



CITY COUNCIL

AGENDA

Wednesday, June 10, 2020 – Council Chambers, City Hall

Call to Order: 1:30 PM
Recess: 5:00 PM to 6:00 PM

I. REPORTS

- I.1. 2019 Operating Budget Variance Report (Agenda Pages 1 – 11)
- I.2. 2019 Reserve Report to Council (Agenda Pages 12 – 26)

2. BYLAWS

- 2.1. Land Use Bylaw Amendment - Omnibus Bylaw 3357/L-2020 (Agenda Pages 27 – 73)
 - 2.1.a. Consideration of First Reading of the Bylaw

3. ADJOURNMENT



June 8, 2020

2019 Operating Budget Variance Report

Prepared by: Dean Krejci, Chief Financial Officer
Department: Financial Services

Report Summary & Recommendation:

Section 2018(1)(k) of the Municipal Government Act requires that the actual revenues and expenditures of the municipality compared with the estimates in the operating or capital budget approved by Council are reported to Council as often as Council directs. Council Policy 5321 – C Operating Budget Policy requires Operating Budget variances to be reported to Council on an annual basis. Budgets and actual amounts are reported in the City's published financial statements. This variance report for year ending December 31, 2019 is presented in the same format as the 2019 financial statements.

The Municipal Government Act requires that variances between the operating budget and actual amounts be reported to Council. Council policy requires that a variance report be provided to Council on an annual basis.

It is recommended that Council accept this report for information.

Proposed Resolution

That the report be received as information.



Report Details

Background

The Municipal Government Act requires that a variance report between the actual revenues and expenditures and the estimates in the operating budget approved by Council is reported to Council. This variance report is prepared using the same format of audited Consolidated Statement of Operations. The report provides explanations of key Financial Statement captions (e.g. revenues/expenses) for significant variances (greater than \$200,000) between the final operating budget and yearend actual data as of December 31, 2019.

Recommendation

Administration requests that the Audit Committee accept this report as information and forward to Council for information.

Highlights

Revenues

Overall there was a \$1,819K unfavourable variance in revenues for 2019. The significant variances in revenue are as summarized in the table below:

Favourable

- Investment Income- higher long term investment income mainly due to capital gains realized from previously purchased long term investment; gains are transferred to respective reserves- \$3,861K
- Grant revenue- higher than budgeted MSI operating grant and MSI provincial highway maintenance program- \$604K
- Housing grant: higher than anticipated grant revenue offset by unfavourable applicable expenses- \$419K
- Water & Waste Water Utilities- higher than projected revenue from regional customers- \$225K
- Land rental revenue- \$200K
- Emergency Services- Revenue from ambulance services and response billing- \$390K
- Property tax penalties- \$366K
- Police: higher than anticipated fine revenue in relation to Automatic Traffic Enforcement expenses- \$309K
- Donation- received for the Games; offset by unfavourable expenses- \$625K
- Contributed asset revenue- \$421K

Unfavourable

- ELP- decrease in commercial and residential accounts- \$917K
- ELP net of rider revenue and admin recoveries; over time rider recovered will balance the difference between transmission costs and revenue collected from rate payers- \$533K
- Water utility- water consumption less than anticipated for in-city customers- \$688K
- Waste Water utility- less than projected waste water consumption for in-city customers- \$950K
- Waste Water utility- less than projected industrial sewer revenue - \$805K
- Waste Management utility- decline in garbage collection commercial accounts- \$583K
- Waste Management utility- less than forecasted organics and recycling revenue- \$290K
- Waste Management utility- less than expected tonnages at landfill due to slow economic growth- \$682K
- Land sales- less than projected subdivision land sales- \$1,679K
- Recreation fees and charges- less than projected admission, program registration, and facility rental revenue- \$610K
- Transit: less than budgeted rider revenue- \$303K
- Parking revenue- \$295K
- License & permit revenue- \$733K
- Miscellaneous- see Appendix A for further details- \$171K

Expenses

Overall there was a \$2,794K favourable variance in expenditures. The significant variances in expenditures are as follows:

Favourable

- Less than budgeted expenses for wages and benefits- staff vacancies offset by unfavourable over time expenses under Emergency Services and Transit department- \$4,119K
- Payroll pools (benefits) surplus- \$896K
- One-time initiatives that were not completed in 2019 and carried forward to 2020- \$4,354K
- Less than projected snow removal and plowing costs- \$734K
- Canada Winter Games value in kind; offset by Other Internal Transfers for service provided by City departments- \$689K
- Municipal Cannabis grant related expenses due to timing difference- \$213K
- Less than budgeted insurance costs- \$221K
- Fuel savings- \$983K
- Subdivision- remediation costs and cost of land sales less than estimated- \$394K
- Less than expected Waste Management- Garbage Collection contracted services due to decline in commercial accounts- \$275K
- Less than budgeted Waste Management contracted services due to lower tonnages at landfill, did not grind shingles, and better pricing for wood grinding than expected- \$361K
- Less than projected water purification chemical used- \$229K
- Miscellaneous- see Appendix A for further details- \$814K

Unfavourable

- Amortization expenses- higher than budgeted amortization expenses; offset by favourable Other Internal Transfers - \$6,326K
- Winter Games Capital Grant to Red Deer College due to timing; funded by Capital Project Reserve- \$5,000K
- Higher than projected long term debt interest expenses- funded by debt repayment reserve for tax supported and individual reserves for self-supported operations- \$321K
- Grant to the Games Host Society; offset by favourable donation revenue- \$625K
- RCMP Contract- 158 RCMP members and retro pay increase for 2017-2019- \$652K
- Police- higher than projected expenses for Automatic Traffic Enforcement in relation to Fine Revenue- \$228K
- Provincial Housing expenses; offset by favourable housing grant revenue- \$428K
- Loss on asset disposal - \$1,095K
- Loan due from the Games Host Society reduced- \$300K
- ELP transmission costs due to timing; over time rider recovered will balance the difference between transmission costs and revenue collected from rate payers - \$330K
- Higher than budgeted parts and tires cost- \$478K
- Higher than budgeted contracted services due to corrections for 2018 year end accruals- \$705K

Other Internal Transfers

Overall, there was a \$7,733K favourable variance in Other Internal Transfers. The significant variances in expenditures are as follows:

Favourable

- Amortization offset; offset by unfavourable amortization expenses in various functions- \$6,326K
- Asset disposals and adjustment for tangible capital assets; offset by unfavourable other expenses in individual functions- \$1,165K
- Higher than projected operating recoveries from capital- \$294K
- Higher than projected transfers from capital to operating- \$681K

Unfavourable

- Higher than budgeted long term debt principal payment; funded by respective reserves- \$312K
- Contributed asset revenue offset; in relation to favourable contributed asset revenue- \$421K

2019 Operation summary is described in the following table (in \$'000)

	Budgeted Deficit (Surplus)	December Actual Deficit (Surplus)	December Variance (Favourable)/Unfavourable
Tax	\$4,638	\$2,121	(\$2,517)
Water Utility	(10,288)	(10,381)	(93)
Waste Water Utility	(9,937)	(\$10,492)	(555)
Waste Management Utility	(1,768)	(1,041)	727
ELP	(7,874)	(7,703)	(171)
Subdivision	-	-	-
Parking	(174)	(10)	164
Equipment Fund	(5,728)	(7,332)	(1,604)
Total Net Transfers to Reserves	\$31,131	\$39,838	(\$3,707)

The City of Red Deer is required by MGA to balance the budget and to limit expenditures to the amount approved by Council. We are in compliance with the MGA. The table below shows a summary of the reconciliation between the adopted (approved in spring) and final budgets and are compared to yearend actual expenditures.

In \$'000

	Revenue	Expenses	Other Internal Transfers (In)/Out	Net Reserve Transfer (from)/to
2019 Adopted Budget	\$358,875	\$372,453	(\$38,902)	\$25,324
Budget Changes:				
Council approved changes	46	159		(113)
Transfers from capital to operating to comply with Tangible Capital Assets Policy(CA-5324)		2,094	(2,094)	
Subdivision budget re-classification			(5,931)	5,931
Salary budget adjustments	48	75	(27)	
Department budget re-allocations and other		11		(11)
Total Changes	94	2,338	(8,052)	5,807
2019 Final Budget	\$358,969	\$374,791	(\$46,954)	\$31,131
2019 Actuals	\$357,149	\$371,998*	(\$54,687)	\$39,838
Variance (Favourable)/Unfavourable	\$1,819	(\$2,794)	(\$7,733)	(\$8,707)

*- MGA Section 248 (1.a) states that municipality may only make an expenditure that is included in an operating budget, interim operating budget or capital budget or otherwise authorized by the council.

Appendix A

For purposes of variance reporting, Parking and Fleet are shown as separate items but in the financial statements Parking is included with Protective Services and Fleet is included with Transportation

City of Red Deer Operating Variance Analysis For the Period Ending December 31, 2019

Revenue	Adopted	Final	Actual	(Actual Vs Final Budget) (F)/U	Explanations (Favourable)	Explanations Unfavourable
Net municipal taxes	\$ 135,182,470	\$ 135,188,860	\$ 135,166,159	\$ 22,701		
Operating government transfers	12,666,608	12,743,608	13,597,864	(854,256)	F- (\$276k) higher than budgeted MSI Provincial Highway Maintenance program F- (\$328k) higher than budgeted MSI operating grant F- (\$419k) higher than anticipated OSSI grant; offset with unfavourable variance in Community Services section F- (\$104k) miscellaneous	U- \$66k Cannabis Grant carry over to 2020 U- \$65k needle debris grant revenue lower than expected due to timing difference; offset by favourable variance in Protective Services section U- \$142k unspent FCSS grant carry forward to 2020
User fees and sale of goods and services	178,842,055	178,851,733	171,566,581	7,285,152	F- (\$168k) higher than expected ELP work for others revenue; offset with unfavourable variance in ELP section F- (\$112k) higher than projected water revenue from South Red Deer regional customers F- (\$113k) higher than budgeted waste water revenue from regional customers F- (\$200k) higher than expected land rental revenue F- (\$204k) higher than budgeted ambulance service revenue F- (\$186k) increase in Emergency Services response billing F- (\$191k) higher than budgeted transit revenue from Red Deer County and BOLT; offset with unfavourable personnel costs in Transportation Section F- (\$29k) miscellaneous	U- \$917k ELP decrease in commercial & residential consumption U- \$553k ELP net of rider revenue and admin recoveries; over time rider recovered will balance the difference between transmission costs and revenue collected from rate payers U- \$688k less water consumption than anticipated for in-city customers U- \$950k less waste water consumption than projected for in-city customers U- \$805k less than projected industrial sewer revenue due to significantly improved sampling U- \$583k decline in garbage collection commercial accounts U- \$290k less than forecasted organics and recycling revenue U- \$682k less than projected tonnages at landfill due to slow economic growth U- \$1,679k overall less than projected land sales U- \$133k less than projected fleet insurance recovery; more repairs done in house U- \$120k less than budgeted admission revenue U- \$213k less than projected program registration revenue U- \$277k less than budgeted facility rentals U- \$303k transit rider revenue shortfall U- \$295k less than projected parking revenue

City of Red Deer Operating Variance Analysis For the Period Ending December 31, 2019

Revenue	Adopted	Final	Actual	(Actual Vs Final Budget) (F)/U	Explanations (Favourable)	Explanations Unfavourable
Investment income	3,578,673	3,578,673	7,439,935	(3,861,262)	higher than projected long term investment income mainly due to capital gains realized	
Fines and penalties	6,334,809	6,335,573	6,835,013	(499,440)	F- (\$366k) higher than anticipated property tax penalties F- (\$309k) higher than expected police fine revenue; in reference to unfavourable expenses in Protective Services section	U- \$156k less than expected ELP service charges U- \$20k miscellaneous
Franchise fees	8,592,342	8,592,342	8,743,888	(151,546)	F- (\$122k) higher than projected ATCO franchise revenue F- (\$30k) miscellaneous	
License and permits	3,820,840	3,820,840	3,111,824	709,016	F- (\$24k) miscellaneous	U- \$478k less than anticipated license revenue U- \$255k less than budgeted permit revenue
Other Revenue	2,929,235	2,929,333	3,339,175	(409,842)	F- (\$625k) donation received from RDDCF for the Games; offset with unfavourable variance in General Government Services section F- (\$190k) miscellaneous	U- \$122k less than expected revenue from concrete replacement; more work completed for internal customers U- \$116k disposal station usage less than expected U- \$167k recycling market down worldwide
Total Revenue	351,947,032	352,040,962	349,800,438	2,240,524		
Expenses						
General government services	45,821,414	44,826,459	42,028,240	(2,798,219)	F- (\$896k) payroll pools surplus F- (\$2,395k) staff vacancies and over estimate of personnel provision required F- (\$1,588k) one time carry forwards; work to be completed in future years F- (\$127k) less than budgeted property, building & contents insurance costs; one time credit received from the insurance company F- (\$114k) less than projected contracted services for city hall operations	U-\$579k higher than projected long term debt interest expenses; funded by Debt Repayment Reserve (DRR) U- \$625k grant to Canada Games Host Society; offset with favourable variance in Other Revenue section U- \$1,000k higher than budgeted amortization expenses; offset with favourable variance in Other Internal Transfers section U- \$118k miscellaneous

City of Red Deer Operating Variance Analysis For the Period Ending December 31, 2019

Revenue	Adopted	Final	Actual	(Actual Vs Final Budget) (F)/U	Explanations (Favourable)	Explanations Unfavourable
Protective services	79,161,480	78,881,853	79,557,346	675,493	F- (\$243k) lower than budgeted amortization expenses; offset with unfavourable variance in Other Internal Transfers section F- (\$213k) less than budgeted expenses in relation to municipal cannabis grant due to timing difference; offset by unfavourable variance in Grant Revenue section F- (\$130k) lower than budgeted bad debt expenses F- (\$192k) miscellaneous	U- \$573k payroll variance; staff vacancies and extended shift offset by Emergency Services overtime U- \$652k higher than budgeted RCMP Contract; 158 Members and retro pay increase for 2017, 2018, 2019. U- \$228k higher than projected expenses for Automatic Traffic Enforcement; in reference to favourable variance in Fine Revenue section
Transportation	61,977,202	63,369,419	66,476,383	3,106,964	F- (\$400k) one time carry forward items; work to be completed in 2020 F- (\$669k) overall payroll variance; overtime offset by staff vacancies F- (\$231k) less than estimated borrowing costs F- (\$115k) over estimate of engineering consulting fee for Public Lands Act Compliance carry forward F- (\$734k) less than budgeted snow removal and plowing due to warm weather and operation started later this year due to CWG F- (\$1k) miscellaneous	U- \$191k higher than budgeted salary expenses relating to transit service for Red Deer County and BOLT; offset with favourable variance in User Fees section U- \$4,965k amortization expenses offset with favourable variance in Other Internal Transfers section U- \$101k higher than budgeted street and traffic light electrical charge
Community services	14,476,708	15,240,424	14,275,543	(964,881)	F- (\$695k) one time carry forwards; work to be completed in 2020 F- (\$689k) CWG Value in Kind; offset with unfavourable variance in Other Internal Transfers for services provided by City departments F- (\$369k) payroll variance due to staff vacancies	U- \$428k higher than anticipated Provincial Housing related expenses ; offset with favourable variance in Grant Revenue section U- \$300k loan reduced from the Host Society U-\$60k miscellaneous
Recreation, parks and culture	46,762,848	48,100,760	54,759,470	6,658,710	F- (\$224k) one time carry forwards; work to be completed in 2020 F- (\$614k) payroll variance due to staff vacancies	U- \$2,444k amortization expenses offset with favourable variance in Other Internal Transfers U- \$53k miscellaneous U- \$5,000K Winter Games Capital contribution to Red Deer College due to timing; funded by Capital Project Reserve

City of Red Deer Operating Variance Analysis For the Period Ending December 31, 2019

Revenue	Adopted	Final	Actual	(Actual Vs Final Budget) (F)/U	Explanations (Favourable)	Explanations Unfavourable
Water and wastewater	41,059,333	41,028,790	37,662,245	(3,366,545)	F- (\$2,375k) amortization expenses offset with unfavourable variance in Other Internal Transfers section F- (\$1,277k) one time carry forwards; work to be completed in future years F- (\$117k) less than budgeted contracted services due to most meter reading work is done in-house now F- (\$229k) less than budgeted dollars spent on water purification treatment chemical	U- \$287k asset disposal loss offset with favourable variance in Other Internal Transfers section U- \$131k reactionary work for unexpected repairs U- \$113k higher than projected cost of salts & other chemicals for waste water operation U- \$100k miscellaneous
Waste management	15,889,114	15,813,233	15,368,947	(444,286)	F- (\$275k) less than projected garbage collecton contracted services due to decline in commercial accounts F- (\$361k) less than budgeted contracted services due to lower tonnages at landfill, did not grind shingles, and better pricing for wood grinding than expected F- (\$169k) one time carry forwards; work to be completed in 2020 F- (\$198k) overall contracted rates coming in less than estimated and delay in projects F- (\$112k) Aggregate Recycling Pad Pilot program; work done internally. F- (\$34k) miscellaneous	U- \$705k higher than budgeted contracted services due to corrections for 2018 year end accruals
Subdivisions, land, and development	2,274,736	2,641,864	2,196,273	(445,591)	F- (\$172k) remediation costs less than estimated F- (\$222k) cost of land sales F- (\$52k) miscellaneous	
Electric light and power	44,529,311	44,409,294	44,398,130	(11,164)	F- (\$485k) staff vacancies F- (\$125k) less than forecasted consulting services due to other work taking priority F- (\$118k) less than forecasted contracted services for meter replacement as some costs charged to capital project F- (\$159k) less than projected substation testing services F- (\$391k) miscellaneous (for a total of 83 accounts)	U- \$142k higher than expected expenses in relation to ELP work for others; offset with favourable variance in User Fees section U- \$806k amortization expenses offset with favourable variance in Other Internal Transfers section U- \$330k higher than budgeted transmission costs due to timing; over time rider recovered will balance the difference between transmission costs and revenue collected from rate payers.
Parking	1,874,089	1,856,603	2,151,429	294,826	F- (\$35k) miscellaneous	U- \$330k amortization expenses offset with favourable variance in Other Internal Transfers section

City of Red Deer Operating Variance Analysis For the Period Ending December 31, 2019

Revenue	Adopted	Final	Actual	(Actual Vs Final Budget) (F)/U	Explanations (Favourable)	Explanations Unfavourable
Fleet	18,626,656	18,622,837	18,124,013	(498,824)	F- (\$467k) amortization expenses offset with unfavourable variance in Other Internal Transfers section F- (\$237k) payroll variance due to staff vacancies F- (\$983k) fuel savings F- (\$69k) miscellaneous	U- \$604k asset disposal loss offset with favourable variance in Other Internal Transfers section U- \$478k higher than budgeted parts and tires cost U- \$175k higher than projected accident repairs
Total Expenses	372,452,891	374,791,536	376,998,019	2,206,483		
Contributed assets	6,928,037	6,928,037	7,349,325	(421,288)	F- \$4,346k contributed recreation related tangible capital assets including playground infrastructure, school building and River Bend infrastructure F- (\$70k) miscellaneous	U- \$786k less than budgeted contributed water & waste water infrastructure U- \$3,209k less than projected contributed storm infrastructure
Budgeted deficit	(13,577,822)	(15,822,537)	(19,848,256)	4,025,719		
Other Internal Transfers	(38,901,445)	(46,953,875)	(54,686,993)	(7,733,118)	F- (\$6,326k) amortization offset; offset by unfavourable amortization expenses F- (\$1,165) asset disposals and adjustment for tangible capital asset F- (\$294k) more operating recoveries from capital than anticipated F- (\$681k) higher than projected transfers from capital to operating	U- \$312k long term debt principal repayment; funded by debt repayment reserve for tax supported and respective reserves for self supported operations U- \$421k contributed assets offset; offset by favourable variance in contributed asset revenue
Net transfers to (from) reserves	25,323,622	31,131,333	34,838,737	(3,707,404)	F- (\$2,517) tax supported operations F- (\$93k) water utility F- (\$556k) waste water utility F- (\$1,604k) fleet operation	U- \$727k waste management utility U- \$164k parking operation U- \$171k ELP utility

Appendix B:

Department Reference of the Expenses Categories Reported in Financial Statements

Reporting groups in Statement of Operations	Department
General Government Services	General Programs, Corporate Services Division, City Manager Division, Planning Department (GDAP & RD 300K), Protective Services Directorate (Corporate Security), Environmental Services (admin business units), and Community Services Directorate.
Protective Services	Police, Inspection & Licensing (bylaw enforcement), Protective Services Directorate, Emergency Services
Parking	Inspection & Licensing
Transportation	Engineering, ELP (street light), PWS (Roads/Streets/Sidewalks), Development Services Directorate, Land & Economic (Airport), Environmental Services (Storm), and Transit.
Fleet	Public Works (fleet)
Water & Wastewater	Environmental Services (Water and Waste water Utility)
Waste management	Environmental Services (Landfill, Recycling, and Garbage Collection)
Community services	RPC (Cemetery), Social Planning, LED Department, Planning Department, I&L Department (Residential Rehab), PWS Department (Parade Float), Community Services Directorate (CWG), and Social Planning.
Subdivisions, land, and development	Land & Economic Department (land bank operation)
RP&C	RPC, Community Services Directorate (Library), ITS (Archives)
EL&P	EL&P

DATE: June 11, 2020
TO: Dean Krejci, Chief Financial Officer
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: 2019 Operating Budget Variance Report

Reference Report:

Financial Services, dated June 10, 2020.

Resolution:

At the Wednesday, June 10, 2020 Regular Council Meeting, Council accepted this report as information:

Report back to Council:

No.

Comments/Further Action:

None.

“Frieda McDougall”

Frieda McDougall
Manager

c. General Manager Corporate Services



June 8, 2020

2019 Reserve Report to Council

Prepared by: Dean Krejci, Chief Financial Officer
Department: Financial Services

Report Summary & Recommendation:

This report provides City Council with details of reserves for the year ended 2019. Details include the City's tax supported and self-supported operating and capital reserves.

It is recommended that Council accept this report for information.

Proposed Resolution

That Council receives the report for information.



Report Details

Background:

This report provides City Council with details of reserves for the year ended 2019. The report is submitted for information only.

Reserves are an important financing and risk management tool and, just as individuals set aside funds for unexpected expenses or large ticket items, the City also needs to save. Reserves are used for numerous reasons, such as to have funds available in case of emergency or unexpected events, to provide cash for operations prior to receipt of property tax revenues, to provide cash for infrastructure construction and replacement and to generate investment earnings.

An adequate reserve balance for operations / rate stabilization purposes as set out in the Utility Policy is 45 days of operations. A target has not been set for tax supported operations. The Government Finance Officers Association (GFOA) has recommended that governments maintain, at a minimum, a reserve balance of no less than two months of regular operating expenditures. It is not sufficient to consider the current balance in a reserve when determining if the reserve is adequate. The future requirements on the reserve, future funding to the reserve, and past commitments also need to be considered.

Reserves are established for specific purposes. Before using the reserve for any other purpose, the impact on the business operation(s) that created the reserve and the sustainability of the reserve must be considered. It is extremely risky to use reserves for funding expenditures of a continuing nature. The concern is if reserves are used for funding continuing expenditures then another source of funding, such as increased property taxes, must be found when the reserves become depleted. Reserves are intended to be established at the discretion of Council.

The Municipal Government Act (MGA) requires that Council approve the amounts transferred to/from reserves. Compliance with the MGA is achieved through the budget and ad hoc Council Resolutions.

Discussion:

TAX SUPPORTED AND SELF SUPPORTED RESERVES

As Table I shows, the total of the reserves held have decreased slightly from 2018 to 2019. The decrease is mainly in the tax supported reserves offset by an overall increase in self-supported reserves.

TABLE I – RESERVE BALANCES

(in \$ thousands)

	2019	2018
TAX SUPPORTED		
Operating	\$37,401	\$38,847
Capital	34,252	\$40,055
Subtotal	71,653	78,902
SELF SUPPORTED		
Operating	12,394	12,951
Capital	135,220	128,084
Subtotal	147,614	141,036
Total Reserve Balances	\$219,267	\$219,937



Figure 2 shows the historical balance of the major categories of the reserves for the period 2010 – 2019. In 2012 there was a large increase to capital reserves in anticipation of significant utility capital expenditures and splitting out utility capital reserves from operating reserves. In 2014 there is large increase in self-supported capital reserves and an offsetting large decrease in self-supported operating reserves due to a change in the interpretation of the Utility policy.

FIGURE 2 – RESERVE BALANCES – 10 YEAR HISTORY (in \$ millions)

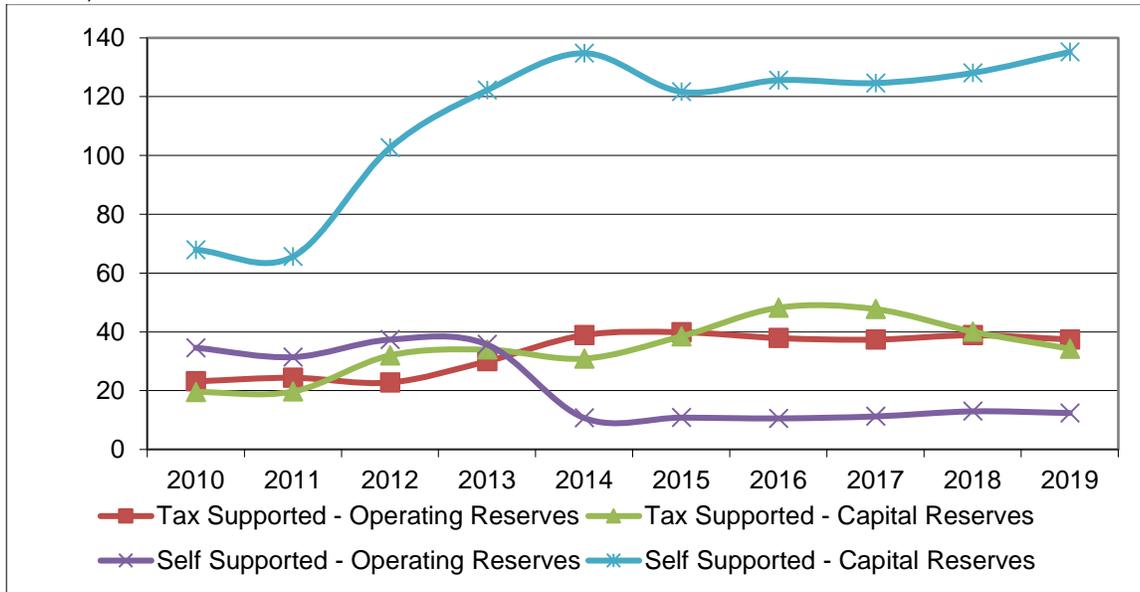
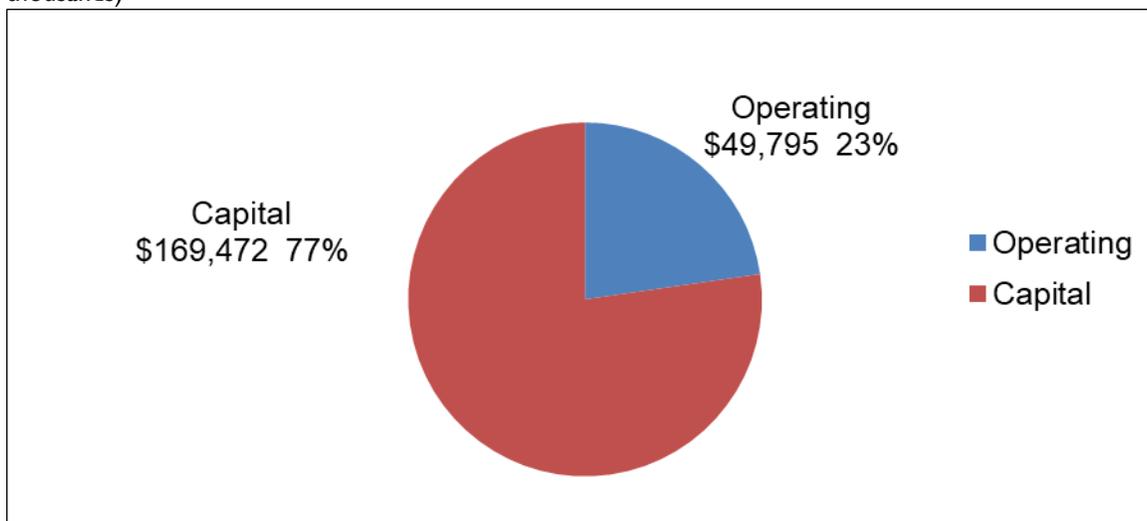


Figure 3 shows the comparison of operating to capital reserves in both dollars and percentages as of the 2019 fiscal year end.

FIGURE 3 – OPERATING TO CAPITAL BREAKDOWN (in \$ thousands)





TAX SUPPORTED OPERATING RESERVES

Table 4 is focused on the tax supported operating reserves; the total of these reserves decreased by \$1.4 million from 2018 to 2019.

TABLE 4 – TAX SUPPORTED – OPERATING RESERVE (in \$ thousands)

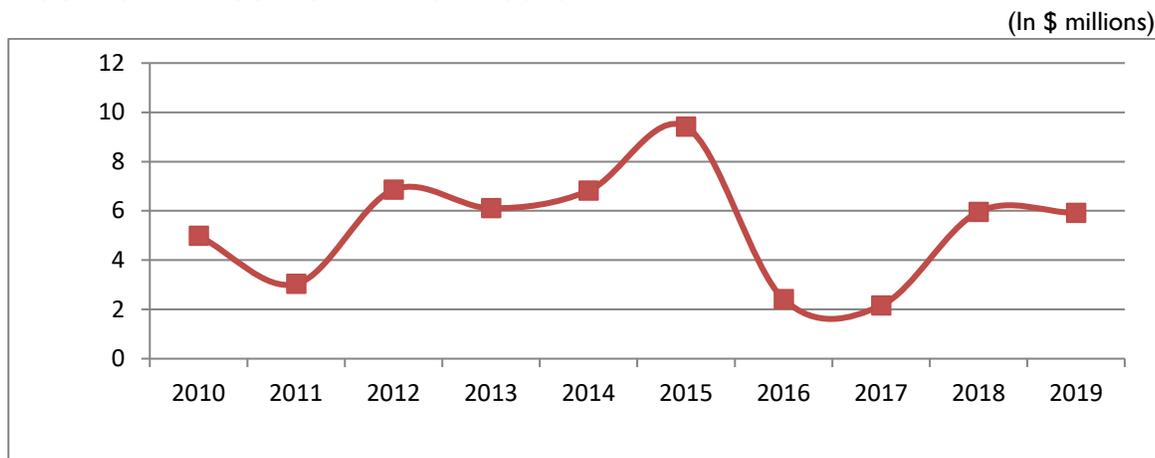
Description	2019	2018
Operating Reserve - Tax Supported	\$33,479	\$33,838
Debt Repayment Reserve	1,446	\$3,155
Finance a Specific Purpose	2,477	\$1,854
Total Tax Supported - Operating Reserves	\$37,401	\$38,847

Operating Reserve – Tax Supported

The 2019 year-end balance is \$37.4 million. In order to keep the reserve sustainable, carry forwards were restricted and subject to year-end review starting in 2009. Financial Services will continue to monitor the reserve for sustainability. There is no sustainable source of funding and annual operating surpluses are relied upon.

Figure 5 shows the tax supported surpluses from 2010 to 2019. The amount of the surplus fluctuates from a low of \$2.16M in 2017 to a high of \$9.41M in 2015 with a yearly average of \$5.36M over the 10 year period.

FIGURE 5 – TAX SUPPORTED SURPLUSES



Purpose: For emergencies, user rate stabilization/working capital, and funding initiatives (such as one-time items and carry forwards). Table 6 provides a summary of the 2019 transactions.

TABLE 6 – OPERATING RESERVE -TAX SUPPORTED RECONCILIATION (in \$ thousands)

2019 Opening Balance	\$33,838
Less: One Time Funding of Budget Items	(5,805)
Less: Carryforward Funding	(1,739)
Add: Internal Borrowing Payment from Parking Reserve	97
Add: Year End Interest Allocation	1,179
Add: Tax Supported Surplus	5,910
2019 Closing Balance	\$33,479



This reserve will be used to fund 2020 one-time items of \$3.6M, prior year approved one-time items of \$1.1M and carryforwards items of \$2.0M.

In 2018 Council approved an internal borrowing of \$850K from Operating Reserve- Tax Supported. As of December 2019 the balance of internal borrowing is \$653K.

Figure 7 shows the balance of the Operating Reserve-Tax Supported from 2010 to 2019. The large increase from 2011 to 2015 is due in part to the smaller amount of carryforwards and larger than usual surpluses.

FIGURE 7 – OPERATING RESERVE-TAX SUPPORTED RESERVE – 10 YEAR HISTORY (in \$ millions)

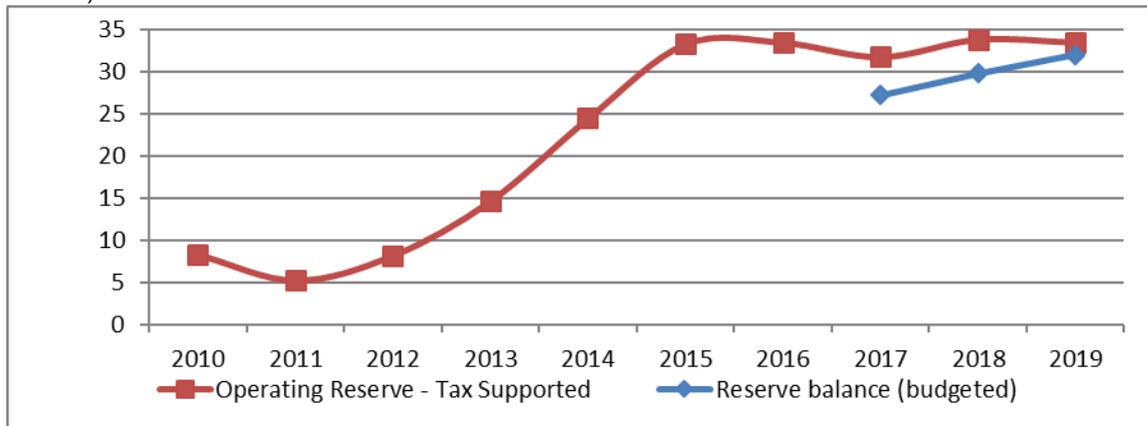
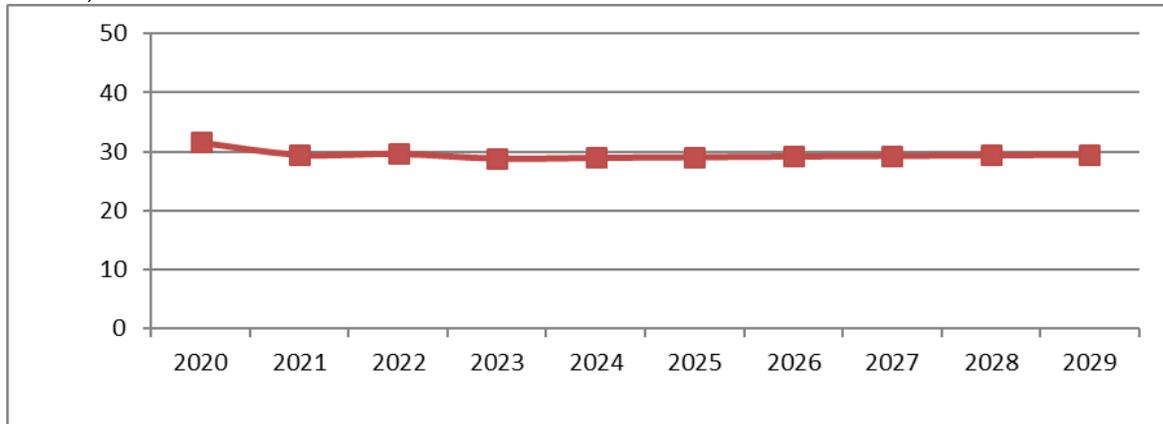


Figure 8 shows the budgeted balance of the Operating Reserve – Tax Supported from 2020 to 2029.

FIGURE 8 – OPERATING RESERVE-TAX SUPPORTED RESERVE – 10 YEAR FORECAST (in \$ millions)



Due to the impact of the COVID-19 pandemic, it is likely that there will be a draw on the reserve to cover an anticipated operating deficit. Depending on the length and impact of the pandemic, the draw could be \$5 – 6 million.

Debt Repayment Reserve

The 2019 year-end balance is \$1.4 million. The annual transfer from the operating budget is the only sustainable source of funding. Transfers are made regularly between this reserve and the Capital Projects Reserve (CPR) to manage the balances in these reserves. As per 2020 Capital Budget approval, the estimated total transfer from the CPR is \$82.1M in total from 2021 to 2029. In addition, \$1.7M and



\$0.9M are forecasted to be transferred from Operating Reserve-Tax Supported to Debt Repayment Reserve in 2021 & 2023 respectively.

Purpose: For tax supported debt repayments of debenture funded capital projects. Table 8 provides a summary of the 2019 transactions.

TABLE 8 – DEBT REPAYMENT RESERVE RECONCILIATION (in \$ thousands)

2019 Opening Balance	\$3,155
Less: Interest & Principal Payments	(10,126)
Add: Debt Servicing Contribution	8,400
Add: Year End Interest Allocation	98
Add: Other Entries	(81)
2019 Closing Balance	\$1,446

Figure 9 shows the balance of the Debt Repayment Reserve from 2010 to 2019. The large decrease in 2015 & 2016 is due to the transfers of \$16 million and \$5.5 million from this reserve to the Capital Projects Reserve.

FIGURE 9 – DEBT REPAYMENT RESERVE – 10 YEAR HISTORY (in \$ millions)

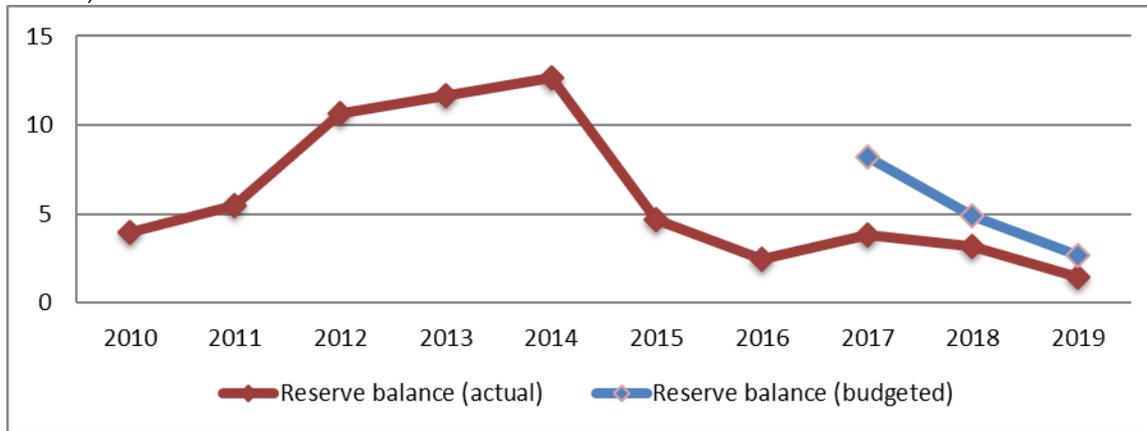
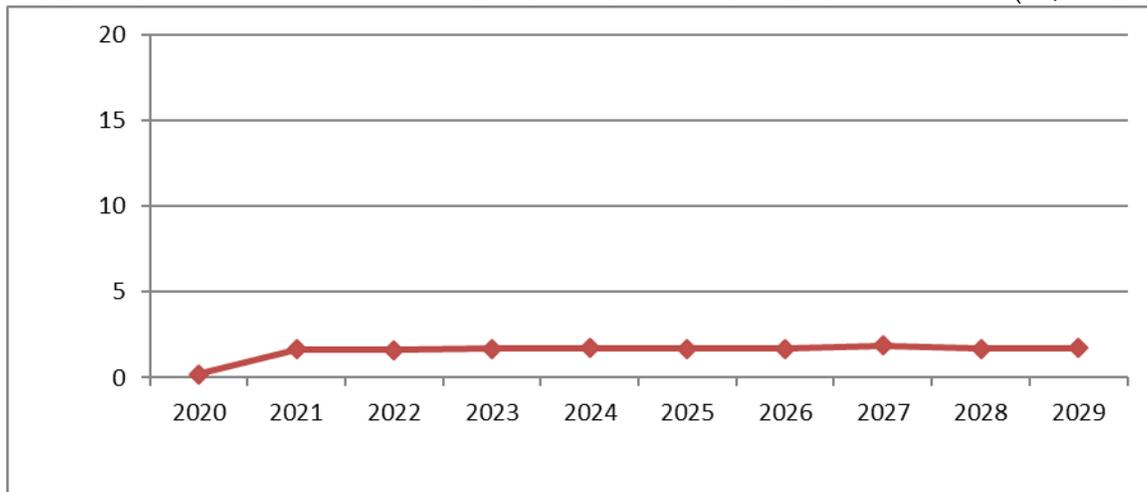


Figure 10 shows the budgeted balance of the Debt Repayment Reserve from 2020 to 2029.

FIGURE 10 – DEBT REPAYMENT RESERVE – 10 YEAR FORECAST (in \$ millions)





Finance a Specific Purpose

There are currently three reserves in the finance a specific purpose category of operating reserves that total \$2.5 million.

Purpose: Table 11 provides details of the purpose of each reserve.

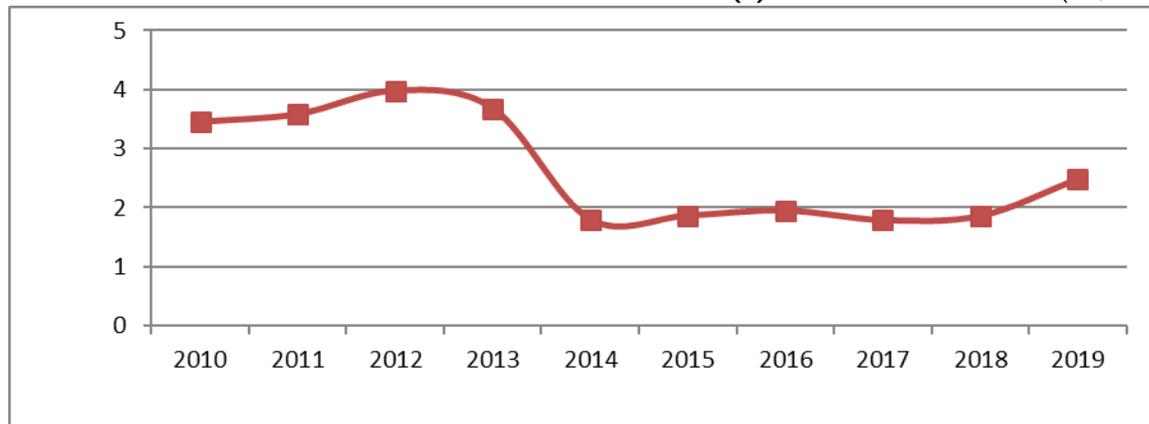
TABLE 11 – FINANCE A SPECIFIC PURPOSE RESERVE(S) (in \$ thousands)

Description	Details	2019	2018
Perpetual Care	Interest earned in this reserve is used to fund maintenance of the City's cemeteries, indefinitely	\$1,818	\$1,748
Public Art	To fund internal public art projects and used to match external community group funding of public art projects	109	106
Wetland Enhancement	to fund restoration or enhancement of drained or altered naturally occurring wetlands	550	-
Total Finance a Specific Purpose Reserve Balances		\$2,477	\$1,854

Figure 12 shows the total balance of the Finance a Specific Purpose Reserves from 2010 to 2019. The decrease in 2014 is due to one of the reserves in this category being reclassified as a capital reserve.

The Wetland Enhancement reserve was created by Council resolution at the June 24, 2019 meeting.

FIGURE 12 – FINANCE A SPECIFIC PURPOSE RESERVE(S) – 10 YEAR HISTORY (in \$ millions)



TAX SUPPORTED CAPITAL RESERVES

Table 13 is focused on the tax supported capital reserves; the total of these reserves decreased by \$5.8 million from 2018 to 2019.

**TABLE 13 – TAX SUPPORTED – CAPITAL RESERVES** (in \$ thousands)

Description	2019	2018
Capital Projects Reserve	\$27,068	\$33,133
Other Tax Supported Capital Reserves	7,184	\$6,922
Total Tax Supported - Capital Reserves	\$34,252	\$40,055

Capital Projects Reserve

The 2019 year-end balance is \$27.1 million. The annual transfer from the operating budget is the only sustainable source of funding. Transfers are made regularly between this reserve and the Debt Repayment Reserve to manage the balances in these reserves. Projects are deferred or funded from alternate sources in order to keep the reserve sustainable.

Purpose: This reserve helps to pay for tax-supported capital projects. Table 14 provides a summary of the 2019 transactions.

TABLE 14 – CAPITAL PROJECTS RESERVE RECONCILIATION (in \$ thousands)

2019 Opening Balance	\$33,133
Add: Tax Supported Funding	10,261
Add: Transfer from fleet reserves	1,293
Add: Year End Interest Allocation	1,379
Add: Transfers from Operating	665
Add: Other Transfers	70
Less: Transfers to Operating (Operating Grants for Capital)	(7,477)
Less: Other Transfers to Operating	(227)
Less: Net of capital projects funding	(10,366)
Less: Prior Year Correction for Road Offsite Borrowing	(1,663)
2019 Closing Balance	\$27,068

As of December 31, 2019 \$30.9 million is committed for approved capital projects expenditures.

Figure 15 shows CPR reserve balance combining committed and uncommitted from 2010 to 2019.

FIGURE 15 – CAPITAL PROJECT RESERVE – 10 YEAR HISTORY (in \$ millions)

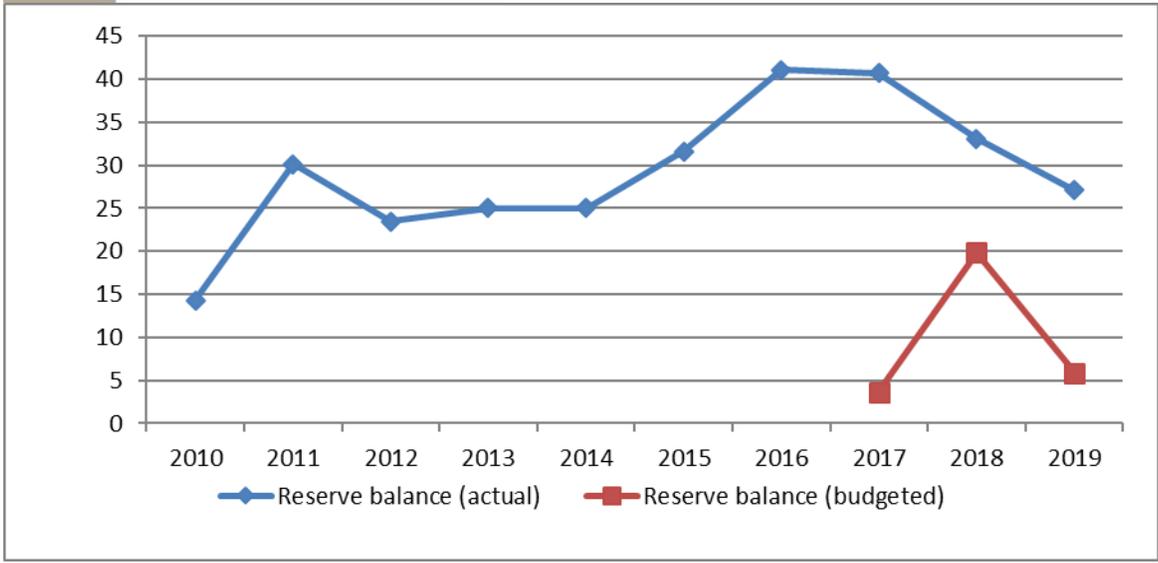
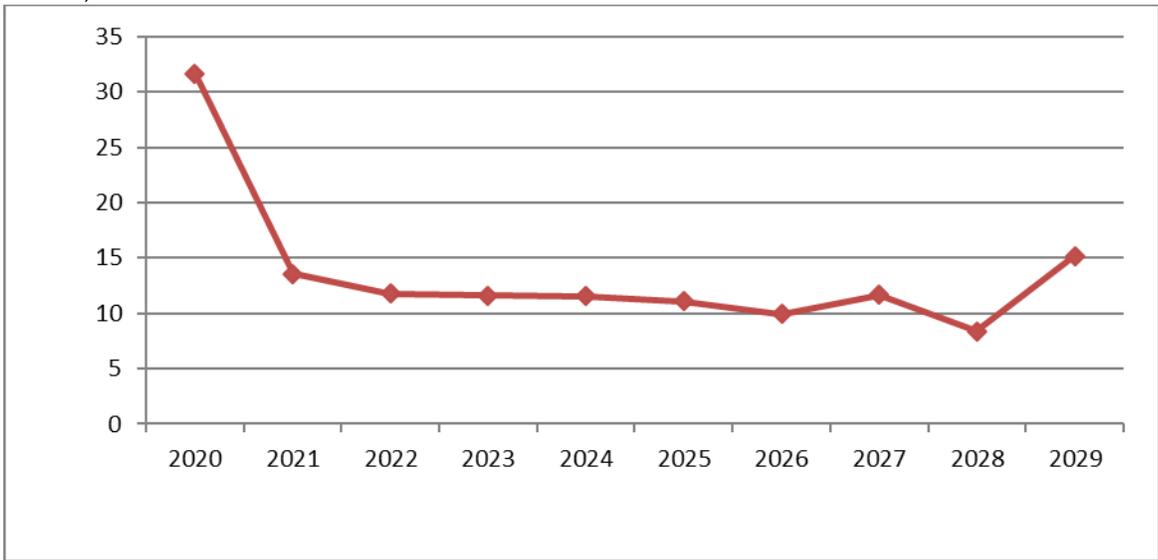


Figure 16 shows budgeted CPR balance combining committed and uncommitted from 2020 to 2029.

FIGURE 16 – CAPITAL PROJECT RESERVE – 10 YEAR FORECAST (in \$ millions)



Other Tax Supported Capital Reserves

The 2019 closing balance for other tax supported capital reserves is \$7.2 million.

Purpose: Table 17 provides details of the purpose of each reserve.

TABLE 17 – OTHER TAX SUPPORTED CAPITAL RESERVE(S) (in \$ thousands)

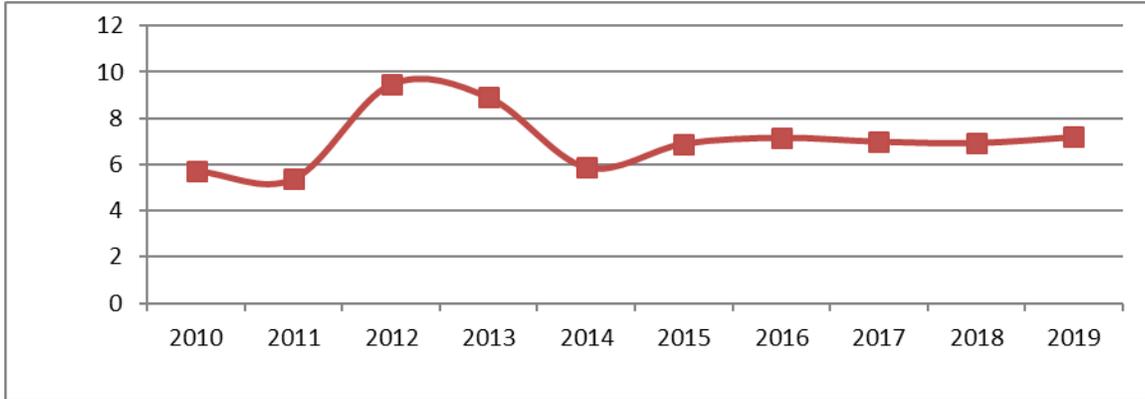


Description	Details	2019	2018
Municipal Reserve - Land	To purchase new parkland	\$7,184	\$6,922
Total Other Tax Supported - Capital Reserves		\$7,184	\$6,922

Figure 18 shows the total balance of the Other Tax Supported Capital Reserves from 2010 to 2019.



FIGURE 18 – OTHER TAX SUPPORTED CAPITAL RESERVE(S) – 10 YEAR HISTORY (in \$ millions)



SELF SUPPORTED OPERATING RESERVES

The 2019 closing balance for utilities and self-funding business enterprises is \$12.4 million as detailed in Table 19. The reserves were split into operating and capital reserves in 2012 as required by the Utility Policy. In 2014 there was a large decrease in self-supported operating reserves due to a change in the interpretation of the Utility policy. Each utility is in compliance with the 45 days of working capital component of the utility policy.

Purpose: Table 19 provides details of the purpose of each reserve.

TABLE 19 – SELF SUPPORTED – OPERATING RESERVE (in \$ thousands)

Description	Details	2019	2018
EL&P Utility	Working Capital	\$5,579	\$5,724
Water Utility	Working Capital	1,705	1,756
Wastewater Utility	Working Capital	1,741	1,751
Solid Waste Utility	Working Capital	1,433	1,516
Landfill	Working Capital	560	567
Parking	Used to stabilize rates and fund parking related capital projects	1,376	1,637
Total Self Supported - Operating Reserves		\$12,394	\$12,951

Figure 20 shows the Self Supported - Operating Reserves balances in the last 10 years. (2010 – 2013 balances include both operating and capital reserves).

**FIGURE 20 – SELF SUPPORTED- OPERATING RESERVE(S) – 10 YEAR HISTORY**

(in \$

millions)

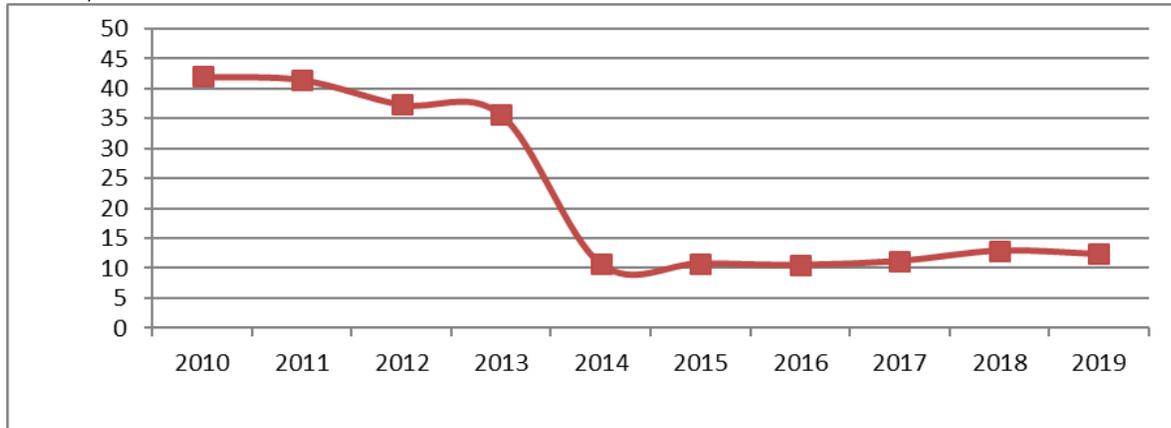
**SELF SUPPORTED CAPITAL RESERVES**

Table 21 is focused on the self-supported capital reserves; these reserves increased by \$7.1 million from 2018 to 2019.

TABLE 21 – SELF SUPPORTED – CAPITAL RESERVE

(in \$ thousands)

Description	2019	2018
Utilities Capital Reserves	\$59,590	\$45,098
Land Development Reserve	61,474	63,009
Other Self Supported Capital Reserves	14,157	19,977
Total Self Supported - Capital Reserves	\$135,220	\$128,084

Utilities Capital Reserves

The 2019 closing balance for utilities is \$59.6 million as detailed in Table 22.

Purpose: To be used to finance capital projects in those utilities

TABLE 22 – UTILITIES CAPITAL RESERVE(S)

(in \$ thousands)

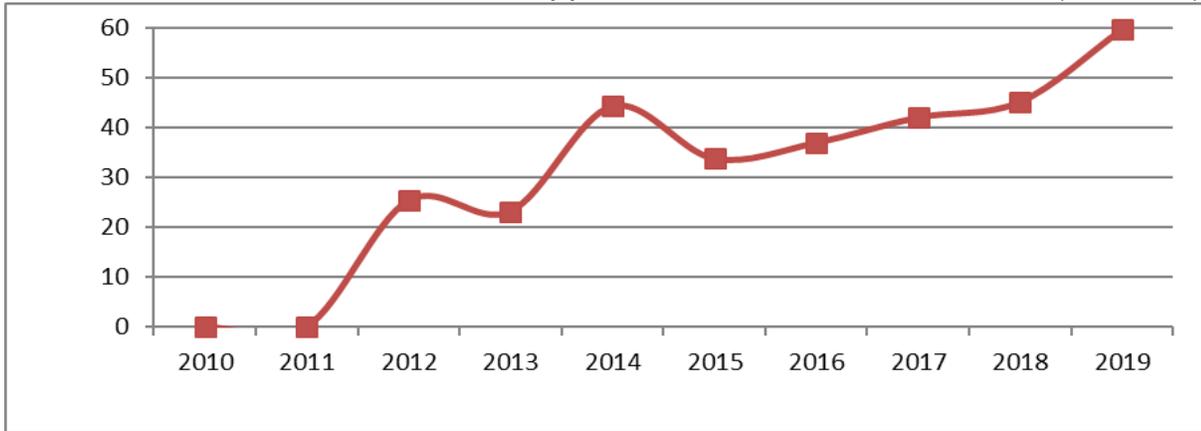
Description	Details	2019	2018
EL&P Utility	Future Capital	\$21,254	\$12,424
Water Utility	Future Capital	6,835	2,117
Wastewater Utility	Future Capital	19,683	16,291
Garbage Collection Utility	Future Capital	1,809	4,508
Recycling Utility	Future Capital	1,711	2,918
Landfill	Future Capital	8,298	6,840
Total Self Supported - Capital Reserves		\$59,590	\$45,098

Internal borrowing of \$6.0 million from the EL&P Capital Reserve and \$4.5 million from Fleet Reserve to Offsite Levy Reserves for 2019 were reversed. As per 2020 Capital Budget Guidelines, Offsite Levy Reserves are allowed to have a negative balance.

Figure 23 shows the total balance of the Utility Capital Reserves from 2010 to 2019 (2010 – 2011 both operating and capital funds were held in operating reserves).



FIGURE 23 – UTILITY CAPITAL RESERVE(S) – 10 YEAR HISTORY (in \$ millions)



Land Development Capital Reserve

The 2019 closing balance of this reserve is \$61.5 million. Of the \$61.5 million ending balance, \$47.9 million is invested in land holdings.

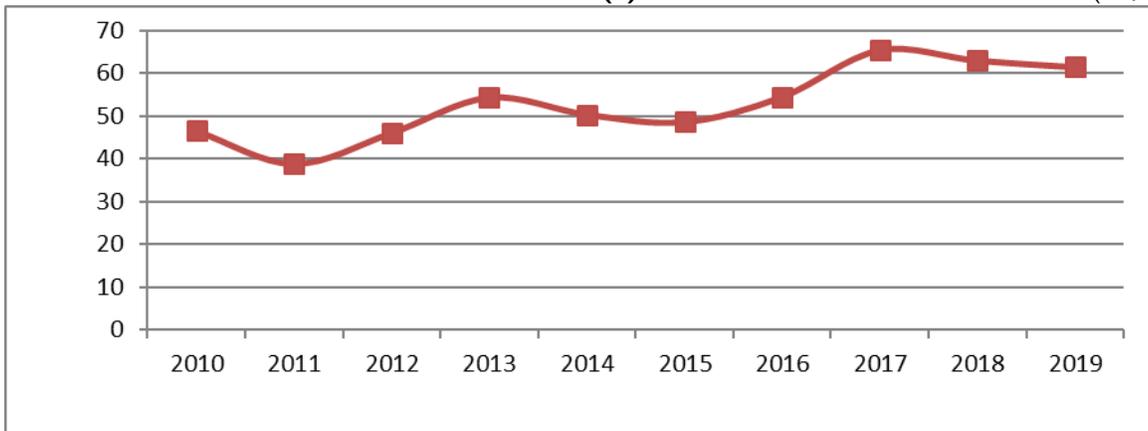
Purpose: Used to purchase raw land and to finance subdivision development.

TABLE 24 – LAND DEVELOPMENT CAPITAL RESERVE(S) (in \$ thousands)

Description	2019	2018
Land Development	\$13,534	\$14,291
Land Holdings	47,940	48,718
Total	\$61,474	\$63,009

Figure 25 shows the total balance of the Land Development Reserve(s) from 2010 to 2019.

FIGURE 25 – LAND DEVELOPMENT RESERVE(S) – 10 YEAR HISTORY (in \$ millions)



Other Self Supported Capital Reserves

The 2019 closing balance for other self-supported capital reserves is \$14.2 million

Purpose: See Table 26 under details for the purpose of each reserve



TABLE 26 – OTHER SELF SUPPORTED CAPITAL RESERVE(S)

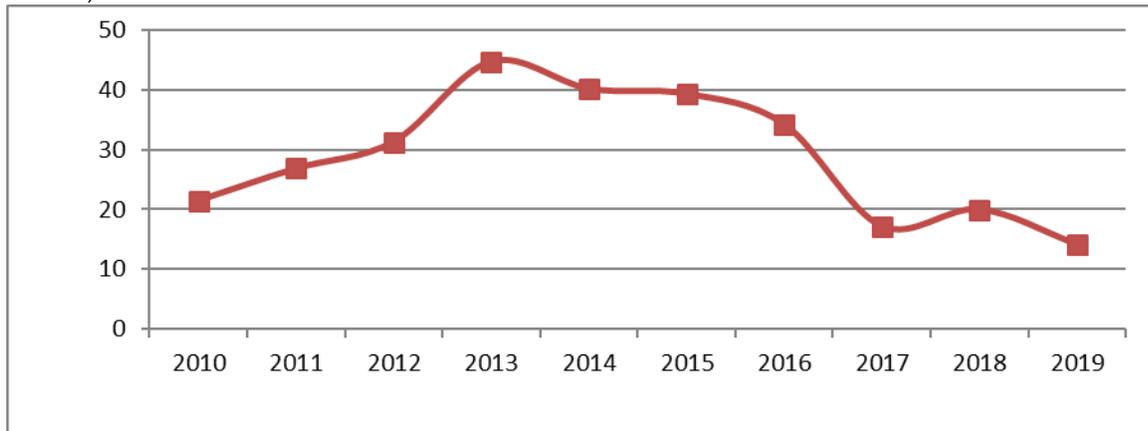
(in \$ thousands)

Description	Details	2019	2018
Equipment Fund	For the purchase of:	\$34,843	\$26,234
Various Offsite Levies	To fund future capital projects	(20,686)	(6,257)
Total Other Self Supported - Capital Reserves		\$14,157	\$19,977

Internal borrowing of \$6.0 million from the EL&P Capital Reserve and \$4.5 million from Fleet Reserve to Offsite Levy Reserves for 2019 were reversed. As per 2020 Capital Budget Guidelines, Offsite Levy Reserves are allowed to have a negative balance.

Figure 27 shows the total balance of the Other Self Supported Capital Reserve(s) from 2010 to 2019

FIGURE 27 – OTHER SELF SUPPORTED CAPITAL RESERVE(S) – 10 YEAR HISTORY (in \$ millions)



DATE: June 11, 2020
TO: Dean Krejci, Chief Financial Officer
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: 2019 Reserve Report

Reference Report:

Financial Services, dated June 10, 2020.

Resolution:

At the Wednesday, June 10, 2020 Regular Council Meeting, Council accepted this report as information:

Report back to Council:

No.

Comments/Further Action:

None.

“Frieda McDougall”

Frieda McDougall
Manager

c. General Manager Corporate Services



June 10, 2020

Land Use Bylaw Amendment - Omnibus Bylaw 3357/L-2020

Prepared by: Christi Fidek, Senior Planner
Department: Planning Department

Report Summary & Recommendation

City Administration has initiated this Land Use Bylaw (LUB) amendment to provide City staff and the public with clearer interpretation and implementation of the LUB, while reducing red tape.

The amendment areas included in this report were raised by administration and the public. Several amendments implement changes from the modernized Municipal Government Act (MGA).

Administration recommends Council support First Reading of Land Use Bylaw Amendment 3357/L-2020.

Proposed Resolution

That Bylaw 3357/L-2020 be read a first time. If first reading is given, this bylaw will be advertised for two consecutive weeks with a Public Hearing to be held on Monday, July 6, 2020.

Analysis

Administration supports the amendments based on the following rationale:

1. Compliance with City and Provincial policy framework

The proposed amendments align with the MGA, LUB and the Municipal Development Plan.

2. Clarification of practice for the public and Administration

The changes will provide City staff and the public with clearer interpretation and implementation of the LUB.

Discussion

The amendments proposed under Bylaw 3357/L-2020 are the accumulation of a number of minor bylaw changes that have been requested by Administration or raised by the public in order to improve the clarity and application of the LUB. Several amendments implement changes from the modernized Municipal Government Act (MGA).

Please refer to Appendix B for the details for each of these amendments. A summary of the amendments proposed:

1. Clarify the intent of restricting Billboard, Dynamic and Electronic Message Signs near Major Corridors.
2. Clarify the minimum separation distances between Dynamic and Electronic Message Signs and Freestanding Signs.
3. Clarify the location of Dynamic and Electronic Message Signs near Collector and Arterial roads.
4. Clarify the number of Detached Dwelling Units per Site.
5. Remove duplication of Discretionary Uses in R2 and R3 districts.
6. Add Secondary Suites as a Discretionary Use in the DC32 district.
7. Clarify that all residential districts are treated similarly when considering variances.
8. Reducing red tape - Update the requirements for sheds not requiring a development permit.
9. Ensure fencing materials are compatible with surrounding development.
10. Provide a definition for Merchandise Sales.
11. Expand the Mature Neighbourhood Overlay District within the Low Impact Commercial Overlay District.
12. Align development permit application procedures with the Municipal Government Act.
13. Align subdivision application procedures with the Municipal Government Act.
14. Remove the duplication of Parking Requirements for Regional Shopping Centres and District Shopping Centres.
15. Reducing Red Tape - Clarify that Transportation, Communication or Utility Facility definition does not include a telecommunication facility.

16. Capitalize Industrial Support Services within I1A/BSR and update use table for increased consistency with Industrial Support Services definition.

Appendices

Appendix A - Bylaw 3357/L-2020

Appendix B - Omnibus Amendment Details – Existing Regulations and Proposed Changes

APPENDIX A

Land	Use	Bylaw	Amendment	3357/L-2020
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BYLAW NO. 3357/L-2020

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

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

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

1. Section 1.2(2)(p) is deleted and replaced with the following:
 - (p) Accessory Buildings within a residential District with a Floor Area of 10.0m² or less and a height of 2.8m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw.
2. Section 1.3 is amended by:
 - a. deleting the definition of **Low Impact Commercial Use** and replacing it with the following:

Low Impact Commercial Use means the conducting of Merchandise Sales and/or Rentals, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.

- b. deleting the definition of **Transportation, Communication or Utility Facility** and replacing it with the following:

Transportation, Communication or Utility Facility means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way. This definition does not include a telecommunication facility.

- c. adding, in alphabetical order, the following new definitions:

Merchandise Sales and/or Rentals means the retail sale and/or rental of goods within an enclosed building for use or consumption by the public. Merchandise Sales and/or Rentals does not include Cannabis Retail Sales or Machinery Sales.

Subdivision Authority means the Subdivision Officer or the Municipal Planning Commission.

3. Section 2.4(3) is deleted and replaced with the following:
 - (3) The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.

4. A new Section 2.4.1 is added as follows:

2.4.1 Notification of Complete or Incomplete Development Permit Applications

 - (1) The Development Officer must, within 20 days after the receipt of an application for a Development Permit, determine if the application is complete and provide the applicant written notification stating whether the application for the Development Permit is complete or incomplete.

 - (2) If the Development Officer determines that the application for the Development Permit is incomplete the Development Officer shall, in the notification provided to the applicant pursuant to subsection (1), identify the outstanding documents and information that must be provided for the application to be complete and specify a date by which the information must be received. The applicant and the Development Officer can agree, in writing, to an alternate date by which the information is to be provided.

 - (3) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the notice, the application is deemed to be refused and the Development Officer shall provide the applicant written notification that their application for the Development Permit is deemed refused pursuant to Section 683.1(8) of the Act. The Development Officer shall also provide the reasons for the refusal.

 - (4) If the Development Officer is satisfied that the required information is provided by the established date, to the Development Officer shall issue notification that the application for the Development Permit is complete.

 - (5) Despite the Development Officer having issued written notification that an application for the Development Permit is complete, the Development Authority, at their discretion, may request additional information or documentation if it is determined necessary to review the application.

 - (6) If the Development Authority refuses an application for a Development Permit, the Development Authority shall provide the applicant with written notification stating that the application has been refused and the reasons for refusal.

 - (7) Section 2.13(1) does not apply to applications that are deemed to be refused under Section 2.4.1(3).

5. Section 2.7(1)(a) is deleted and replaced with the following:

- (a) Shall review each application to determine if it is complete, and issue written notification pursuant to Section 2.4.1 of this Bylaw.
6. A new Subsection 2.25 is added as follows:
2.25 Subdivision Approval Applications
 - (1) Correspondence between the Subdivision Authority and an applicant may be in writing or electronic form (i.e. via email) if the applicant has agreed that correspondence between the applicant and the Subdivision Authority can occur electronically.
 - (2) The Subdivision Authority must, within 20 days after the receipt of an application for subdivision approval under section 653(1) of the Act, determine whether the application is complete.
 - (3) An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application.
 - (4) The time period referred to in subsection (2) may be extended by an agreement in writing between the applicant and the Subdivision Authority.
 - (5) If the Subdivision Authority does not make a determination referred to in subsection (2) within 20 days, or within such longer period of time as may be agreed between the applicant and the Subdivision Authority, the application is deemed to be complete.
 - (6) If the Subdivision Authority determines that the application is complete the Subdivision Authority must issue to the applicant an acknowledgement that the application is complete in writing or electronically (i.e. via email).
 - (7) If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority must issue the applicant a notice that the application is incomplete, identify the outstanding documents and information that must be provided for the application to be complete and specify a date by which the information must be received. The applicant and the Subdivision Authority can agree, in writing, to an alternate date by which the information is to be provided.
 - (8) If the Subdivision Authority determines that the required information and documents, identified in the notice issued pursuant to subsection (7) have been submitted, the Subdivision Authority must issue an acknowledgement to the applicant that the application is complete

- (9) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the notice, the application is deemed to be refused.
 - (10) If an application is deemed to be refused under subsection (9), the Subdivision Authority must issue a notice to the applicant that the application has been refused and the reason for the refusal
 - (11) Despite that the Subdivision Authority having issued an acknowledgement under subsection (6) or (8), in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.
7. Table 3.1 Parking Requirements is amended by deleting the rows for Regional Shopping Centres and District Shopping Centres under the Commercial & Industrial heading.
8. Section 3.20(1) is amended by:
- a. replacing the period at the end of subsection (b) with a semi colon followed by the word “and”; and
 - b. adding the following as a new subsection (c):
 - (c) any fence made of pallets, cloth, tarps, plastic that is non-weather resistant, or materials which may deteriorate quickly in inclement weather, or those of which are deemed unsightly in nature.
9. Section 3.20 amended by adding the following as a new subsection (9):
- (9) All fencing shall take into account the Principle Building appearance to ensure compatibility of surrounding developments.
10. Section 4.1. subsection 2(c) is deleted and replaced with the following:
- (c) Notwithstanding anything in this Bylaw, on bare land condominium R I parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.
11. Section 4.1 is amended by adding the following as a new subsection after 2:
3. R1 Residential (Low Density) District Fundamental Use Criteria
- (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
12. Section 4.1.1.3(d) is deleted and replaced with the following:

- (d) Notwithstanding anything in this Bylaw, on bare land condominium RIC parcels, the development of more than one Detached Dwelling Unit, shall be subject to the Development Authority approving the site plan.
- 13. Section 4.1.1 is amended by adding the following as a new subsection 4.1.1.4:
4. RIC Residential (Carriage Home) District Fundamental Use Criteria
 - (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
- 14. Section 4.1.2.2(d) is deleted and replaced with the following:
(d) Notwithstanding anything in this Bylaw, on bare land condominium RIWS parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.
- 15. Section 4.1.2 is amended by adding the following as a new subsection 4.1.2.3:
3. RIWS Residential (Wide/Shallow Lot) District Fundamental Use Criteria
 - (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
- 16. Section 4.2.2 is amended by adding the following as a new subsection 4.2.2(e):
(e) Notwithstanding anything in this Bylaw, on bare land condominium RIA parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.
- 17. Section 4.2 is amended by adding the following as a new subsection 4.2.4:
4. RIA Residential (Semi-Detached Dwelling) District Fundamental Use Criteria
 - (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
- 18. Section 4.3.2(n) is deleted and replaced with:
(n) Notwithstanding anything in this Bylaw, on bare land condominium RIN parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.
- 19. Section 4.3 is amended by adding the following as a new subsection 3:
3. RIN Residential (Narrow Lot) District Fundamental Use Criteria
 - (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.

20. Section 4.3.1.2 is amended by adding the following as a new subsection 4.3.1.2(h):
 - (h) Notwithstanding anything in this Bylaw, on bare land condominium RIG parcels, the development of more than one Detached Dwelling Unit, shall be subject to the Development Authority approving the site plan.
21. Section 4.3.1 is amended by adding the following as a new subsection 4.3.1.4:
 4. RIG Residential (Small Lot) District Fundamental Use Criteria
 - (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
22. Section 4.3.2.2(b)(v)(f) is deleted and replaced with:
 - (f) Merchandise Sales and/or Rentals excluding motor vehicles and fuel
23. Section 4.3.2.2 is amended by adding the following as a new subsection 4.3.2.2(c):
 - (c) Notwithstanding anything in this Bylaw, on bare land condominium RLW parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.
24. Section 4.4. subsection 1(b)(iii) deleted and replaced with the following:
 - (iii) Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility or place of worship or assembly.
25. Section 4.4. subsection 1(b)(iv) is deleted.
26. Section 4.4.2 is amended by adding the following as a new subsection 4.4.2(f):
 - (f) Notwithstanding anything in this Bylaw, on bare land condominium R2 parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.
27. Section 4.4.1.2(c) is deleted and replaced with:
 - (c) Notwithstanding anything in this Bylaw, on bare land condominium R2T parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.
28. Section 4.5.1(b)(ii) is deleted and replaced with the following:
 - (ii) Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility or place of worship or assembly.
29. Section 4.5.1(b)(iii) is deleted.
30. Section 4.5.1(b)(xvi) is deleted.
31. Section 4.5.3 is amended by adding the following as a new subsection 4.5.3(c):

- (c) Notwithstanding anything in this Bylaw, on bare land condominium R3 parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.
32. Section 4.6.1.2 is amended by renumbering the table entitled RIE Estate Residential Regulations, currently numbered subsection (e), as subsection (a) and adding the following as a new subsection 4.6.1.2(b):
- (a) Notwithstanding anything in this Bylaw, on bare land condominium RIE parcels, the development of more than one Detached Dwelling Unit shall be subject to site plan approval by the Development Authority.
33. Section 4.6.1 is amended by adding the following as a new subsection 4.6.1.5:
5. RIE Residential Estate District Fundamental Use Criteria
- (a) The following criteria shall not be relaxed or varied by the Development Authority:
 - i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.
34. Section 4.7.1(c) is deleted in its entirety and replaced with the following:
- (c) Notwithstanding regulations listed in all Residential District Tables, the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely:
 - (i) not less than 90% of the minimum or maximum regulations in the Residential District Table, which relate to the placement of Buildings.
35. Section 5.1.1(a)(viii) deleted and replaced with: Merchandise Sales and/or Rentals
36. Section 5.2.1(a)(iv) is deleted and replaced with:
- (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel; maximum building size of 1500m²
37. Section 5.2.1(b)(xiii) is deleted and replaced with:
- (xiii) Merchandise Sales and/or Rentals
38. Section 5.3.1(a)(iv) is deleted and replaced with:
- (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel
39. Section 5.4.1(a)(iv) is deleted and replaced with:
- (iv) Merchandise Sales and/or Rentals excluding motor vehicles, fuel and liquor, beer or wine sales
40. Section 5.5.1(a)(ii) is deleted and replaced with:

- (ii) Merchandise Sales and/or Rentals servicing the neighbourhood only; excluding all uses where the primary focus is adult oriented merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine sales
41. Section 5.6. subsection 1(a)(v) is deleted and replaced with:
 - (v) Merchandise Sales and/or Rentals (minimum floor area for a building or a comprehensively designed group of buildings – 929.0m² (there is no minimum floor area for the units within the building(s)))
 42. Section 5.6. subsection 1(b)(xii) is deleted and replaced with:
 - (xii) Merchandise Sales and/or Rentals (no minimum floor area for a building or unit within the building)
 43. Section 5.6.1. subsection 1(a)(ix) is deleted and replaced with:
 - (ix) Merchandise Sales and/or Rentals excluding motor vehicles, fuel and all uses where the primary focus is adult orientated merchandise and/or entertainment
 44. Section 6.3.1(a)(iii)(2) is deleted and replaced with:
 - (2) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine sales
 45. Section 6.3.1(a)(vi) is deleted and replaced with:
 - (vi) Industrial Support Services, excluding dangerous goods and/or oilfield services, provided it takes place in a building existing as of July 15, 2003.
 46. Section 6.3.1(b)(ii) is deleted and replaced with:
 - (ii) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine sales
 47. Section 6.4.2(d) is deleted.
 48. Section 6.5.2(d) is deleted.
 49. Section 7.17.5(a) is amended by replacing the words “Merchandise Sales” in the table with the words “Merchandise Sales and/or Rentals”.
 50. Section 7.17.5(a)(v) is amended by replacing the words “merchandise sales” with “Merchandise Sales and/or Rentals”.
 51. Section 8.1.1(a)(vi) is deleted and replaced with:
 - (vi) Merchandise Sales and/or Rentals (indoor only) excluding motor vehicles and fuel
 52. Section 8.3.1(a)(iii) is deleted and replaced with:

- (iii) Merchandise Sales and/or Rentals excluding motor vehicles, fuel, liquor, beer or wine stores, pawn shops and adult entertainment
- 53. Section 8.6.1(a)(xiv) is deleted in its entirety and replaced with:
 - (xiv) Merchandise Sales and/or Rentals excluding fuel
- 54. Section 8.12.1(a)(v) is deleted and replaced with:
 - (v) Merchandise Sales and/or Rentals excluding fuel
- 55. Section 8.13.1(b)(vii) is deleted and replaced with:
 - (vii) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine stores
- 56. Section 8.13.1(b)(xi) is deleted.
- 57. Section 8.15.1(b)(viii)(7) is deleted and replaced with:
 - (7) Merchandise Sales and/or Rentals
- 58. Section 8.20.1(a)(vi) is deleted in its entirety and replaced with:
 - (vi) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, liquor, beer or wine stores, motor vehicles and fuel
- 59. Section 8.20.5. Commercial Parcels 1(a)(iv) is deleted and replaced with:
 - (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel
- 60. Section 8.20.7.1(a)(ix) is deleted and replaced with:
 - (ix) Merchandise Sales and/or Rentals excluding motor vehicles, fuel, and adult oriented merchandise and/or entertainment
- 61. Section 8.20.8.1(a)(iii) is deleted and replaced with:
 - (iii) Merchandise Sales and/or Rentals on the ground floor; excluding motor vehicles, fuel, pawn shops and adult oriented merchandise and/or entertainment
- 62. Section 8.20.8.1(b)(xiii) deleted and replaced with:
 - (xiii) Merchandise Sales and/or Rentals above the ground floor excluding motor vehicles, fuel, pawn shops and adult oriented merchandise and/or entertainment
- 63. Section 8.20.12.B.6(a) is amended
 - a. by adding the following use as a subsection as (v.1) where the Development Officer is the Development Authority:
 - (v.1) Secondary Suite, subject to section 4.7(9);
- 64. Section 8.20.12.B.7(c) is deleted and replaced with:

- (c) Part 4 of the Land Use Bylaw does not apply to this District; except for provisions 4.7(8) (Home Occupations), 4.7(4) (Objects Prohibited), and 4.7(9) (Secondary Suite Use Provisions and Development Regulations);
65. Section 10.1.2 is amended by
- a. deleting the definition of Active Commercial Main Floor and replacing it with the following:

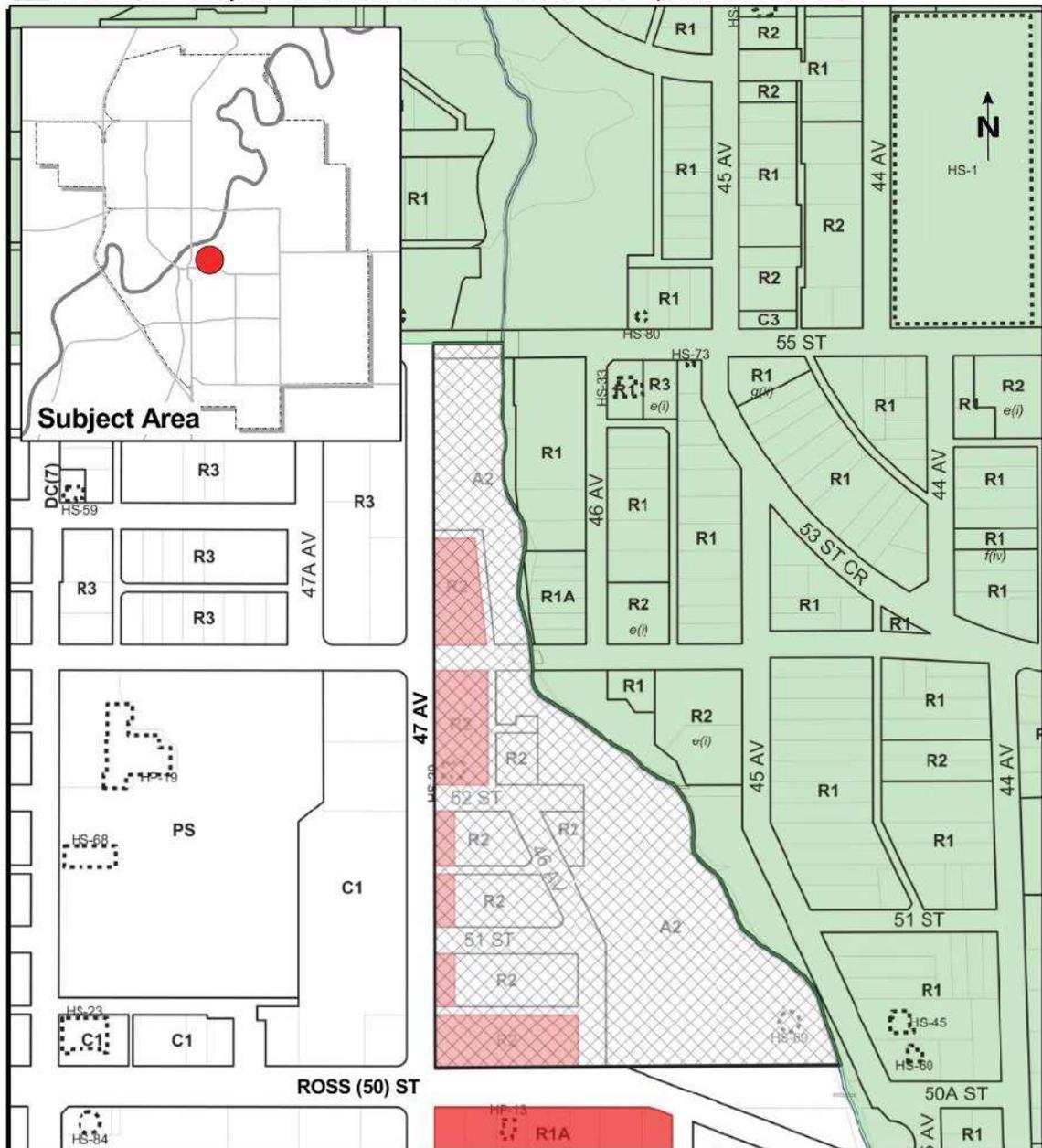
Active Commercial Main Floor means Main Floor Commercial uses which generate pedestrian engagement at the Movement Corridor and/or Street level (for example, a Coffee Shop, an Active Artist Studio, or Merchandise Sales and/or Rentals). Attributes which contribute to an Active Commercial Main Floor include Patios, transparent store fronts, window displays, and outdoor seating.
 - b. deleting the definition of Merchandise Sales
66. Section 10.1.3 is amended by deleting the definition of Merchandise Sales.
67. Section 10.2.1(b)(xvii) is deleted and replaced with:
(xvii) Merchandise Sales and/or Rentals
68. Section 10.3.1(b)(xvi) deleted and replaced with:
(xvi) Merchandise Sales and/or Rentals
69. Section 10.4.1(b)(xii) is deleted and replaced with:
(xii) Merchandise Sales and/or Rentals
70. Section 10.4.3.3(a)(v)vii. Live Work Unit Development Standards is deleted and replaced with:
vii. Merchandise Sales and/or Rentals
71. Section 10.5.1(b)(xiv) is deleted and replaced with:
(xiv) Merchandise Sales and/or Rentals
72. Section 11.9(2)(b) is deleted and replaced by the following:
(b) Billboard Signs are prohibited:
 - (i) within the Major Entry Areas Overlay District;
 - (ii) within 100.0 m radius of a Residential District; and
 - (iii) facing a Major Corridor as defined in Section 7.15.2(b)
73. Section 11.11(1)(b) is deleted and replaced with:
(b) Dynamic Freestanding Signs and Electronic Message Freestanding Signs are subject to the regulations in Section 11.13 Freestanding Sign Development Standards, except for the Siting Criteria in 11.13(2)(a) which does not apply.

74. Section 11.11(2)(a) is deleted and replaced with:
- (a) Dynamic Signs and Electronic Message Signs shall only be located along a Boundary that faces an Arterial Road or Collector Road, except for those Sites described in subsection (b) below.
75. Section 11.11(2)(b) is deleted and replaced by the following:
- (b) Dynamic Signs and Electronic Message Signs are prohibited:
 - (i) Within the Major Entry Areas Overlay District;
 - (ii) In the Downtown Sign Overlay District, except where allowed under Section 11.8.1(4);
 - (iii) Within the Residential Proximity Sign Overlay District (except Electronic Message Signs and where a variance for a Dynamic Sign has been approved by the Development Authority); and
 - (iv) Facing a Major Corridor as defined in Section 7.15.2(b)
76. Section 11.11(3) is amended by adding the following as a new subsection 11.11(3)(c):
- (c) Dynamic Freestanding Signs and Electronic Message Freestanding Signs shall be located a minimum of 100.0 m from a Freestanding Sign, excluding Dynamic Freestanding Signs and Electronic Message Freestanding Signs.
77. The lands identified as “Expanded Mature Neighbourhood Overlay District” which are shown crosshatched on the Land Use District Map 9/2020 (“Map 9/2020”), attached as Schedule “A” and forming part of this Bylaw, are hereby made subject to the regulations in Section 7.14 Mature Neighbourhood Overlay District.

Schedule "A"



Proposed Amendment to Land Use Bylaw 3357/2006



Expand Mature Neighbourhood Overlay District:

- Existing Mature Neighbourhood Overlay District
- Existing Low Impact Commercial Overlay District
- Expanded Mature Neighbourhood Overlay District

Proposed Amendment

Map: 9 / 2020
 Bylaw: 3357 / L-2020
 Date: Feb. 5, 2020

APPENDIX B

Omnibus Amendment Details – Existing Regulations and Proposed Changes

Omnibus Amendment Details – Existing Regulations and Proposed Changes

Bylaw 3357/L-2020 Omnibus

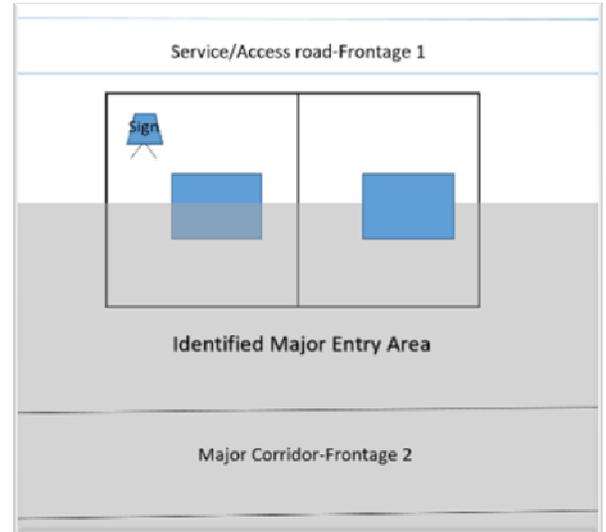
1. Major Entry Area Signage

Current issue – Loop hole: placement of Signage in the Major Entry Area (MEA)

Billboards, Dynamic and Electronic Message Signs are not permitted in the Major Entry Area. The intent is to not have these signs facing major entryway road corridors. Major Entryway Corridors are defined and their locations identified in the Land Use Bylaw.

The loop hole that currently exists relates to parcels that have a double road fronting parcel could place a sign outside of the MEA overlay area but still facing a major entryway road corridor within the MEA defeating the intent of the MEA overlay signage restrictions. Refer to image on the right.

As an example, there are some parcels of land within the MEA that face both a major entryway road corridor to the east and a road that is not an MEA to the west. The intent of the bylaw is to not allow the restricted signage, for example, to face the MEA to the west, while also allowing signage to face the non-MEA road to the east.



Intent of proposed bylaw changes

The proposed change will clarify that the restricted signage (Billboards, Dynamic and Electronic Message Signs) cannot be placed anywhere where it will face a Major Entryway Corridor.

Existing Regulations	Proposed Changes	Rationale
11.11(2) Dynamic Sign and Electronic Message Sign Location Criteria (b) Dynamic Signs and Electronic Message Signs are prohibited: (i) within the Major Entry Areas Overlay District; (ii) in the Downtown Sign Overlay District, except where allowed under Section 11.8.1(4); and (iii) within the Residential Proximity Sign Overlay District (except Electronic Message Signs)	Add the following regulation: (iv) facing a Major Corridor as defined in Major Entry Area Section 7.15.2(b)	This addition ensures the restriction of Dynamic Signs and Electronic Message Sign are not to face Major Corridor roadways as defined in the Major Entry Area regulations.

Existing Regulations	Proposed Changes	Rationale
and where a variance for a Dynamic Sign has been approved by the Development Authority).		
11.9(2) Billboard Sign Location Criteria (b) Billboard Signs are prohibited: (i) within the Major Entry Areas Overlay District; and (ii) within 100.0m radius of a Residential District.	Add the following regulation: (iii) facing a Major Corridor as defined in Section 7.15.2(b)	This addition ensures the restriction of Dynamic Signs and Electronic Message Sign are not to face Major Corridor roadways as defined in the Major Entry Area regulations.
6.4.2 I1B/AD District Regulations (d) Dynamic Signs shall not face a Major Corridor, as defined in section 7.15.2(b)	Replace with: 6.4.2 (d) DELETED	This regulation is no longer needed due to the blanket change in the sign section of the bylaw. If left in this regulation would be a duplication.
6.5.2 IC Development Standards (d) Dynamic Signs shall not face a Major Corridor, as defined in section 7.15.2(b)	Replace with: 6.5.2 (d) DELETED	This regulation is no longer needed due to the blanket change in the sign section of the bylaw. If left in this regulation would be a duplication.

2. Distance between Dynamic (or Electronic Message) Freestanding Signs and Freestanding Signs

Current Issue – Incorrect section reference and unclear that regulation applies to all types of Freestanding signs.

The intent of the bylaw is to have a 100m separation distance between any type of Freestanding Sign.

Currently the bylaw references the wrong section and therefore does not set a minimum separation distance between a Dynamic (or Electronic Message) Freestanding Sign and Freestanding Sign. There is also confusion if the 100m separation distance applies to Freestanding signs with a Dynamic or Electronic Messaging component.

Intent of proposed bylaw changes

The bylaw will correct the cited reference and clarify the minimum separation distance of 100 m is applicable to both standard Freestanding signs and also Freestanding signs that have a Dynamic sign or Electronic messaging sign portion.

Existing Regulations	Proposed Changes	Rationale
11.11(1) General development standards for Dynamic Signs and Electronic Message Signs (b) Dynamic Freestanding Signs	11.11(1) General development standards for Dynamic Signs and Electronic Message Signs (b) Dynamic Freestanding Signs	Change referenced section from 11.13(1)(a) to 11.13(2)(a) to properly reflect intent of bylaw.

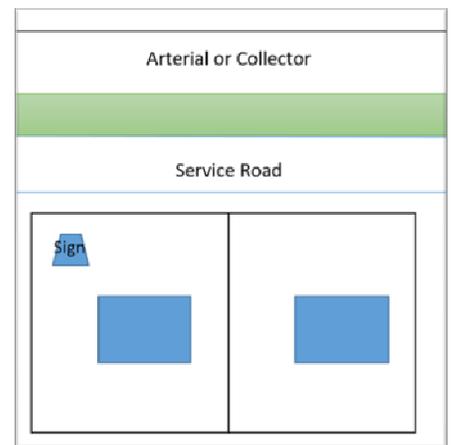
Existing Regulations	Proposed Changes	Rationale
and Electronic Message Freestanding Signs are subject to the regulations in Section 11.13 Freestanding Sign Development Standards, except for the Siting Criteria in 11.13(1)(a) which does not apply.	and Electronic Message Freestanding Signs are subject to the regulations in Section 11.13 Freestanding Sign Development Standards, except for the Siting Criteria in 11.13(1)(a) 11.13(2)(a) which does not apply.	
11.11(3) Dynamic Sign and Electronic Message Sign Siting Criteria (a) Dynamic Signs and Electronic Message Signs shall direct the Dynamic and Electronic Message portions towards the oncoming traffic on the high volume Street, as determined by the Development Authority. (b) Dynamic Signs and Electronic Message Signs shall be located a minimum of 300.0 m from another Dynamic Sign or Electronic Message Sign.	11.11(3) Dynamic Sign and Electronic Message Sign Siting Criteria (a) Dynamic Signs and Electronic Message Signs shall direct the Dynamic and Electronic Message portions towards the oncoming traffic on the high volume Street, as determined by the Development Authority. (b) Dynamic Signs and Electronic Message Signs shall be located a minimum of 300.0 m from another Dynamic Sign or Electronic Message Sign. (c) Dynamic Freestanding Signs and Electronic Message Freestanding Signs shall be located a minimum of 100.0 m from a Freestanding Sign, excluding Dynamic Freestanding Signs and Electronic Message Freestanding Signs.	Clarifies the minimum separation distance between a Dynamic or Electronic Message Sign and a Freestanding Sign is 100m.

3. Dynamic Freestanding Signs and Electronic Message Freestanding Signs Adjacent to Service Roads while facing an Arterial or Collector Road

Current Issue – Confusion of Service Roads between a Dynamic Sign and Arterial Road

The current wording of the LUB states that Dynamic and Electronic Message Sign can only be located along a boundary adjacent to an Arterial or Collector Road.

The issue arises when a service road is between the proposed sign and an Arterial or Collector Road. The current wording creates confusion on whether or not the sign could be placed on a parcel with an adjacent service road. Refer to image on the right.



Intent of proposed bylaw changes

This bylaw will clarify that these signs shall only *face* an Arterial or Collector Road. This means that if a service road is between the property and an Arterial or Collector Road, a sign could be erected on the property as long as it is for the traffic along the Arterial or Collector Road. This was the intent of the original bylaw.

Existing Regulations	Proposed Changes	Rationale
11.11(2) Location Criteria (a) Dynamic Signs and Electronic Message Signs shall only be located along a Boundary adjacent to an Arterial Road or Collector Road, except for those Sites described in subsection (b) below.	11.11(2) Location Criteria (a) Dynamic Signs and Electronic Message Signs shall only be located along a Boundary or on a Building façade that faces an Arterial Road or Collector Road, except for those Sites described in subsection (b) below.	Clarify that Dynamic and Electronic Message Signs can be located on Sites that face an Arterial or Collector Road.

4. Number of Detached Dwelling Units per Site on R1 style zoning and Development Authority Limitations

Current Issue – Possibility for interpretation challenge

The current wording could more clearly state the intent to allow only one Detached Dwelling in R1 style zoning. The current wording, including the statement “or otherwise” (see table below), allows for a variety of interpretations of the regulation.

Development Authority requirements to review bare land condominium parcel site plans and the limitations of variances is not stated for any Residential Districts.

Intent of proposed bylaw changes

The proposed change clarifies that the number of Detached Dwelling Units per Site in R1 style residential districts is limited to one Detached Dwelling Unit unless a bare land condominium exists and that this is the only situation where additional units could be considered.

The clarification of one unit cannot be varied by the Development Authority and provides opportunity for Development Authority to review bare land condominium site plans in all residential districts. Each residential land use district is illustrated below containing the updated clear wording and direction.

Existing Regulations	Proposed Changes	Rationale
4.1.2. R1 Residential (Low Density) District Regulations (c) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R-1, whether by bare land condominium or otherwise, shall be subject to site plan	Replace with: (c) Notwithstanding anything in this Bylaw, on bare land condominium R1 parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.	Clarify that only one Detached Dwelling Unit is allowed on a parcel, unless it is a bare land condominium parcel and provide clarity that the limit of one cannot be varied.

Existing Regulations	Proposed Changes	Rationale
approval by the Development Authority.	<p>And add the following new requirement:</p> <p>4.1.3 R1 Residential (Low Density) District Fundamental Use Criteria</p> <p>(a) The following criteria shall not be relaxed or varied by the Development Authority:</p> <p>i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	
<p>4.1.1.3 R1C Residential (Carriage Home) Regulations</p> <p>(d) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1C, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.</p>	<p>Replace with:</p> <p>(c) Notwithstanding anything in this Bylaw, on bare land condominium R1C parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p> <p>And add the following new requirement:</p> <p>4.1.1.4 R1C Residential (Carriage Home) District Fundamental Use Criteria</p> <p>(a) The following criteria shall not be relaxed or varied by the Development Authority:</p> <p>i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	Clarify that only one Detached Dwelling Unit is allowed on a parcel, unless it is a bare land condominium parcel and provide clarity that the limit of one cannot be varied.
<p>4.1.2 R1WS Residential (Wide/Shallow Lot) Regulations</p> <p>(d) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R1WS, whether by bare land condominium or otherwise, shall be subject to site plan</p>	<p>Replace with:</p> <p>(d) Notwithstanding anything in this Bylaw, on bare land condominium R1WS parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p>	Clarify that only one Detached Dwelling Unit is allowed on a parcel, unless it is a bare land condominium parcel and provide clarity that the limit of one cannot be varied.

Existing Regulations	Proposed Changes	Rationale
<p>approval by the Development Authority.</p>	<p>And add the following new requirement: 4.1.3 R1WS Residential (Wide/Shallow Lot) District Fundamental Use Criteria (a) The following criteria shall not be relaxed or varied by the Development Authority: i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	
<p>4.2.2 R1A Residential (Semi-Detached Dwelling) Regulations * No regulations specific to the number of dwelling units per parcel, bare land condominium or otherwise.</p>	<p>Add the following new requirements: 4.2.2 R1A Residential (Semi-Detached Dwelling) Regulations (e) Notwithstanding anything in this Bylaw, on bare land condominium R1A parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p> <p>And add the following new requirement: 4.1.4 R1A Residential (Semi-Detached Dwelling) District Fundamental Use Criteria (a) The following criteria shall not be relaxed or varied by the Development Authority: i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	<p>Currently no wording is in place to ensure a single Detached Dwelling Unit. The proposed new wording will be added to ensure consistency with other land use districts.</p>
<p>4.3.2 R1N Residential (Narrow Lot) Regulations (n) Notwithstanding anything in this Bylaw, the development of more than one residential</p>	<p>Replace with: (n) Notwithstanding anything in this Bylaw, on bare land condominium R1N parcels, the development of more</p>	<p>Clarify that only one Detached Dwelling Unit is allowed on a parcel, unless it is a bare land condominium parcel and provide clarity</p>

Existing Regulations	Proposed Changes	Rationale
<p>dwelling on lands zoned R1N, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.</p>	<p>than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p> <p>And add the following new requirement:</p> <p>4.1.3 R1N Residential (Narrow Lot) District Fundamental Use Criteria</p> <p>(a) The following criteria shall not be relaxed or varied by the Development Authority:</p> <p>i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	<p>that the limit of one cannot be varied.</p>
<p>4.3.1.2 R1G Residential (Small Lot) Regulations</p> <p>* No regulations specific to the number of dwelling units per parcel, bare land condominium or otherwise.</p>	<p>Add the following new requirements:</p> <p>4.3.1.2 R1G Residential (Small Lot) Regulations</p> <p>(h) Notwithstanding anything in this Bylaw, on bare land condominium R1G parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p> <p>And add the following new requirement:</p> <p>4.3.1.4 R1G Residential (Small Lot) District Fundamental Use Criteria</p> <p>(a) The following criteria shall not be relaxed or varied by the Development Authority:</p> <p>i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	<p>Currently no wording is in place to ensure a single Detached Dwelling Unit. The proposed new wording will be added to ensure consistency with other land use districts.</p>
<p>4.3.2 RLW Residential (Live-Work) District Regulations</p> <p>* No regulations specific to the</p>	<p>Add the following new requirements:</p> <p>4.3.2 RLW Residential (Live-Work)</p>	<p>Currently no wording is in place to ensure a single Detached Dwelling Unit. The</p>

Existing Regulations	Proposed Changes	Rationale
number of dwelling units per parcel, bare land condominium or otherwise.	<p>District Regulations</p> <p>(c) Notwithstanding anything in this Bylaw, on bare land condominium RLW parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.</p>	proposed new wording will be added to ensure consistency with other land use districts.
<p>4.4 R2 Residential (Medium Density) District Regulations</p> <p>* No regulations specific to bare land condominium</p>	<p>Add the following new requirements:</p> <p>4.4.2 R2 Residential (Medium Density) District Regulations</p> <p>(f) Notwithstanding anything in this Bylaw, on bare land condominium R2 parcels, the development of more than one Detached Dwelling Unit shall be subject to the Development Authority approving the site plan.</p> <p>i.</p>	Clarify that the Development Authority must approve the site plan for more than one Dwelling Unit on bare land condominium parcels.
<p>4.4.1.2 R2T Residential (Town House) District Regulations</p> <p>(c) Notwithstanding anything in this Bylaw, the development of more than one residential dwelling on lands zoned R2T, whether by bare land condominium or otherwise, shall be subject to site plan approval by the Development Authority.</p>	<p>Amend wording to:</p> <p>4.4.1.2 R2T Residential (Town House) District Regulations</p> <p>(c) Notwithstanding anything in this Bylaw, on bare land condominium R2T parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site plan.</p>	Clarify that the Development Authority must approve the site plan for more than one Dwelling Unit on bare land condominium parcels.
<p>4.5.3 R3 Residential (Multiple Family) Site Development</p> <p>* No regulations specific to bare land condominium</p>	<p>Add the following new requirements:</p> <p>4.5.3 R3 Residential (Multiple Family) District Regulations</p> <p>(c) Notwithstanding anything in this Bylaw, on bare land condominium R3 parcels, the development of more than one Dwelling Unit shall be subject to the Development Authority approving the site</p>	Clarify that the Development Authority must approve the site plan for more than one Dwelling Unit on bare land condominium parcels.

Existing Regulations	Proposed Changes	Rationale
	plan.	
<p>4.6.1.2 R1E Estate Residential Regulations</p> <p>* No regulations specific to the number of dwelling units per parcel, bare land condominium or otherwise</p>	<p>Add the following new requirements:</p> <p>4.6.1.2 R1E Estate Residential Regulations</p> <p>(a) Notwithstanding anything in this Bylaw, on bare land condominium R1E parcels, the development of more than one Detached Dwelling Unit shall be subject to site plan approval by the Development Authority.</p> <p>And add the following new requirement:</p> <p>4.6.1.5 R1E Estate Residential Fundamental Use Criteria</p> <p>(a) The following criteria shall not be relaxed or varied by the Development Authority:</p> <p>i. Except for bare land condominiums, a maximum of one Detached Dwelling Unit per Site shall be allowed in this District.</p>	<p>Clarify that only one Detached Dwelling Unit is allowed on a parcel, unless it is a bare land condominium parcel.</p>

5. Duplication of discretionary uses in R2 and R3 Districts

Current Issue – Clarity by removing duplication and simplifying the regulation

The current wording lists the same uses being allowed if in an Area Structure Plan and also if not in an Area Structure Plan.

Intent of proposed bylaw changes

This amendment will remove duplication of discretionary uses in each of the R2 and R3 districts. In each district there are two similar uses: one where there is an approved statutory plan, and one where there is no approved statutory plan. Since both are discretionary, the existence of a statutory plan is not relevant.

Existing Regulations	Proposed Changes	Rationale
<p>4.4.1(b) R2 Discretionary Uses</p> <p>(iii) Assisted living facility, Day Care Facility, Day Care Adult</p>	<p>4.4.1(b) R2 Discretionary Uses</p> <p>(iii) Assisted Living Facility, Day Care Facility, Day Care Adult</p>	<p>Whether an Area Structure Plan exists is irrelevant since they are both Discretionary</p>

Existing Regulations	Proposed Changes	Rationale
<p>Facility, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated; only on site which are designated for the use within the applicable plan.</p> <p>(iv) Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility, or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.</p>	<p>Facility, Temporary Care Facility or place of worship or assembly.</p> <p>(iv) DELETED</p>	<p>Uses. Remove the duplication of uses.</p>
<p>4.5.1 R3 Discretionary Uses</p> <p>(ii) Assisted living facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites within an Area Structure Plan or Area Redevelopment Plan which designates where such uses will be situated; only on site which are designated for use within the applicable plan.</p> <p>(iii) Assisted Living Facility, Day Care Facility, Day Care Adult, Temporary Care Facility or Place of Worship or Assembly on sites with no approved Area Structure Plan or Area Redevelopment Plan or on sites with no designated location in an Area Structure Plan or Area Redevelopment Plan.</p> <p>(xvi) Temporary care facility</p>	<p>4.5.1 R3 Discretionary Uses</p> <p>(ii) Assisted Living Facility, Day Care Facility, Day Care Adult Facility, Temporary Care Facility or place of worship or assembly.</p> <p>(iii) DELETED</p> <p>(xvi) DELETED</p>	<p>Whether an Area Structure Plan exists is irrelevant since they are both Discretionary Uses. Remove the duplication of uses.</p>

6. Secondary Suites in DC32

Current Issue – Resident request to consider secondary suite in DC 32

Currently Secondary Suites as a discretionary use within the DC32 district (Westlake Restricted Development District) are not considered. This district, though having many development restrictions, would be similar to other low-density districts such as R1 which considers secondary suites as a use opportunity. A resident of DC 32 requests this use be considered.

Intent of proposed bylaw changes

The purpose of this district is to identify and mitigate the significant environmental hazards or risks affecting the Westlake lands; to restrict Development to areas of relatively lower expected risk; and to provide special land use criteria and supporting regulation directed to minimizing the risk of damage or loss to natural and private property. All Development, including the development of a Secondary Suite, in this district would need to comply with the recommendations of the pertinent geotechnical report. If the development can be supported by a geotechnical study it is reasonable to consider the opportunity due to the similarity to other R1 districts with secondary suite use opportunity.

Existing Regulations	Proposed Changes	Rationale
<p>8.20.12.B.6 DC32 Discretionary Uses</p> <p>(a) Discretionary Uses The Development Officer is the Development Authority for the following uses:</p> <p>(i) Detached Dwelling Unit (which is connected to all City utility services) located at least 10.0 m from the RDA;</p> <p>(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);</p> <p>(iii) Home Occupation which will generate additional traffic subject to section 4.7(8);</p> <p>(iv) Accessory Building located at least 10.0m from the RDA;</p> <p>(v) all signs, including warning signs respecting escarpment risks or safety;</p> <p>(vi) Temporary Building, and;</p>	<p>8.20.12.B.6 DC32 Discretionary Uses</p> <p>(a) Discretionary Uses The Development Officer is the Development Authority for the following uses:</p> <p>(i) Detached Dwelling Unit (which is connected to all City utility services) located at least 10.0 m from the RDA;</p> <p>(ii) Home Music Instructor/Instruction (six students) subject to section 4.7(10);</p> <p>(iii) Home Occupation which will generate additional traffic subject to section 4.7(8);</p> <p>(iv) Accessory Building located at least 10.0m from the RDA;</p> <p>(v) all signs, including warning signs respecting escarpment risks or safety;</p> <p>(v.1) Secondary Suite, subject to section 4.7(9);</p> <p>(vi) Temporary Building, and;</p>	<p>The addition of Secondary Suites as a Discretionary Use in DC32.</p>
<p>8.20.12.B.7(c) Development Regulations</p> <p>Part 4 of the Land Use Bylaw does not apply to this District; except for</p>	<p>8.20.12.B.7(c) Development Regulations</p> <p>Part 4 of the Land Use Bylaw does not apply to this District; except for</p>	<p>To ensure Secondary Suite Use Provisions and Development Regulations still apply to DC32.</p>

Existing Regulations	Proposed Changes	Rationale
provisions 4.7(8) (Home Occupations), and 4.7(4) (Objects Prohibited);	provisions 4.7(8) (Home Occupations), 4.7(4) (Objects Prohibited), and 4.7(9) (Secondary Suite Use Provisions and Development Regulations);	

7. Tolerances for granting variances to Real Property Reports

Current Issue – Inconsistent application of regulations granting variances to Real Property Reports

The intent is to treat all residential districts the same in considering variances to Real Property Reports.

Currently tolerances for granting variances only applies to the R1, R1N, R1A and R1E districts, as new residential land use districts were created, they were unintentionally not added to this general regulation section. This has created concerns for property owners.

Intent of proposed bylaw changes

To ensure all residential districts with similar regulations are treated similarly when considering variances on Real Property Reports. By expanding this to all residential districts, all properties in residential districts will have some flexibility for compliance. In addition, a general clean-up will be done to remove the sections that do not apply to Real Property Reports.

Existing Regulations	Proposed Changes	Rationale
4.7 Residential District Regulations 1.(c) Notwithstanding regulations listed in Tables 4.1, 4.2, 4.3, 4.4 and 4.6.1 , the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in Tables 4.1, 4.2, 4.3, 4.4, and 4.6.1, within the districts R1, R1N, R1A, R2 and R1E namely: (i) not less than 90% of the minimum: Front Yard, Side Yard (except within R1N, minimum 1.2 m), Rear Yard, Site Area or Frontage, (ii) not less than 95% of the minimum floor area, and (iii) not less than 98% of the minimum landscaping area.	4.7 Residential District Regulations 1.(c) Notwithstanding regulations listed in all Residential District Tables , the Development Officer may deem that an existing building or lot within the following tolerances of the requirements complies with regulations listed in the Residential District Tables, within any Residential district namely: (i) not less than 90% of the minimum or maximum regulations in the Residential District Tables, which relate to the placement of Buildings.	Regulations are applicable to real property reports for all residential districts. Removal of floor area minimum and landscaped area minimum as they are not evaluated by staff on a real property report.

8. Sheds exempt from receiving a Development Permit

Current Issue – Red Tape for constructing standard sheds due to outdated shed regulations height standards

The current regulations allow for a height of 2.4m before a development permit is required. Current research indicates that most prefabricated garden sheds have increased in height. Citizens are required to get a permit for a very small shed due to the outdated height regulations.

Intent of proposed bylaw changes

The new regulation will reflect a larger height, 2.8m, while the overall area will remain unchanged. This will reduce red tape for new small sheds.

Existing Regulations	Proposed Changes	Rationale
<p>1.2(2) Application of the Land Use Bylaw A development permit is required for every Development unless exempted by this Bylaw. A development permit is not required for the following Developments, provided they otherwise comply with all provisions of this Bylaw, and are not located within an Escarpment Area or Direct Control District 32:</p> <p>(p) Accessory Buildings within a residential District with a Floor Area of 10.0m² or less and a height of 2.4m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw.</p>	<p>1.2(2) Application of the Land Use Bylaw A development permit is required for every Development unless exempted by this Bylaw. A development permit is not required for the following Developments, provided they otherwise comply with all provisions of this Bylaw, and are not located within an Escarpment Area or Direct Control District 32:</p> <p>(p) Accessory Buildings within a residential District with a Floor Area of 10.0m² or less and a height of 2.8m or less, including garden sheds, workshops, potting sheds and other similar Structures provided that they are moveable and otherwise comply with the provisions of section 3.5 of this Bylaw.</p>	<p>Change 2.4m height to 2.8m to reflect current prefabricated shed heights and eliminate the need for a standard small shed.</p>

9. Fencing Materials

Current Issue – Incompatible fence materials

From time to time the City receives complaints that a neighbour's fence is unsightly or does not fit in with the character of the surrounding developments.

Intent of proposed bylaw changes

This amendment will ensure fencing throughout the City is constructed with appropriate materials and is compatible with its existing surroundings.

Existing Regulations	Proposed Changes	Rationale
<p>3.20 Fence Regulations</p> <p>(1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:</p> <p>(a) any barbed wire fence or other barbed wire structure or any fence which is surmounted by nails, sharpened spikes, broken glass or other dangerous objects or materials; or</p> <p>(b) any electrified fence.</p>	<p>3.20 Fence Regulations</p> <p>(1) No person shall erect or cause to be erected or shall have or maintain on any property located in the City of which he is the owner, occupant, tenant or lessee:</p> <p>(a) any barbed wire fence or other barbed wire structure or any fence which is surmounted by nails, sharpened spikes, broken glass or other dangerous objects or materials;</p> <p>(b) any electrified fence; or</p> <p>(c) any fence made of pallets, cloth, tarps, plastic that is non-weather resistant, or materials which may deteriorate quickly in inclement weather, or those of which are deemed unsightly in nature.</p> <p>(9) All fencing shall take into account the Principle Building appearance to ensure compatibility of surrounding developments.</p>	<p>To restrict fencing materials that are not compatible with the existing surroundings or not appropriate for the local climate.</p>

10. Merchandise Sales definition

Current Issue – No definition for Merchandise Sales, open for a variety of interpretations

Currently there is only a definition for Merchandise Sales in the Riverlands districts however merchandise sales and/or rentals is a considered use in several land use districts city-wide.

Intent of proposed bylaw changes

The intent of this amendment is to create a definition applicable to all existing applicable districts to ensure consistent interpretation and application of the use. The definition is moved from the Riverlands Section of the bylaw to the overall Definitions section in the bylaw.

Existing Regulations	Proposed Changes	Rationale
<p>10.1.2 Riverlands Districts and Development Standards General Definitions</p> <p>Merchandise Sales means the sale of goods to the public for use or</p>	<p>1.3 Definitions</p> <p>Merchandise Sales and/or Rentals means the retail sale and/or rental of goods within an enclosed building for use or consumption by</p>	<p>Delete both definitions in Part 10 (Riverlands) and replace with a revised definition in 1.3 Definitions applicable to the entire city.</p>

Existing Regulations	Proposed Changes	Rationale
<p>consumption rather than for resale. Display of such goods is done in a way which will promote interest and entice the customer to make a purchase. Merchandise Sales may include stocked merchandise on the premise in quantities sufficient only to supply the premises. Merchandise sales do not include Cannabis Retail Sales.</p> <p>10.1.3 Riverlands Districts and Development Standards Use Definitions Merchandise Sales means the sale of goods to the public for use or consumption rather than for resale. Display of such goods is done in a way which will promote interest and entice the customer to make a purchase. Merchandise Sales may include stocked merchandise on the premise in quantities sufficient only to supply the premises.</p>	<p>the public. Merchandise Sales and/or Rentals does not include Cannabis Retail Sales or Machinery Sales.</p>	<p>Merchandise Sales and/or Rentals does not include Cannabis Retail Sales or Machinery Sales.</p>
<p>1.3 Definitions Low Impact Commercial Use means the conducting of merchandise sales, not including Cannabis Retail Sales, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.</p>	<p>1.3 Definitions Low Impact Commercial Use means the conducting of Merchandise Sales and/or Rentals, the operation of an office and/or the provision of personal services and/or commercial services from a detached dwelling in a residential district in a manner which, in the opinion of the Development Authority, does not adversely affect adjacent residential uses.</p>	<p>Replace with defined use.</p>
<p>4.3.2(b) RLW Live-Work Unit Use Provisions (v)(f) merchandise sales (excluding Cannabis Retail Sales) and/or rental excluding all motor vehicles, machinery and fuel, and</p>	<p>4.3.2(b) RLW Live-Work Unit Use Provisions (v)(f) Merchandise Sales and/or Rentals excluding motor vehicles and fuel</p>	<p>Replace with defined use.</p>

Existing Regulations	Proposed Changes	Rationale
5.1.1(a) C1 Permitted Uses (a)(viii) Merchandise sales and/or rental, excluding agricultural and industrial motor vehicles or machinery and Cannabis Retail Sales	5.1.1(a) C1 Permitted Uses (a)(viii) Merchandise Sales and/or Rentals	Replace with defined use.
5.2.1(a) C1A Permitted Uses (iv) Merchandise sales and/or Rental excluding Cannabis Retail Sales , all motor vehicles, machinery and fuel – maximum building size of 1500m ² (16,146 sq. ft.) 5.2.1 (b) C1A Discretionary Uses (xiii) Merchandise Sales (excluding Cannabis Retail Sales) and/or rental.	5.2.1(a) C1A Permitted Uses (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel; maximum building size of 1500 m ² 5.2.1(b) C1A Discretionary Uses (xiii) Merchandise Sales and/or Rentals	Replace with defined use.
5.3.1(a) C2A Permitted Uses (iv) Merchandise sales and/or Rental excluding Cannabis Retail Sales , all motor vehicles, machinery and fuel	5.3.1(a) C2A Permitted Uses (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel	Replace with defined use.
5.4.1(a) C2B Permitted Uses (iv) Merchandise sales and/or rental excluding Cannabis Retail Sales , all motor, machinery , fuel and liquor, beer or wine sales	5.4.1(a) C2B Permitted Uses (iv) Merchandise Sales and/or Rentals excluding motor vehicles, fuel and liquor, beer or wine sales	Replace with defined use.
5.5.1(a) C3 Permitted Uses (ii) Merchandise sales and/or rental , servicing the neighbourhood only, excluding all uses where the primary focus is adult oriented merchandise and/or entertainment, motor vehicles, machinery , fuel, Cannabis Retail Sales and liquor, beer or wine sales	5.5.1(a) C3 Permitted Uses (ii) Merchandise Sales and/or Rentals servicing the neighbourhood only; excluding all uses where the primary focus is adult oriented merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine sales	Replace with defined use.
5.6.1(a) C4 Permitted Uses (v) Merchandise Sales (excluding Cannabis Retail Sales)	5.6.1(a) C4 Permitted Uses (v) Merchandise Sales and/or Rentals (minimum floor area for a	This section currently has the same use listed as a permitted and discretionary

Existing Regulations	Proposed Changes	Rationale								
5.6.1(b) C4 Discretionary Uses (xii) Merchandise Sales (excluding Cannabis Retail Sales)	building or a comprehensively designed group of buildings – 929.0 m ² (there is no minimum floor area for the units within the building(s)) 5.6.1(b) C4 Discretionary Uses (xii) Merchandise Sales and/or Rentals (no minimum floor area for a building or a unit within the building)	use. This was an inadvertent error when the City excluded Cannabis Retail Sales from all ‘merchandise sales’ (3357/L-2018). The proposed change will reflect what was originally stated prior to 3357/L-2018. Replace with defined use.								
5.6.1.1(a) C5 Permitted Uses (ix) Merchandise sales and/or rental (excluding industrial goods, motor vehicles, machinery, Cannabis Retail Sales, fuel and all uses where primary focus is adult orientated merchandise and/or entertainment)	5.6.1.1(a) C5 Permitted Uses (ix) Merchandise Sales and/or Rentals excluding motor vehicles, fuel and all uses where the primary focus is adult orientated merchandise and/or entertainment	Replace with defined use.								
6.3.1(a) I1A/BSR Permitted Uses (iii)(2) merchandise sales and/or rental excluding sales and/or rental of adult orientated merchandise, motor vehicles, machinery , fuel, Cannabis Retail Sales and liquor, beer or wine 6.3.1(b) I1A/BSR Discretionary Uses (ii) Merchandise sales and/or rentals , excluding motor vehicle sales, machinery sales , fuel sales, sale of adult orientated merchandise, and/or sale or liquor, beer, or wine	6.3.1(a) I1A/BSR Permitted Uses (a)(iii)(2) Merchandise Sales and/or Rentals excluding adult orientated merchandise and/or entertainment, motor vehicles, fuel and liquor, beer or wine 6.3.1(b) I1A/BSR Discretionary Uses (ii) Merchandise Sales and/or Rentals excluding motor vehicles, fuel, adult orientated merchandise and liquor, beer, or wine	Replace with defined use.								
7.17.5(a) Low Impact Commercial Overlay District Parking <table border="1" data-bbox="191 1619 602 1801"> <thead> <tr> <th data-bbox="191 1619 399 1692">Low Impact use</th> <th data-bbox="399 1619 602 1692">Parking Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="191 1692 399 1801">Merchandise Sales</td> <td data-bbox="399 1692 602 1801">5.0 per 93.0m² Floor Area or part thereof</td> </tr> </tbody> </table>	Low Impact use	Parking Requirement	Merchandise Sales	5.0 per 93.0m ² Floor Area or part thereof	7.17.5(a) Low Impact Commercial Overlay District Parking <table border="1" data-bbox="634 1619 1057 1801"> <thead> <tr> <th data-bbox="634 1619 842 1692">Low Impact use</th> <th data-bbox="842 1619 1057 1692">Parking Requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="634 1692 842 1801">Merchandise Sales and/or Rentals</td> <td data-bbox="842 1692 1057 1801">5.0 per 93.0m² Floor Area or part thereof</td> </tr> </tbody> </table>	Low Impact use	Parking Requirement	Merchandise Sales and/or Rentals	5.0 per 93.0m ² Floor Area or part thereof	Replace with defined use.
Low Impact use	Parking Requirement									
Merchandise Sales	5.0 per 93.0m ² Floor Area or part thereof									
Low Impact use	Parking Requirement									
Merchandise Sales and/or Rentals	5.0 per 93.0m ² Floor Area or part thereof									
7.17.5(a)(v) for the purpose of the calculation of the number of	7.17.5(a)(v) for the purpose of the calculation of the number of	Replace with defined use.								

Existing Regulations	Proposed Changes	Rationale
parking spaces required for commercial services, personal services and merchandise sales , the term "floor area" is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.	parking spaces required for commercial services, personal services and Merchandise Sales and/or Rentals , the term "floor area" is defined as those entire floor spaces associated with the Low Impact Commercial Use, excluding storage area and washrooms.	
8.1.1(a) DC1 Permitted Uses (vi) Merchandise sales (indoor only) and/or rental, excluding all motor vehicles, machinery , Cannabis Retail Sales and fuel	8.1.1(a) DC1 Permitted Uses (vi) Merchandise Sales and/or Rentals (indoor only) excluding motor vehicles and fuel	Replace with defined use.
8.3.1(a) DC3 Permitted Uses (iii) Merchandise sales and/or rental excluding motor vehicles, machinery , fuel, Cannabis Retail Sales , liquor stores, pawn shops and adult entertainment	8.3.1(a) DC3 Permitted Uses (iii) Merchandise Sales and/or Rentals excluding motor vehicles, fuel, liquor, beer or wine stores, pawn shops and adult entertainment	Replace with defined use.
8.6.1(a) DC6 Permitted Uses (xiv) Merchandise sales , excluding: 1. agricultural and industrial vehicles or machinery , and fuel. 2. a food store, a pharmacy or a drug store (restrictive covenant placed by 422984 Alberta Ltd./Westfair Foods against this entire site). 3. Cannabis Retail Sales	8.6.1(a) DC6 Permitted Uses (xiv) Merchandise Sales and/or Rentals excluding fuel	Replace with defined use. Restrictive covenants are not enforced by the City, therefore (xiv) ² has been removed.
8.12.1(a) DC12 Permitted Uses (v) Merchandise sales and/or rental, excluding agricultural and industrial motor vehicles or machinery, Cannabis Retail Sales and fuel.	8.12.1(a) DC12 Permitted Uses (v) Merchandise Sales and/or Rentals excluding fuel	Replace with defined use.
8.13.1(b) DC13 Discretionary Uses (vii) Merchandise sales and/or rental but excludes the sales and/or rental of adult oriented merchandise, motor vehicles, machinery , fuel, Cannabis Retail	8.13.1(b) DC13 Discretionary Uses (vii) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, motor vehicles, fuel, and liquor, beer or wine stores	Simplify, existing (vii) applies to city-wide sales, existing (xi) applies to the neighbourhood sales. As both are discretionary the sales area is irrelevant.

Existing Regulations	Proposed Changes	Rationale
<p>Sales and liquor, beer or wine stores</p> <p>(xi) Merchandise sales and/or rental, servicing the neighbourhood (excluding sales and/or rental of adult-oriented merchandise, motor vehicles, machinery, fuel, Cannabis Retail Sales and liquor, beer or wine stores).</p>	<p>(xi) DELETED</p>	<p>Replace with defined use.</p>
<p>8.15.1(b) DC15 Discretionary Uses (viii)(7) Merchandise sales and/or rental excluding agricultural and industrial motor vehicles or machinery and Cannabis Retail Sales</p>	<p>8.15.1(b) DC15 Discretionary Uses (viii)(7) Merchandise Sales and/or Rentals</p>	<p>Replace with defined use.</p>
<p>8.20.1(a) DC20 Permitted Uses (vi) Merchandise sales and/or rental, excluding:</p> <p>(1) all uses where the primary focus is adult oriented merchandise and/or entertainment</p> <p>(2) liquor</p> <p>(3) motor vehicles</p> <p>(4) Cannabis Retail Sales</p> <p>(5) machinery and</p> <p>(6) fuel</p>	<p>8.20.1(a) DC20 Permitted Uses (vi) Merchandise Sales and/or Rentals excluding adult oriented merchandise and/or entertainment, liquor, beer or wine, motor vehicles and fuel</p>	<p>Replace with defined use.</p>
<p>8.20.5.1(a) DC25 Permitted Uses (iv) Merchandise sales and/or rental excluding all motor vehicles, machinery, Cannabis Retail Sales and fuel.</p>	<p>8.20.5.1(a) DC25 Permitted Uses (iv) Merchandise Sales and/or Rentals excluding motor vehicles and fuel</p>	<p>Replace with defined use.</p>
<p>8.20.7.1(a) DC 27 Permitted Uses (ix) Merchandise sales and/or rental (excluding industrial good, motor vehicles, machinery, Cannabis Retail Sales and fuel and all uses where the primary focus is adult oriented merchandise and/or entertainment)</p>	<p>8.20.7.1(a) DC27 Permitted Uses (ix) Merchandise Sales and/or Rentals excluding motor vehicles, fuel, and adult oriented merchandise and/or entertainment</p>	<p>Replace with defined use.</p>

Existing Regulations	Proposed Changes	Rationale
<p>8.20.8.1(a) DC28 Permitted Uses (iii) Merchandise sales on the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, Cannabis Retail Sales and adult entertainment</p> <p>8.20.8.1(b) DC28 Discretionary Uses (xiii) Merchandise sales above the ground floor excluding all motor vehicles, machinery, fuel, pawn shops, Cannabis Retail Sales and adult entertainment</p>	<p>8.20.8.1(a) DC28 Permitted Uses (iii) Merchandise Sales and/or Rentals on the ground floor; excluding motor vehicles, fuel, pawn shops and adult oriented merchandise and/or entertainment</p> <p>8.20.8.1(b) DC28 Discretionary Uses (xiii) Merchandise Sales and/or Rentals above the ground floor excluding motor vehicles, fuel, pawn shops and adult oriented merchandise and/or entertainment</p>	Replace with defined use.
<p>10.1.2 General Definitions Active Commercial Main Floor means Main Floor Commercial uses which generate pedestrian engagement at the Movement Corridor and/or Street level (for example, a Coffee Shop, an Active Artist Studio, or Merchandise Sales excluding Cannabis Retail Sales). Attributes which contribute to an Active Commercial Main Floor include Patios, transparent store fronts, window displays, and outdoor seating.</p>	<p>10.1.2 General Definitions Active Commercial Main Floor means Main Floor Commercial uses which generate pedestrian engagement at the Movement Corridor and/or Street level (for example, a Coffee Shop, an Active Artist Studio, or Merchandise Sales and/or Rentals). Attributes which contribute to an Active Commercial Main Floor include Patios, transparent store fronts, window displays, and outdoor seating.</p>	Replace with defined use.
<p>10.2.1 RL-TD Permitted Uses (b)(xvii) Merchandise Sales (excluding Cannabis Retail Sales, industrial goods and agricultural and industrial motor vehicles or machinery)</p>	<p>10.2.1 RL-TD Permitted Uses (b)(xvii) Merchandise Sales and/or Rentals</p>	Replace with defined use.
<p>10.3.1 RL-C Permitted Uses (b)(xvi) Merchandise Sales (excluding Cannabis Retail Sales industrial goods and agricultural and industrial motor vehicles or machinery)</p>	<p>10.3.1 RL-C Permitted Uses (b)(xvi) Merchandise Sales and/or Rentals</p>	Replace with defined use.
<p>10.4.1 RL-PR Permitted Uses (b)(xii) Merchandise Sales</p>	<p>10.4.1 RL-PR Permitted Uses (b)(xii) Merchandise Sales and/or</p>	Replace with defined use.

Existing Regulations	Proposed Changes	Rationale
(excluding industrial goods and agricultural and industrial motor vehicles or machinery)	Rentals	
10.4.3.3(a)(v) Live Work Unit Development Standards vii. Merchandise Sales ; and	10.4.3.3(a)(v) Live Work Unit Development Standards vii. Merchandise Sales and/or Rentals; and	Replace with defined use.
10.5.1 Riverlands Active Commercial Main Floors Overlay District Permitted Uses (b)(xiv) Merchandise Sales (excluding industrial goods and agricultural and industrial motor vehicles or machinery)	10.5.1 Riverlands Active Commercial Main Floors Overlay District Permitted Uses (b)(xiv) Merchandise Sales and/or Rentals	Replace with defined use.

11. Mature Neighbourhood Overlay District within Downtown Residential Area

Current Issue – Mature Residential Neighbourhood without Mature Neighbourhood Overlay

A small residential area adjacent to downtown was not included in the application of the Mature Neighbourhood Overlay district. The criteria for the overlay was for residential neighbourhoods with no Area Structure Plan or Area Redevelopment Plan and older than 15 years of age. This area fits the criteria and should have the Mature Neighbourhood Overlay in place for consistency.

Intent of proposed bylaw changes

The proposed amendment expands the Mature Neighbourhood Overlay into the downtown residential area (identified below) to ensure redevelopment in this area is compatible with the existing neighbourhood and consistent with Mature Neighbourhood Overlay application in the remainder of the city.

Existing Regulations	Proposed Changes	Rationale
 <p>Mature Neighbourhood</p>	 <p>Mature Neighbourhood</p>	Expand Mature Neighbourhood Overlay to ensure redevelopment is compatible with residential areas not included within the Parkvale Community Modest Infill Design Guidelines. Parkvale has their own redevelopment guidelines.

<p>Overlay District</p> <p> Low Impact Commercial Overlay District</p>	<p>Overlay District</p> <p> Low Impact Commercial Overlay District</p>	<p>For illustrative purposes the Low Impact Commercial Overlay District has been identified to demonstrate existing Overlay districts. The overlays are compatible.</p>
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12. Deeming Applications Complete

Current Issue – Required updates from modernized Municipal Government Act (MGA)

Recent changes to the MGA include amendments to Section 683.1(1) Development Permit Applications which has necessitated a new section being introduced in the LUB to ensure that applicants know when their development applications are deemed complete.

Intent of proposed bylaw changes

This amendment will make the Land Use Bylaw compliant with recent updates to the Municipal Government Act (MGA).

Existing Regulations	Proposed Changes	Rationale
<p>2.4 Development Permit Application Requirements</p> <p>(3) An application for a development permit shall not be considered complete until such time as the information required in this section has been provided to the satisfaction of the Development Officer. The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.</p>	<p>2.4 Development Permit Application Requirements</p> <p>(3) The Development Authority may make its decision without all of the required information if, in its opinion, the information is not required for the proper processing or evaluation of the application.</p> <p>2.4.1 Notification of Complete or Incomplete Development Permit Applications</p> <p>(1) The Development Officer must, within 20 days after the receipt of an application for a Development Permit, determine if the application is complete and provide the applicant written notification stating whether the application for the Development Permit is complete or incomplete.</p> <p>(2) If the Development Officer</p>	<p>Replace existing regulations to be consistent with recent updates to the Municipal Government Act.</p>

Existing Regulations	Proposed Changes	Rationale
	<p>determines that the application for the Development Permit is incomplete the Development Officer shall, in the notification provided to the applicant pursuant to subsection (1), identify the outstanding documents and information that must be provided for the application to be complete and specify a date by which the information must be received. The applicant and the Development Officer can agree, in writing, to an alternate date by which the information is to be provided.</p> <p>(3) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the notice, the application is deemed to be refused and the Development Officer shall provide the applicant written notification that their application for the Development Permit is deemed refused pursuant to Section 683.1(8) of the Act. The Development Officer shall also provide the reasons for the refusal.</p> <p>(4) If the Development Officer is satisfied that the required information is provided by the established date, to the Development Officer shall issue notification that the application for the Development Permit is complete.</p> <p>(5) Despite the Development Officer having issued written notification that an application</p>	

Existing Regulations	Proposed Changes	Rationale
	<p>for the Development Permit is complete, the Development Authority, at their discretion, may request additional information or documentation if it is determined necessary to review the application.</p> <p>(6) If the Development Authority refuses an application for a Development Permit, the Development Authority shall provide the applicant with written notification stating that the application has been refused and the reasons for refusal.</p> <p>(7) Section 2.13(1) does not apply to applications that are deemed to be refused under Section 2.4.1(3).</p>	
<p>2.7 Development Officer's Decision on Permit Applications (1) The Development Officer: (a) Shall review each application to determine if it is complete;</p>	<p>Delete 2.7(1)(a) and replace with: 2.7 Development Officer's Decision on Permit Applications (1) The Development Officer: (a) Shall review each application to determine if it is complete, and issue written notification pursuant to Section 2.4.1 of this Bylaw.</p>	

13. MGA updates regarding subdivision applications

Current Issue – Required updates from modernized Municipal Government Act (MGA)

Recent changes to the MGA have necessitated a new section being introduced in the LUB to ensure subdivision application information is included.

Intent of proposed bylaw changes

This amendment will make the bylaw compliant with recent updates to the Municipal Government Act (MGA) regarding subdivision applications; it includes regulations on deeming applications complete.

Existing Regulations	Proposed Changes	Rationale
* Currently there is no definition for Subdivision Authority in the Land Use Bylaw	Add the following definition: Subdivision Authority means the Subdivision Officer or the Municipal Planning Commission.	For clarity define Subdivision Authority.
*Currently there are no existing regulations in the Land Use Bylaw specific to subdivision applications.	Add the following new section: 2.25 Subdivision Approval Applications (1) Correspondence between the Subdivision Authority and an applicant may be in writing or electronic form (i.e. via email) if the applicant has agreed that correspondence between the applicant and the Subdivision Authority can occur electronically. (2) The Subdivision Authority must, within 20 days after the receipt of an application for subdivision approval under section 653(1) of the Act, determine whether the application is complete. (3) An application is complete if, in the opinion of the Subdivision Authority, the application contains the documents and other information necessary to review the application. (4) The time period referred to in subsection (2) may be extended by an agreement in writing between the applicant and the Subdivision Authority. (5) If the Subdivision Authority does not make a determination referred to in subsection (2) within 20 days, or within such longer period of time as may be agreed between the applicant and the Subdivision Authority, the application is deemed to be complete.	Add regulations to be consistent with recent updates to the Municipal Government Act.

Existing Regulations	Proposed Changes	Rationale
	<p>(6) If the Subdivision Authority determines that the application is complete the Subdivision Authority must issue to the applicant an acknowledgement that the application is complete in writing or electronically (i.e. via email).</p> <p>(7) If the Subdivision Authority determines that the application is incomplete, the Subdivision Authority must issue the applicant a notice that the application is incomplete, identify the outstanding documents and information that must be provided for the application to be complete and specify a date by which the information must be received. The applicant and the Subdivision Authority can agree, in writing, to an alternate date by which the information is to be provided.</p> <p>(8) If the Subdivision Authority determines that the required information and documents, identified in the notice issued pursuant to subsection (7) have been submitted, the Subdivision Authority must issue an acknowledgement to the applicant that the application is complete</p> <p>(9) If the applicant fails to submit all the outstanding information and documents on or before the date referred to in the notice, the application is deemed to be refused.</p> <p>10) If an application is deemed to be refused under subsection (9), the</p>	

Existing Regulations	Proposed Changes	Rationale
	<p>Subdivision Authority must issue a notice to the applicant that the application has been refused and the reason for the refusal</p> <p>11) Despite that the Subdivision Authority has issued an acknowledgement under subsection (6) or (8), in the course of reviewing the application, the Subdivision Authority may request additional information or documentation from the applicant that the Subdivision Authority considers necessary to review the application.</p>	

14. Duplication of parking requirements for Regional Shopping Centres and District Shopping Centres

Current Issue – Inconsistent parking requirements

Inconsistent parking requirements are listed in various related sections.

Intent of proposed bylaw changes

The amendment reflects operational practice application and removes outdated regulations for consistency.

Existing Regulations	Proposed Changes	Rationale																										
<p>Table 3.1 Parking Requirements [An Excerpt]</p> <table border="1"> <thead> <tr> <th>USES</th> <th>PARKING SPACES</th> </tr> </thead> <tbody> <tr> <td>Regional Shopping Centre</td> <td>5.1 per 93m² (Gross Leasable Floor Area)</td> </tr> <tr> <td>District Shopping Centre</td> <td>5.1 per 93m² (Gross Leasable Floor Area)</td> </tr> <tr> <th colspan="2">COMMERCIAL & INDUSTRIAL</th> </tr> <tr> <th>USES</th> <th>PARKING SPACES</th> </tr> <tr> <td>Regional Shopping Centre</td> <td>4.4 per 93m² (Gross Leasable Floor Area)</td> </tr> </tbody> </table>	USES	PARKING SPACES	Regional Shopping Centre	5.1 per 93m ² (Gross Leasable Floor Area)	District Shopping Centre	5.1 per 93m ² (Gross Leasable Floor Area)	COMMERCIAL & INDUSTRIAL		USES	PARKING SPACES	Regional Shopping Centre	4.4 per 93m ² (Gross Leasable Floor Area)	<p>Table 3.1 Parking Requirements [An Excerpt]</p> <table border="1"> <thead> <tr> <th>USES</th> <th>PARKING SPACES</th> </tr> </thead> <tbody> <tr> <td>Regional Shopping Centre</td> <td>5.1 per 93m² (Gross Leasable Floor Area)</td> </tr> <tr> <td>District Shopping Centre</td> <td>5.1 per 93m² (Gross Leasable Floor Area)</td> </tr> <tr> <th colspan="2">COMMERCIAL & INDUSTRIAL</th> </tr> <tr> <th>USES</th> <th>PARKING SPACES</th> </tr> <tr> <td>DELETED</td> <td></td> </tr> <tr> <td>DELETED</td> <td></td> </tr> </tbody> </table>	USES	PARKING SPACES	Regional Shopping Centre	5.1 per 93m ² (Gross Leasable Floor Area)	District Shopping Centre	5.1 per 93m ² (Gross Leasable Floor Area)	COMMERCIAL & INDUSTRIAL		USES	PARKING SPACES	DELETED		DELETED		<p>Duplication of uses and outdated regulations are removed.</p>
USES	PARKING SPACES																											
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District Shopping Centre	5.1 per 93m ² (Gross Leasable Floor Area)		
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15. Amend definition of Transportation, Communication or Utility Facility

Current Issue – Reducing Red Tape when Municipality is not the authority

Telecommunication facilities are federally regulated, the City has no authority to approve or refuse them; therefore, a Development Permit cannot be issued.

Intent of proposed bylaw changes

The amended definition will clarify telecommunication facilities do not require a Development Permit.

Existing Regulations	Proposed Changes	Rationale
1.3 Definitions Transportation, Communication or Utility Facility means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way.	1.3 Definitions Transportation, Communication or Utility Facility means a facility for bus depots, trucking, taxi or courier firms, telephone, radio or television production or transmission, and water, sewer or electrical energy transmission, or railway right of way. This definition does not include a telecommunication facility.	Municipalities are unable to approve telecommunication facilities. They are federally regulated.

16. Update Industrial Support Service Definition within Use Table in I1A/BSR District

Current Issue – Contradicting use of terms

A new Industrial Support Service definition was created; however, the I1A/BSR District was not updated to reflect the new definition.

Intent of proposed bylaw changes

This amendment will be more in line with the Industrial Support Services definition which includes construction trade and contractors. This amendment will better accommodate market demand within existing industrial buildings.

Existing Regulations	Proposed Changes	Rationale
6.3.1(a) Permitted Uses (vi) Industrial support services , excluding dangerous goods, oilfield services and/or construction trade	6.3.1(a) Permitted Uses (vi) Industrial Support Services , excluding dangerous goods and/or oilfield services and	Replace with defined use. Use will better accommodate market demand.

Existing Regulations	Proposed Changes	Rationale
or contractors and provided it takes place in a building existing as of July 15, 2003.	provided it takes place in a building existing as of July 15, 2003.	

DATE: June 11, 2020
TO: Christi Fidek, Senior Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment – Omnibus Bylaw 3357/L-2020

Reference Report:

Planning & Development Services, dated June 10, 2020.

Bylaw Reading:

At the Wednesday, June 10, 2020 Regular Council Meeting, Council gave first reading to the following Bylaw:

Bylaw 3357/L-2020 (an amendment to the Land Use Bylaw to provide clearer interpretation and implementation of the Land Use Bylaw, while reducing red tape)

Resolution:

At the Wednesday, June 10, 2020 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council, having considered the Omnibus Land Use Bylaw 3357/L-2020 hereby directs administration to provide recommendations prior to second reading with respect to:

- 20 days being business or calendar
- The use of the word 'principle'

Report back to Council:

Yes.

Comments/Further Action:

This bylaw will come back for second and third readings at the Monday, July 6, 2020 Council Meeting.

“Frieda McDougall”

Frieda McDougall
Manager

- c. General Manager Planning & Development Services
Manager of Planning