovery, penalty system.

**SUMMARY OF A PROPOSAL BY A MAJORITY OF THE OWNERS OF  
DRINKING ESTABLISHMENTS**

TO: The Members of Council of the City of Red Deer

RE: Proposed Drinking Establishment Licensing Bylaw

1. All Staff involved in the serving of alcohol to patrons of the Drinking Establishment to enroll in and complete the course presently offered by the Alberta Gaming and Liquor Commission entitled "Alberta Liquor Laws and You" at appropriate times, considering the number of staff of the Establishment and the staff turnover rate at that Establishment;
2. Owners of Establishments will implement reasonable and appropriate security measures, depending upon the size and location of the Establishment to include:
  - a. The employment by the Establishment of sufficient numbers of security personnel to adequately protect patrons of the Establishment and to ensure that the Establishment offers a safe place for the consumption of alcohol;
  - b. The implementation of procedures to address emergency medical and security concerns;
  - c. Unless exempted by the City of Red Deer, the installation and maintenance of a system of video camera surveillance including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures governing the retention of copies of video tapes and other visual surveillance recordings, for all Establishments having an occupancy load exceeding 300;
  - d. Appropriate noise abatement measures where necessary, including keeping all doors of the Establishment closed during the Establishment's hours of operation;
  - e. Access to the Drinking Establishments by representatives of the City and members of the RCMP to inspect the premises and the security measures adopted by the Establishment during the Establishments normal business hours;
  - f. Such other reasonable and appropriate security measures as the Owners and the City may agree upon from time to time.
3. The creation of an informal Association comprised of representatives of the Owners of Establishments, representatives of the City, a member of the RCMP and citizen(s) of the City of Red Deer to receive and attempt to address and remedy concerns and complaints received by the Association regarding the operation of Drinking Establishments or a particular Drinking Establishment in the City.
4. At the owner's cost, insure the adequate cleanup of litter around the Establishment's business premises including any adjoining properties both during and after the Establishment's hours of operation. If any Owner should not discharge this onus, the City may do so and charge any costs incurred by it to the Owner of the Establishment in question.

*Submitted by Dave Hardy to Council March 23, 2004*

## Christine Kenzie

---

**From:** rob and deb [rcmciver@shaw.ca]  
**Sent:** March 22, 2004 8:12 AM  
**To:** las@city.red-deer.ab.ca  
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Please continue to apply pressure on these businesses and the individuals who own them, operate them, and profit from them, to take responsibility for the problems they create for everyone in Red Deer.

Mrs. Bev Manning  
403 343 6292  
11 Kirkwood Crescent  
Red Deer, AB T4P 3M7

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**Legislative & Administrative Services**

**DATE:** March 16, 2004  
**TO:** Frank Wong, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/F-2004  
Remainder of the NW ¼ Sec. 2-38-27-4  
Lancaster South (Lancaster Green) – Phase 7  
City of Red Deer

---

*History*

At the Monday, February 23, 2004 meeting of Council, Land Use Bylaw Amendment 3156/F-2004 was given first reading.

Land Use Bylaw Amendment 3156/F-2004 provides for the rezoning of land for Phase 7 of the Lancaster South Neighbourhood. Phase 7 will consist of 28 single-family lots, 20 semi-detached lots, 1 multiple-family lot, 1 local commercial lot, 2 municipal reserve lots, 1 public utility lot and road right-of-ways for the development of 22<sup>nd</sup> Street. The widening of 30<sup>th</sup> Avenue, which was dedicated in 1999, is also being rezoned from A1 to Road at this time.

*Public Consultation Process*

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, March 22, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting. The owners of the properties bordering the site have been notified by letter of the Public Hearing.

*Recommendations*

That following the Public Hearing, Council may proceed with 2<sup>nd</sup> and 3<sup>rd</sup> readings of the bylaw.

  
Kelly Kloss  
Manager



**Legislative & Administrative Services**

**DATE:** March 16, 2004  
**TO:** City Council  
**FROM:** Kelly Kloss, Legislative & Administrative Services  
**SUBJECT:** Land Use Bylaw Amendment 3156/F-2004  
Remainder of the NW ¼ Sec. 2-38-27-4  
Lancaster South (Lancaster Green) – Phase 7  
City of Red Deer

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*S/B To  
City Council (NOT  
FRONT WORK)  
- Page 18  
of General Agenda.*

*Put in original  
copy of the agenda*

***History***

At the Monday, February 23, 2004 meeting of Council, Land Use Bylaw Amendment 3156/F-2004 was given first reading.

Land Use Bylaw Amendment 3156/F-2004 provides for the rezoning of land for Phase 7 of the Lancaster South Neighbourhood. Phase 7 will consist of 28 single-family lots, 20 semi-detached lots, 1 multiple-family lot, 1 local commercial lot, 2 municipal reserve lots, 1 public utility lot and road right-of-ways for the development of 22<sup>nd</sup> Street. The widening of 30<sup>th</sup> Avenue, which was dedicated in 1999, is also being rezoned from A1 to Road at this time.

***Public Consultation Process***

A Public Hearing has been advertised for the above noted bylaw to be held on Monday, March 22, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting. The owners of the properties bordering the site have been notified by letter of the Public Hearing.

***Recommendations***

That following the Public Hearing, Council may proceed with 2<sup>nd</sup> and 3<sup>rd</sup> readings of the bylaw.

Kelly Kloss  
Manager

**DATE:** February 13, 2004

**TO:** Kelly Kloss, Legislative and Administrative Services Manager

**FROM:** Frank Wong, Planning Assistant

**RE:** Land Use Bylaw Amendment No. 3156/F-2004  
Remainder of the NW ¼ Sec. 2-38-27-4  
Lancaster South (Lancaster Green) – Phase 7  
The City of Red Deer

---

The City of Red Deer is proposing to develop the remaining lands (Phase 7) of the Lancaster South neighbourhood. Phase 7 consists of 28 single-family lots, 20 semi-detached lots, 1 multiple-family lot, 1 local commercial lot, 2 municipal reserve lots, 1 public utility lot and road right-of-ways for the development of 22 Street. This proposal rezones approximately 9.05 ha (22.36 ac) of land from A1 Future Urban Development District to R1 Residential Low Density district, R1A Residential (semi-detached dwelling) District, R2 Residential (Medium Density) District, C3 Commercial (Neighbourhood Convenience) District, P1 Parks and Recreation District and ROAD. The widening of 30 Avenue, which was dedicated in 1999, is also being rezoned from A1 to ROAD at this time.

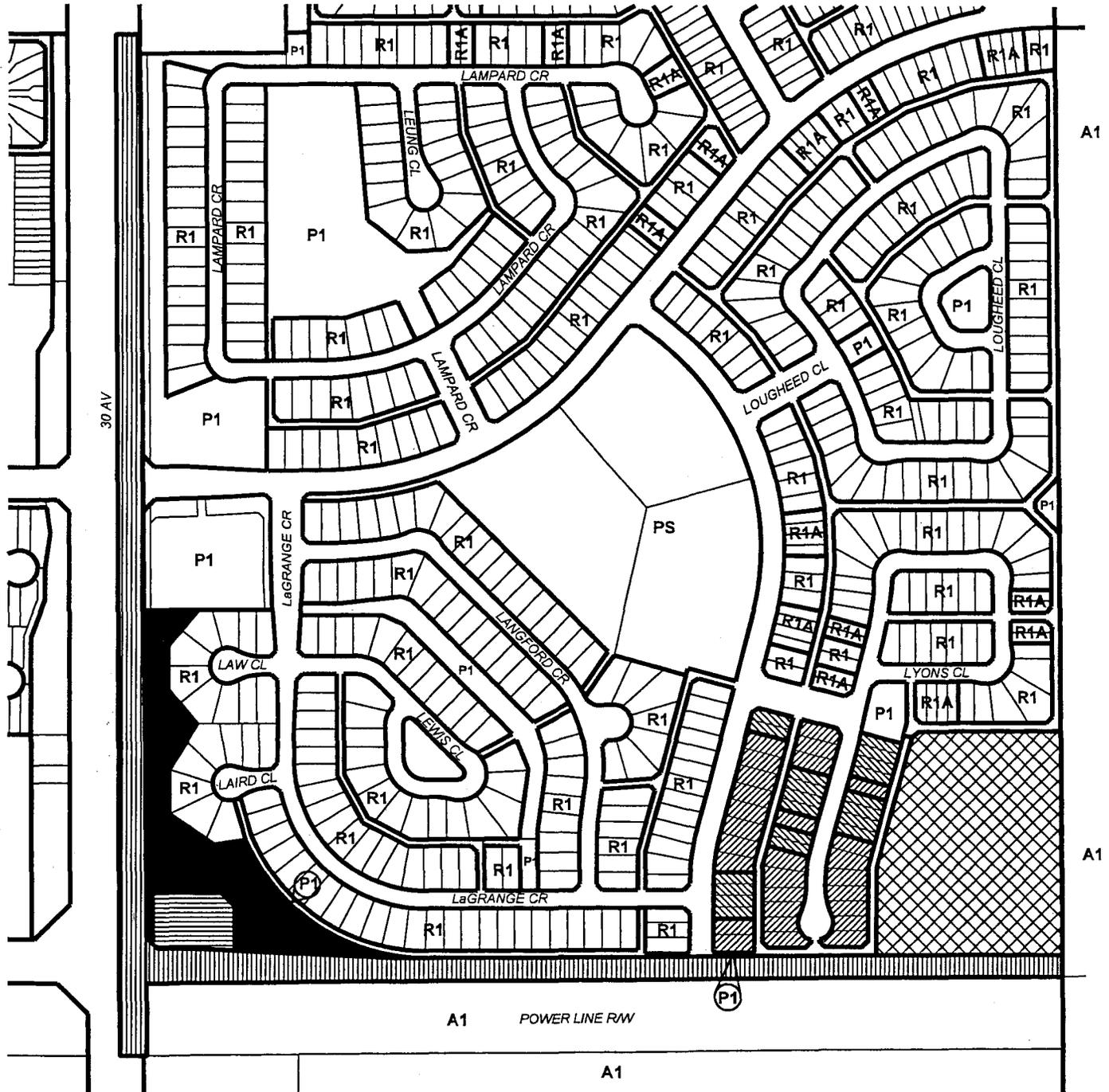
**Staff Recommendation**

The proposal complies with the Lancaster South Neighbourhood Area Structure Plan; therefore it is recommended that City Council proceed with first reading of this Land Use Bylaw Amendment 3156/F-2004.

  
Frank Wong  
Planning Assistant

Attachments

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 R1 - Residential (Low Density)  
 R1A - Residential (Semi-Detached Dwelling)  
 R2 - Residential (Medium Density)  
 P1 - Parks and Recreational  
 C3 - Commercial (Neighbourhood Convenience)

**Change from :**  
 A1 to R1 [diagonal lines /]  
 A1 to R1A [diagonal lines \]  
 A1 to R2 [cross-hatch]  
 A1 to P1 [solid black]  
 A1 to C3 [horizontal lines]  
 A1 to Road [vertical lines]



MAP No. 4 / 2004  
 BYLAW No. 3156 / F - 2004

**FILE**



Council Decision – March 22, 2004

Legislative & Administrative Services

**DATE:** March 23, 2004  
**TO:** Frank Wong, Parkland Community Planning Services  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Land Use Bylaw Amendment 3156/F-2004  
Remainder of the NW ¼ Sec. 2-38-27-4  
Lancaster South (Lancaster Green) – Phase 7  
The City of Red Deer

---

***Reference Report:***

Parkland Community Planning Services, dated February 13, 2004

***Bylaw Readings:***

Land Use Bylaw Amendment 3156/F-2004 was given second and third readings. A copy of the bylaw is attached.

***Report Back to Council:*** No

***Comments/Further Action:***

Land Use Bylaw Amendment 3156/F-2004 provides for the rezoning of land for Phase 7 of the Lancaster South Neighbourhood. Phase 7 will consist of 28 single-family lots, 20 semi-detached lots, 1 multiple-family lot, 1 local commercial lot, 2 municipal reserve lots, 1 public utility lot and road right-of-ways for the development of 22<sup>nd</sup> Street. The widening of 30<sup>th</sup> Avenue, which was dedicated in 1999, is also being rezoned from A1 to Road at this time. This office will amend the Land Use Bylaw and distribute copies in due course.

  
Kelly Kloss  
Manager

/chk  
attchs.

c Director of Development Services  
Land & Economic Development Manager  
Inspections & Licensing Manager  
Assessment & Tax Manager  
D. Kutinsky – Graphics Designer  
B. Greter, Clerk Steno

**BYLAW NO. 3156/F-2004**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map K5" contained in "Schedule B" of the Land Use Bylaw are hereby amended in accordance with the Land Use District Map No. 4/2004 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 23<sup>rd</sup> day of February 2004.

READ A SECOND TIME IN OPEN COUNCIL this 22<sup>nd</sup> day of March 2004.

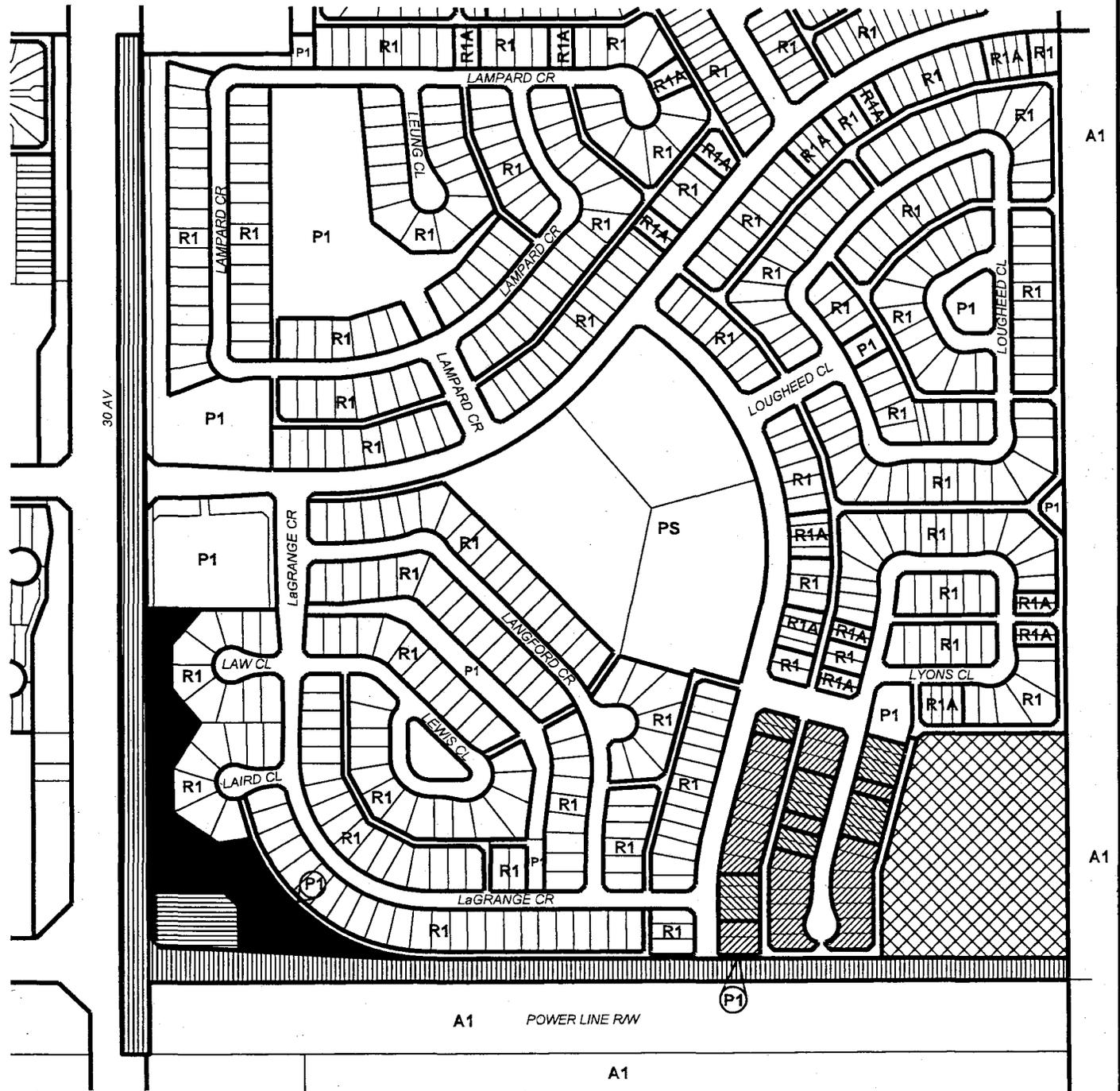
READ A THIRD TIME IN OPEN COUNCIL this 22<sup>nd</sup> day of March 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this 22<sup>nd</sup> day of March 2004.

  
\_\_\_\_\_  
MAYOR

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

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



**AFFECTED DISTRICTS:**

- A1 - Future Urban Development
- R1 - Residential (Low Density)
- R1A - Residential (Semi-Detached Dwelling)
- R2 - Residential (Medium Density)
- P1 - Parks and Recreational
- C3 - Commercial (Neighbourhood Convenience)

**Change from :**

- A1 to R1 
- A1 to R1A 
- A1 to R2 
- A1 to P1 
- A1 to C3 
- A1 to Road 



MAP No. 4 / 2004  
 BYLAW No. 3156 / F - 2004

 THE CITY OF  
**Red Deer**  
Recreation Facilities

RPC-45.905

**DATE:** March 16, 2004

**TO:** Kelly Kloss, Manager  
Legislative & Administrative Services

**C:** Colleen Jensen, Director  
Community Services Division

**FROM:** Harold Jeske, Manager  
Recreation, Parks & Culture

Jeff Graves, Superintendent  
Recreation Facilities

**SUBJECT: Recreation Centre Renovation Project**

---

### **Background**

In the 2003 Community Services Business Plan and Budget, funding was approved to “ensure that the needs assessment and planning for the facilities and services that are located in Rotary Recreation Park would be done, with the coordination of stakeholders involved”. The Recreation Centre Project was a part of this study and the firm of Simpson Roberts Architecture Interior Design Inc. from Calgary completed the study. The study included a review of the Recreation Centre, structural and mechanical condition and an examination of the current uses, as well as, present and future needs. The consultants examined the following:

- Upgrading and/or expanding the administration wing.
- Upgrading and expanding the main lobby, including point of sale, cash and control area.
- Upgrading and expanding the public washrooms and change rooms.
- Upgrading and expanding the indoor pool deck.
- Redevelopment of the second floor.
- Upgrading and modernizing the pool natatorium.
- Installation of retractable bleachers in the natatorium.
- Upgrading the mechanical systems, including energy conservation and retrofit.
- Development of a concession services area for the outdoor pool.
- Development of a steam room.
- Upgrading of the sauna facility.
- Upgrading and redevelopment of the basement space.
- Correcting damage and deteriorated areas of the structure.
- Developing additional program space and exercise area.
- Providing a condition report of the Recreation Centre facility structure.
- Providing landscape plans for the redesign of sections of the building.

Page 2  
March 16, 2004  
Recreation Centre Renovation Project

During the study, detailed interviews were conducted with various stakeholders. On September 10, 2003, a public meeting was held to inform the community of the directions being suggested for the Recreation Centre and to seek feedback. The plans for the Recreation Centre were also displayed at the Red Deer Library, with the opportunity for review and comment by the public.

Principals from Simpson Roberts Architecture Interior Design presented the results of the Rotary Recreation Park Facilities Study to City Council at its regular meeting on November 17, 2003. Council approved bringing forward the recommendations of this report in the 2004 Business Plan. The report from Simpson Roberts included the conceptual plans and preliminary cost estimates for the renovations to the Recreation Centre. These are included as Appendix "A" to this report.

In the 2004 Recreation, Parks & Culture Department Business Plan and Major Capital Budget, the Recreation Centre Renovation Project was presented to Council. Funding was identified from the capital project reserve and with \$4,090,000 being identified for 2004, and a further \$1,000,000 in 2005, for a total of \$5,090,000. A further \$55,000 was also provided to include the public art component for this project. Council approved this major capital project as part of The City's capital budget on January 21, 2004, and as mentioned during the 2004 Business Plan presentation, the increase in annual operating costs is estimated to be \$105,000.00. Included in this estimate are utilities, caretaking, supplies and contractual services. See attached Appendix "B" which is a copy of the approved Major Capital Budget Requirements and Appendix "C" which is the Projected Additional Annual Operating Costs.

### **Discussion**

We are at the stage to proceed to the detailed design and construction phase of the Recreation Centre Renovation Project. During this stage, we determine and define the final scope of the project.

The process we plan to use is as follows.

1. Develop a department management team for the project. Membership will be drawn from the division director, department manager, section superintendent(s), Facilities staff, division financial representative, and a Recreation & Parks Board member.
2. Define the roles and responsibilities of the department management team.
  - Develop the terms of reference for the architectural/engineering consultants.
  - Develop the final concepts and design for the renovation.
  - Tender and select a general contractor for the project.
  - Identify an owner representative to assist the department management team with the project.
  - Develop a budget for Council's consideration and approval prior to construction phase including a budget to address the commissioning and start up costs of the renovated facility.

Page 3

March 16, 2004

Recreation Centre Renovation Project

3. Council Consideration to proceed to construction. Final project budget established.
  - Subject to Council approval. The department management team will manage the construction project and provide reports to Senior Management Team on 'actual vs. budget' during the project.

The timeline for the project is projected to be as follows:

• Formation of management team	March	2004
• Select architectural/engineering consultants	April	2004
• Detail design and finalize plans for renovation	July	2004
• Tender for construction	August	2004
• Receive Council approval for construction	August	2004
• Start construction	October	2004
• Complete project	Undetermined	2005

#### **RECOMMENDATION**

That Council of The City of Red Deer approve the Recreation, Parks & Culture Department's proceeding to the detail design phase of the Recreation Centre Renovation Project as outlined in this report and, further, that following tendering of this project, approval to proceed to the construction phase will be presented to Council for its consideration.



Harold Jeske

Jeff Graves

:dmg

## Appendix "A"

### 3.3 Recreation Centre

It was determined that the functional issues identified elsewhere in this report could be redefined to fall within three key areas for improvement.

- There is generally a shortage of space for administration offices, public areas, change rooms, storage and programming.
- The lack of clear public circulation undermines operational efficiency.
- Many of the identified functional concerns are focused on providing the kind of amenities found in more modern recreational facilities.

The schematic design illustrated (See Figures 3.3.1, 3.3.2, 3.3.3) is largely organized by the degree of circulation control necessary in a modern recreational facility. For this particular facility, this control is complicated by the existing Recreation & Culture administration offices, which require public access. The person responsible for monitoring access in the building has difficulty in distinguishing swimming or arts patrons from people visiting the administration offices. For this reason, the control point is clearly articulated.

One other organizing element in this proposed design is relocating the administration offices in a new upper story structure. In addition to simplifying public circulation on the main floor, this solution allows for additional north glazing into the existing pool and does not consume existing park space. This development would establish the ground floor as the primary public use area.

This new structure is oriented perpendicular to the existing office area to minimize structural spans, provide new covered entrance areas and assist in developing an architectural form more responsive to its function. The space currently housing administration offices could then be converted to program area and the development of larger general public washrooms.



Water Park Image

The existing locker rooms are reconfigured to maximize available area, provide separate entrances to the indoor/outdoor pools and to allow space for the development of a Family Change area.

The intent of the proposed expansion of the indoor pool deck area is to provide a more spacious public area that enhances both recreational and competitive uses. A new hot tub would be located to more easily serve both pools. It is assumed that the existing hot tub mechanical equipment would be reused.

The existing upper floor which houses a food concession and meeting room would be redeveloped as an non-programmed exercise area for pool patrons. The concession is relocated to an area adjacent to the proposed water park and would serve both pool and park users. This new concession structure would also house the mechanical equipment for the proposed water park and slide.

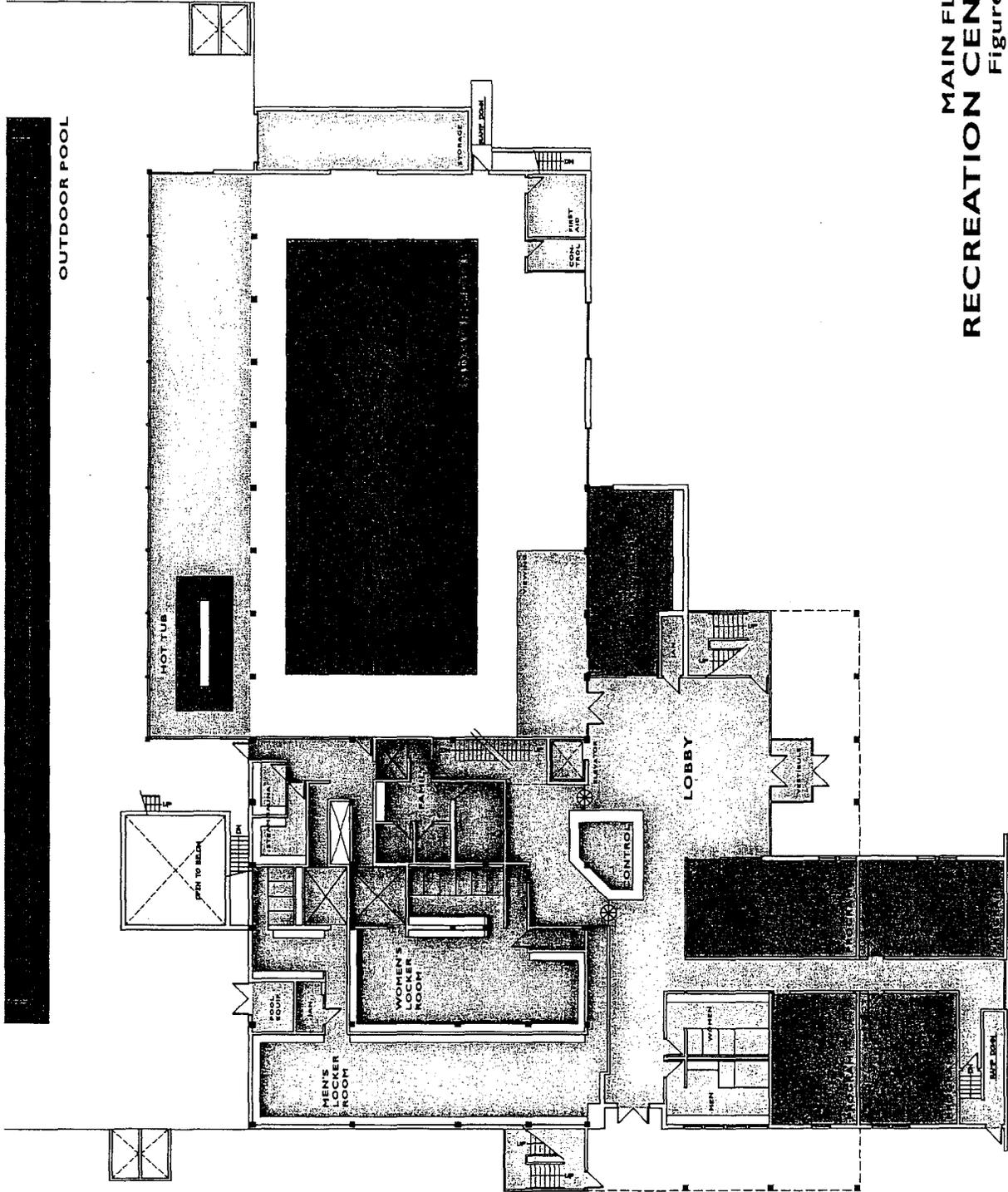
We believe that the proposed water park and slide are potentially significant additions to Rotary Recreation Park. Because use of the water park will be free-of-charge to the public, and is not required to be fenced, this feature can provide a highly animated activity to the park.

With the exception of accommodating new staff change facilities, elevator and stair access, it is proposed that the lower floor be minimally redeveloped.

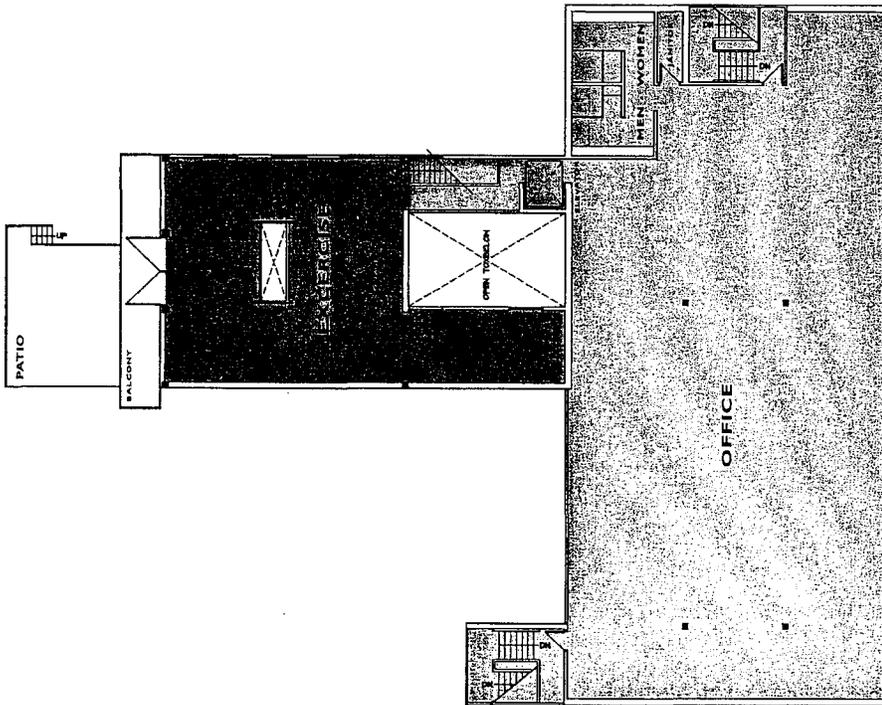
Because of the construction technology used at the time of the Recreation Centre's initial construction in 1962, a Phase 1 Environmental Assessment should be conducted before any renovation work begins.



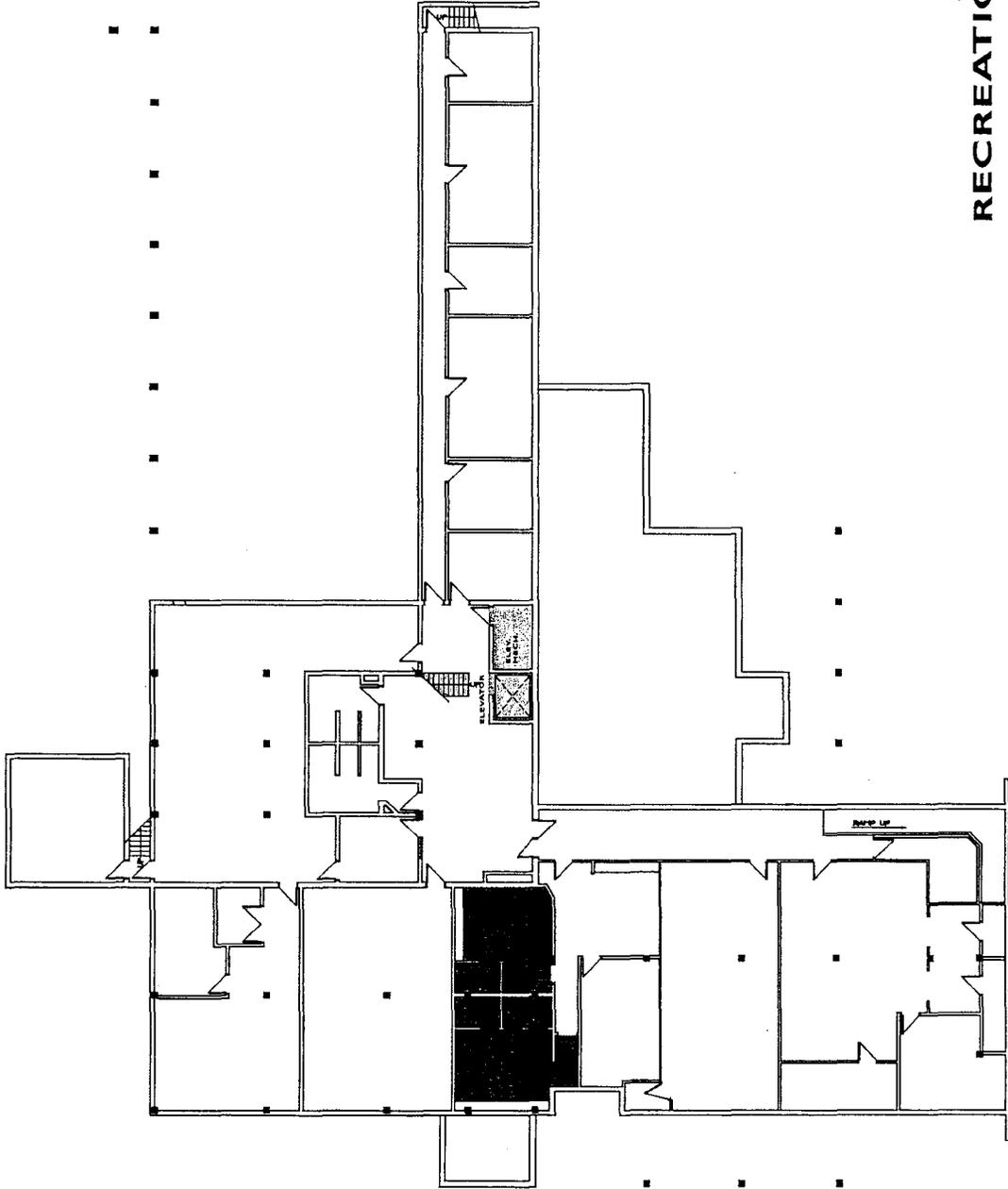
Water Park Image



MAIN FLOOR  
RECREATION CENTRE  
Figure 3.3.1



**SECOND FLOOR**  
**RECREATION CENTRE**  
Figure 3.3.2  
26



**LOWER FLOOR  
RECREATION CENTRE**  
Figure 3.3.3

### 3.8 Project Costing Summary

The following construction cost estimates were prepared by BTY (Alberta) Ltd., Quantity Surveyors and are based on the proposed schematic design plans contained within this report. The costing range for the Museum/Archives was developed from the Functional Programme and from the recent tender results for similar projects. The estimates do not include loose furnishings and equipment and are based on construction costs for 3rd quarter 2003.

#### Site Development

Construction Cost	2,266,170
Contingency @ 12%	272,000
Design, Management, Testing etc. @ 12.5%	283,300
GST @ 7%	<u>197,500</u>

**Total** **\$3,018,970**

#### Recreation Centre

Construction Cost	3,862,000
Contingency @ 12%	463,000
Design, Management, Testing etc. @ 12.5%	483,000
GST @ 7%	<u>336,560</u>

**Total** **\$5,144,560**

#### Allowances

Water Park	100,000 - 300,000
Water Slide	400,000

#### Seniors Centre

Construction Cost	1,878,000
Contingency @ 12%	225,000
Design, Management, Testing etc. @ 12.5%	235,000
GST @ 7%	<u>163,660</u>

**Total** **\$2,501,660**

#### Community Centre

Construction Cost	467,000
Contingency @ 12%	56,000
Design, Management, Testing etc. @ 12.5%	58,500
GST @ 7%	<u>40,700</u>

**Total** **\$622,200**

MAJOR CAPITAL BUDGET REQUIREMENTS			Amounts in \$ Thousands					Funding Sources (%)																																
Item #	Dep't	Project	2004	2005	2006	2007	2008	2009+	Capital Projects Reserve	Equipment Replacement Reserve	EL&P Stabilization Reserve	Landfill Stabilization Reserve	Water Stabilization Reserve	WW Stabilization Reserve	Parking Reserve	RiverBend Reserve	Cemetery Reserve	Public Reserve	Other Reserves	Water Offsite Levy Fund	WW Offsite Levy Fund	Roads Offsite Levy Fund	Storm Offsite Levy Fund	New Development Basin Water Offsite Levy Fund	New Development Basin WW Offsite Levy Fund	New Development Basin Storm Offsite Levy Fund	Recreation Offsite Levy Fund	Basic Capital Grant	Special Transportation Grant	Centennial Grant	Other Grants	Operating	Customer Contribution	Land Sales	LT Debt - Self Supported	LT Debt - Tax Supported	ICAP	Other		
210	River Bend	Discovery Canyon Building		100											73																									
210	River Bend	Traps	100	108											100																									
210	River Bend	Minilinks - Upgrade & Repair				105									100																									
210	River Bend	Parking Lot					100								100																									
211	River Bend	Clubhouse	600	600																																			100	
212	RPC	Food Service Metal Security Grilles - CC		35															100																					
213	RPC	Additional Water Slide, Sauna & Water Park Play Feature - CC				284													50											50										
214	RPC	Trails Master Plan Study	65						100																															
215	RPC	Capital Upgrades - CC	35															100																						
217	RPC	Pioneer Lodge Repairs - Washrooms & Roof	38						100																															
218	RPC	Memorial Centre Roof Upgrade		120					100																															
219	RPC	Pond Hockey - capital items	34						20																															
220	RPC	Downtown Plaza Park - Ph II	375																																				40	
221	RPC	Downtown Plaza Park - Ph III					500																																	
222	RPC	Mountain Bike Park	24																																					75
223	RPC	Alto Reste Cemetery - Paving	50													100																								
224	RPC	Alto Reste - Road Extension			45											100																								
225	RPC	Alto Reste - Land Acquisition		250												100																								
226	RPC	Customer Service Counter Renovation - CC	30															100																						
227	RPC	Wave Pool Mechanical Room Modification - CC	60															100																						
228	RPC	Lion's Campground Playground Equip	35																																				100	
229	RPC	Washers & Dryers	10																																				100	
230	RPC	Playground CSA Renovations	36	36	36	36	36																																100	
322	RPC	Parks Relocation with PW			6,000				83																														17	
323	RPC	Rotary Park Playground Upgrade	250						100																															
324	RPC	Waskasoo Park Facilities Study (Bower Ponds & Heritage Ranch)	65						100																															
325	RPC	Kinsmen Arenas - Dressing Rm Enlargemnt	200						50																															
326	RPC	Recreation Centre Renovations	4,090	1,000					100																															
327	RPC	Rec Centre Renovations - Public Art	55						100																															
328	RPC	Lion's Campground Expansion				1,500			100																															
329	RPC	Dawe Centre Renovations	300	2,950	2,950				100																															
330	RPC	Lion's Campground - Upgrade Electrical				65			100																															
331	RPC	Repair Kinex Arena Roof	10						100																															
332	RPC	Great Chief Park Fastball #3 Retrofit	200						25																															
333	RPC	Normandeau Shelter Renovation					60		50																															
334	RPC	Heritage Ranch Utility Connection				390			100																															
335	RPC	A.L. Gaetz Shelter Renovation		140					50																															
336	RPC	New Indoor Ice Arena				5,000			100																															
337	RPC	Rotary Park Security Lighting	35						100																															
338	RPC	Replace Bower Ponds Fountain	14	14					100																															
339	RPC	Cenotaph Rehabilitation Program	20						100																															
340	RPC	New Entrance Signs (2) - 67 St & Gaetz Ave North	120						100																															
341	RPC	Oriole Park - Overdown & Oleander (includes Oriole Park playground)	150						100																															
342	RPC	Outdoor Business ID Sign - CC	25						20																															
343	RPC	Develop Rotary Recreation Park Site		1,019	1,000		1,000		100																															
153	Sol. Waste	Future Cell Closure	54		21	137																																		
154	Sol. Waste	Future Cell Construction			2,496																																			
155	Sol. Waste	Future Engineering		125	250		88																																	
156	Sol. Waste	Approval Renewal		100	100																																			

## Appendix "C"

**Recreation Centre Renovation Project  
Projected Additional Annual Operating Costs**

Description of Operating Cost	Amount	Year 2005	Year 2006
Caretaking for increased size of building	\$ 48,280.00	\$ 24,125.00	\$ 48,280.00
Operating supplies, contractual services, construction and maintenance materials	\$ 15,970.00	\$ 7,985.00	\$ 15,970.00
Utilities, including power, natural gas, water, sewer and garbage	\$ 40,750.00	\$ 20,375.00	\$ 40,750.00
<b>Total</b>	<b>\$ 105,000.00</b>	<b>\$ 52,485.00</b>	<b>\$ 105,000.00</b>

**NOTE:**

- For **2005**, operating cost has been estimated at 50% of annual operating cost, as we anticipate renovation to be completed by July 2005.
- Operating cost for **2006** and future years is anticipated to be \$105,000.00.

*Comments:*

We concur with the recommendation of the Recreation, Parks and Culture Department to proceed to the detailed design of the Recreation Centre renovation project.

Later this month City Council will receive a report that sets out a comprehensive process for large community facility construction projects and establishes various decision points required of Council. The process has been developed based on the recommendations of the Collicutt Citizen Advisory Committee 2002 report and is proposed to guide a number of the large community facility construction projects planned over the next few years. There are currently eight such projects that will be identified in the upcoming report. The Recreation Centre renovation project is following this process in anticipation of Council's support for the decision points recommended. This step provides Council an opportunity to make a "go/no go" decision prior to the detailed design stage. A second "go/no go" decision would be anticipated after detailed design and tendering when final cost figures are available.

Council will recall a presentation was made late last year outlining the need for the Recreation Centre renovations and direction was given to incorporate the recommendations of that study into the business planning process for 2004. As a result, the capital budget incorporated the projected costs for the project in 2004 and 2005. Proceeding to the detailed design of the project is the next step in the process leading up to construction.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**FILE**



Council Decision – March 22, 2004

Legislative & Administrative Services

**DATE:** March 23, 2004  
**TO:** Harold Jeske, Recreation, Parks & Culture Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Recreation Centre Renovation Project

---

*Reference Report:*

Recreation, Parks & Culture Manager, dated March 16, 2004

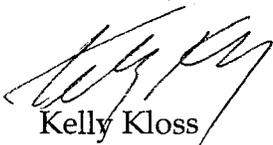
*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the Recreation, Parks & Culture Manager, dated March 16, 2004, re Recreation Centre Renovation Project, approves the following:

1. The Administration proceeding to the detail design phase of the Recreation Centre Renovation Project.
2. A consultant be engaged to develop the detailed design of the project who will recommend a tender option to the City Manager.
3. The budget for development of the detail design phase is up to \$400,000.
4. Council approval is required to proceed to the construction phase of the project.”

*Report Back to Council: Yes*

*Comments/Further Action:*

  
Kelly Kloss  
Manager

/chk

c Community Services Director  
J. Graves, Recreation Facilities Superintendent



COMMUNITY SERVICES

CS – 7.878

**Date:** March 15, 2004

**To:** Kelly Kloss, Manager  
Legislative and Administrative Services

**From:** Colleen Jensen, Director  
Community Services

**Subject:** Agreement with Tourism Red Deer  
(formerly the Visitor and Convention Bureau)

---

### **Background**

Tourism Red Deer, formerly the Visitor and Convention Bureau, has been providing services for and on behalf of The City of Red Deer since the Society incorporated in 1988. The services provided, are outlined in a fee for service agreement, and are primarily related to tourism event coordination, promotion (eg, maps, brochures etc.), destination marketing and provision of information at the Visitor Centre.

The City has also provided Tourism Red Deer, a number of services such as accounting, payroll and insurance. In the 2002/03 agreement, it was made clear that The City would work with Tourism Red Deer to move them from The City's system and insurance to having the Society take responsibility for these activities. Council will recall that \$10,000 was approved in the 2004 budget to assist Tourism Red Deer in the transition, which has been completed as of March 31, 2004.

### **Discussion**

Enclosed for Council's consideration is the agreement between The City and Tourism Red Deer for the term of January 1, 2004 to December 31, 2004. Tourism Red Deer has requested that this agreement only be for the one year, as they are just rebuilding and are in the process of becoming independent, and therefore, want the opportunity to revisit the conditions at the end of this year, particularly related to fees. Clause 11 speaks to the automatic renewal of the agreement for a further three years, with the ability to revisit conditions.

In terms of fees, Clause 2 a) indicates the fee of \$147,799 (which was what they were paid in 2003) " plus or minus an amount to reflect the change between the Consumer

Memo to Kelly Kloss  
Re: Agreement with Tourism Red Deer  
March 15, 2004  
Page 2/2

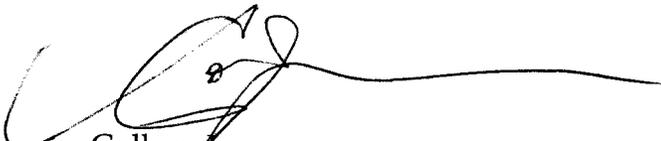
Price Index for the previous year" will be paid to Tourism Red Deer. This approach is consistent with our agreement over the past many years, and is what has been included in the 2004 budget. Council will also note that Clause 3 indicates that The City will provide funding through quarterly payments. In the past we have provided payment in 12 equal installments. Moving to the quarterly approach saves administration and is consistent with agreements that The City has with other agencies such as the Normandeau Cultural and Natural History Society.

The services provided are outlined in Schedule A to the agreement. Council may note that they have been edited to a shorter version, however, the services agreed to in the past continue to be what is included in this proposed agreement. The Society presents a detailed annual Business Plan for Council's review each year at budget, which provides specific strategies as to how services will be delivered in any given year.

The Tourism Red Deer Board has reviewed the agreement, along with their staff, and are in agreement with the terms and conditions. If City Council agrees with the terms and conditions of the agreement, then signatures will be arranged as required.

**Recommendation:**

That Council for The City of Red Deer approves the agreement between The City and Tourism Red Deer, as attached, for the term of January 1, 2004 -December 31, 2004.



Colleen Jensen

c. Laura Turner, Executive Director, Tourism Red Deer

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2004,  
FOR THE PROVISION OF SERVICES TO COORDINATE TOURISM PROMOTION AND DEVELOPMENT  
FOR THE CITY OF RED DEER.

**THE CITY OF RED DEER**  
("The City")

- and -

**TOURISM RED DEER**  
**(RED DEER VISITOR AND CONVENTION BUREAU)**  
(the "Society")

**Background**

- A. The Society has been incorporated with the object of "overall coordination of tourism and event promotion and development for The City of Red Deer";
- B. The City is prepared to pay an annual fee to the Society and to provide certain services to it to permit the Society to achieve its objectives;
- C. The Society has been performing and carrying out services for and on behalf of The City with respect to the Society's objects and purposes since its incorporation on the 4th day of March, 1988.

NOW THEREFORE the parties agree as follows:

**Term**

- 1. The term of this agreement shall be for a period of one year, commencing January 1, 2004 and terminating on December 31, 2004.

**Payment of Fee for Service**

- 2. The City shall pay to the Society a fee for the provision of tourism services described in Schedule "A" in the following manner:
  - a) For January 1 – December 31, 2004, the sum of \$ 147,799.00, plus or minus an amount to reflect the change between the Consumer Price Index for the previous year. For this purpose, the "Consumer Price Index" shall be the Alberta Consumer Price Index, as published by Statistics Canada;
  - b) In addition, the cost for producing Recreation Attractions & Trail Maps will be paid up front by The City. The Society will reimburse The City all monies gained through the sale of the maps by the Society.
- 3. The fee for service shall be paid in advance by way of equal quarterly installments commencing on the 1st day of January, 2004.

### Society's Covenants

4. The Society shall:
  - a) Provide services to The City as outlined in Schedule A;
  - b) Develop a business plan and present for review by Council of The City on an annual basis;
  - c) Assist and encourage all organizations, whether public or private, within the city to adopt a coordinated approach to tourism promotion and initiatives,
  - d) Maintain a working sub-committee – Bid Red Deer – whose mandate is to identify and encourage opportunities for the community to bid on major national and international cultural and sporting events, and to administer and hold funds on behalf of said sub-committee;
  - e) Employ such staff and solicit such volunteer services as may be required to effectively carry out its objects;
  - f) Provide The City with an audited financial statement within ninety (90) days following the end of each fiscal year of the Society;
  - g) Provide to the Director of Community Services as the liaison with the Society, copies of minutes of all meetings of the Society or its Board of Directors, the annual budget documents and such other documents and information as The City may require from time to time;
  - h) Remain in good standing at all times as a registered society pursuant to the Societies Act of Alberta or any replacement legislation;
  - i) Not hold itself out as an agent of The City but shall, at all times, represent itself as an independent society;
  - j) Observe and comply with all municipal bylaws and regulations; and
  - k) Provide for its own administration including accounting, insurance and personnel.

### City's Covenants

5. The City shall provide the following services:
  - a) Access to City audio-visual and display equipment on a loan basis;
  - b) The use of City mailing services at cost;
  - c) Accounting services on a fee for service basis, with an objective to have the Society take on this responsibility effective April 1, 2004;

- d) The use of City printing services at cost;
- e) The use of meeting rooms in City Hall at no charge;
- f) A base map of the city for the purpose of reproducing a street map and mini-map for The City; and
- g) Treasury Services to supply historical financial data through electronic and/or paper reports upon reasonable request from Tourism Red Deer. This is provided as a back-up in the transition of Tourism Red Deer assuming responsibility for their own accounting processes from The City of Red Deer. It is assumed that there will be limited need for this service.

### Termination

6. The City may terminate this agreement without notice if any member of the Board of Directors of the Society shall breach the Conflict of Interest provisions of the Bylaws of the Society, and if the Society shall fail to terminate the appointment of such Director of the Board within 30 days after The City has given notice to the Society of the conflict.
7. Either party may terminate this agreement for any reason upon giving one year's prior written notice.
8. If The City or the Society fails to observe, perform, or keep any one or more of the covenants, provisions or stipulations to be observed, performed, or kept by the party herein, in the reasonable judgment of the other party, and if such failure shall continue and the party in default does not take steps to remedy such default within 30 days after written notice to them of such failure, and of the measures necessary to correct the default, then the party not in default shall be entitled to terminate this agreement.
9. If the Society shall be adjudicated as bankrupt or enter into an agreement for the benefit of its creditors, or suffer any distress or execution to be levied on its goods, or if the Society should enter into liquidation or receivership either compulsorily or voluntarily, then this agreement, at the option of The City, may be terminated.

### Right to Renew

10. This agreement shall remain in full force and effect from the 1<sup>st</sup> day of January, 2004, to and including the 31<sup>st</sup> day of December, 2004.
11. Subject to satisfactory performance of services, and unless either party has given notice to the other that this agreement shall not be renewed, this agreement shall automatically be renewed for a further three-year term, commencing January 1, 2004, but with a review of terms and conditions as contained herein, including fees for service.
12. Any notice in connection with the agreement may be served upon The City by personal service upon the City Clerk at City Hall, Red Deer, Alberta, or by mailing the same in a registered letter addressed to The City at:

P.O. Box 5008  
 Red Deer, AB T4N 3T4  
 Attention: Colleen Jensen, Community Services Director

13. Any notice required to be given to the Society shall be sufficiently given by personal service upon the Chairman of the Society, or by mailing the same in a prepaid registered letter addressed to the Society at:  
30A Riverview Park  
Red Deer, AB T4N 1E3

or, at such address as the Society may advise in writing. Such notice shall be deemed to have been received by The City or the Society respectively on the date on which it shall have been so delivered, or five days after it is so mailed, provided that if there is an obvious and known disruption of the postal service, then any notice required to be served shall be served by actual delivery.

**General**

14. The City's Director of Community Services may attend meetings of the Society, but shall not be entitled to vote thereat.

15. This agreement may not be assigned.

16. This agreement, including any schedules hereto, constitutes the entire agreement between the parties. This agreement may not be amended or modified in any respect except by written agreement executed by both parties.

IN WITNESS WHEREOF the parties by their proper officers have executed this agreement in the day and year above written.

**THE CITY OF RED DEER**

**TOURISM RED DEER (RED DEER VISITOR AND CONVENTION BUREAU)**

Per: \_\_\_\_\_  
City Clerk

Per: \_\_\_\_\_  
Executive Director

Per: \_\_\_\_\_  
Chairman

## SCHEDULE "A"

### Services Provided to The City of Red Deer by Tourism Red Deer (Red Deer Visitor & Convention Bureau)

#### 1. Event Marketing

To undertake a partnered approach to marketing Red Deer as a host location, and to encourage and provide support to activities, including meetings, conventions, trade shows, cultural, sporting and other events that promote tourism, have a short-term positive economic impact and stimulate long-term economic growth.

#### 2. Destination Marketing

To undertake a partnered approach to marketing Red Deer as a destination for leisure travel, short getaways, motor coach visits and special interest trips to stimulate long-term economic growth.

#### 3. Visitor Information Centre & Visitor Services

To provide year-round visitor information services, creating a positive impression and brand and increasing the number of visits and length of stay to stimulate long-term economic growth.

#### 4. Membership & Member Services

To provide support and service to the tourism industry and tourism stakeholders; to act as a representative, liaison and resource to members and, on their behalf, undertake initiatives that support and foster the growth of tourism.

#### 5. Administrative & General

To advance the interests of the tourism industry, be a resource to the community, industry, government and other stakeholders; to take an active role and be an influential voice in matters that affect tourism and further the growth of tourism by promoting Red Deer at every opportunity.

To ensure the day-to-day operations of the Visitor Information Centre meet the objectives of The City of Red Deer and the Society/Board of Directors. To ensure that administrative functions and systems are efficient and effective; where possible reduce costs, find alternate funding sources, generate revenue and/or explore in-kind relationships.

#### Publications

To produce in 2004: 2004 Greater Red Deer Visitors Guide  
2004 Official City of Red Deer Street Map  
Red Deer Mini-Map and Guide  
Waskasoo Park Attractions Guide  
Convention & Event Planning Guide  
Trails Map (if available quantity necessitates reproduction)

DATED:

\*\*\*\*\*

BETWEEN:

THE CITY OF RED DEER  
("The City")

- and -

TOURISM RED DEER  
(RED DEER VISITOR AND  
CONVENTION BUREAU)  
(the "Society")

\*\*\*\*\*

AGREEMENT

\*\*\*\*\*

Chapman Riebeek  
Barristers & Solicitors  
208, 4808 Ross Street  
Red Deer, Alberta  
T4N 1X5

DONALD J. SIMPSON  
Solicitor for The City of Red Deer

Telephone: (403) 346-6603  
Facsimile: (403) 340-1280

File No. 23,711 THC/DJS

*Comments:*

We agree with the recommendations of the Community Services Director.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

Legislative & Administrative Services

**DATE:** March 23, 2004  
**TO:** Colleen Jensen, Community Services Director  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Agreement with Tourism Red Deer  
(Formerly the Visitor & Convention Bureau)

---

*Reference Report:*

Community Services Director, dated March 15, 2004

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the Community Services Director, dated March 15, 2004, re: Agreement with Tourism Red Deer (Formerly the Visitor and Convention Bureau) approves the agreement between The City and Tourism Red Deer for the term of January 1, 2004 to December 31, 2004, as presented to Council on Monday, March 22, 2004. “

*Report Back to Council:* No

*Comments/Further Action:*

Please proceed with obtaining the necessary signatures for the agreement.

  
Kelly Kloss  
Manager

/chk

c Laura Turner, Executive Director, Tourism Red Deer

**DATE:** March 11, 2004  
**TO:** Manager, Legislative & Administrative Services  
**FROM:** EL&P Manager  
**RE:** Market Surveillance Administrator 2003 Compliance Report

---

This report requests City Council's approval of the 2003 Compliance Report respecting the operation of the EL&P utility which must be provided to the Market Surveillance Administrator pursuant to provincial regulation.

### **Legislation and Background**

The *Electric Utilities Act* SA 2003 cE-5.1 ("Act") established the Market Surveillance Administrator ("MSA") as an independent body to protect the public interest and to ensure fairness, transparency, and balance in Alberta's competitive electricity marketplace. The *Code of Conduct Regulation* AR 160/2003 ("Code"), pursuant to the Act, governs aspects of the retail electricity market such as: conduct of distribution system owners and affiliated retailers, equality of treatment for customers and retailers, confidentiality of customer information, business practices, preventing unfair competitive advantage, records and accounts, compliance plans, and compliance reporting and audits. The City of Red Deer as the Owner of an electrical distribution system is included under certain aspects of the Code.

The EL&P Department met with the MSA to discuss the implications of the Code based on the specific business functions and activities which the Department performs directly as well as those which are performed by outside parties through contractual arrangements. These functions and activities are restricted to only those governed by the Act and its regulations. This meeting was very amicable and productive as both parties agreed that practicality and efficiency should govern in determining the specific requirements of the City of Red Deer under the Code and that there is no useful purpose in duplicating the compliance activities provided by the outside parties who directly perform some specific functions and activities for the City of Red Deer.

Based on the understanding of the City of Red Deer EL&P Department operations, the MSA will:

1. Allow the City of Red Deer to rely upon the compliance plan and audit reporting to be provided by Enmax Power and Enmax Energy, and as such no compliance plan or audit reporting will be required of the City of Red Deer.

2. Require the City of Red Deer to advise the MSA of any material changes relating to the services contracted to the Enmax entities.
3. Require that City Council be provided with quarterly compliance reports describing at least:
  - a. any non-compliance with the Code or the compliance plan,
  - b. the action taken to remedy the non-compliance, and
  - c. any complaints of non-compliance with the Code and the compliance plan and how the complaints have been dealt with.
4. Require the City of Red Deer, within 30 days following the end of each calendar year, to send the MSA an annual compliance report, approved by City Council, describing for the calendar year the matters referred to in item 3 above.

With respect to item 4, the annual City Council approved report, the MSA is aware that this report will be provided late for the year 2003. As well, the MSA is not requiring the quarterly compliance reporting in relation to the year 2003. These reports will be required on a timely basis for calendar year 2004.

This document requests Council's consideration and approval of the compliance report described in item 4 above. The "City of Red Deer 2003 Compliance Report to the Market Surveillance Administrator" is attached.

#### **Recommendation and City Council Request**

Council's approval, designated by appropriate signature and seal, is requested for the "City of Red Deer 2003 Compliance Report to the Market Surveillance Administrator".



Al Roth, P.Eng.  
EL&P Manager

**THE CITY OF RED DEER**  
**2003 COMPLIANCE REPORT**  
**to the**  
**MARKET SURVEILLANCE ADMINISTRATOR**

This Report is submitted to the Market Surveillance Administrator pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003.

The City of Red Deer advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation* during calendar year 2003. The compliance plan and audit reporting requirements will be provided by Enmax Energy and Enmax Power on behalf of the City of Red Deer.
- (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. Any complaints respecting the compliance plans of Enmax Energy and Enmax Power will be provided by those entities on behalf of the City of Red Deer.
- (d) The Market Surveillance Administrator has exempted the City of Red Deer from submitting the quarterly compliance reporting for calendar year 2003 only.

Per: \_\_\_\_\_

  
A. Roth. P.Eng.  
Manager, Electric Light & Power Department

Per: \_\_\_\_\_

K. Kloss  
City Clerk

Date: \_\_\_\_\_

*Comments:*

We agree with the recommendations of the EL & P Manager.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

**FILE**



Council Decision – March 22, 2004

Legislative & Administrative Services

**DATE:** March 23, 2004  
**TO:** Al Roth, EL & P Manager  
**FROM:** Kelly Kloss, Legislative & Administrative Services Manager  
**SUBJECT:** Market Surveillance Administrator 2003 Compliance Report

---

*Reference Report:*

EL & P Manager, dated March 11, 2004

*Resolutions:*

*“Resolved* that Council of the City of Red Deer, having considered the report from the EL&P Manager, dated March 11, 2004, re: Market Surveillance Administrator 2003 Compliance Report, approves the 2003 Compliance Report to the Market Surveillance Administrator, as presented to Council on Monday, March 22, 2004. “

*Report Back to Council:* No

*Comments/Further Action:*

A signed copy of the Market Surveillance Administrator 2003 Compliance Report is attached.

A handwritten signature in black ink, appearing to read 'Kelly Kloss'.

Kelly Kloss  
Manager

/chk  
/attach.  
c

**THE CITY OF RED DEER**  
**2003 COMPLIANCE REPORT**  
**to the**  
**MARKET SURVEILLANCE ADMINISTRATOR**

This Report is submitted to the Market Surveillance Administrator pursuant to sections 34(1) and 34(2) of the *Code of Conduct Regulation* AR 160/2003.

The City of Red Deer advises that:

- (a) The City of Red Deer had no incidents of non-compliance with the *Code of Conduct Regulation* during calendar year 2003. The compliance plan and audit reporting requirements will be provided by Enmax Energy and Enmax Power on behalf of the City of Red Deer.
- (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. Any complaints respecting the compliance plans of Enmax Energy and Enmax Power will be provided by those entities on behalf of the City of Red Deer.
- (d) The Market Surveillance Administrator has exempted the City of Red Deer from submitting the quarterly compliance reporting for calendar year 2003 only.

Per: \_\_\_\_\_

A. Roth. P.Eng.  
Manager, Electric Light & Power Department

Per: \_\_\_\_\_

K. Kloss  
City Clerk

Date: \_\_\_\_\_

March 23, 2004

MEMO

---

DATE: March 8, 2004

TO: Kelly Kloss, Legislative and Administrative Services Manager

FROM: Howard Thompson, Land and Economic Development Manager

RE: **Partial Road Closure**  
**Road Plan 4067 J and 2385MC – Edgar Industrial Park (Johnstone Drive)**

---

**Background:**

The Johnstone Crossing Neighborhood Area Structure Plan includes development of a 6.76 ha. Light industrial site in the extreme southwest part of the neighborhood. The parcel is bounded on the south by a road allowance. The easterly portion of this road allowance will be used for access to the proposed industrial site however the west part of the road allowance terminates at the rail line and is not needed. The Land and Economic Development Department are proposing to close the redundant portion of the road allowance and include the land in the proposed adjacent industrial lot. The area of road to be closed is shown on the attached sketch and is legally described as "All that portion of Main Avenue, Plan 2385 M.C. and all that portion of Road Plan 4067J lying within Subdivision Plan 042\_\_\_\_\_."

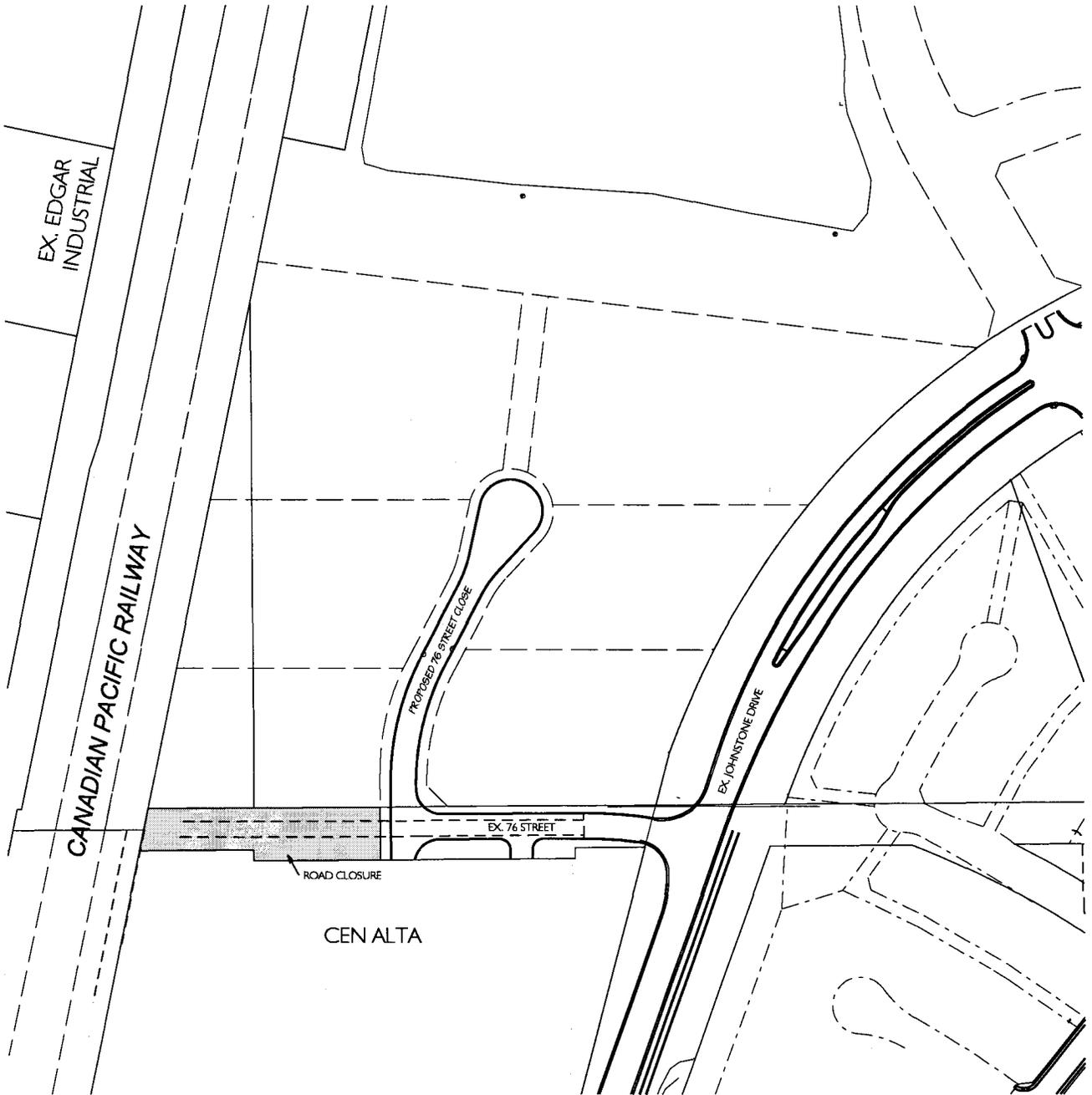
**RECOMMENDATION**

1. That City Council give first reading to a Bylaw having the effect of closing the following:

"All that portion of Main Avenue, Plan 2385 M.C. and all that portion of Road Plan 4067J lying within Subdivision Plan 042\_\_\_\_\_."

for .   
Howard Thompson  
Land and Economic Development Manager

Att.



DRAWN BY:  
SLP

DATE:  
30-12-03

SCALE:  
1:2000

EX. 76 STREET  
ROAD CLOSURE

APPROVED BY:

(ENGINEER)  
DRAWING NO.:



---

**DATE:** March 9, 2004

**TO:** Kelly Kloss, Legislative and Administrative Services Manager

**FROM:** Frank Wong, Planning Assistant

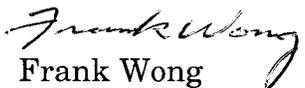
**RE:** Land Use Bylaw Amendment No. 3156/K-2004  
Part of Lot 1, Block 4, Plan 812 1569,  
Part of Lot 1, Block 1, Plan 972 0461,  
Part of Road Plan 4067 J, and  
The Remainder of Plan 2385 MC  
S ½ Sec. 31-38-27-4  
Edgar Industrial Park (Adjacent to Johnstone Drive)  
The City of Red Deer

---

The City of Red Deer is proposing to develop a portion of the south half of Section 31-38-27-4 as an extension of Edgar Industrial Park. This consists of approximately 6 industrial lots. This Bylaw amendment rezones approximately 6.7ha (16.5ac) of land from A1 Future Urban Development District to I1 Industrial (Business Service) District and 0.22ha (0.54ac) of land from Road to I1 District. A road closure bylaw appears elsewhere in the agenda to accommodate this amendment.

**Staff Recommendation**

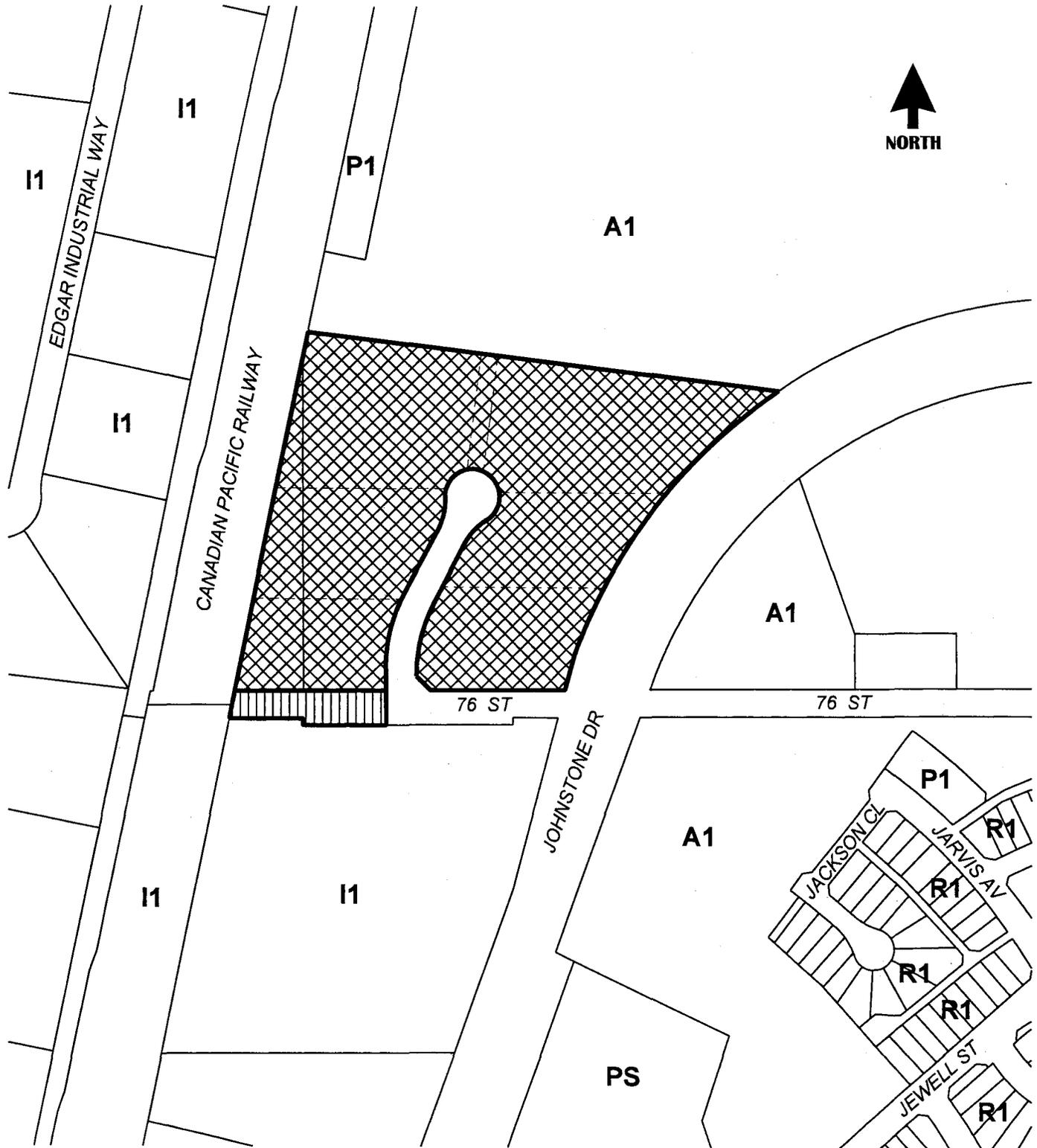
The proposal complies with the Northwest Area Structure Plan; therefore it is recommended that City Council proceed with first reading of this Land Use Bylaw Amendment 3156/K-2004.

  
Frank Wong  
Planning Assistant

Attachments

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :

A1 to I1 

Road to I1 

### AFFECTED DISTRICTS:

A1 - Future Urban Development  
I1 - Industrial (Business Service)

MAP No. 7 / 2004  
BYLAW No. 3156 / K - 2004

*Comments:*

We agree with the recommendations of the Land & Economic Development Manager and Parkland Community Planning Services that first reading be given to the Road Closure Bylaw and the Land Use Bylaw Amendment. A Public Hearing would be held on Monday, April 19, 2004 at 7:00 p.m. in Council Chambers during Council's regular meeting.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager

EDGAR INDUSTRIAL PARK (Johnstone Drive)  
LUB 3156/K-2004 & Road Closure 3327/2004

DESCRIPTION: Edgar Industrial - Road Closure & designation of land  
from A1 to I1 and from Road to I1

FIRST READING: March 22, 2004

FIRST PUBLICATION: April 2, 2004

SECOND PUBLICATION: April 9, 2004

PUBLIC HEARING & SECOND READING: April 19, 2004

THIRD READING: \_\_\_\_\_

LETTERS REQUIRED TO PROPERTY OWNERS: YES  NO

DEPOSIT? YES  \$ \_\_\_\_\_ NO  BY: CITY

ACTUAL COST OF ADVERTISING:

\$ 353.<sup>70</sup> X 2

TOTAL: \$ 707.40

MAP PREPARATION: \$ \_\_\_\_\_

TOTAL COST: \$ \_\_\_\_\_

LESS DEPOSIT RECEIVED: \$ \_\_\_\_\_

AMOUNT OWING/ (REFUND): \$ \_\_\_\_\_

INVOICE NO.: \_\_\_\_\_

(Account No. 59.5901)

**FILE**

March 31, 2004

«OwnerName»  
«OwnerAdd1»  
«OwnerAdd2»  
«OwnerAdd3»

Dear Sir/Madam:

Re: **Edgar Industrial Park (Johnstone Drive)**  
**Land Use Bylaw 3156/K-2004 and Road Closure Bylaw 3327/2004**

---

Council of the City of Red Deer is considering a change to the Land Use Bylaw, which controls the use and development of land and buildings in the city. As a property owner in the above noted area you have an opportunity to ask questions about the intended use and to let Council know your views.

Red Deer City Council proposes to pass **Road Closure Bylaw 3327/2004** to allow for a light industrial site in the southwest part of the Johnstone Crossing Neighbourhood Area Structure Plan, which is bounded on the south by a road allowance. The Bylaw provides for the closing of the west part of the road allowance that is not needed and will be included in a proposed adjacent industrial lot.

Council also proposes to pass **Land Use Bylaw Amendment 3156/K-2004** which provides for the rezoning of approximately 6.7 ha (16.5 acres) of land from A1 Future Urban Development District to I1 Industrial (Business Service) District and 0.22 ha (0.54 acres) of land from Road to I1 Industrial District, in order to develop the south half of Section 31-38-27-4 as an extension of Edgar Industrial Park. The proposed bylaws may be inspected by the public at Legislative & Administrative Services, 2<sup>nd</sup> Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

City Council will hear from any person claiming to be affected at a Public Hearing on **Monday, April 19, 2004** at 7:00 p.m. in Council Chambers, 2<sup>nd</sup> floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to our office by **Tuesday, April 13, 2004**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information, please contact Legislative & Administrative Services at 342-8132.

Yours truly,



Kelly Kloss  
Manager, Legislative & Administrative Services, w/encl.

**EDGAR INDUSTRIAL PARK (Johnstone Drive)  
Land Use Bylaw Amendment**

Red Deer City Council proposes to pass **Road Closure Bylaw 3327/2004** to allow for a light industrial site in the southwest part of the Johnstone Crossing Neighbourhood Area Structure Plan, which is bounded on the south by a road allowance. The Bylaw provides for the closing of the west part of the road allowance that is not needed and will be included in a proposed adjacent industrial lot.

**“Map”**

Council also proposes to pass Land Use Bylaw Amendment **3156/K-2004** which provides for the rezoning of approximately 6.7 ha (16.5 acres) of land from A1 Future Urban Development District to I1 Industrial (Business Service) District and 0.22 ha (0.54 acres) of land from Road to I1 Industrial District, in order to develop the south half of Section 31-38-27-4 as an extension of Edgar Industrial Park. The proposed bylaw may be inspected by the public at Legislative & Administrative Services, 2<sup>nd</sup> Floor of City Hall during regular office hours or for more details, contact the city planners at Parkland Community Planning Services 343-3394.

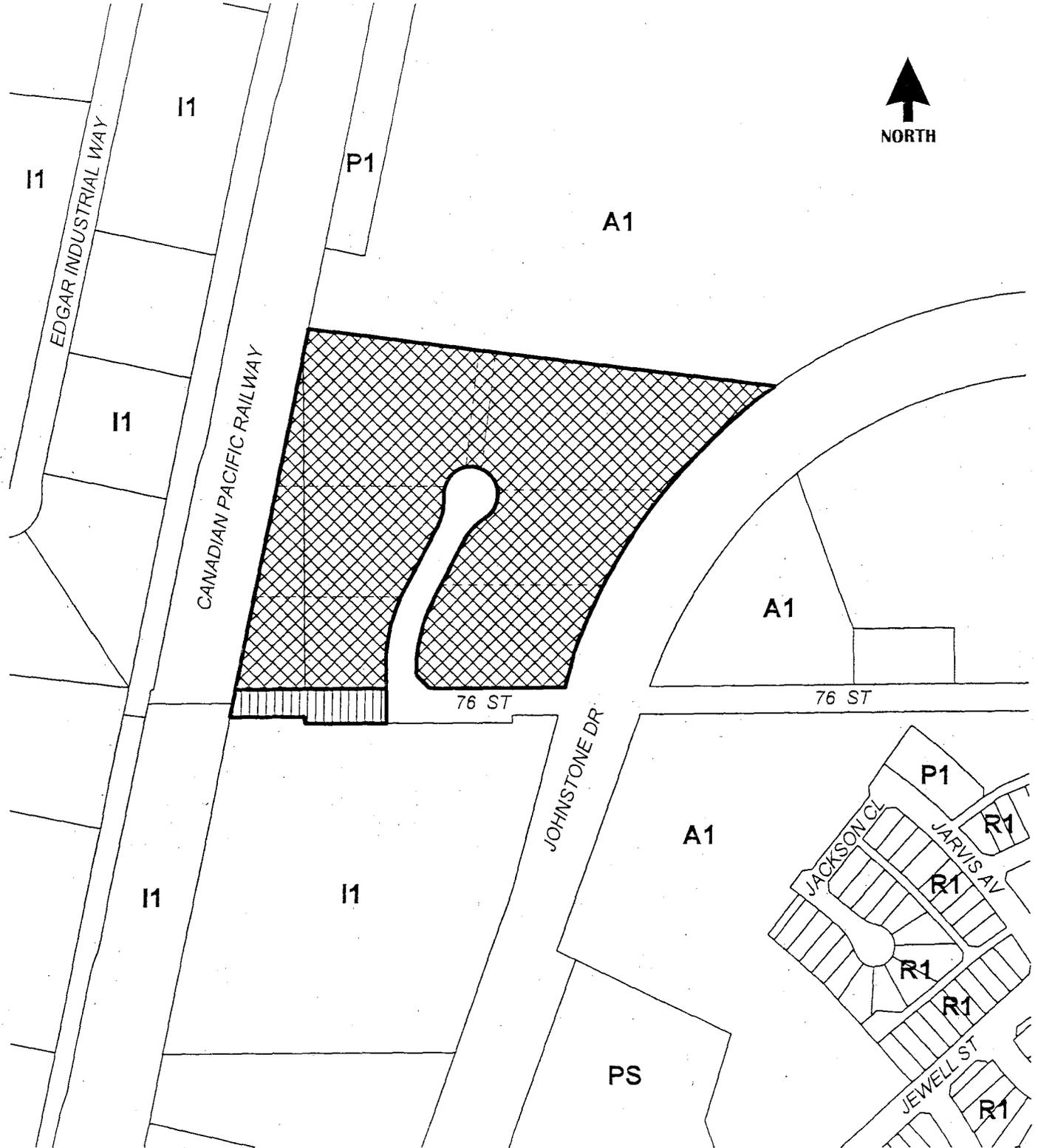
City Council will hear from any person claiming to be affected by the proposed bylaws at a Public Hearing on **Monday, April 19, 2004** at 7:00 p.m. in Council Chambers, 2<sup>nd</sup> floor of City Hall. If you want your letter or petition included on the Council agenda you must submit it to the Manager, Legislative & Administrative Services by **Tuesday, April 13, 2004**. Otherwise, you may submit your letter or petition at the Council meeting or you can simply tell Council your views at the Public Hearing. Any submission will be public information. If you have any questions regarding the use of this information please contact the Manager, Legislative & Administrative Services at 342-8132.

(Publication Dates: April 2 & 9, 2004)

OwnerName	OwnerAdd1	OwnerAdd2	OwnerAdd3
PrairieLand Holdings Ltd.	Box 879	OKOTOKS, AB T1S 1A9	
961483 Alberta Ltd.	8012 Edgar Industrial Gr.	RED DEER, AB T4P 3S2	
115157 Alberta Ltd.	101 7477 49 Avenue	RED DEER, AB T4P 1N1	
481376 Alberta Ltd. & Sure-Line	Sage Electric Ltd. & Tar-Ific	Developments Ltd, Et Al	83 Holmes Street
Kearney Properties Ltd.	9625 Shepard Road S.E.	CALGARY, AB T2C 4K5	
Carolina Homes Inc.	215 340 Midpark Way S E	CALGARY, AB T2X 1P1	
Geraldine Tronnes	3510 44 Avenue	RED DEER, AB T4N 3H3	

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :  
A1 to I1   
Road to I1 

AFFECTED DISTRICTS:  
A1 - Future Urban Development  
I1 - Industrial (Business Service)

MAP No. 7/2004  
BYLAW No. 3156 / K - 2004

**Date:** March 23, 2004  
**To:** Joni Baillie, Assessment  
**From:** Cheryl Adams  
Legislative & Administrative Services  
**Re:** LUB Amendment 3156/K-2004 & Road Closure 3327/2004  
Edgar Industrial Park (Johnstone Drive)

Please provide **Bev Greter** with the names and addresses of the subject property owners and all contiguous/adjacent property owners as outlined on the attached map.

It would be helpful if the lists could be received at your earliest convenience in order to process the letters within the required time period. I have attached the map that appeared on the Council agenda for your reference.

Thanks Joni.

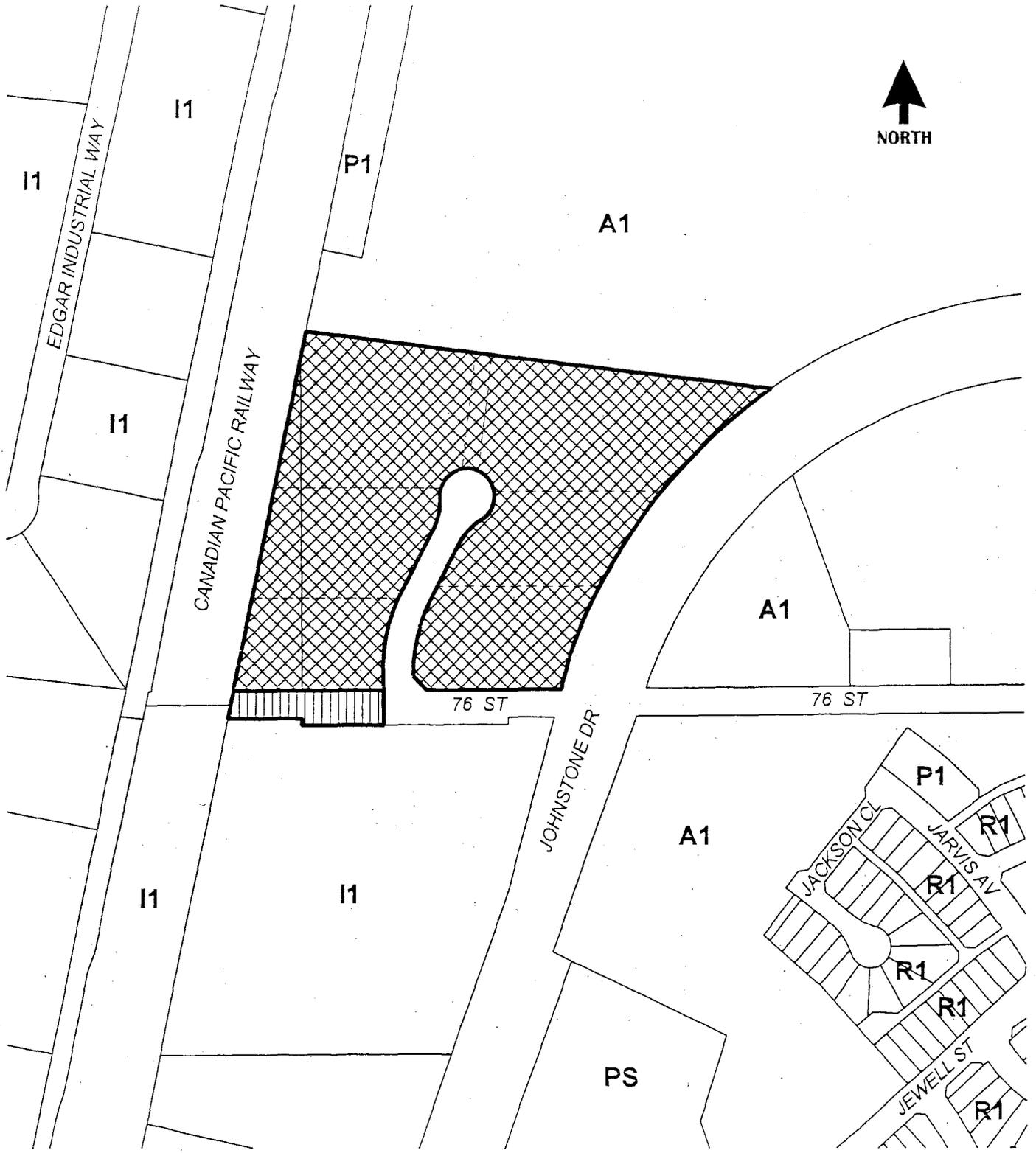


Cheryl Adams  
Legislative & Administrative Services

Attach.

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :

A1 to I1 

Road to I1 

### AFFECTED DISTRICTS:

A1 - Future Urban Development

I1 - Industrial (Business Service)

MAP No. 7 / 2004  
BYLAW No. 3156 / K - 2004

## Legislative &amp; Administrative Services

**DATE:** March 23, 2004

**TO:** Howard Thompson, Land & Economic Development Manager  
Frank Wong, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Edgar Industrial Park (Johnstone Drive):  
Road Closure Bylaw 3327/2004 – Partial Road Closure: Road Plan 4067J  
and 2385 MC  
Land Use Bylaw Amendment 3156/K-2004

---

*Reference Report:*

Land & Economic Development Manager, dated March 8, 2004 and Parkland Community Planning Services, dated March 9, 2004

*Bylaw Readings:*

Road Closure Bylaw 3327/2004 and Land Use Bylaw Amendment 3156/K-2004 were given first reading. Copies of the bylaws are attached.

*Report Back to Council:* Yes

Public Hearings will be held on Monday, April 19, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

A 6.76 ha Light Industrial Site in the southwest part of the Johnstone Crossing Neighbourhood Area Structure Plan is bounded on the south by a road allowance. Road Closure Bylaw provides for the closing of the west part of the road allowance that is not needed and this land will be included in a proposed adjacent industrial lot. Land Use Bylaw Amendment 3156/K-2004 rezones approximately 6.7 ha (16.5 ac) of land from A1 Future Urban Development District to I1 Industrial (Business Service) District and 0.22 ha (0.54 ac) of land from Road to I1 District in order to develop the south half of Section 31-38-27-4 as an extension of Edgar Industrial Park. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.



Kelly Kloss

Manager

/chk

/attach.

- c Director of Development Services
- Inspections & Licensing Manager
- © Adams, Administrative Assistant
- B. Greter, Clerk Steno.

**BYLAW NO. 3327/2004**

Being a bylaw to close portions of road in the City of Red Deer, as described herein.

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

1 The following portions of roadway in the City of Red Deer are hereby closed:

“All that portion of Main Avenue, Plan 2385 M.C. and all that portion of Road Plan 4067J lying within Subdivision Plan 042\_\_\_\_\_.”

READ A FIRST TIME IN OPEN COUNCIL this 22<sup>nd</sup> day of March 2004.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

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

**BYLAW NO. 3156/K-2004**

Being a bylaw to amend Bylaw No. 3156/96, the Land Use Bylaw of the City of Red Deer.

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

- 1 The "Use District Map D14" contained in "Schedule B" of the Land Use Bylaw are hereby amended in accordance with the Land Use District Map No. 7/2004 attached hereto and forming part of the bylaw.

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READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

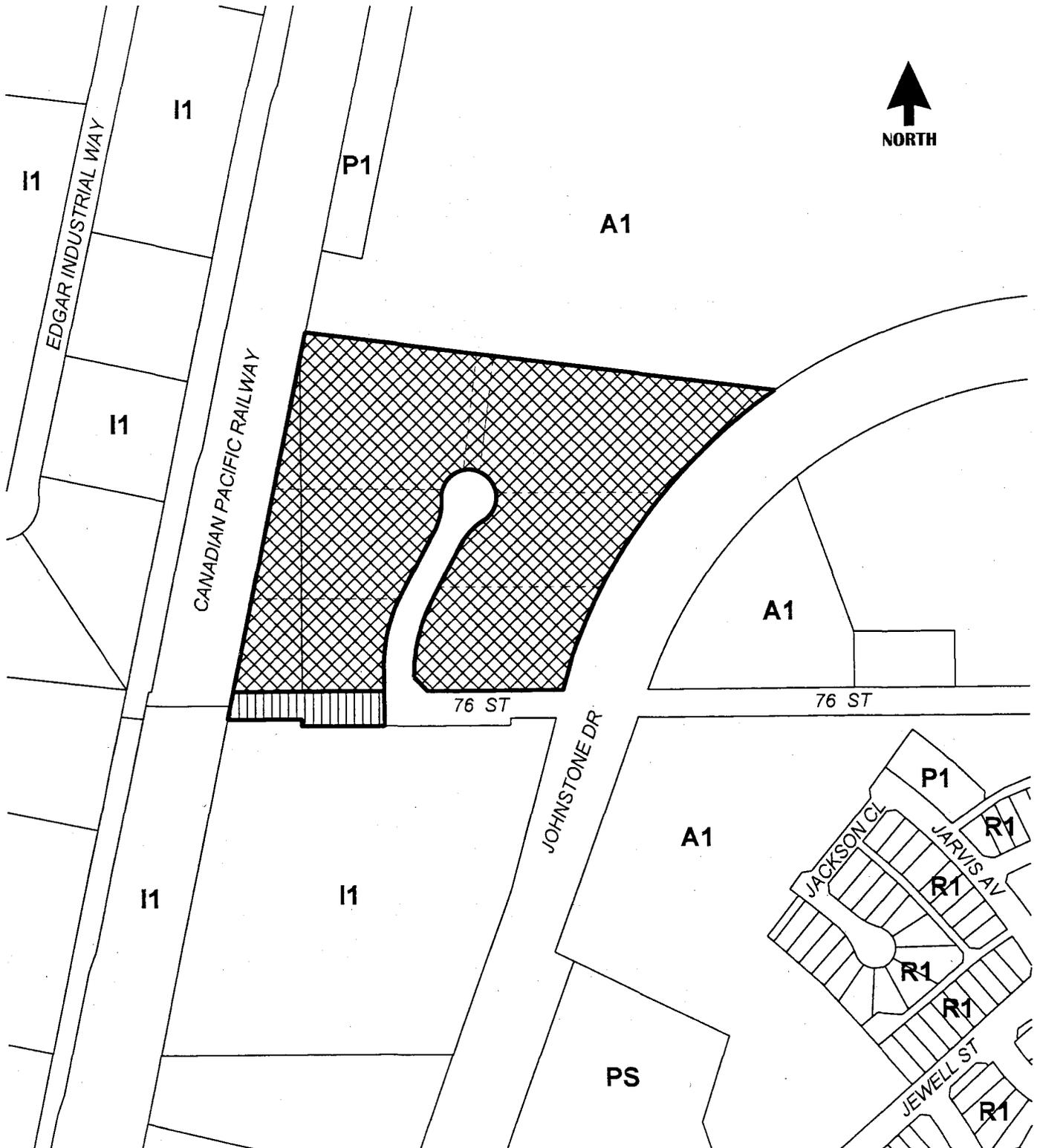
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

\_\_\_\_\_  
MAYOR

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

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :

A1 to I1 

Road to I1 

**AFFECTED DISTRICTS:**  
A1 - Future Urban Development  
I1 - Industrial (Business Service)

MAP No. 7 / 2004  
BYLAW No. 3156 / K - 2004

## Legislative &amp; Administrative Services

**DATE:** March 23, 2004

**TO:** Howard Thompson, Land & Economic Development Manager  
Frank Wong, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

**SUBJECT:** Edgar Industrial Park (Johnstone Drive):  
Road Closure Bylaw 3327/2004 – Partial Road Closure: Road Plan 4067J  
and 2385 MC  
Land Use Bylaw Amendment 3156/K-2004

---

*Reference Report:*

Land & Economic Development Manager, dated March 8, 2004 and Parkland Community Planning Services, dated March 9, 2004

*Bylaw Readings:*

Road Closure Bylaw 3327/2004 and Land Use Bylaw Amendment 3156/K-2004 were given first reading. Copies of the bylaws are attached.

*Report Back to Council:* Yes

Public Hearings will be held on Monday, April 19, 2004 at 7:00 p.m. in Council Chambers, during Council's regular meeting.

*Comments/Further Action:*

A 6.76 ha Light Industrial Site in the southwest part of the Johnstone Crossing Neighbourhood Area Structure Plan is bounded on the south by a road allowance. Road Closure Bylaw provides for the closing of the west part of the road allowance that is not needed and this land will be included in a proposed adjacent industrial lot. Land Use Bylaw Amendment 3156/K-2004 rezones approximately 6.7 ha (16.5 ac) of land from A1 Future Urban Development District to I1 Industrial (Business Service) District and 0.22 ha (0.54 ac) of land from Road to I1 District in order to develop the south half of Section 31-38-27-4 as an extension of Edgar Industrial Park. This office will now proceed with the advertising for a Public Hearing. The City will be responsible for the advertising costs in this instance.



Kelly Kloss  
Manager

/chk  
/attach.

- c Director of Development Services
- Inspections & Licensing Manager
- C. Adams, Administrative Assistant
- B. Greter, Clerk Steno.

## Legislative &amp; Administrative Services

**DATE:** March 23, 2004

**TO:** Howard Thompson, Land & Economic Development Manager  
Frank Wong, Parkland Community Planning Services

**FROM:** Kelly Kloss, Legislative & Administrative Services Manager

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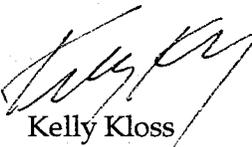
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Kelly Kloss

Manager

/chk

/attach.

c Director of Development Services  
Inspections & Licensing Manager  
C. Adams, Administrative Assistant  
B. Greter, Clerk Steno.

**BYLAW NO. 3327/2004**

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MAYOR

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

**BYLAW NO. 3156/K-2004**

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

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READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

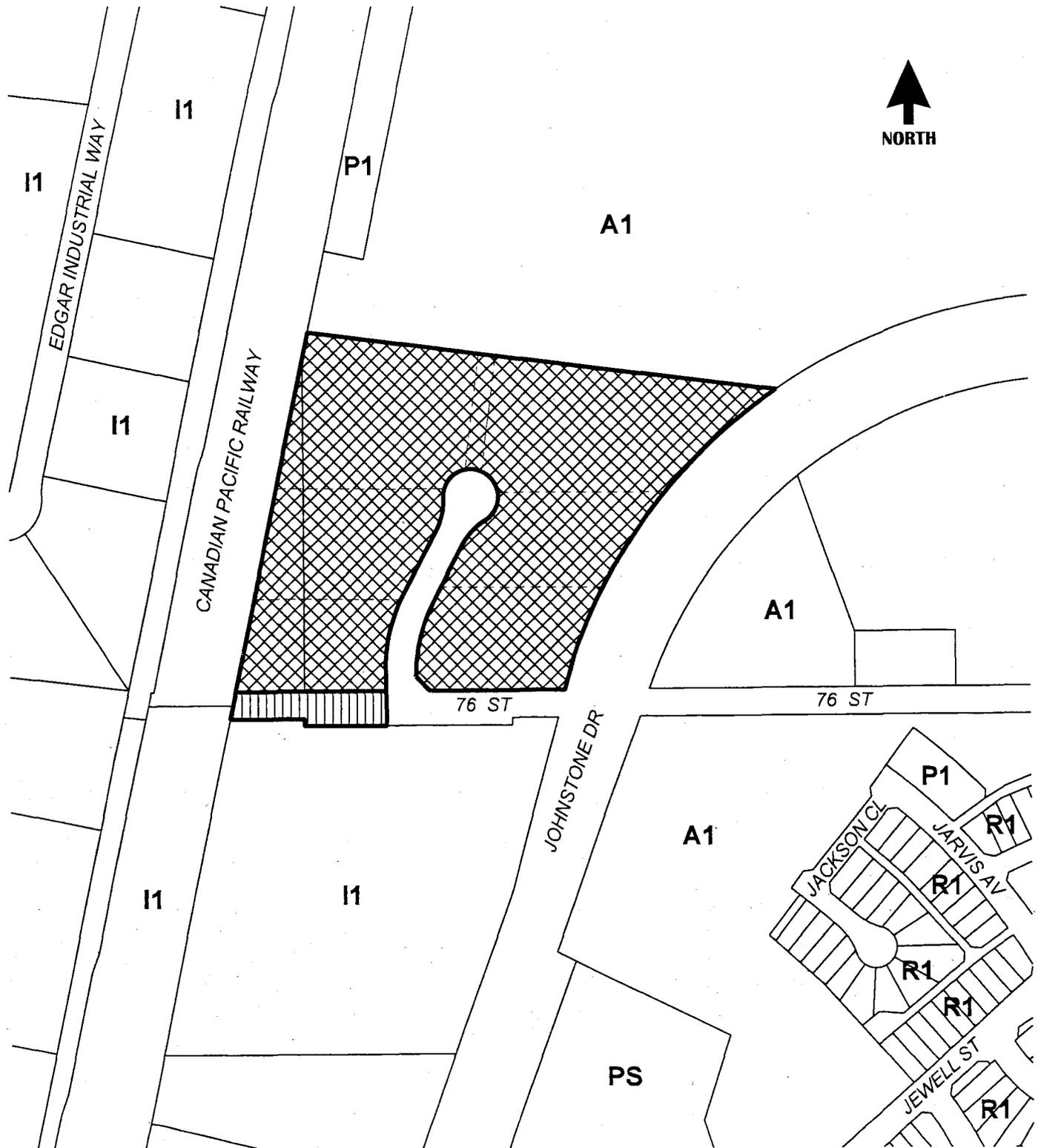
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\_\_\_\_\_  
MAYOR

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

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :

A1 to I1 

Road to I1 

### AFFECTED DISTRICTS:

A1 - Future Urban Development

I1 - Industrial (Business Service)

MAP No. 7 / 2004  
BYLAW No. 3156 / K - 2004

**Legislative & Administrative Services**

**DATE:** March 15, 2004  
**TO:** City Council  
**FROM:** Legislative & Administrative Services Manager  
**SUBJECT:** Appointment of Downtown Business Association Representative to the Policing Committee

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Mr. Terry Warke recently resigned from the Board of Directors of the Red Deer Downtown Business Association. Mr. Warke was the Downtown Business Association's representative on the Policing Committee.

The Board of Directors of the Red Deer Downtown Business Association have appointed a representative to fill the vacancy on the Policing Committee. The name of the representative has been submitted to Council in confidence.

***Recommendation***

That Council appoint a representative from the Downtown Business Association to the Policing Committee for a term to expire December, 2004.



Kelly Kloss  
Manager

*Comments:*

We agree with the recommendations of the Legislative & Administrative Services Manager.

"G. D. Surkan"  
Mayor

"N. Van Wyk"  
City Manager



LEGISLATIVE & ADMINISTRATIVE SERVICES

**FILE**

March 23, 2004

Sonia Sawyer, Executive Director  
Red Deer Downtown Business Association  
Second Floor  
5024 - 50 Street  
Red Deer, AB T4N 1Y3

Dear Sonia:

***Appointment of Red Deer Downtown Business Association  
Representative to the Policing Committee***

At the March 22, 2004 Red Deer City Council Meeting, Council approved your request and appointed Mr. Geoff Goodwin as the Downtown Business Association's representative on the Policing Committee.

Mr. Goodwin will fill the unexpired term of Mr. Warke on the Policing Committee, to December 31, 2004.

We welcome Mr. Goodwin's participation with the Policing Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kelly Kloss', written over a horizontal line.

Kelly Kloss  
Manager

c Mr. Geoff Goodwin  
Supt. J. Steele, Staff Liaison, Policing Committee  
C. Kenzie, Policing Committee Administrative Assistant

**BYLAW NO. 3156/F-2004**

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

- 1 The "Use District Map K5" contained in "Schedule B" of the Land Use Bylaw are hereby amended in accordance with the Land Use District Map No. 4/2004 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this 23rd day of February 2004.

READ A SECOND TIME IN OPEN COUNCIL this day of 2004.

READ A THIRD TIME IN OPEN COUNCIL this day of 2004.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2004.

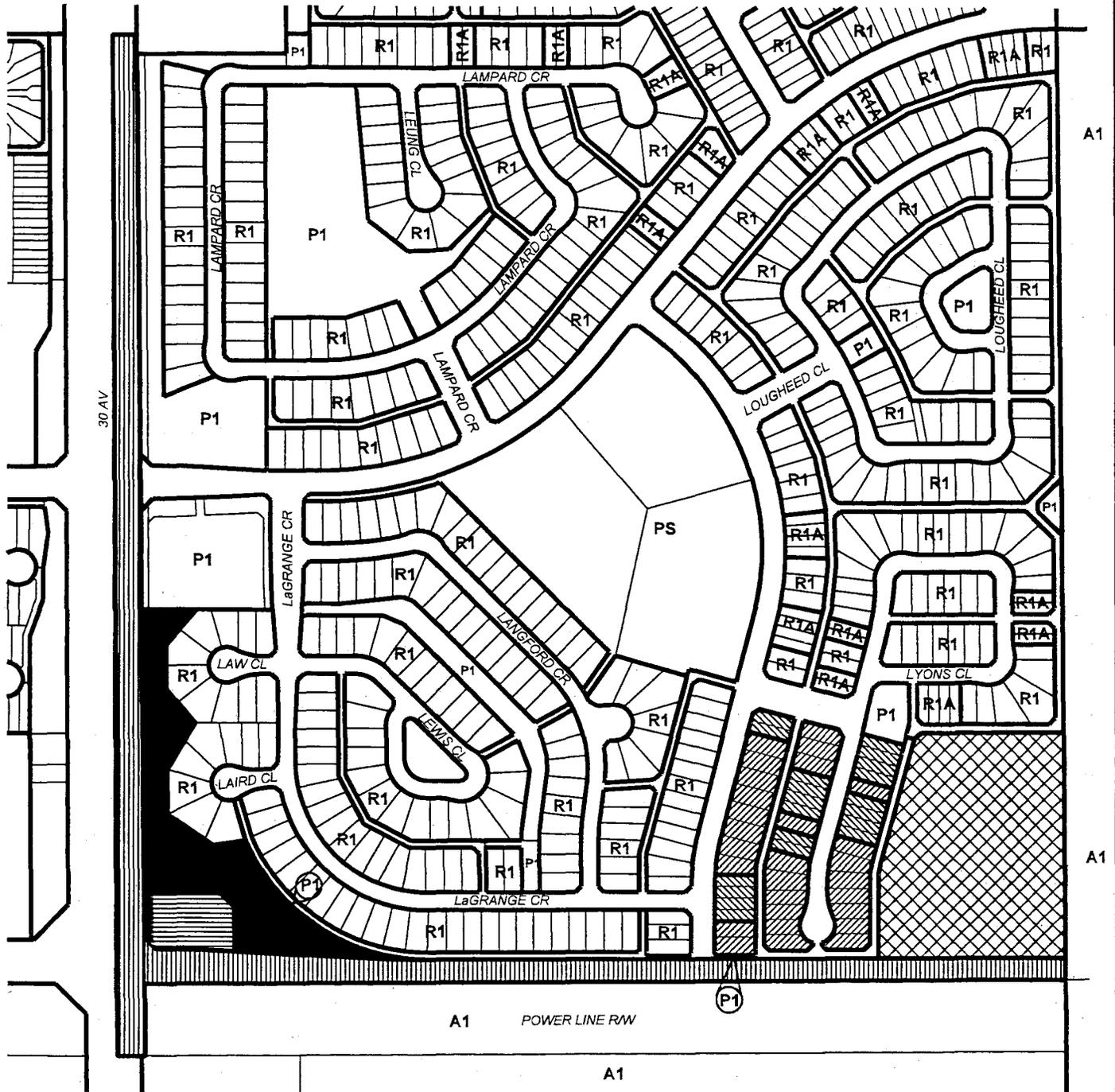
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MAYOR

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CITY CLERK

# The City of Red Deer PROPOSED LAND USE BYLAW AMENDMENT



- AFFECTED DISTRICTS:**
- A1 - Future Urban Development
  - R1 - Residential (Low Density)
  - R1A - Residential (Semi-Detached Dwelling)
  - R2 - Residential (Medium Density)
  - P1 - Parks and Recreational
  - C3 - Commercial (Neighbourhood Convenience)

- Change from :**
- A1 to R1 
  - A1 to R1A 
  - A1 to R2 
  - A1 to P1 
  - A1 to C3 
  - A1 to Road 



MAP No. 4 / 2004  
 BYLAW No. 3156 / F - 2004

**BYLAW NO. 3327/2004**

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AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2004.

\_\_\_\_\_  
MAYOR

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

Item No. 3

**BYLAW NO. 3156/K-2004**

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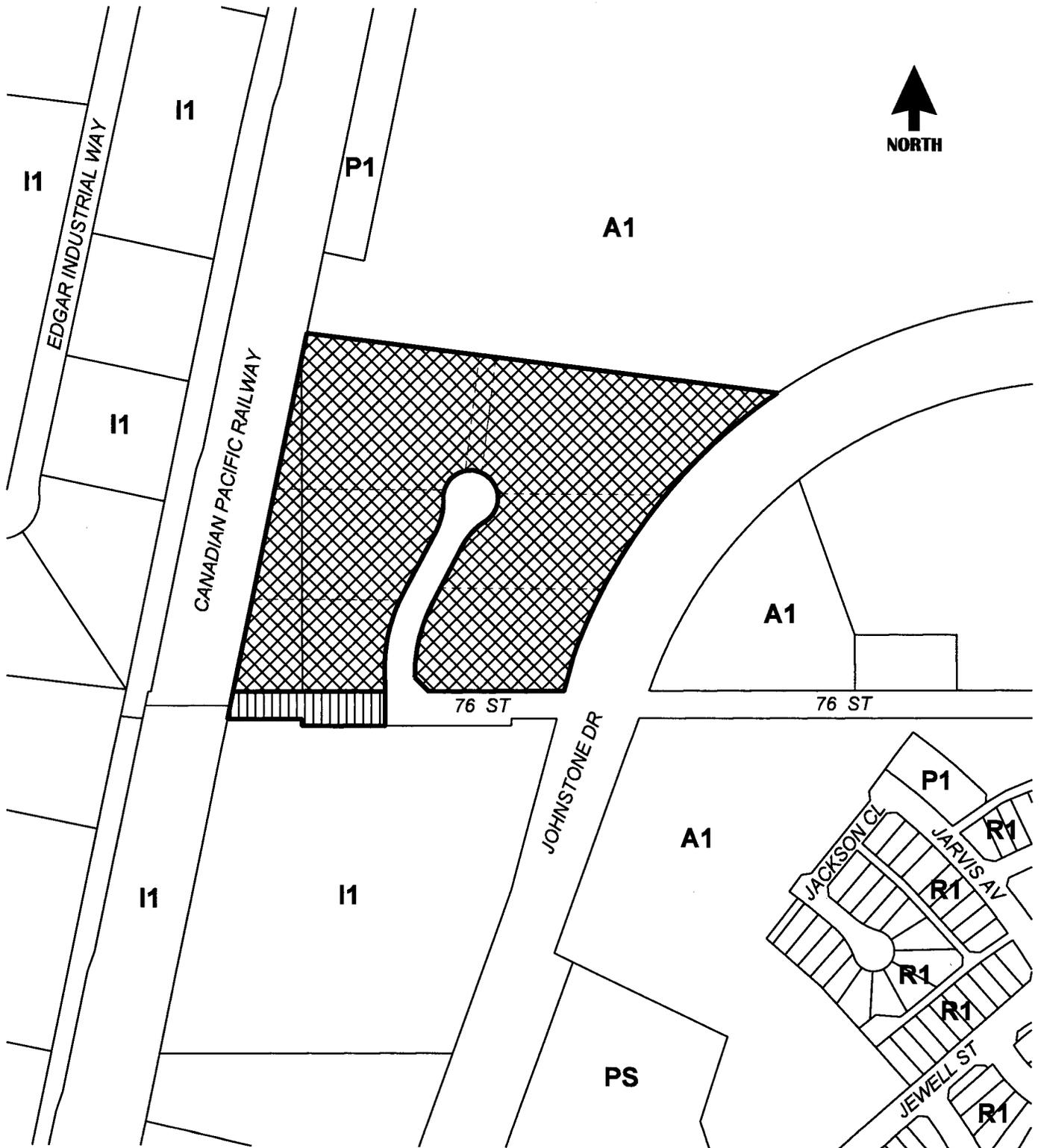
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\_\_\_\_\_  
MAYOR

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CITY CLERK

# The City of Red Deer

## PROPOSED LAND USE BYLAW AMENDMENT



Change from :  
 A1 to I1   
 Road to I1 

**AFFECTED DISTRICTS:**  
 A1 - Future Urban Development  
 I1 - Industrial (Business Service)

MAP No. 7 / 2004  
 BYLAW No. 3156 / K - 2004