

CITY COUNCIL

AGENDA

Monday, August 20, 2018 – Council Chambers, City Hall

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

I. IN CAMERA

- I.1. Motion to In Camera - Human Resource Matter FOIP 24(1)(d) and Land Matter FOIP 23(1)(a)
- I.2. Motion to Revert to Open

2. MINUTES

- 2.1. Confirmation of the Minutes of the July 23, 2018 Regular Council Meeting
(Agenda Pages 1 – 14)
- 2.2. Confirmation of the Minutes of the July 25, 2018 Special Council Meeting
(Agenda Pages 15 – 18)

3. POINTS OF INTEREST

4. REPORTS

- 4.1. Council Representation on the Alberta Urban Municipalities Association
(AUMA)
(Agenda Pages 19 – 20)

5. BYLAWS

- 5.1. Smoke Free Bylaw No. 3345/A-2018 - Amendments related to Cannabis Legalization
(Agenda Pages 21 – 114)

5.1.a. Consideration of First Reading of the Bylaw

- 5.2. Business Licence Bylaw No. 3609/2018
(Agenda Pages 115 – 212)

5.2.a. Consideration of First Reading of the Bylaw

6. PUBLIC HEARINGS

- 6.1. Land Use Bylaw Amendment - Bylaw 3357/HH-2018 - 6108 60 St Redesignation from AI Future Urban Development District to PI Parks and Recreation District
(Agenda Pages 213 – 219)

6.1.a. Consideration of Second Reading of the Bylaw

6.1.b. Consideration of Third Reading of the Bylaw

- 6.2. Section 13 NW/SW Neighbourhood Area Structure Plan Amendment Bylaw 3217/E-2018
(Agenda Pages 220 – 244)

6.2.a. Consideration of Second Reading of the Bylaw

6.2.b. Consideration of Third Reading of the Bylaw

- 6.3. Land Use Bylaw Amendment - 3357/II-2018 Mature Neighbourhood Overlay District
(Agenda Pages 245 – 257)

6.3.a. Consideration of Second Reading of the Bylaw

6.3.b. Consideration of Third Reading of the Bylaw

- 6.4. Proposed Land Use Bylaw Amendment 3357/EE-2018 to update Medical Marihuana Facility term to Cannabis Production Facility (CPF)
(Agenda Pages 258 – 262)
 - 6.4.a. Consideration of Second Reading of the Bylaw
 - 6.4.b. Consideration of Third Reading of the Bylaw

- 6.5. 3499/A-2018 - Amendment to the East Hill Major Area Structure Plan (MASP) to include the Clover Valley Multi-Neighbourhood Plan (MNP)
3217/A-2018 – Bylaw to adopt the Coventry Neighbourhood Area Structure Plan (NASP)
(Agenda Pages 263 – 368)
 - 6.5.a. Consideration of Second Reading of Bylaw 3499/A-2018
 - 6.5.b. Consideration of Third Reading of Bylaw 3499/A-2018
 - 6.5.c. Consideration of Second Reading of Bylaw 3217/A-2018
 - 6.5.d. Consideration of Third Reading of Bylaw 3217/A-2018

7. ADJOURNMENT



UNAPPROVED - M I N U T E S

**of the Red Deer City Council Regular Meeting
held on, Monday, July 23, 2018
commenced at 2:31 P.M.**

Present: Deputy Mayor Frank Wong
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Dianne Wyntjes

City Manager, Craig Curtis
Director of Communications & Strategic Planning, Julia Harvie-Shemko
Acting Director of Community Services, George Penny
Director of Corporate Services, Lisa Perkins
Director of Development Services, Kelly Kloss
Director of Human Resources, Kristy Svoboda
Acting Director of Planning Services, Emily Damberger
Director of Protective Services, Paul Goranson
Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Amber Senuk
Corporate Meeting Support, Kaitlin Bishop
Senior Planner, Christi Fidek
Senior Planner, Dayna Facca
Planner, Kimberly Fils-Aime
Development Officer, Beth McLachlan

Absent: Mayor Tara Veer

**I. IN CAMERA****I.1. Motion to In Camera - Legal Matter FOIP 24(1)(a)**

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Monday, July 23, 2018 at 2:31 p.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public; and
- All non related staff members

to discuss a Legal Matter as protected under the Freedom of Information & Protection of Privacy Act, Section 24(1)(a).

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

I.2. Motion to Revert to Open Meeting

Moved by Councillor Buck Buchanan, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, July 23, 2018 at 3:12 p.m.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence



Lee, Councillor Dianne Wyntjes

MOTION CARRIED

Council recessed at 3:12 p.m. and reconvened at 3:15 p.m.

2. MINUTES

2.1. Confirmation of the Minutes of the July 9, 2018 Council Meeting.

Moved by Councillor Tanya Handley, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby approves the Minutes of the July 9, 2018 Regular Council Meeting as transcribed.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

3. ADDITIONAL AGENDA

3.1. Code of Conduct Bylaw 3608/2018

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

SECOND READING: That Bylaw 3608/2018 (a Code of Conduct bylaw which governs the conduct of Councillors) be read a second time.

Prior to consideration of second reading of the bylaw, the following amendment was introduced.

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham



Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3608/2018, Section 2.1(i) by adding “,or at the Mayor’s discretion, the Mayor” after ““Reviewer” means the Mayor”.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee

OPPOSED: Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Dianne Wyntjes

MOTION TO AMEND CARRIED

Second reading, as amended was then on the floor.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

OPPOSED: Councillor Buck Buchanan

MOTION CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

THIRD READING: That Bylaw 3608/2018 be read a third time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

OPPOSED: Councillor Buck Buchanan

MOTION CARRIED



4. MOTION TO ADD TO THE AGENDA

Moved by Councillor Ken Johnston, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to add to the agenda consideration of an In Camera item to the July 23, 2018 City Council Agenda.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION TO ADD TO THE AGENDA CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer having considered In Camera Item I.1 hereby endorses the recommendation as submitted to the In Camera meeting on July 23, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 24(1)(a).

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

5. REPORTS

5.1. FCM's Municipal Asset Management Program Grant Application

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Financial Services dated July 23, 2018, re: FCM's Municipal Asset Management



Program grant application hereby directs administration to apply for a grant from the Federation of Canadian Municipalities' Municipal Asset Management Program for the renewal of the Corporate Asset Management Framework, as follows:

The City of Red Deer commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- Activity 1 - Issue a RFP for consulting to develop a corporate asset management framework update.
- Activity 2 - Create a cross functional project team to work with the consultant.
- Activity 3 - Receive consultant's report and consider recommendations.

And further that Council acknowledges that \$150,000 has been approved by Council as part of the Operating Budget (\$50,000 in 2017 and \$100,000 in 2018) will fund this initiative, including commencement of implementation activities.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

6. BYLAWS

6.1. Portable Sign and Dynamic Sign Council Resolutions, Report Back to Council

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Legislative Services hereby agrees to table consideration of Portable Sign and Dynamic Sign Council Resolution – Request to Table for up to 8 weeks to allow more time for Administration to evaluate options

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor



Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION TO TABLE CARRIED

**6.2. Section 13 NW/SW Neighbourhood Area Structure Plan
Amendment
Bylaw 3217/E-2018**

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Section 13 NW/SW Neighbourhood Area Structure Plan Amendment Bylaw 3217/E-2018.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION TO LIFT FROM THE TABLE CARRIED

Moved by Councillor Ken Johnston, seconded by Councillor Buck Buchanan

FIRST READING: That Bylaw 3217/E-2018 (an amendment to the Section 13 NW/SW Neighbourhood Area Structure Plan to include a conceptual commercial plan and parcel access details to the commercial properties) be read a first time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED



**6.3. Land Use Bylaw Amendment - 3357/II-2018
Mature Neighbourhood Overlay District**

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

FIRST READING: That Bylaw 3357/II-2018 (an amendment to the Land Use Bylaw to remove Accessory Buildings from the definition of Redevelopment) be read a first time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

**6.4. Proposed Land Use Bylaw Amendment 3357/EE-2018 to update
Medical Marihuana Facility term to Cannabis Production Facility
(CPF)**

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

FIRST READING: That Bylaw 3357/EE-2018 (an amendment to the Land Use Bylaw to replace the definition of a 'Medical Marihuana Facility' with the definition of a 'Cannabis Production Facility') be read a first time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

7. ADDITIONAL AGENDA - continued

**7.1. Proposed Land Use Bylaw Amendment to Redesignate 22 Gunn
Street from A1 Future Urban Development to R2T Residential**



(Town House) - Bylaw 3357/A-2018

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/A-2018 for up to 3 months to allow Administration time to prepare a site guidance document.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee

OPPOSED: Councillor Dianne Wyntjes

MOTION TO TABLE CARRIED

Council recessed at 4:55 p.m. and reconvened at 6:01 p.m.

8. PUBLIC HEARINGS

**8.1. Land Use Bylaw Amendment
Bylaw 3357/N-2018
Omnibus Amendment**

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3357/N-2018 by deleting the following:

- Section 6, 8, 10, 11 and 17 regarding Section 4.7(4) Objects Prohibited or Restricted in Yards; and
- Section 5 and 18 regarding Section 4.7(5) Projections over Yards from the original bylaw presented to Council during first reading.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence



Lee, Councillor Dianne Wyntjes

MOTION TO AMEND CARRIED

Deputy Mayor Wong declared open the Public Hearing for Bylaw 3357/N-2018, an amendment to the Land Use Bylaw to provide City staff and the public with clearer interpretation and implementation of the Land Use Bylaw. As no one was present to speak to the bylaw, Deputy Mayor Frank Wong declared the Public Hearing closed.

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

SECOND READING: That Bylaw 3357/N-2018 (an amendment to the Land Use Bylaw to provide City staff and the public with clearer interpretation and implementation of the Land Use Bylaw) be read a second time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

THIRD READING: That Bylaw 3357/N-2018 be read a third time

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

8.2. Proposed Land Use Bylaw amendment to allow a four-unit Multi-



**attached Building as a Discretionary Use on 6719 59 Avenue and 6721
59 Avenue
Bylaw 3357/W-2018**

Deputy Mayor Wong declared open the Public Hearing for Bylaw 3357/W-2018, an amendment to the Land Use Bylaw for a site exception to allow for consideration of a four-unit multi-attached building at 6719-59 Avenue and 6721-59 Avenue in the Normandeau neighbourhood. Mr. Ches Hafso, applicant's builder, Mr. Ed Larkham, applicant and Ms. Sarah Black, applicant's business partner spoke to this item. As no one else was present to speak to the bylaw, Deputy Mayor Frank Wong declared the Public Hearing closed.

Prior to consideration of second reading of the bylaw, the following tabling motion was introduced.

Moved by Councillor Lawrence Lee, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3357/W-2018 for up to 18 months to allow Administration time to conduct a further planning review of the area, with consideration of the overall zoning, parking and traffic impact.

IN FAVOUR: Councillor Lawrence Lee, Deputy Mayor Wong

OPPOSED: Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Dianne Wyntjes

MOTION TO TABLE DEFEATED

Second reading of the bylaw was then on the floor.

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

SECOND READING: That Bylaw 3357/W-2018 (an amendment to the Land Use Bylaw for a site exception to allow for consideration of a four-unit multi-attached building at 6719-59 Avenue and 6721-59 Avenue in the Normandeau neighbourhood) be read



a second time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Dianne Wyntjes

OPPOSED: Councillor Lawrence Lee

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

THIRD READING: That Bylaw 3357/W-2018 be read a third time.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

Following third reading of the bylaw, the following motion was introduced.

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer having considered the report from Planning Services hereby directs Administration to conduct a planning review within 18 months, of the area, with consideration of the overall zoning, parking and traffic impacts.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence

Lee, Councillor Dianne Wyntjes



MOTION CARRIED

9. REPORTS - continued**9.1. Development Permit Approval - 4810-34 Street**

Councillor Buchanan declared a pecuniary interest due to his personal business. Councillor Buchanan left Council Chambers at 8:03 p.m.

Moved by Councillor Lawrence Lee, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer, having considered the report from the Inspections and Licensing Department dated June 27, 2018 re: Development Permit Approval: DP078899 – 4810-34 Street hereby approves the application by Greater North Central Francophone Education Region #2 (the "Applicant"), for the Discretionary Use of an Accessory Building (storage shed), on the lands zoned DC(31), located at 4810 34 Street, legally described as Block 5, Plan 3935 HW (the "Site").

Approval is subject to the following conditions:

1. A Development Permit shall not be deemed completed based on this approval until all conditions except those of a continuing nature, have been fulfilled to the satisfaction of the Development Officer.
2. All Development must conform to the conditions of this Development Permit and the Approved Plans and any revisions thereto as required pursuant to this Approval. Any further revisions to the Approved Plans must be approved by the Development Authority.
3. The Applicant shall repair or reinstate, or pay for the repair or reinstatement, to original condition, any public property, street furniture, curbing, boulevard landscaping and tree planting or any other property owned by the City which is damaged, destroyed or otherwise harmed by Development or construction on the site. Repairs shall be done to the satisfaction of The City of Red Deer. In the event that the City undertakes the repairs the Applicant shall pay the costs incurred by the City within 30 days of being invoiced for such costs.



- 4. The Applicant must ensure that the materials and finish of the proposed development complement the existing buildings on the Site.
- 5. The Applicant shall enter into an encroachment agreement for the placement of the shed on municipal lands, satisfactory to the Development Officer.”

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Buck Buchanan

MOTION CARRIED

10. ADJOURNMENT

Moved by Councillor Vesna Higham, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 23, 2018 Regular Council Meeting of Red Deer City Council at 8:05 p.m.

IN FAVOUR: Deputy Mayor Frank Wong, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Councillor Buck Buchanan

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - M I N U T E S

**of the Red Deer Special Council Meeting
held on, Wednesday, July 25, 2018
commenced at 10:32 AM**

Present: Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Frankl Wong
Councillor Dianne Wyntjes

City Manager, Craig Curtis
Director of Communications & Strategic Planning, Julia Harvie-Shemko
Acting Director of Community Services, George Penny
Director of Corporate Services, Lisa Perkins
Director of Development Services, Kelly Kloss
Director of Human Resources, Kristy Svoboda
Acting Director of Planning Services, Emily Damberger
Director of Protective Services, Paul Goranson
Deputy City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Amber Senuk
Corporate Meeting Support, Kaitlin Bishop

Absent: Councillor Lawrence Lee



I. IN CAMERA

I.1. Motion to In Camera - Legal Matter FOIP 23(1)(a)

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Monday, July 23, 2018 at 10:32 a.m. and hereby agrees to exclude the following:

- All members of the media;
- All members of the public; and
- Non related staff members

to discuss a Legal Matter as protected under the Freedom of Information & Protection of Privacy Act, Section 23(1)(a).

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

I.2. Motion to Revert to Open

Moved by Councillor Buck Buchanan, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Wednesday, July 25, 2018 at 11:43 a.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED



Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to add to the agenda consideration of an In Camera item to the July 25, 2018 Special City Council Agenda.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION TO ADD TO THE AGENDA CARRIED

Moved by Councillor Buck Buchanan, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer having considered In Camera Item I.1 hereby endorses the recommendation as submitted to the In Camera meeting on July 25, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

2. REPORTS

2.1. Expression of Interest for Canada Infrastructure Grant

Moved by Councillor Buck Buchanan, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer having considered the report from Corporate Services Division and the Financial Services department, dated July 23, 2018 re: Investing in Canada – expression of interest submission hereby agrees to submit an



expression of interest for the following projects:

- G.H. Dawe Community Centre Expansion (Project Budget: \$35,000,000 (in 2016 dollars))
- CPR Bridge and Trails (Project Budget: \$9,127,000)
- College Park Servicing (Project Budget: \$5,420,000)
- Wetlands (N of IIA) Restoration and Enhancement (Project Budget: \$11,900,000)

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

3. ADJOURNMENT

Moved by Councillor Buck Buchanan, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Wednesday, July 25, 2018 Special Council Meeting of Red Deer City Council at 12:11 p.m.

IN FAVOUR: Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



July 24, 2018

Council Representation on the Alberta Urban Municipalities Association (AUMA)

Legislative Services

Report Summary & Recommendation:

To support Council's goal of developing strong partnerships with other levels of government it is recommended that Council support members of Council allowing their names to stand for the AUMA Board of Directors and/or AUMA Committees.

As per Council's policy, representation on external committee's should be formally endorsed by resolution

City Manager Comments:

Council's direction is requested.

Tara Lodewyk
Interim City Manager

Proposed Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated July 24, 2018 re: Council Representation on the Alberta Urban Municipalities Association (AUMA) hereby agrees to

1. Endorse the nomination of:
 - a. _____ for the position of Director, Cities up to 500,000
 - b. _____ for appointment to a Committee.

2. In accordance with Council Policy GP-C-2.3 Council Compensation and Benefits, up to \$1,000 per candidate will be provided to cover election related expenses for Director positions.



Background:

The Alberta Urban Municipalities Association was founded in 1905 and represents Alberta's 272 urban municipalities including cities, towns, villages, summer villages, and specialized municipalities, as well as Associate and Affiliate members.

Our goal is to develop a strong partnership between all three levels of government through a shared vision with long term planning that would facilitate social and economic growth, a strategic and stable funding matrix for capital projects, vital emergency and social services as well as implementation and coordination in the delivery of these services to ensure the sustainability of the Alberta Advantage.

Red Deer's Recent AUMA History:

Board of Directors:

2017/2018: Councillor Buck Buchanan

2016/2017: Councillor Buck Buchanan

2014/2015: Councillor Buck Buchanan

Committees:

2017/2018: Councillor Dianne Wyntjes

2016/2017: Councillor Dianne Wyntjes and Councillor Lawrence Lee

2014/2015: Councillor Dianne Wynjtes

Discussion:

AUMA has a board of directors and a variety of committees and The City of Red Deer has a solid tradition of participating on both the Board and committees. Committees of the AUMA include:

- Audit & Finance
- Infrastructure & Energy
- Investment Advisory
- Municipal Governance
- Safe & Healthy Communities
- Small Communities
- Sustainability & Environment

AUMA requires Council's endorsement of Directors positions.

The 2018 Convention will be held here in Red Deer.

FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018
TO: Samantha Rodwell, Deputy City Clerk
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Council Representation on the Alberta Urban Municipalities Association (AUMA)

Reference Report:

Legislative Services, dated July 24, 2018

Resolution:

At the Monday, August 20, 2018 Regular Council Meeting, Council passed the following Resolution:

Resolved that Council of The City of Red Deer having considered the report from Legislative Services dated July 24, 2018 re: Council Representation on the Alberta Urban Municipalities Association (AUMA) hereby agrees to

1. Endorse the nomination of:
 - a. Councillor Buck Buchanan for the position of Director, Cities up to 500,000
 - b. Councillor Dianne Wyntjes for appointment to a Committee.
2. In accordance with Council Policy GP-C-2.3 Council Compensation and Benefits, up to \$1,000 per candidate will be provided to cover election related expenses for Director positions.

Report back to Council:

No.

Comments/Further Action:

None.

A handwritten signature in blue ink that reads 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Director of Corporate Services



July 09, 2018

Smoke Free Bylaw No. 3345/A-2018 - Amendments related to Cannabis Legalization

Inspections and Licensing

Report Summary

The Federal Cannabis Act has received Royal Assent and will be coming into force on October 17, 2018. This legalizes cannabis, subject to federal, provincial and municipal laws. Attached for Council's consideration is an amendment to the *Smoke Free Bylaw* to address the public consumption component related to cannabis (Appendix A).

Administration recommends that Council give first reading to Bylaw 3345/A-2018, with second and third readings of the bylaw on September 4, 2018.

City Manager Comments

I support the recommendation of Administration. If first reading of Bylaw 3345/A-2018 is given, this bylaw will come back for second and third reading at the September 4, 2018 Council Meeting.

Tara Lodewyk
Interim City Manager

Proposed Resolution

That Bylaw 3345/A-2018 be read a first time.

Rationale for Recommendations

- 1) **The recommendations align with the results of the online public survey.**
- 2) **The *Smoke Free Bylaw* is the appropriate tool to regulate public consumption of Cannabis.** The existing bylaw regulates the consumption or use of tobacco and other products, and can be amended to include specific provisions for Cannabis.

Discussion

Background

On April 13, 2017, the Government of Canada introduced Bill C-45, *The Cannabis Act*, which received Royal Assent on June 25 and comes into force on October 17, 2018. This Act legalizes and regulates recreational Cannabis in Canada.

In response, on November 30, 2017, the Province of Alberta enacted Bill 26, the *Act to Control and Regulate Cannabis* ("*Alberta Cannabis Act*"), and the subsequent regulations to address the distribution, sale and use of Cannabis.

To date, The City of Red Deer has adopted amendments to its *Land Use Bylaw* to define Cannabis and Cannabis Retail Stores, set out application requirements and regulations for the use, and identify the Districts in which Cannabis Retail Stores are Discretionary.

This report proposes amendments to the *Smoke Free Bylaw* to address the consumption of Cannabis.

Provincial Legislation

The overarching provincial legislation that governs the public consumption of Cannabis, as well as grants authority to municipalities to address consumption, is the *Municipal Government Act (MGA)*, the *Gaming, Liquor and Cannabis Act (GLCA)* and the *Tobacco and Smoking Reduction Act (TSRA)*.

First, section 7 of the MGA grants authority to municipalities to pass bylaws for a number of municipal purposes, including the following:

- “(a) the safety, health and welfare of people and the protection of people and property;
- (b) people, activities and things in, on or near a public place or place that is open to the public;
- (c) nuisances, including unsightly property;”

The MGA further authorizes the enforcement of those bylaws, including the creation of offences and the fines attached to those offences.

The *Alberta Cannabis Act* amends the GLCA to include regulations for the smoking and vaping of Cannabis. Section 90.28 of the GLCA states that no smoking or vaping of Cannabis can take place in the following areas:

- “(a) in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality,*
- (b) on any hospital property, school property or child care facility property,*
- (c) in or within a prescribed distance from*
 - (i) a playground,*
 - (ii) a sports or playing field,*
 - (iii) a skateboard or bicycle park,*
 - (iv) a zoo,*
 - (v) an outdoor theatre,*
 - (vi) an outdoor pool or splash pad, or*
 - (vii) any other area or place that is prescribed or otherwise described in the regulations.”*

Municipalities have the choice to enact a bylaw that would further prohibit or restrict smoking and vaping Cannabis in certain places, and should they choose to do so, those prohibitions and restrictions would be in addition to those set out in provincial legislation. Where there is a conflict between provincial legislation and municipal bylaws, the more restrictive provision prevails, as set out in s. 10 of the TSRA.

Proposed Amendments

A series of amendments to the *Smoke Free Bylaw* are proposed within Bylaw 3345/A-2018, including the addition of definitions and regulations specific to Cannabis use (Appendix B & C).

Definitions

There are new definitions for Cannabis and Tobacco included to provide the distinction between the two substances due to differing restrictions for the two substances. Further, Public Place is defined related to the addition of restrictions on Cannabis use. Finally, the definition of Smoke or Smoking is amended for clarity.

Regulations

The proposed bylaw prohibits smoking or any form of consumption of Cannabis in any public location.

The bylaw also accommodates people who have access to cannabis for medical and health purposes under the *Access to Cannabis for Medical Purposes Regulations*. Individuals with an exemption for medical Cannabis (marihuana) will be required to follow the bylaw provisions related to Tobacco and other substances, and are required to produce a copy of their medical document upon request of a Bylaw Officer or RCMP member. While there is no requirement

to reference medical Cannabis (marihuana), it is recommended to differentiate between non-medical and medical to provide clarity and transparency to the public.

The remainder of the bylaw remains the same, with minor amendments related to the differentiation between Cannabis and Tobacco regulations.

Other Municipalities

Other Alberta municipalities have chosen to adopt more restrictive bylaws regulating the consumption of Cannabis, which is summarized in the following table:

Municipality	Restrictions re: Public Consumption of Cannabis
Leduc	No public consumption.
Calgary	No public consumption, except in designated cannabis consumption areas, as designated by Council following a Public Hearing.
Edmonton	No public consumption at schools or patios, within 10m of open windows or doors, and 30m from children's amenities.
Medicine Hat	Not yet complete.
Lethbridge	Not yet complete.
St. Albert	Consideration by Council on August 20.
Grande Prairie	No public consumption within Downtown core, within 30m of rec facilities, parks and other locations typically frequented by children.
Banff	No public consumption.
Lloydminster	No public consumption of any substances.

Alberta Health Services Recommendations

The proposed bylaw aligns with the recommendations provided by Alberta Health Services (AHS) in a document from February 2018. Those recommendations include banning consumption in areas frequented by children and aligning bylaws with the TSRA (Appendix D).

AHS identifies the rationale behind their recommendations being the fact that Cannabis is an intoxicating substance and should be treated similarly to alcohol, and harms associated with second and third-hand smoke, especially for children and youth. This is due to evidence that second-hand Cannabis smoke is more mutagenic and cytotoxic than Tobacco, meaning that it is more toxic to cells with a higher risk of mutations.

The document goes on to identify that indoor consumption venues should be banned. This is achieved through the complete ban of use in all Public Places.

In a recent document provided by AHS, restrictions for public consumption are important to reduce health and social harms in communities, and speaks to 3 key areas: Risk of normalization, second-hand smoke, and intoxication (Appendix).

Consultation

Between March 26 and April 9, 2018, community members were invited to take part in an online survey seeking input on regulations in Red Deer related to the legalization of cannabis (Appendix E). The results included in Appendix E include only those questions related to public consumption.

The survey focused on three key areas:

- Where recreational cannabis retail stores should (or should not be located in Red Deer) – addressed through *Land Use Bylaw* amendments.
- Where it should be ok (or not ok) to use recreational cannabis – subject of bylaw amendment to *Smoke Free Bylaw*.
- Where home growing should take place – to be reviewed in future work.

In total, there were 1,474 respondents; 95% were over 18 years of age and more than 86% were Red Deer residents.

Within the top five concerns identified by the public were:

1. Public Consumption (smoking and vaping of cannabis in public) – 72.75%
2. Public safety and enforcement related to consumption – 57.49%
3. Odours stemming from others smoking and/or vaping cannabis – 48.57%
4. Health impacts (second-hand smoke, impacts to users) – 41.96%

Unlike a municipality's land use bylaw, which requires a legislated public hearing, a community standards type bylaw does not require a public hearing for amendments. Attached in Appendix G are three emails received related to the public consumption of cannabis.

Should Council proceed with first reading of an amended Bylaw 3345/A-2018, second and third readings of the bylaw would occur on September 4, 2018.

Appendices

- Appendix A: *Smoke Free Bylaw Amendment No. 3445/A-2018*
- Appendix B: *Smoke Free Bylaw 3345/2005, Strikethrough Version*
- Appendix C: *Smoke Free Bylaw 3345/2005, Clean Version*
- Appendix D: Alberta Health Services document, February 2018
- Appendix E: Public Online Survey Results re: Public Consumption
- Appendix F: Protecting Youth – Public Health & Safety Community, Alberta Health Services
- Appendix G: Correspondence Received re: Public Consumption

Appendix A

BYLAW 3345/A-2018

A BYLAW OF THE CITY OF RED DEER IN THE PROVINCE OF ALBERTA TO AMEND BYLAW 3345/2005, THE SMOKE FREE BYLAW

WHEREAS pursuant to section 191 of the *Municipal Government Act* a Council is authorized to amend a bylaw;

NOW THEREFORE the Council of the City of Red Deer, duly assembled, enacts Bylaw 3345/2005, the Smoke Free Bylaw, is amended as follows:

1. The preamble is amended by adding the following:

AND WHEREAS the Province of Alberta has enacted *An Act to Control and Regulate Cannabis*, S.A. 2017, c. 21, which will place restrictions on the smoking or vaping of cannabis in public places;

AND WHEREAS Council deems it necessary to impose additional restrictions on the smoking, vaping and other forms of consumption of cannabis in public places to prevent behaviours and conduct that may have a negative impact on the enjoyment of public places;

2. Section 2 is amended by adding the following in alphabetical order, and subsequently renumbering the section:

“Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the Cannabis Act (Canada) and its regulations, as amended from time to time.

“Public Place” means any place to which the public has access as of right or by invitation, express or implied.

“Tobacco” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves.

3. Section 2(v) is deleted and replaced in its entirety with the following:

“Smoke” or “Smoking” means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hooka pipe, or other lighted smoking implement designed to burn or heat substances for the purpose of inhaling or tasting of its smoke or emissions.

4. The following is added as section 3:

3 Except as permitted in Section 4, no person shall Smoke or otherwise consume Cannabis in any Public Place.

5. The following is added as section 4:

4. A person who is entitled to possess Cannabis pursuant to a medical document under the *Access to Cannabis for Medical Purposes Regulations* is not subject to this bylaw but must adhere to regulations governing the Smoking of Tobacco and other substances.

6. The remainder of the bylaw is renumbered accordingly.

7. Section 5 is amended as follows:

No person shall Smoke Tobacco or any other weed or substance in any indoor place to which the public is ordinarily invited or permitted to attend or in any of the following places:

- Bingo Establishment
- Casino
- Drinking Establishment
- Grandstand
- Outdoor Public Event
- Patio
- Private Club
- Public Building
- Public Transportation Vehicle
- Restaurant
- Sidewalk Cafe
- Work Place

8. Section 5.3 is amended as follows:

No person shall Smoke Tobacco or any other weed or substance within ten metres of a Playground, Seasonal Skating Rink, Skate Park, Sports Field, Water Spray Park or Toboggan Hill.

9. The following is added as section 10(2)

A person referred to in Section 4 of this bylaw must, on demand of a City Bylaw Enforcement Officer or a member of the RCMP, produce a copy of the person's medical document.

10. Any references to other sections are updated to reflect the new numbering of the sections.

11. The following is added after section 17:

18. Section 3 of this bylaw shall come into effect on the day the *Cannabis Act* comes into force.

READ A FIRST TIME THIS ____ DAY OF _____, 2018

READ A SECOND TIME THIS ____ DAY OF _____, 2018

READ A THIRD AND FINAL TIME THIS ____ DAY OF _____, 2018

SIGNED AND PASSED THIS ____ DAY OF _____, 2018

Mayor

City Clerk

Appendix B**BYLAW NO. 3345/2005**

Being a bylaw of the City of Red Deer in the Province of Alberta respecting smoke free public places and workplaces.

WHEREAS the Council of The City of Red Deer has the authority to pass bylaws respecting:

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

AND WHEREAS it has been determined that second hand smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes) is a health hazard or discomfort for many persons;

¹AND WHEREAS Council deems it expedient and appropriate to limit the effects of second hand smoke for residents of and visitors to the City of Red Deer;

²AND WHEREAS Council deems it appropriate to limit the exposure that children and youth have to smoking in public places;

AND WHEREAS the Province of Alberta has enacted *An Act to Control and Regulate Cannabis*, S.A. 2017, c. 21, which will place restrictions on the smoking or vaping of cannabis in public places;

AND WHEREAS Council deems it necessary to impose additional restrictions on the smoking, vaping and other forms of consumption of cannabis in public places to prevent behaviours and conduct that may have a negative impact on the enjoyment of public places;

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the "Smoke Free Bylaw."

Definitions

2. In this Bylaw, the following terms shall have the meanings shown:

¹ 3345/A-2013

² 3345/A-2013

- (a) ¹“Bingo Establishment” means any premises for which the Province of Alberta has issued a bingo license under the *Gaming and Liquor Act*.
- (b) “Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act (Canada)* and its regulations, as amended from time to time.
- (c) “Casino” means any premises for which the Province of Alberta has issued a casino license under the *Gaming and Liquor Act*.
- (d) “City” means the City of Red Deer.
- (e) “Drinking Establishment ” means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises.
- (f) “Grandstand” means an open air seating facility primarily but not exclusively limited to use in watching sporting events.
- (g) “Offence Ticket” means a municipal ticket issued by the City allowing for the voluntary payment of a specified fine established by this Bylaw.
- (h) ²“Outdoor Public Event” means an outdoor market, festival, concert or parade requiring a City of Red Deer Special Event or Use of Streets Permit, and to which the public is invited or permitted to attend.
- (i) “Patio” means an outdoor area also known as a deck, terrace or rooftop, whether enclosed or not, that is open to the public or to which the public is customarily admitted or invited that is operated as part of a Restaurant or Drinking Establishment, but does not include an outdoor area or structure made available by a Restaurant or Drinking Establishment if:
 - (i) there is no seating of any kind provided in the area or on the structure,

¹ 3345/A-2006

² 3345/B-2013

- (ii) there is no service of any kind provided in the area or on the structure; and
 - (iii) there is no food or drink permitted in the area or on the structure at any time.
- (j) ¹“Playground” means a structure or collection of structures designated and intended for recreational use by children and, where mounted in a distinct material such as sand, gravel, or wood chips, includes the material in which those structures are mounted.
- (k) “Private Club” means an enclosed place or premises that operates primarily for the benefit and pleasure of the members of a non-profit corporation, service club or branch of the Royal Canadian Legion.
- (l) ²“Private Living Accommodation” means an area of a building used as a residence and includes a hotel or motel room while it is occupied by a guest.
- (m) “Proprietor” means the owner, operator, manager or any other person in charge or in control of a place or premises and includes:
 - (i) a person who is in charge of the place or premises at any particular time;
 - (ii) the owner or driver of a taxi-cab;
 - (iii) the owner or driver of a public bus or other form of public transportation;
 - (iv) the owner or driver of a school bus; and
 - (v) the Board of Trustees of a school, college or hospital.
- (n) “Public Building” means an enclosed or substantially enclosed building or structure to which the public is customarily admitted or invited. Without limiting the generality of the forgoing, public building includes bus shelters.
- (o) **“Public Place” means any place to which the public has access as of right or by invitation, express or implied.**

¹ 3345/A-2013

² 3345/A-2006

- (p) “Public Transportation Vehicle” means any vehicle used for the transportation of people upon the payment of a fee.
- (q) “Restaurant” means an enclosed place or premises the primary purpose of which is the preparation and sale of food for consumption on the premises, and the secondary purpose of which may include the sale of alcohol or non alcohol beverages, take out food services and catering. A Restaurant does not include a Drinking Establishment but does include any premises in respect of which a “Class A” Liquor License has been issued and where minors are not prohibited by the terms of the license.
- (r) “Sidewalk Café” means an outdoor area, located on a public sidewalk, to which the public is invited or permitted access and which abuts and is operated as part of a Restaurant.
- (s) ¹“Seasonal Skating Rink” means an outdoor ice surface on which members of the public are permitted to skate, whether on payment of any fee or not, and includes public lakes, ponds, and outdoor rinks with boards or other ice support infrastructure.
- (t) ²“Skate Park” means an area designated and intended specifically for the use of skateboards, in-line skates, or similar devices.
- (u) ³“Sports Field” means an outdoor area designed and intended for use in a specific sporting event and includes soccer fields, baseball diamonds, tennis courts, and similar areas but does not include golf courses.
- (v) “Smoke” or “Smoking” means to inhale from, exhale, burn, hold or have control over:
- (i) a cigarette, cigar, pipe, cigarillo other form of lit Tobacco or Cannabis; or
- (ii) hooka pipe, electronic smoking device, or other similar device that is producing vapour, emissions or aerosol from Tobacco or Cannabis.
- ~~(v) ⁴“Smoke” or “Smoking” means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, hooka pipe, or other lighted smoking implement designed to burn or heat tobacco or any~~

¹ 3345/A-2013

² 3345/A-2013

³ 3345/A-2013

⁴ 3345/A-2013

~~other weed or substances for the purpose of inhaling or tasting of its smoke or emissions.~~

- (w) "Tobacco" means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves.
- (x) ¹"Toboggan Hill" means an outdoor area signed or used as a toboggan site.
- (y) "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedure Act
- (z) ²"Water Spray Park" means a structure or collection of structures that spray or release water which is designed and intended for recreation use.
- (aa) ³"Work Place" means all or any part of a building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages and work vehicles.

Purpose

- 2.1⁴ The purpose of this bylaw is to regulate Smoking in Public Places in order to promote the safe, enjoyable and reasonable use of such property for the benefit of all citizens.

Regulation of Smoking

- 3. ~~Except as permitted in Section 4, no person shall Smoke or otherwise consume Cannabis in any Public Place.~~
- 4. ~~A person who is entitled to possess Cannabis pursuant to a medical document under the *Access to Cannabis for Medical Purposes Regulations* is not subject to this bylaw but must adhere to regulations governing the Smoking of Tobacco and other substances.~~

¹ 3345/A-2013

² 3345/A-2013

³ 3345/A-2006

⁴ 3345/A-2013

5. No person shall Smoke **Tobacco or any other weed or substance** in any indoor place to which the public is ordinarily invited or permitted to attend or in any of the following places:

Bingo Establishment
 Casino
 Drinking Establishment
 Grandstand
¹Outdoor Public Event
 Patio
 Private Club
 Public Building
 Public Transportation Vehicle
 Restaurant
 Sidewalk Cafe
 Work Place

- 5.1² For greater certainty, no designated smoking area as described in Section 5 of the Tobacco Reduction Act, SA 2005, CH. T-3.8 is permitted in any of the places listed in Section ~~35~~ of this bylaw.

- 5.2³ Notwithstanding anything contained in this bylaw, the prohibitions set out in Section ~~35~~ do not apply to any Private Living Accommodation.

- 5.3⁴ No person shall Smoke **Tobacco or any other weed or substance** within ten metres of a Playground, 'Seasonal Skating Rink, Skate Park, Sports Field, Water Spray Park or Toboggan Hill.

6. (1) No Proprietor of a place where Smoking is prohibited by Section ~~35~~ shall permit Smoking in that place.

- (2) A Proprietor who takes the following steps or ensures that the following steps are taken shall be deemed to have complied with the obligation described in Section ~~64~~(1):

(a)⁵ advise a smoker that Smoking is not allowed and request the smoker to put out any lit substance;

(b) ask any smoker who refuses to comply with such a request to leave the premises;

¹ 3345/B-2013

² 3345/A-2006, 3345/A-2010

³ 3345/A-2006

⁴ 3345/A-2013

⁵ 3345/A-2013

- (c) refuse to provide any further service to such person; and
 - (d)¹ immediately report to the RCMP any smoker who refuses to put out any lit substance or refuses to leave the premises when requested to do so.
7. No Proprietor of a place where Smoking is prohibited by this bylaw shall permit ashtrays to be placed or to remain in that place.
- 7.1² Nothing in this bylaw affects the rights of people respecting traditional spiritual practices or ceremonies.

Signs required

8. (1) Every Proprietor of a place or premises mentioned in Section ~~35~~ shall ensure that signs prohibiting Smoking are posted in proximity to all of the public entrances to such place. Such signs shall be in general conformity with the form specified in Schedule "A".
- (2) Where there is no public entrance to a place or premises mentioned in Section ~~53~~, signs prohibiting Smoking shall be posted in a prominent location on or near the premises in such manner as to be readily visible to any member of the public using such place or premises.
9. No person shall remove, alter, conceal, deface or destroy any sign posted pursuant to this bylaw.

Inspections

10. (1) For the purpose of determining if the provisions of this bylaw are being complied with, a City Bylaw Enforcement Officer or a member of the RCMP is a designated officer for the purposes of section 542 of the Municipal Government Act of Alberta and may inspect such places or premises at all reasonable times.
- (2) A person referred to in Section 4 of this bylaw must, on demand of a City Bylaw Enforcement Officer or a member of the RCMP, produce a copy of the person's medical document.

Enforcement

11. Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable upon conviction:
- a) for a first offence, to a fine of \$200.00; and

¹ 3345/A-2013

² 3345/A-2013

- b) for a second or subsequent offence, to a fine of not less than \$200.00 and not more than \$2,500.00.
12. An individual who is convicted of an offence shall also be liable, in default of payment of any fine, to imprisonment for up to six months
 13. Each day that an offence continues shall constitute a separate offence.
 14. Where a Bylaw Enforcement Officer or a member of the RCMP has reason to believe that a person has contravened any provision of this Bylaw, he or she may serve upon such person:
 - (a) an Offence Ticket allowing payment to the City of the specified fine set out in Section 9 (a), which payment shall be accepted by the City in lieu of prosecution for the offence; or
 - (b) for a first offence, a Violation Ticket requiring a person to appear in Court with the alternative of making a voluntary payment; or
 - (c) for a second or subsequent offence, a Violation Ticket requiring a person to appear in Court without the alternative of making a voluntary payment.
 15. If a Violation Ticket containing a specified penalty is issued to a person for a breach of this bylaw, the person may make a voluntary payment equal to the specified fine by delivering the Violation Ticket and the specified fine to the Provincial Court Office specified on the Violation Ticket within the required time. In that event, the voluntary payment will be accepted as a guilty plea and no court appearance is required.

Severability

16. Should any provision of this bylaw be found to be invalid it is the intention of Council for the City that such invalid portion be severed and that the remainder of the bylaw be given full force and effect.

Effective Date

17. This bylaw shall come into effect on June 1, 2006 and Bylaw 3286/2001, The Smoking Bylaw, is repealed as of June 1, 2006.
18. Section 3 of this bylaw shall come into effect on the day the *Cannabis Act* comes into force.

READ A FIRST TIME IN OPEN COUNCIL this 24th day of May 2005.

READ A SECOND TIME IN OPEN COUNCIL this 24th day of May 2005.

READ A THIRD TIME IN OPEN COUNCIL this 20th day of June 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this 20th day of June 2005.

“Morris Flewwelling”

“Kelly Kloss”

MAYOR

CITY CLERK

SCHEDULE "A"



**NO SMOKING
THE CITY OF RED DEER**

Appendix C**BYLAW NO. 3345/2005**

Being a bylaw of the City of Red Deer in the Province of Alberta respecting smoke free public places and workplaces.

WHEREAS the Council of The City of Red Deer has the authority to pass bylaws respecting:

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

AND WHEREAS it has been determined that second hand smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes) is a health hazard or discomfort for many persons;

¹AND WHEREAS Council deems it expedient and appropriate to limit the effects of second hand smoke for residents of and visitors to the City of Red Deer;

²AND WHEREAS Council deems it appropriate to limit the exposure that children and youth have to smoking in public places;

AND WHEREAS the Province of Alberta has enacted *An Act to Control and Regulate Cannabis*, S.A. 2017, c. 21, which will place restrictions on the smoking or vaping of cannabis in public places;

AND WHEREAS Council deems it necessary to impose additional restrictions on the smoking, vaping and other forms of consumption of cannabis in public places to prevent behaviours and conduct that may have a negative impact on the enjoyment of public places;

COUNCIL OF THE CITY OF RED DEER ENACTS AS FOLLOWS:

Short Title

1. This bylaw may be cited as the "Smoke Free Bylaw."

Definitions

2. In this Bylaw, the following terms shall have the meanings shown:

¹ 3345/A-2013

² 3345/A-2013

- (a) ¹“Bingo Establishment” means any premises for which the Province of Alberta has issued a bingo license under the *Gaming and Liquor Act*.
- (b) “Cannabis” means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time.
- (c) “Casino” means any premises for which the Province of Alberta has issued a casino license under the Gaming and Liquor Act.
- (d) “City” means the City of Red Deer.
- (e) “Drinking Establishment ” means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises.
- (f) “Grandstand” means an open air seating facility primarily but not exclusively limited to use in watching sporting events.
- (g) “Offence Ticket” means a municipal ticket issued by the City allowing for the voluntary payment of a specified fine established by this Bylaw.
- (h) ²“Outdoor Public Event” means an outdoor market, festival, concert or parade requiring a City of Red Deer Special Event or Use of Streets Permit, and to which the public is invited or permitted to attend.
- (i) “Patio” means an outdoor area also known as a deck, terrace or rooftop, whether enclosed or not, that is open to the public or to which the public is customarily admitted or invited that is operated as part of a Restaurant or Drinking Establishment, but does not include an outdoor area or structure made available by a Restaurant or Drinking Establishment if:
 - (i) there is no seating of any kind provided in the area or on the structure,

¹ 3345/A-2006

² 3345/B-2013

- (ii) there is no service of any kind provided in the area or on the structure; and
 - (iii) there is no food or drink permitted in the area or on the structure at any time.
- (j) ¹“Playground” means a structure or collection of structures designated and intended for recreational use by children and, where mounted in a distinct material such as sand, gravel, or wood chips, includes the material in which those structures are mounted.
- (k) “Private Club” means an enclosed place or premises that operates primarily for the benefit and pleasure of the members of a non-profit corporation, service club or branch of the Royal Canadian Legion.
- (l) ²“Private Living Accommodation” means an area of a building used as a residence and includes a hotel or motel room while it is occupied by a guest.
- (m) “Proprietor” means the owner, operator, manager or any other person in charge or in control of a place or premises and includes:
 - (i) a person who is in charge of the place or premises at any particular time;
 - (ii) the owner or driver of a taxi-cab;
 - (iii) the owner or driver of a public bus or other form of public transportation;
 - (iv) the owner or driver of a school bus; and
 - (v) the Board of Trustees of a school, college or hospital.
- (n) “Public Building” means an enclosed or substantially enclosed building or structure to which the public is customarily admitted or invited. Without limiting the generality of the forgoing, public building includes bus shelters.
- (o) “Public Place” means any place to which the public has access as of right or by invitation, express or implied.

¹ 3345/A-2013

² 3345/A-2006

- (p) “Public Transportation Vehicle” means any vehicle used for the transportation of people upon the payment of a fee.
- (q) “Restaurant” means an enclosed place or premises the primary purpose of which is the preparation and sale of food for consumption on the premises, and the secondary purpose of which may include the sale of alcohol or non alcohol beverages, take out food services and catering. A Restaurant does not include a Drinking Establishment but does include any premises in respect of which a “Class A” Liquor License has been issued and where minors are not prohibited by the terms of the license.
- (r) “Sidewalk Café” means an outdoor area, located on a public sidewalk, to which the public is invited or permitted access and which abuts and is operated as part of a Restaurant.
- (s) ¹“Seasonal Skating Rink” means an outdoor ice surface on which members of the public are permitted to skate, whether on payment of any fee or not, and includes public lakes, ponds, and outdoor rinks with boards or other ice support infrastructure.
- (t) ²“Skate Park” means an area designated and intended specifically for the use of skateboards, in-line skates, or similar devices.
- (u) ³“Sports Field” means an outdoor area designed and intended for use in a specific sporting event and includes soccer fields, baseball diamonds, tennis courts, and similar areas but does not include golf courses.
- (v) “Smoke” or “Smoking” means to inhale from, exhale, burn, hold or have control over:
- (i) a cigarette, cigar, pipe, cigarillo other form of lit Tobacco or Cannabis; or
 - (ii) hooka pipe, electronic smoking device, or other similar device that is producing vapour, emissions or aerosol from Tobacco or Cannabis.
- (w) “Tobacco” means a product composed in whole or in part of tobacco, including tobacco leaves and any extract of tobacco leaves.

¹ 3345/A-2013

² 3345/A-2013

³ 3345/A-2013

- (x) ¹"Toboggan Hill" means an outdoor area signed or used as a toboggan site.
- (y) "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedure Act
- (z) ²"Water Spray Park" means a structure or collection of structures that spray or release water which is designed and intended for recreation use.
- (aa) ³"Work Place" means all or any part of a building, structure or other enclosed area in which employees perform the duties of their employment, whether or not members of the public have access to the building, structure or area as of right or by express or implied invitation, and includes reception areas, corridors, lobbies, stairwells, elevators, escalators, eating areas, washrooms, lounges, storage areas, laundry rooms, enclosed parking garages and work vehicles.

Purpose

- 2.1⁴ The purpose of this bylaw is to regulate Smoking in Public Places in order to promote the safe, enjoyable and reasonable use of such property for the benefit of all citizens.

Regulation of Smoking

- 3. Except as permitted in Section 4, no person shall Smoke or otherwise consume Cannabis in any Public Place.
- 4. A person who is entitled to possess Cannabis pursuant to a medical document under the *Access to Cannabis for Medical Purposes Regulations* is not subject to this bylaw but must adhere to regulations governing the Smoking of Tobacco and other substances.
- 5. No person shall Smoke Tobacco or any other weed or substance in any indoor place to which the public is ordinarily invited or permitted to attend or in any of the following places:

Bingo Establishment
Casino
Drinking Establishment
Grandstand

¹ 3345/A-2013

² 3345/A-2013

³ 3345/A-2006

⁴ 3345/A-2013

¹Outdoor Public Event
 Patio
 Private Club
 Public Building
 Public Transportation Vehicle
 Restaurant
 Sidewalk Cafe
 Work Place

- 5.1² For greater certainty, no designated smoking area as described in Section 5 of the Tobacco Reduction Act, SA 2005, CH. T-3.8 is permitted in any of the places listed in Section 5 of this bylaw.
- 5.2³ Notwithstanding anything contained in this bylaw, the prohibitions set out in Section 5 do not apply to any Private Living Accommodation.
- 5.3⁴ No person shall Smoke Tobacco or any other weed or substance within ten metres of a Playground, 'Seasonal Skating Rink, Skate Park, Sports Field, Water Spray Park or Toboggan Hill.
6. (1) No Proprietor of a place where Smoking is prohibited by Section 5 shall permit Smoking in that place.
- (2) A Proprietor who takes the following steps or ensures that the following steps are taken shall be deemed to have complied with the obligation described in Section 6(1):
- (a)⁵ advise a smoker that Smoking is not allowed and request the smoker to put out any lit substance;
 - (b) ask any smoker who refuses to comply with such a request to leave the premises;
 - (c) refuse to provide any further service to such person; and
 - (d)⁶ immediately report to the RCMP any smoker who refuses to put out any lit substance or refuses to leave the premises when requested to do so.

¹ 3345/B-2013

² 3345/A-2006, 3345/A-2010

³ 3345/A-2006

⁴ 3345/A-2013

⁵ 3345/A-2013

⁶ 3345/A-2013

7. No Proprietor of a place where Smoking is prohibited by this bylaw shall permit ashtrays to be placed or to remain in that place.
- 7.1¹ Nothing in this bylaw affects the rights of people respecting traditional spiritual practices or ceremonies.

Signs required

8. (1) Every Proprietor of a place or premises mentioned in Section 5 shall ensure that signs prohibiting Smoking are posted in proximity to all of the public entrances to such place. Such signs shall be in general conformity with the form specified in Schedule "A".
 - (2) Where there is no public entrance to a place or premises mentioned in Section 5, signs prohibiting Smoking shall be posted in a prominent location on or near the premises in such manner as to be readily visible to any member of the public using such place or premises.
9. No person shall remove, alter, conceal, deface or destroy any sign posted pursuant to this bylaw.

Inspections

10. (1) For the purpose of determining if the provisions of this bylaw are being complied with, a City Bylaw Enforcement Officer or a member of the RCMP is a designated officer for the purposes of section 542 of the Municipal Government Act of Alberta and may inspect such places or premises at all reasonable times.
 - (2) A person referred to in Section 4 of this bylaw must, on demand of a City Bylaw Enforcement Officer or a member of the RCMP, produce a copy of the person's medical document.

Enforcement

11. Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable upon conviction:
 - a) for a first offence, to a fine of \$200.00; and
 - b) for a second or subsequent offence, to a fine of not less than \$200.00 and not more than \$2,500.00.
12. An individual who is convicted of an offence shall also be liable, in default of payment of any fine, to imprisonment for up to six months

¹ 3345/A-2013

13. Each day that an offence continues shall constitute a separate offence.
14. Where a Bylaw Enforcement Officer or a member of the RCMP has reason to believe that a person has contravened any provision of this Bylaw, he or she may serve upon such person:
- (a) an Offence Ticket allowing payment to the City of the specified fine set out in Section 9 (a), which payment shall be accepted by the City in lieu of prosecution for the offence; or
 - (b) for a first offence, a Violation Ticket requiring a person to appear in Court with the alternative of making a voluntary payment; or
 - (c) for a second or subsequent offence, a Violation Ticket requiring a person to appear in Court without the alternative of making a voluntary payment.
15. If a Violation Ticket containing a specified penalty is issued to a person for a breach of this bylaw, the person may make a voluntary payment equal to the specified fine by delivering the Violation Ticket and the specified fine to the Provincial Court Office specified on the Violation Ticket within the required time. In that event, the voluntary payment will be accepted as a guilty plea and no court appearance is required.

Severability

16. Should any provision of this bylaw be found to be invalid it is the intention of Council for the City that such invalid portion be severed and that the remainder of the bylaw be given full force and effect.

Effective Date

17. Section 3 of this bylaw shall come into effect on the day the *Cannabis Act* comes into force.

READ A FIRST TIME IN OPEN COUNCIL this 24th day of May 2005.

READ A SECOND TIME IN OPEN COUNCIL this 24th day of May 2005.

READ A THIRD TIME IN OPEN COUNCIL this 20th day of June 2005.

AND SIGNED BY THE MAYOR AND CITY CLERK this 20th day of June 2005.

“Morris Flewwelling”

MAYOR

“Kelly Kloss”

CITY CLERK

SCHEDULE "A"



**NO SMOKING
THE CITY OF RED DEER**



AHS Recommendations on Cannabis Regulations for Alberta Municipalities

Prepared on behalf of AHS by: Dr. Gerry Predy, Senior Medical Officer of Health/Senior Medical Director – Population, Public and Indigenous Health

The following includes information and recommendations that will help municipalities make cannabis policy decisions that promote and protect the health of its citizens. Alberta Health Services (AHS) supports an evidence-informed public health approach (Chief Medical Officers of Health of Canada, 2016) that considers health and social outcomes in the development of municipal cannabis policies and bylaws. Lessons learned from tobacco and alcohol have also been used to inform these positions.

SUMMARY OF RECOMMENDATIONS

Overall

Where evidence is incomplete or inconclusive, AHS is advising that a precautionary approach be taken to minimize unintended consequences. This approach is consistent with the recommendations of Federal Taskforce on the Legalization and Regulation of Cannabis (Government of Canada, 2016).

Business Regulation & Retail

- Limit the number of cannabis stores, and implement density and distance controls to prevent stores from clustering, while also keeping buffer zones around well-defined areas where children and youth frequent.
- Consider requirements for cannabis education and community engagement as part of the business licensing approval process.
- Limit hours of operation to limit availability late at night and early morning hours.
- Restrict signage and advertising to minimize visibility to youth.

Consumption

- Ban consumption in areas frequented by children.
- Align the cannabis smoking regulations with the *Tobacco and Smoking Reduction Act* and/or with your municipal regulations, whichever is more stringent.
- Ban smoking, vaping and water pipes in public indoor consumption venues.

Home growing

- Design a process to ensure households and properties are capable of safely supporting home growing.

Multi-Unit Housing:

- Health Canada (2017) has recommended a ban on smoking in multi-unit housing. AHS recognizes that there are potential health risks associated with second-hand smoke within multi-unit housing environments and therefore recommends municipalities consider bylaws that ban smoking in multi-unit housing.

Research and Evaluation

- Ensure mechanisms to share data across sectors and levels of government are established, and appropriate indicators are chosen to monitor the impacts of policy implementation on communities.



DETAILED RECOMMENDATIONS

The following sections provide evidence and additional details for each of the above recommendation areas.

Overall

Overall, AHS encourages municipalities to proceed with caution for two reasons. First, there is little reliable and conclusive evidence to support what safe cannabis use looks like for individuals and communities. Second, it's easier to prevent future harms, by removing regulations in the future once more knowledge exists, than it is to later add regulation. (Canadian Centre for Substance Abuse, 2015; Chief Medical Officers of Health of Canada, 2016).

Evidence shows commercialization of alcohol and tobacco has resulted in substantial population level morbidity and mortality as well as community level harms. This is of particular importance because adding cannabis use to a community adds multifactorial relationships to already existing social issues, as we know co-use or simultaneous use of cannabis, alcohol and/or tobacco, in some kind of combination is common (Barrett et al. 2006; Canadian Centre for Substance Abuse, 2007; Subbaraman et al. 2015). For example, simultaneous use of alcohol and cannabis has been found to approximately double the odds of impaired driving, social consequences, and harms to self (Subbaraman et al. 2015). According to AHS treatment data, of those using AHS Addiction Services, more than half used cannabis, and of those who use cannabis, 90% have used alcohol and 80% have used tobacco (Alberta Health Services, 2017). Further evidence indicates that legalization of cannabis may have negative impacts related to resource utilization, law enforcement and impaired driving cases, and self-reported cannabis-related risk factors and other substance use (Health Technology Assessment Unit, 2017).

Business Regulations & Retail Sales

Location and Number of Stores

Alberta Health Services recommends municipalities strengthen zoning regulations by using a combination of population and geographic based formulas to restrict the number and location of cannabis outlet licenses. In particular AHS recommends that municipalities:

- Limit the number of business licenses issued in the first phases of implementation.
- Implement a 300-500m minimum distance restriction between cannabis retail outlets
- Implement a 300m distance between cannabis stores and schools, daycares and community centers.
- Implement a 100m minimum distance from tobacco and liquor retailers, in addition to a square kilometer density restriction, adjusted for population, at the onset of legalization.
- Note: additional analysis may be needed to ensure that unintended consequences do not negatively impact existing communities (e.g., clustering, social and health harms, vulnerable populations).

Between 1993 (just before privatization) and 2016, there was a 600% increase in the number of liquor stores in Alberta (208 stores in 1993, 1,435 stores in 2016). Privatization has also resulted in drastic product proliferation, with an increase from 2,200 products in 1993 to 23,072 products in 2016 (AGLC, 2016). Without more restrictive cannabis regulations, business owners will demand and industry will deliver a greater variety of cannabis products, likely resulting in an expansion of consumption in communities across Alberta. U.S. researchers predict a doubling of consumption rates over time as a result of legalization, which means an estimated 40 billion more hours of intoxication in the US (Caulkins, 2017). A privatized system without initial restrictive regulation will likely follow similar trends in Alberta, resulting in significant health and social impacts on communities.



Density limits reduce neighbourhood impacts and youth access (Canadian Centre for Substance Abuse, 2015; Freisthler & Gruenewald, 2014). Research on alcohol and tobacco use highlights the need for stronger controls on density and minimum distances (Ammerman et al., 2015; Chen, Gruenewald & Remer, 2009; Livingston, 2011; Popova et al., 2009; Rowland et al., 2016;) For example, the physical availability of medicinal marijuana dispensaries impact current use and increase frequent use (Morrison et al., 2014). Similarly with liquor stores, higher densities are associated with high-risk consumption behaviours—especially among youth, facilitating access and possession by adolescents, as well as increased rates of violence and crime (Ammerman et al., 2015). In addition, U.S. researchers have found that medical cannabis outlets are spatially associated with market potential which points to a form of “environmental injustices in which socially disadvantaged are disproportionately exposed to problems.” Therefore, jurisdictions should ensure that communities with fewer resources (e.g., low income, unincorporated areas) are not burdened with large numbers of stores and prevent clustering among liquor, tobacco and cannabis stores (Morrison et al., 2014). Other US research shows that zoning laws for location are an effective way to prevent overpopulation of cannabis stores in undesirable areas (Thomas & Freisthler, 2016). Summary tables of some US state and city buffer zones can be found in Nementh and Ross (2014).

It is clear that locating cannabis stores away from schools, daycares and community centers is essential to protecting children from the normalization of Cannabis use (Rethinking Access to Marijuana, 2017). Therefore, municipalities should ensure that all provincially recognized types of licensed and approved childcare options are included in their regulations. For example, daycare facilities, account for 39.9% of licensed childcare spaces in the province. Pre-schools, out-of-school programs, family day-homes, innovative child care, and group family child care programs account for the remaining 60% of licensed child care in the province.² Through business licensing and zoning, municipalities have the opportunity to protect all childcare spaces by including these locations in local buffer zones. Many preschools and childcare facilities are already located in strip malls or community associations or churches adjacent to liquor outlets (bars or liquor stores). Cannabis stores should not be allowed to be located within a buffer zone of any type of childcare facility or school. AHS also suggests that municipalities include other places that children and youth frequent as part of minimum distance bylaws such as parks, churches, and recreation facilities (Canadian Centre for Substance Abuse, 2015; Rethinking Access to Marijuana, 2017).

Business/Development License Application Processes

AHS suggests that a cannabis education component and community engagement plan be added to the application processes for retail marijuana business licenses. As cannabis legalization is complex, there are many new legal implications, and potential health and community impacts. Potential business owners should demonstrate a base knowledge of cannabis safe use and health harms, as well as the new rules. It is also important to foster a healthy relationship between cannabis retailers and the community with the common goal of healthy community integration. The City of Denver has implemented a community engagement requirement where applicants must list all registered neighborhood organizations whose boundaries encompass the store location and outline their outreach plans. Applicants must also indicate how they plan to create positive impacts in the neighbourhood and implement policies/procedures to address concerns by residents and other businesses (City of Denver, 2017).

Municipalities are encouraged to require applicants to outline proper storage and disposal of chemicals, as well as proper disposal of waste products. In addition, applicants should outline how they will be managing odor control to prevent negative impacts on neighbours.

Hours of Operation

AHS recommends restricting hours of operation as a means to reduce harms to communities (Rethinking Access to Marijuana, 2017). In regards to alcohol-related harm, international evidence on availability indicates that



longer hours of sale significantly increase the amount of alcohol consumed and the rates of alcohol related harms (Griesbrecht et al., 2013). The Centre for Addiction and Mental Health suggests restricting alcohol sales to 9 business hours per day, with limited availability late at night and in the early hours of the morning (D'Amico, Miles & Tucker, 2015). Most regulations in the US legalized states limit hours of operation to 10pm or midnight (California, 2017; Oregon, 2017; State of Colorado, 2017; Washington State Liquor and Cannabis Board, 2017). AHS recommends limiting the number of and late night/early morning hours of operation for cannabis stores (Griesbrecht et al., 2013; Rethinking Access to Marijuana, 2017).

Advertising and Signage

AHS recommends that municipalities include policy/bylaw considerations to limit advertising to dampen favorable social norms toward cannabis use (D'Amico, Miles & Tucker, 2015). Further, while it is important to implement the principles of Crime Prevention through Environmental Design (i.e., the physical space should be well lit, tidy, include proper parking etc.), the physical appearance should not encourage or engage patrons. A similar policy has been implemented in Denver, Colorado. This approach is supported by a large body of evidence related to alcohol and tobacco. (Joseph, et al., 2015; Hackbarth et al., 2001; Lavack & Toth, 2006; Malone, 2012).

Consumption

AHS recommends that municipalities align their regulations with the *Tobacco and Smoking Reduction Act*. In addition, municipalities may also want to consider enacting bylaws that consider banning tobacco-like substances such as shisha.

AHS recommends that municipalities implement regulations banning consumption in public places, as well as for public intoxication (see Alberta Liquor and Gaming Act). The rationale for this is two-fold: (i) cannabis is an intoxicating substance and should therefore be treated similarly to alcohol, and (ii) harms related to second and third-hand smoke, especially for children and youth. Second-hand cannabis smoke is more mutagenic and cytotoxic than tobacco smoke, and therefore second-hand inhalation of cannabis should be considered a health risk (Cone et al., 2011; Health Technology Assessment Unit, 2017; Maertens, White, Williams & Yauk, 2013).

Special attention should be directed at banning consumption in areas frequented by children, including: all types of parks (provincial, municipal, athletic parks, baseball, urban, trails/pathways, etc.), playgrounds, school grounds, community centers, sports fields, queues, skateboard parks, amphitheatres, picnic areas and crowded outdoor events where children are present (i.e., all ages music festivals, CFL football games, rodeos, parades, Canada Day celebrations, outdoor festivals, outdoor amusement parks (private), golf courses, zoos, transit and school bus stops, ski hills, outdoor skating rinks or on any municipal owned lands) (Rethinking Access to Marijuana, 2017). Public consumption bans should also be enacted for hospitals (all points of health care, urgent care clinics, clinics, etc.), picnic areas (alcohol limits for outdoor consumption). Currently, consumption of tobacco and tobacco-like products is not permitted on any AHS property.

Venues for consumption

Until adequate evidence-based rationale can be provided, AHS does not support having specific venues for indoor consumption (smoking, vaping, water pipes) as this would expose people to second-hand smoke, promote renormalization of smoking, reverse some of the progress made with public smoking bans, and present occupational health issues (i.e., second and third hand smoke exposures, and inadvertent intoxication of staff and patrons).



Home Growing

AHS recommends households interested in personally cultivating cannabis go through a municipal approval process and that owners have access to reference educational materials related but not limited to: mitigating child safety, security, water use, electrical hazards, humidity, and odor concerns. These materials will help ensure the property is capable of safely supporting home growing and help reduce the negative impacts to surrounding properties (Rethinking Access to Marijuana, 2017).

While allowing citizens to grow cannabis plants at home may provide more options for access, there are risks to public health and safety. Further, as Bill 26 currently reads, as it pertains to personal cultivation, municipalities can expect an increase in nuisance complaints. Cannabis is also known to be a water and energy intensive crop, as such; this impacts municipalities in a number of ways (Bauer et al., 2015; Cone et al., 2011; Health Technology Assessment Unit, 2017; Mills, 2012). For example, personal cultivation brings risks related to air quality, ventilation, mold, odors, pests, chemical disposal, indoor herbicide/pesticide use, increased electrical use and fire risk, and accidental consumption. Further, all of these risks are amplified when children are present in the home and/or multi-unit dwelling.

In Colorado, it is estimated that one-third of the total cannabis supply comes from personal cultivation as permitted to medical cannabis users (Canadian Centre on Substance Abuse, 2015). As such, municipalities alongside AHS should anticipate requiring additional resources as a system cost to be able to adequately respond to public health and community nuisance complaints. Furthermore there may be additional municipal human resource needs, as well as an increase in hazards, as it relates to indoor personal cultivation, impacting departments like waste services, fire, police and bylaw services. Finally, additional building codes and safety codes may be required in order to effectively manage and address hazards pertaining to heating, ventilation and air cooling systems, as well as building electrical.

Multi-Unit Housing

Existing tools for managing the issue of cannabis consumption and personal cultivation in multi-unit housing will likely not be sufficient to manage this issue. It will be important to recognize the negative health effects of second and third-hand smoke and risks related to personal cultivation when considering municipal regulations for multi-unit housing.¹ Other changes that are needed to address both indoor consumption and personal cultivation in multi-unit housing include:

- additional building codes and safety codes to effectively manage and address hazards pertaining to heating, ventilation and air cooling systems, as well as building electrical,
- appropriate language in bylaws as they pertain to alcohol and/or public intoxication.

Health Canada (2017) has recommended a ban on smoking in multi-unit housing. AHS recognizes that there are potential health risks associated with second-hand smoke within multi-unit housing environments and therefore recommends municipalities consider bylaws that ban smoking in multi-unit housing.

Finally, as mentioned above, AHS Environmental Public Health is not currently in a position to effectively respond to the anticipated number of nuisance complaints received if smoking cannabis is allowed in multi-unit housing, both in terms of staffing, as well as in terms of enforcement. AHS encourages municipalities to plan for additional human resources if pre-emptive measures are not considered.



Additional Considerations

Education and Awareness

Evidence-informed public education and consistent messaging will be critical for promoting and protecting health of citizens. Many areas of education and awareness will be needed including: new/amended bylaws and regulations, home growing rules, and health impacts. As messages are developed it is important that municipalities, along with other stakeholders provide balanced, factual and unsensational messages about cannabis use and its impacts on communities (Canadian Centre on Substance Abuse, 2015).

Public education alone is only effective at creating awareness in a population. Comprehensive, multi-layered strategies that include social normative education, harm reduction, fact based information and targets multiple environments and populations should be used (Chief Medical Officers of Health of Canada, 2016). As municipalities move through this process it is important to note that public education should not be used as a substitute for effective policy development with strong regulations to protect communities from harms.

Capacity to Administer and Enforce

Regulatory frameworks are only successful if there is the capacity to implement them. Other jurisdictions have reported significant human resource needs to administer new regulations. For example, the City of Denver added over 37 FTEs across sectors including administration, health-related issues, public safety, and inspections (Canadian Centre on Substance Abuse, 2015).

Research and Evaluation

Moving forward, Alberta Health Services would like to strengthen their partnerships with municipalities to set up data sharing mechanisms between sectors. A key lesson learned from some US jurisdictions is to ensure mechanisms to share data across sectors are established (i.e., public health, transportation, public safety, seed-to-sale tracking, finance, law enforcement) (Freedman, 2017). This has been shown to help identify problematic trends sooner and more efficiently. Further, AHS encourages municipalities to advocate for provincial legislation to support data sharing and system integration.

Lessons learned from Washington State and Colorado indicate that baseline data was difficult to come by. Therefore, it is recommended that all levels of government and school boards review data collected and wherever possible separate variables that relate to cannabis use from other aggregate level data.² Further, monitoring impacts will be important to determine if policy goals are being met and to identify unintended consequences more quickly.



Notes

¹ (a) Health Canada has recommended a ban on smoking in multi-unit housing. (<https://www.canada.ca/en/health-canada/programs/future-tobacco-control/future-tobacco-control.html>).

(b) Real scenario: Consider a mom with 2 young children in an apartment complex. A neighbour is (legally) smoking pot in their suite. It is coming into her suite and believes it is negatively affecting her and her 2 small children. She is on a limited budget and does not have the resources to move. The landlord tells her that the neighbour is doing nothing wrong and police advise her there is nothing illegal about it. She has read the public health information and knows about the potential harms of cannabis. She then calls the municipality. Municipalities will need to have mechanisms in place to handle the potential increase in cannabis-related calls and mitigation strategies to address the complaints.

² Many preschools and childcare facilities are already located in strip malls adjacent to liquor outlets (bars or liquor stores). Cannabis stores should not be allowed to be located within a shopping complex that has any type of childcare facility.

Childcare programs in Alberta as of June 2017

Type	# of regulated spaces	% of spaces	# of programs/locations	% of programs	% of locations
Day care	47,155	39.9%	842	18.8%	33%
Day home	11,773	10.0%	67 agencies with est. 1,962 locations (Based on 6 children per home)	3%	43.8%
Pre-school	17,699	15%	686	27%	15.3%
Out of School	40,817	34.6%	958	37%	21.4%
Innovative childcare program	604	0.5%	22	1%	0.5%
Group family childcare program	40	0.03%	5	0%	0.1%
Total	118,088		4,475		

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PUBLIC HEALTH PERSPECTIVES ON CANNABIS LEGALIZATION IN ALBERTA

Written Submission to:

Alberta Cannabis Secretariat

Submitted on behalf of AHS by:

Dr. Gerry Predy, Senior Medical Officer of Health/Senior Medical Director–Population, Public and Indigenous Health

Date: July 31, 2017

PUBLIC HEALTH APPROACH

Alberta Health Services (AHS) supports an evidence-based public health approach to the development and implementation of legislation for the legalization and regulation of cannabis in Alberta. This means promoting and protecting the health of Albertans, and considering the impact on the health of our most vulnerable populations.

A public health approach strives to maximize benefits and minimize harms of substances, promote the health of all individuals of a population, decrease inequities, and ensure harms from interventions and legislation are not disproportionate to harms from the substances themselves. ¹ The outcome of a public health approach (see Figure 1) shows how health/social harms and supply/demand are related. Harms related to substances are at a maximum when governance and control are at the extremes. Lower harms occur when a public health approach is used.

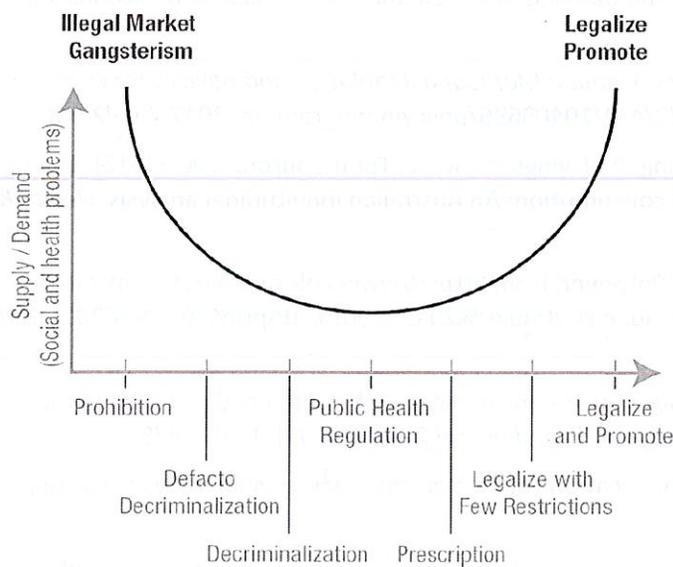


Figure 1. “The Paradox of Prohibition” Marks (1990) ¹

Legalizing cannabis without considering the key elements of a public health approach is likely to result in greater social and health harms. Key considerations when developing policy from a public health lens includes:

- Minimizing harm
 - Consider the risks of cannabis use including the risks of harms to youth, risks associated with patterns of consumption (e.g., frequent use, co-use with alcohol and tobacco, harmful routes of consumption, consumption of concentrated products, increases in proportion of population consuming), and risks to vulnerable populations (e.g., youth, people with mental health problems, pregnant women, socio-economically disadvantaged populations).
- Protecting the health and safety of Albertans
 - Carefully consider evidence related to the public consumption of cannabis, workplace safety, and the scientific and legal issues associated with impaired driving.
- Preventing the likelihood of use and problematic use
 - Ensure early and on-going public education and awareness that seeks to delay use by young people, and prevent normalization.
- Assessing population health outcomes
 - Include baseline understandings of current situation; potential impact of policies and programming; disease, injury and disability surveillance (effects on society).
- Providing services
 - To assist those who are most at risk of developing or have developed substance use issues, expand access to treatment and prevention programs.
 - Consider the ongoing public health costs and ensure that public health programs are adequately resourced to address the risks.
- Addressing the determinants of health and health equity
 - Consider issues of social justice, racism, human rights, spiritual and cultural practices, as well as populations vulnerable to higher risk of cannabis-related harms.
 - Complete a health equity impact assessment to ensure unintended consequences of legalization are minimized.

It is also critical to begin conservatively and establish more restrictive regulations as it is very difficult to tighten regulations once in place. As there is little research on the impact of legalization on health and social outcomes, proceeding cautiously with implementation will help ensure that the promotion and protection of the health and safety of Albertan remains the priority.

As recommended by the Chief Medical Officers of Health of Canada,¹ the overarching goal to this legislation should be to improve and protect health—maximizing benefits, minimizing harms, promoting health, and reducing inequities for individuals, communities and society. This goal needs to be applied at every stage of the policy development process.

HARMS OF USE

While there is evidence that there is less impact on public health than alcohol and tobacco, cannabis still has significant health risks which include increased risk of some cancers, mental health issues, and

functional changes (e.g., memory loss) as well as social effects such as impaired driving.^{2,3,4} These health risks are more prevalent with frequent (daily or near-daily) and early age use. Recent research has reported significant increases in marijuana-related hospitalizations, emergency department visits, and calls to the regional poison center following legalization of marijuana in Colorado.⁵ Many reports also identify cannabis use being associated with an increased risk of motor vehicle collisions.^{6,7,8}

In addition, there are disproportionate impacts among vulnerable populations that need careful consideration. Lower-risk guidelines for cannabis use should be adopted as outlined by Fischer et al. (2011)⁹ focusing on populations that are more vulnerable to poor health outcomes such as youth, those with lower literacy and education, as well as gender specific populations. These lower risk guidelines¹⁰ have been endorsed by the Centre for Addiction and Mental Health, Canadian Public Health Association, Canadian Medical Association, Canadian Society of Addiction Medicine, Council of Chief Medical Officers of Health, and Canadian Centre on Substance Use and Addiction.

Research and evidence related to cannabis-impaired driving, brain development, dependence, mental health, chronic diseases (respiratory and cardiovascular), co-disease, co-occurring other drug use, passive exposure to smoke, among other issues, should also be considered in the development of cannabis legislation and regulation. Some specific evidence includes:

- Brain development – evidence suggests using cannabis in early adolescence can cause adverse effects to the developing brain and are at greater risk for long term cognitive impairments.^{11,12,13} While more research is needed in this area, there are reports that early, regular use is associated with higher risk of dependency, higher risk of health harms, and low levels of educational attainment.^{14,15,16,17}
- Dependence – The risk of dependency is a concern. It is reported that the global burden of cannabis dependence was 13.1 million people in 2010 (0.20%), and that dependence is greater among males and more common in high-income areas (compared to low-income areas).¹⁸ In addition, researchers in the U.S. indicate that the prevalence of lifetime dependence is approximately 9% among people that had used cannabis at least once.¹⁹
- Chronic Disease – Consumption of combusted cannabis is associated with respiratory disease such as a chronic cough. Other significant concerns that require further research include chronic obstructive pulmonary disease, asthma and lung cancer. Cannabis consumption, both inhaled and ingested affects the circulatory system, and there is some evidence associating cannabis with heart attacks and strokes.²⁰
- Mental health – Research suggests that cannabis users (mostly frequent and high potency use) are at greater risk of developing mental health problems such as psychosis, mania, suicide, depression, psychosis or schizophrenia.^{21,22} For example, it is reported that there is a 40-50% higher risk of psychosis for people with a pre-existing vulnerability than non-users.²³
- Passive exposure – Second-hand cannabis smoke is more mutagenic and cytotoxic than tobacco smoke, and therefore second-hand inhalation of cannabis should be considered a health risk.^{24,25,26}
- Driving -- Substantial evidence shows a link between cannabis use and increased risk of motor vehicle collisions.^{27,28} More research is needed to understand the association between THC levels and impairment, thus any limits set should be re-evaluated as evidence becomes available. In

addition, concerns about the reliability of current roadside testing technology has been expressed by many organizations and researchers. As such, investment for research related to impairment testing technology should be included in the implementation plan. A public education campaign about the risk of driving after consuming or smoking any cannabis or while impaired will be critical throughout the implementation of this legislation. This will be particularly important for youth, as the Canadian Paediatric Society reports that cannabis-impaired driving is more common than alcohol-impaired driving and youth are less likely to recognize driving after consuming cannabis as a risk.²⁹

HEALTH PROTECTION AND PREVENTION

Age of use. Researchers and public health organizations are in agreement—there is no safe age for using cannabis. Delaying use is one of the best ways to reduce the risk of harm to the developing brain. Scientifically-based minimum age recommendations are generally early-to-mid-20's but also recognize that a public health approach includes consideration for balancing many variables related to enforcement, the illicit market and public acceptance. Some public health organizations recommend the minimum age be set at 21 and others recommend bringing alcohol, tobacco and cannabis in alignment. Experience with tobacco has shown that there is a higher impact on initiation by persons under 15 and age 15-17 when setting the minimum age of purchase and possession at 21 versus 19 (Institute of Medicine in US). With the U.S. states who have legalized cannabis, all have chosen age 21 for cannabis minimum age and three states and over 230 cities/counties have implemented age 21 for tobacco. Cannabis legalization represents an opportunity for Alberta to consider raising the tobacco and alcohol minimum age.

Packaging/labelling. Plain, standardized and child-proof packaging is recommended to decrease the appeal to young people and avoid marketing tactics that make cannabis use attractive. Labelling should include health warnings and clearly defined single serving/dose information.

Marketing and promotion. Evidence has shown that advertising has a significant impact on youth health risk behaviours,³⁰ therefore promotion of cannabis use should be banned. Restrictions for marketing and promotion should follow the Alberta Tobacco and Smoking Reduction Act, with further consideration added such as movies, video games, online market, social marketing and other media accessible to and popular with youth. It is also important to note that language to describe cannabis can have a marketing affect. Therefore, as noted by the Chief Medical Officers of Health of Canada, the term "recreational" should not be used as this infers that cannabis use is fun. A more appropriate term is "non-medical."

Distribution and retail. A government controlled system of distribution and retail would be most effective to ensure that public health goals (not profit) are the primary consideration for policy development. Taxation and other price controls should be appropriate to limit consumption and offset the illegal market. Tax revenues should be directed to support services impacted by legalizations including health, public safety, addictions and mental health services, prevention, and public

education. Co-location with alcohol or tobacco is not recommended and retail outlets should be non-promoting. Limits to density and location of retail stores is essential, including proximity to schools, community centres, residential neighbourhoods, youth facilities and childcare centres. While online and home delivery may be suitable for medical cannabis, there are many regulatory challenges and risks to public health for non-medical cannabis. Finally, training and education programs should be developed to ensure well-trained and knowledgeable staff. AHS is a key partner to help lead the development of this training.

Public consumption. The research regarding negative harms due to passive exposure of smoke is clear.^{31,32,33} Passive exposure to cannabis smoke can result in a positive test for cannabis and sometimes causes intoxication. Therefore, public smoking and vaping should not be permitted.³⁴ It is recommended that regulations similar to the Tobacco and Smoking Reduction Act, which includes a ban on water pipe smoking in establishments and e-cigarette use in public areas. This also suggests banning cannabis lounges/cafes as these facilities would expose people to second-hand smoke, promote renormalizing smoking, present occupational health issues, and reverse some of the progress made with public smoking bans. Additional considerations to protect public health include exploring policy options to address smoke-free multi-unit housing.

Public education. Evidence-informed public education is critical to promoting and protecting the health and wellbeing of Albertans. The potential, particularly for youth, to hear “mixed messages” about cannabis use requires the development, implementation and evaluation of a more nuanced set of health promotion and harm prevention messages and interventions to support people in their decision-making around cannabis use.³⁵ Alberta Health Services can play a major role in public education, applying its significant experience in developing and implementing education and awareness campaigns. It will be critical to work with partner organizations and audiences particularly youth and those who are current users of cannabis to implement evidence-informed health promotion messaging that includes (but not limited to): delay of use, effects of use/co-use, long-term impact, reliable information sources, harm reduction, edible versus smoking effects, pregnancy and effects on fetus, medical and non-medical cannabis differences, workplace safety, impaired driving, culturally appropriate messaging, health impacts and youth-focused messaging.

Addiction and treatment services. Strengthening treatment services for people with substance use issues and mental health disorders will be necessary as these treatment systems are already under resourced which in turn have significant health and social consequences. For example, the Alberta Mental Health Review in 2015 reported that almost half of Albertans said that at least one of their needs was not met when they attempted to get assistance for addiction and mental health issues.³⁶ It is anticipated that there will be an increase in demand to address problematic cannabis use and for that reason investments in evidence-based interventions will be needed.^{37,38} It will also be necessary for those who use cannabis for medical purposes to have access to accurate, reliable information such as indicators, adverse effects, methods of use and risk reduction.

ASSESSMENT, SURVEILLANCE AND RESEARCH

Currently, reliable cannabis-related research and evidence is limited. Therefore, dedicated funding and resources will be needed to ensure proper monitoring and surveillance, and improve the body of research and evidence related to cannabis use and the impact of legalization.³⁹

While there have been several other jurisdictions who have recently implemented legislation to legalize cannabis, many have faced significant challenges in implementing effective evaluation programs. Lessons learned from these jurisdictions will be critical to determining baseline measures and selecting indicators for ongoing surveillance.⁴⁰ A consistent approach, working across all provinces and territories, is central to measuring impact and providing comparable data.^{41,42} In Canada, there have already been some efforts to establish this coordinated approach including Health Canada's Annual Cannabis Use survey and Canadian Institutes for Health Research's (CIHR) catalysts grants. Not only is this national view important, but a provincial collaborative approach is needed. This would require a coordinating body to ensure municipal, provincial and federal research and evaluation efforts are well-coordinated.

OTHER RECOMMENDED REPORTS/POSITIONS

It is highly recommended that the Alberta government considers the information and recommendations from the following:

- Chief Medical Officers of Health of Canada & Urban Public Health Network (2016)
<http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>
- Toronto Medical Officer of Health (2017)
<http://www.toronto.ca/legdocs/mmis/2017/hl/bgrd/backgroundfile-104495.pdf>
- Canadian Public Health Association (2016)
https://www.cpha.ca/sites/default/files/assets/policy/cannabis_submission_e.pdf
- Centre for Addiction and Mental Health (2014)
https://www.camh.ca/en/hospital/about_camh/influencing_public_policy/documents/camhcanabispolicyframework.pdf
- Canadian Centre for Substance Use and Addiction
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Non-Therapeutic-Marijuana-Policy-Brief-2014-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-National-Research-Agenda-Non-Medical-Cannabis-Use-Summary-2017-en.pdf>
- Ontario Public Health Association
<http://www.opha.on.ca/getmedia/6b05a6bc-bac2-4c92-af18-62b91a003b1b/The-Public-Health-Implications-of-the-Legalization-of-Recreational-Cannabis.pdf.aspx?ext=.pdf>
- Canadian Paediatric Society
<http://www.cps.ca/en/documents/position/cannabis-children-and-youth>

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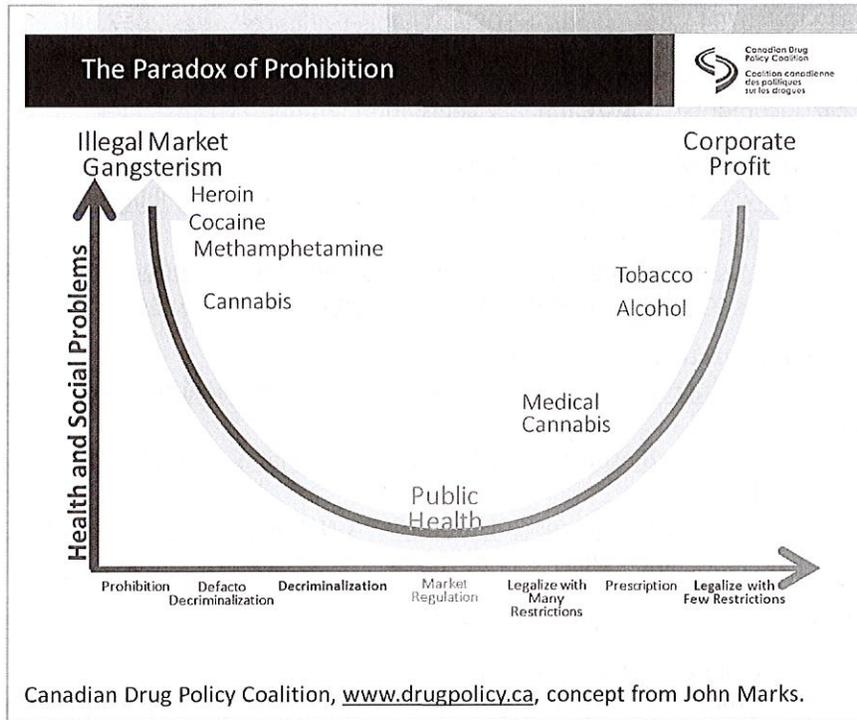
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A Public Health Approach¹ to Cannabis Legalization

A public health approach strives to maximize benefits and minimize harms of substances, promote the health of all individuals of a population, decrease inequities, and ensure harms from interventions and legislation are not disproportionate to harms from the substances themselves.

A public health lens to cannabis legalization also involves taking a precautionary approach to minimize unintended consequences. This precautionary approach helps minimize unintended consequences, especially when evidence is incomplete and/or inconclusive. In addition, it is easier to prevent future harms, by removing regulations in the future once more knowledge exists, than it is to later add regulation.¹



- The outcome of a public health approach shows how health/social harms and supply/demand are related.
- Harms related to substances are at a maximum when governance and control are at the extremes. Note that harms are similar to prohibition if commercialization/privatization is at the extreme.
- Lower health and social harms occur when a public health approach is used. (Note: the curve doesn't go to zero—there are always problems associated with substance use, but they can be minimized).
- Legalizing cannabis without considering the key elements of a public health approach may result in greater social and health harms.

Key considerations when developing policy from a public health lens includes:

- Minimizing harms
- Protecting health and safety of citizens
- Preventing the likelihood of use and problematic use
- Assessing population health outcomes
- Providing services
- Addressing the determinants of health and health equity

¹ Chief Medical Officers of Health of Canada & Urban Public Health Network. (2016). *Public health perspectives on cannabis policy and regulation*. Available from <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>



ADDITIONAL RESOURCES:

- Alberta Health Services – Public Health Perspectives on Cannabis
https://drive.google.com/drive/folders/0B6IL8pRONuu_UDB6WTBnU2INRmc
- Chief Medical Officers of Health of Canada & Urban Public Health Network (2016) <http://uphn.ca/wp-content/uploads/2016/10/Chief-MOH-UPHN-Cannabis-Perspectives-Final-Sept-26-2016.pdf>
- University of Calgary Evidence Series
<https://open.alberta.ca/dataset/0239e5c2-5b48-4e93-9bcc-77f72f7bdc5e/resource/021d8f84-5d8b-4e21-b0bb-81340d407944/download/AHTDP-Cannabis-Evidence-Series-2017.pdf>
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https://fcm.ca/Documents/issues/Cannabis_Legislation_Primer_EN.pdf
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 - https://www.camh.ca/en/hospital/about_camh/influencing_public_policy/documents/camh_cannabispolicyframework.pdf
 - https://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/Provincial%20alcohol%20reports/Provincial%20Summary_%20AB.pdf
- Canadian Centre for Substance Use and Addiction
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Non-Therapeutic-Marijuana-Policy-Brief-2014-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-Cannabis-Regulation-Lessons-Learned-Report-2015-en.pdf>
 - <http://www.ccsa.ca/Resource%20Library/CCSA-National-Research-Agenda-Non-Medical-Cannabis-Use-Summary-2017-en.pdf>
- Canadian Paediatric Society: <http://www.cps.ca/en/documents/position/cannabis-children-and-youth>
- Canada's Lower-Risk Cannabis Use Guidelines
http://www.camh.ca/en/research/news_and_publications/reports_and_books/Documents/LRCUG.KT.PublicBrochure.15June2017.pdf
- Drug Free Kids Canada
<https://www.drugfreekidscanada.org/>
- AHS Medicinal Marijuana Series
<https://www.youtube.com/playlist?list=PL4H2py77UNuXVGFm2qbl288PDA4LcJg9z>
- Government of Alberta & Government of Canada
 - <https://www.alberta.ca/cannabis-legalization.aspx>
 - <https://www.canada.ca/en/services/health/campaigns/legalizing-strictly-regulating-cannabis-facts.html>
- Rethinking Access to Marijuana
http://www.lacountyram.org/uploads/1/0/4/0/10409636/ram_cb_inlayout4.pdf
- Canadian Medical Association Journal: <http://cmajopen.ca/content/5/4/E814.full>

Key Contact:

Michelle Kilborn, PhD

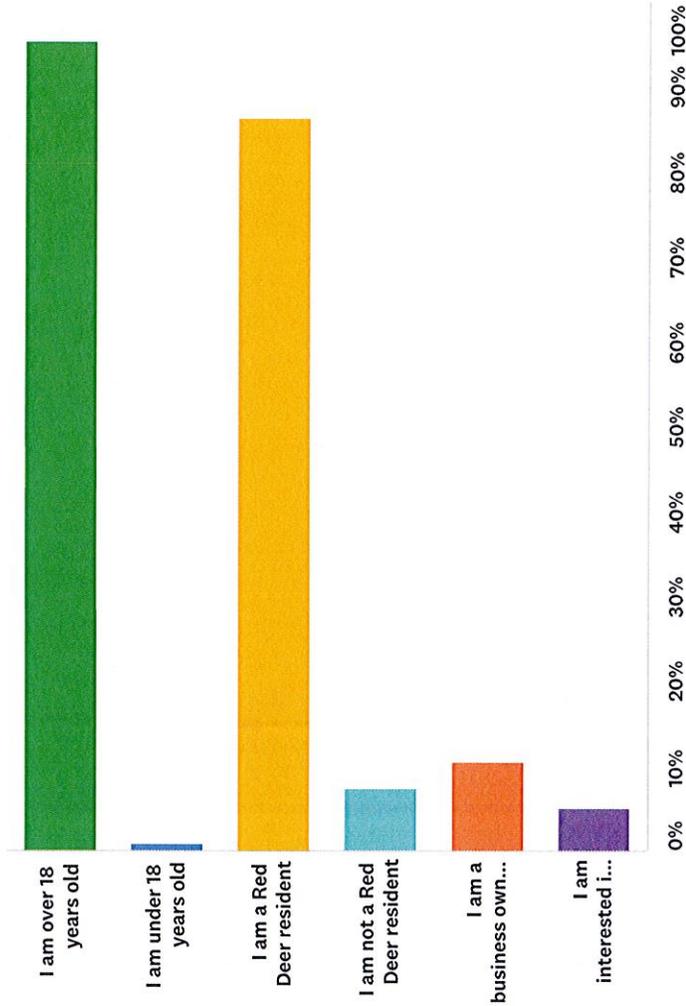
AHS Cannabis Project Coordinator

Email: michelle.kilborn@ahs.ca / Phone: 780-342-0294

Legalization of Cannabis

Q1 Which of the following best describes you? (Check all that apply)

Answered: 1,471 Skipped: 2

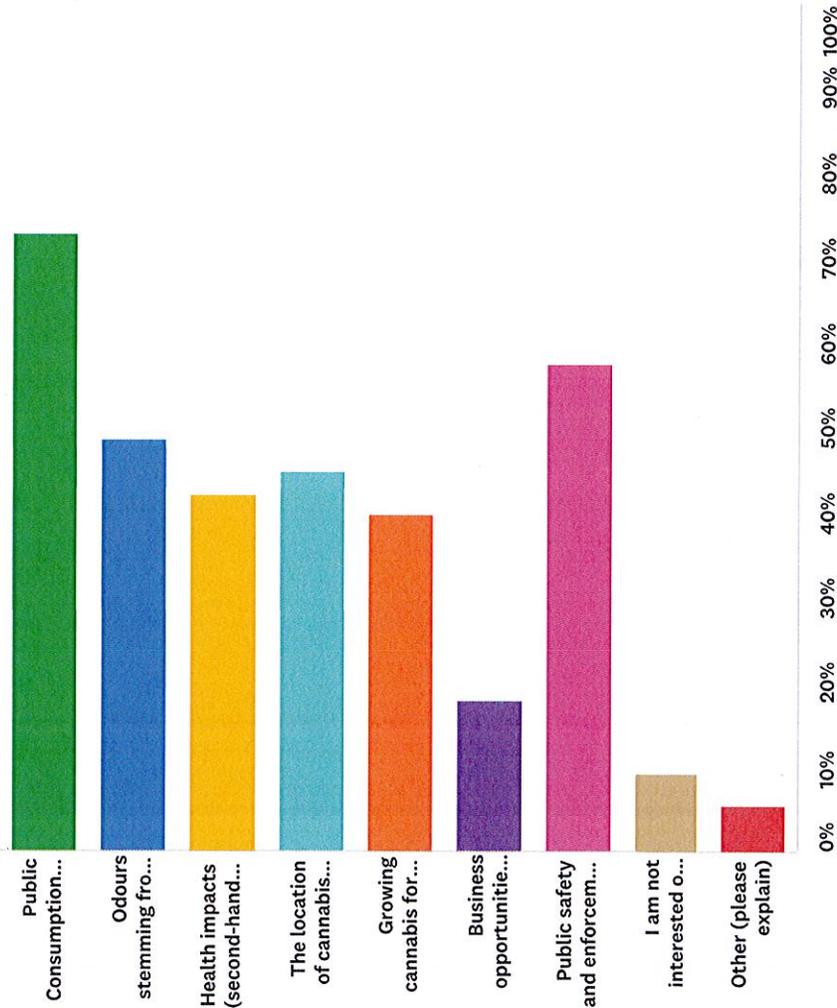


ANSWER CHOICES	RESPONSES
I am over 18 years old	1,403
I am under 18 years old	13
I am a Red Deer resident	1,270
I am not a Red Deer resident	109
I am a business owner in Red Deer	154
I am interested in running a recreational cannabis retail business in Red Deer	75
Total Respondents: 1,471	

Legalization of Cannabis

Q2 What aspects of cannabis legalization are you most interested in, or concerned about?
(Check all that apply)

Answered: 1,468 Skipped: 5



ANSWER CHOICES

Public Consumption (smoking and vaping of cannabis in public)	72.75%	1,068
Odours stemming from others smoking and/or vaping cannabis	48.57%	713
Health impacts (second-hand smoke, impacts to users)	41.96%	616

RESPONSES

Public Consumption (smoking and vaping of cannabis in public)	72.75%	1,068
Odours stemming from others smoking and/or vaping cannabis	48.57%	713
Health impacts (second-hand smoke, impacts to users)	41.96%	616

Legalization of Cannabis

The location of cannabis retail stores	44.75%	657
Growing cannabis for personal use	39.78%	584
Business opportunities related to cannabis	17.71%	260
Public safety and enforcement related to consumption	57.49%	844
I am not interested or concerned about any aspects related to the legalization of cannabis	9.26%	136
Other (please explain)	5.45%	80
Total Respondents: 1,468		
#	OTHER (PLEASE EXPLAIN)	DATE
1	Addiction issues stemming from legalization	4/9/2018 11:55 AM
2	while I fully support the legalisation of cannabis especially for medical applications, I in no way want it to be normalised to the youth of our City nor do I want them exposed to its use recreational or otherwise. With legalisation there is no excuse for people in public areas making it smell like a skunk just sprayed	4/8/2018 3:33 PM
3	The rights of medical patients to consume wherever necessary	4/7/2018 5:27 PM
4	Addiction issues in particular for young people	4/7/2018 9:19 AM
5	Impaired driving	4/7/2018 12:17 AM
6	Keeping it a safe distance from children in public	4/6/2018 10:38 PM
7	Not happy that this is going thru at all, hope there's not going to be a cannabis shop on every corner (like liquor stores) and worried about people driving around high	4/6/2018 7:57 PM
8	Don't want it period except for medical use	4/5/2018 10:23 PM
9	Living in a condo, we share outdoor space. This will effect my quality of life.	4/5/2018 10:03 PM
10	Potential of other narcotics/paraphernalia being legalized	4/5/2018 9:49 PM
11	Employees using cannabis	4/5/2018 4:49 PM
12	I am interested in all aspects but not concerned particularly by any these issues.	4/5/2018 12:22 PM
13	Cannabis should only be legal when it is ordoifless.	4/5/2018 10:50 AM
14	Driving under the influence.	4/5/2018 10:18 AM
15	Will there be a differentiation between recreational and medical use?	4/5/2018 10:01 AM
16	I don't want to smell it or see it!!	4/5/2018 9:54 AM
17	Education	4/5/2018 7:52 AM
18	Not many of the negative aspects of Marijuana are being addressed in this very pro-drug biased approach.	4/5/2018 12:11 AM

Legalization of Cannabis

19	Taxation	4/4/2018 11:23 PM
20	Impacts on children - children should not observe smoking of any kind	4/4/2018 10:46 PM
21	Impairment from edibles	4/4/2018 10:20 PM
22	How law enforcement will enforce sober driving.	4/4/2018 9:51 PM
23	Message being sent to young people that cannabis is endorsed and not harmful.	4/4/2018 8:15 PM
24	Odors within my condominium building	4/4/2018 7:18 PM
25	Selling to minors	4/4/2018 4:51 PM
26	Regulations to prevent use at work and during work hours.	4/4/2018 4:25 PM
27	I am concerned about avoiding tobacco smoke as well.	4/4/2018 3:20 PM
28	My neighbor's already stick their noses up to us when we asked them to not smoke near our open window it comes in to the house when its hot out and want to cool down in evening what do we do as well they smoke drive away so I am concerned over more impaired now easier and legal to get	4/4/2018 3:06 PM
29	I support it being legal and I'm not worried or have any concerns	4/4/2018 2:43 PM
30	Interested in how to get MORE people to smoke it because boy, so many would truly benefit from it. Also concerned about how much of an asshole cops will be.	4/4/2018 12:29 PM
31	As a business owner, what are my legal rights in dealing with employees who choose to consume cannabis?????	4/4/2018 7:48 AM
32	Household usage	4/4/2018 2:16 AM
33	all DRUG USE SHOULD BE ILLEGAL PEOPLE SHOULD READ THE BIBLE INSTEAD!	4/3/2018 5:46 PM
34	I am very concerned about having to smell that horrid skunk smell even more than I already do. It is a disgusting stench that should not be allowed in public, including in the neighbourhoods where you can smell your neighbours smoking it.	4/3/2018 1:19 PM
35	The smell from people smoking cannabis makes me feel ill. People smoking don't realize (or care most of the time) it drifts up and over into neighbours homes and apartments. So our house ends up smelling like pot. My small child has vomitted due to the smell of pot smoke drifting in. In the end we already have to close windows/screen doors to avoid the smell. This will only become worse once it is legalized. I don't know how to avoid this at all. And will we all have to smell this in public places, such as markets, celebrations/activities at places like Bower Ponds, etc? I have no objection to the use of cannabis for medical reasons, but am concerned how we and others are to cope with the smell once it is legalized. Use at home outside is a concern because of the drifting nature of the smoke. It will make us sick, but people will be able to smoke even more often once legal, and there is no option for those who just can't deal with the smell. What rights will non-smokers have?? Also the safety of others, when someone is driving under the influence of cannabis. Quite concerned how that will be dealt with. It could end up being the same as drunk driving. Some people might be concientious, but pot smokers now, before it's legal have not been that way now in my experience. We have to deal with feeling ill even more because pot will be legalized. I'm sure we are not the only ones concerned about the smell.	4/3/2018 12:10 PM
36	Brain damage from pot	4/3/2018 11:59 AM
37	The strong odor will be noticeable next door if people are smoking in their yards. I find the odor very offensive.	4/3/2018 11:36 AM
38	The City of Red Deer does not have the policing resources our crime rate is already to high	4/2/2018 8:35 PM

Legalization of Cannabis

39	impaired driving	4/2/2018 7:56 PM
40	Want to be sure we can.	4/2/2018 2:26 PM
41	Over regulation, it's just a plant	4/1/2018 8:29 PM
42	Im concerned of the impending takeover of corpotate cannabis by big industry that doesnt care about public health hazards related to pesticide sickness. MULTIPLE LICENSED PRODUCERS have been cause numerous times using banned pesticides like myclobutinal(eagle 20) cause sever illness in cannabis users.... cannabinoid hyperemesis syndrome is a pesticide sickness caused from smokin cannabis thats been sprayed right before harvest... The licensed producers face multiple class action lawsuit but nothing is being done to stop them from using hazardous pesticides.. ONLY GROW ORGANIC. PESTICIDES ARE MAKING PEOPLE VIOLENTLY ILL	4/1/2018 12:56 PM
43	Responsible and minimal penalties.	4/1/2018 9:35 AM
44	I think the issues you addressing are of little consequence. This is simply reefer madness 2018.	4/1/2018 6:36 AM
45	I'm interested but not concerned	4/1/2018 2:10 AM
46	It's continued status as an illegal substance. Marijuana is a debilitating and weakly studied. it should not be legalised!	4/1/2018 1:53 AM
47	I'm concerned hat the interrelationship of sports and use may have an impact on our sports tourism industry. You cannot support one and not the other reasonably.	3/31/2018 11:17 PM
48	Residential rights related to Canabis smoke/odour	3/31/2018 7:57 PM
49	The decline of medical cannabis excess	3/31/2018 7:57 PM
50	Driving while high doesnt affect judgement	3/31/2018 7:42 PM
51	How will my private space (outdoor and indoor) be protected if my neighbour consumes outdoors? How will the new bylaws be enforced when current no smoking bylaws are not? How will people with health issues (asthma, copd etc) be protected? Where are non user rights vs user rights?	3/31/2018 6:08 PM
52	Education for youth regarding cannabis	3/31/2018 4:21 PM
53	I am a medical cannabis user. Cannabis has changed my life. It manages peripheral neuropathy and other fibromyalgia symptoms better than anything. I ingest it as medicine and would like to grow for juicing as well.	3/31/2018 3:32 PM
54	Just want to have my input	3/31/2018 2:27 PM
55	Medical marijuana	3/31/2018 2:12 PM
56	Driving impairment laws	3/31/2018 2:06 PM
57	Concerned about the possible mis-information and spreading of lies regarding the cannabis plant as it has been done since the 60's. People need to be educated on the real facts and statistics on cannabis and cannabis use.	3/31/2018 1:59 PM
58	I am not concerned about the legalization, in fact, I think this may be a good thing!	3/31/2018 1:56 PM
59	Substance research and advocacy	3/31/2018 12:38 PM
60	Use of medicinal at place of employment	3/31/2018 12:36 PM
61	I wish there was more of a distinction between vaping and smoking: vaping is not nearly as stinky as smoking it and should be allowed in public.	3/31/2018 12:32 PM

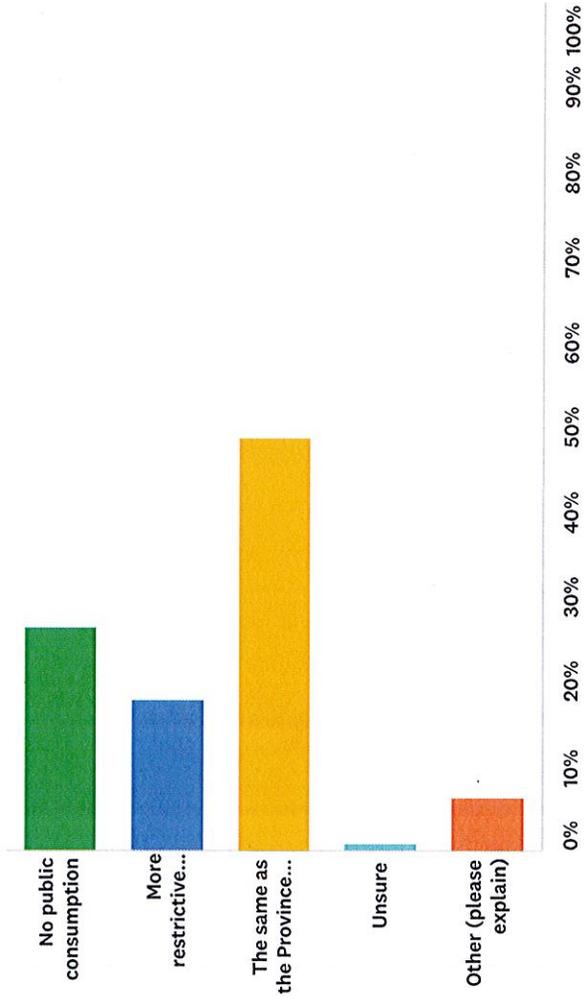
Legalization of Cannabis

62	Just use the same rules that apply to tobacco and alcohol.	3/31/2018 10:49 AM
63	I am concerned that driving while using cannabis is being demonized	3/31/2018 8:53 AM
64	I'm primarily concerned about the stink of the weed being smoked in public.	3/30/2018 6:39 PM
65	Really concerned about enforcement. Why have a bunch of rules and laws when it is not enforced??	3/30/2018 5:29 PM
66	Who is going to benefit from the sale of cannabis???	3/29/2018 12:30 PM
67	Impaired driving	3/29/2018 9:10 AM
68	People stoned when they are driving? How to enforce it.	3/29/2018 8:04 AM
69	why we are helping fix a problem that is a freedom of choice to each individual to do. no one is forcing them to use.	3/29/2018 8:03 AM
70	Draconian law enforcement policies	3/29/2018 7:28 AM
71	excessive beauracracy will feed the underground. K.I.S.S. Manage it the same as Alcohol.	3/29/2018 7:04 AM
72	A	3/29/2018 6:06 AM
73	driving while high, and the impacts public use will have on children	3/28/2018 11:05 PM
74	I'm concerned about people taking these drugs then driving public streets	3/28/2018 6:32 PM
75	grow in own home and garden	3/28/2018 5:25 PM
76	I am very concern for the youth population in red deer (teens) that start experimenting with drugs that are ready available, and the higher health cost impact in our communities.	3/28/2018 5:00 PM
77	Not concerned about the legalization of cannabis.	3/28/2018 4:44 PM
78	I am not concerned about any aspects related to the legalization of cannabis as it is much less harmful then alcohol and cigarettes and at worst should be treated the same.	3/28/2018 4:10 PM
79	Impact on residential property values by having cannabis sites in the City.	3/28/2018 2:59 PM
80	Concerned about the location where cannabis will be consumed (mainly smoking)	3/28/2018 10:36 AM

Legalization of Cannabis

Q8 Should rules about the consumption of cannabis in public spaces be (please check one):

Answered: 1,469 Skipped: 4



#	OTHER (PLEASE EXPLAIN)	DATE
1	Should be able to open cafes. Or smoking bars	4/9/2018 12:11 AM
2	Should follow the liquor consumption laws	4/6/2018 6:11 PM

Legalization of Cannabis

3	If youi havew a medical cannabis card/prescription you should have no restrictions. People are considerate, I feel they will be discrete.	4/6/2018 11:52 AM
4	Should be the same as tobacco. But the problem lie's in enforcement. Currently vaping of fluid in a car or in a store is against the law according to the bylaw. But yet not enforced. Just watch next time you drive how many are.	4/6/2018 9:42 AM
5	Smoking of marijuana should be allowed in most public spaces. Public alcohol consumption is an issue because people act uninhibited and unruly when drunk. The same issues are not created from smoking pot. That being said, not all public spaces are the same. For example, smoking marijuana on or near school grounds should be prohibited.	4/5/2018 9:26 PM
6	Treat it like liquor consumption	4/5/2018 3:46 PM
7	Same as alcohol	4/5/2018 11:41 AM
8	It's already horrible to go for a walk past a residents home using.	4/5/2018 10:50 AM
9	Same standard as liquor consumption	4/5/2018 5:45 AM
10	It's not just THC that the public will be exposed to. Carcinogens, learning retard CBD and Crystal Methamphetamine (with which organised crime laces Marijuana with) in a danger to the public.	4/5/2018 12:11 AM
11	The same regulations that apply to alcohol should be applied to Cannabis. Can't walk down the street with a drink, can't walk with a joint.	4/4/2018 11:06 PM
12	secure locations, away from public eye, not in bars or near children, not in public parks or near health locations. On ones own property is great.	4/4/2018 10:46 PM
13	Same as tobacco & liquor regulations so then it's not as confusing to have so many different laws for the consumers	4/4/2018 9:14 PM
14	Same as consumption of alcohol in public rules	4/4/2018 7:56 PM
15	As per existing Smoke Free bylaw	4/4/2018 7:34 PM
16	No restriction	4/4/2018 6:40 PM
17	Consumption of cannabis should be regulated the same as liquor. Cannabis is not the same as a cigarette. NO PUBLIC CONSUMPTION!! NO DRIVING UNDER THE INFLUENCE!	4/4/2018 5:30 PM
18	Same as liquor drinking establishments.	4/4/2018 4:01 PM
19	It should be allowed as long as it is away from children.	4/4/2018 3:58 PM
20	My initial feeling is it should be the same as tobacco regulations, but then there is the issue of medicinal use (not recreational). You can't really prohibit someone from taking medication. If the delivery is smoking or vaping, then the same rules should apply. If other methods are used like edibles, patches or pills then no restrictions should be in place	4/4/2018 3:43 PM
21	no restrictions outside.	4/4/2018 2:57 PM
22	More restrictive than Tobacco. Similar to alcohol consumption laws	4/4/2018 2:40 PM
23	I think anywhere near a child should not be allowed.	4/4/2018 2:38 PM
24	Smoke anywhere	4/4/2018 2:32 PM
25	Make it the same as alcohol	4/4/2018 12:40 PM

Legalization of Cannabis

26	Less restrictive than tobacco	4/3/2018 7:33 PM
27	Use your discretion	4/3/2018 7:16 PM
28	It should be treated exactly like smoking tobacco.	4/3/2018 6:01 PM
29	Follow the alcohol-consumption rule for outdoor, public spaces. For indoor, public spaces follow the tobacco smoking regulations.	4/3/2018 3:34 PM
30	It has a strong odour sure, but in coming years as everyone begins to embrace cannabis' benefits, everyone will want to consume wherever they please.	4/3/2018 10:08 AM
31	The same as the province's tobacco regulations, but what about baked goods with cannabis, like brownies? How can you - and should you - try to restrict public consumption of that? You can't, but at least you need to acknowledge that there are other ways of consuming it than smoking, and lay out your response or lack of response, as part of this.	4/3/2018 9:27 AM
32	The provinces tobacco smoking regulations are to stick already	4/2/2018 9:04 PM
33	Less restrictive. Cannabis clubs should allow for indoor smoking like cigar clubs.	4/2/2018 8:03 PM
34	I don't think it should be linked to tobacco at all its an impairing substance if it's connected to anything it would make more sense to be loosely connected to alcohol regulations	4/2/2018 10:00 AM
35	The same as public use of sugar products	4/1/2018 8:29 PM
36	less	4/1/2018 5:36 PM
37	Like BC. Have a lounge where it can be consumed inside safely with trained staff and a positive environment	4/1/2018 2:52 PM
38	The comparison of the two is apples to oranges.... Please provide any evidence EVER that proves cannabis smoke is an any way hazardous to ones health... Funny how the Freemasons have a smoking room at the royal alexandria hospital were they can smoke cigars and play poker, yet cannabis smoke is looked at as dangerous lol	4/1/2018 12:56 PM
39	Probably no public consumption would be good, but whatever restrictions are imposed enforcement will need to be far more consistent than the smoking ban enforcement	4/1/2018 12:06 PM
40	Same as alcohol	4/1/2018 8:35 AM
41	Less restrictive than the provinces tobacco smoking regulations	3/31/2018 11:28 PM
42	I think that natural land should be exempt, and that with adjustment pot cafés could be lucrative for our economy. A person should still not be disruptive to the peace, but ones behaviour or excess should be the determining factor.	3/31/2018 11:17 PM
43	It should not be restricted outside of not inside public buildings as for many people this would be a restriction on where they can use there medicine.. I don't see restrictions on where you can take you percoseets in public...	3/31/2018 7:56 PM
44	No restrictions	3/31/2018 7:42 PM
45	In Amsterdam they have specific shops. I think that's the best option. No public consumption outside of that	3/31/2018 5:53 PM
46	Same rules as alcohol not tobacco. It is more related to liquor than tobacco	3/31/2018 5:41 PM
47	No restrictions other than being considestep of non users and/or children	3/31/2018 5:12 PM
48	There should be no restricted spaces. Cannabis is harmless	3/31/2018 5:00 PM

Legalization of Cannabis

49	Same as liquor	3/31/2018 4:59 PM
50	Anywhere	3/31/2018 4:21 PM
51	vapor lounges should be allowed	3/31/2018 3:39 PM
52	smoking the product the same rules as smoking nicotine; no rules necessary for publicly ingesting via drops, tinctures, oils, edibles	3/31/2018 3:32 PM
53	Cannabis is nowhere as harmful as cigarettes are so why not call for stricter tobacco laws? If were going to make the use of cannabis more strict we also have to make the tobacco laws more strict as well. Tobacco is a highly addictive and cancer causing substance, where as cannabis is a non-addictive, cancer fighting substance. If you want to protect people from "second hand smoke" do it where it counts and revise the tobacco laws. I feel that the cannabis public consumption laws should be more leniant than the tobacco laws, as the only thing wrong with cannabis is an ideological difference in how people view the plant.	3/31/2018 1:59 PM
54	I can't drink in public so should be the same for smoking Marijuana	3/31/2018 1:32 PM
55	should be treated the same as alcohol	3/31/2018 1:20 PM
56	No drinking alcohol in public.No smoking weed in public. Period.	3/31/2018 12:56 PM
57	Less restrictive then the provinces tobacco smoking regulations	3/31/2018 12:51 PM
58	The same as alcohol consumption.	3/31/2018 12:49 PM
59	Smoking bylaws are already too invasive and extortive. They need to be changed to allow people to smoke in bars at the bar owners discretion again.	3/31/2018 12:47 PM
60	I don't agree with smoking bans in public establishments. Single detached businesses that are owned should be exempt from the rules.	3/31/2018 12:38 PM
61	Anywhere is fine by ne	3/31/2018 12:33 PM
62	Distinction should be made between smoking and vaping. It's ignorant to compare the two. Medicinal use should be distinguished as well. I vape everywhere all the time and will continue to do so. No one complains.	3/31/2018 12:32 PM
63	Should be treated like alcohol	3/31/2018 12:28 PM
64	Same as tobacco for recreational use, anywhere for medicinal use. Just like I can take my prescription pills anywhere.	3/31/2018 9:50 AM
65	It should be less restrictive than tobacco regulations and there should be provisions to have smoking lounges like alcohol bars	3/31/2018 9:08 AM
66	Same as tobacco or No restrictions needed	3/31/2018 8:53 AM
67	The same as the province's alcohol consumption regulations	3/30/2018 10:36 PM
68	The same as the Province's tobacco smoking regulations. But, I'd like to add that the current law states that smoking can't happen "where children frequent". However, people with children in their homes CAN smoke in their homes. This is a law I believe needs to be addressed/changed. I would love it if adults with children in the house had to smoke (cigarettes/pot) in a garage or outside. Please consider this! I teach, and my heart breaks when I work beside or simply walk by a child and they reek of cigarette and/or cannabis. It's disgusting and it feels like borderline abuse. Their clothes, their books, their backpacks reek. Please protect children and their health!	3/30/2018 7:37 PM
69	Same as Liquor regulations	3/30/2018 9:51 AM

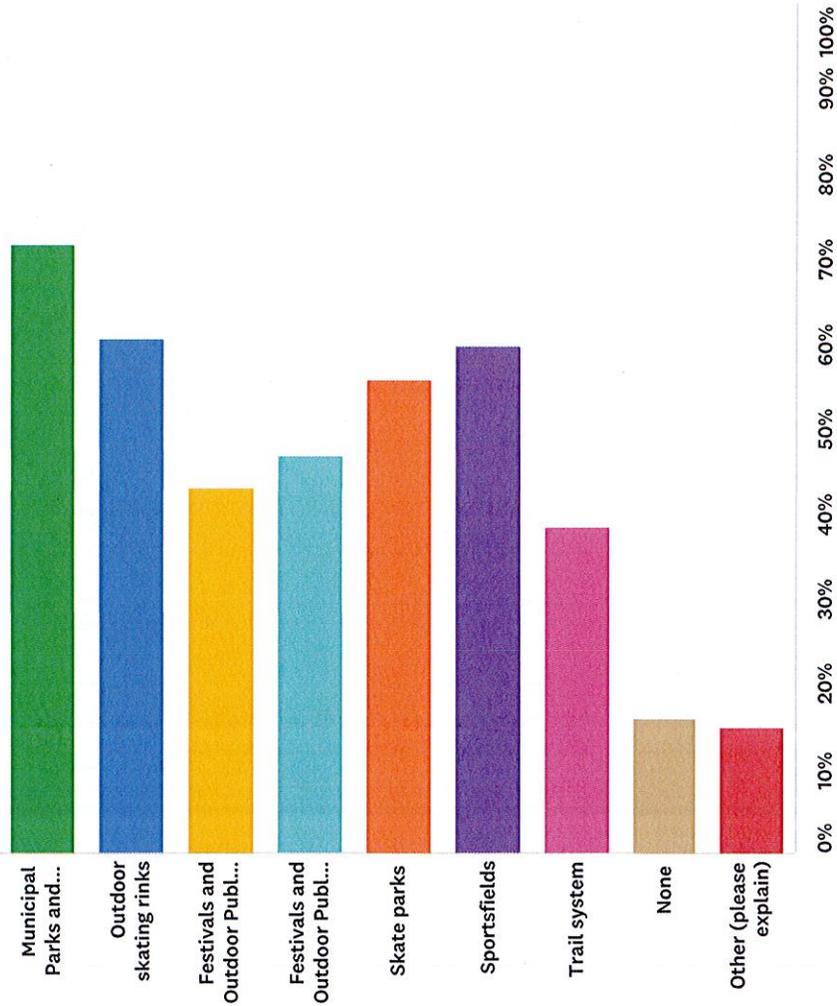
Legalization of Cannabis

70	Should be enjoyed in any space	3/29/2018 9:48 PM
71	Wherever WHENEVER BABY	3/29/2018 9:25 PM
72	More restrictive, but also further restrict tobacco smoking regulations/smoke free bylaw to match.	3/29/2018 8:17 PM
73	I believe restrictions should be current alcohol/smoking restrictions combined.	3/29/2018 7:00 PM
74	I would suggest using the Province's smoking regulation on a one year pilot basis, then determine the need for restrictive policies. I largely speculate this will be treated as a 'fad' until a sense of normalcy is established similarly to alcohol usage.	3/29/2018 3:40 PM
75	The same as the Province's HOWEVER walking into the Collicut and smelling smoke to WAY different then walking in and smelling weed.	3/29/2018 2:04 PM
76	I think it should be the same as alcohol consumption regulations. Tobacco doesn't impair you like cannabis although the vapors have a greater "range" (second hand) so that needs to be considered. If you just limit smoking/vaping then people can still consume edibles wherever? Something to consider. I guess I lean more to no public consumption.	3/29/2018 1:24 PM
77	I feel like it should have the same rules as drinking in public, which makes it difficult because you can't smoke indoors (good) but bad for pot smokers.	3/29/2018 1:06 PM
78	The same as the City of Red Deer's currently smoking/vaping bylaw for tobacco	3/29/2018 10:06 AM
79	If it's in a cannabis shop you should be allowed to smoke inside.	3/29/2018 7:48 AM
80	combine smoking and tobacco restrictions to make Cannabis restriction. BAN Diesel idling where smoking is banned.	3/29/2018 7:04 AM
81	The same as Red Deer's smoke free bylaw, which should also be reviewed (no smoking in parks with playgrounds and sportsfields not the 10 or 15 m set back it is now.	3/29/2018 6:36 AM
82	same as alcohol AND tobacco smoking regulations	3/29/2018 6:30 AM
83	As long as the outdoor area isn't busy you should be able to smoke like smoking cigarettes	3/29/2018 4:42 AM
84	*children/health compromised need to be protected	3/29/2018 1:21 AM
85	I find the Provinces smoking policies restrictive already. Where is a good place to have a smoke anywhere? Most businesses do not have safe places to smoke outside as it is so most people resort to other options such as their vehicles cause they r in a safe location	3/28/2018 8:50 PM
86	Less restrictive. But not around parks children or hospitals etc.	3/28/2018 8:13 PM
87	less rules when its medicinal use	3/28/2018 7:46 PM
88	No public consumption. The current 9m from the entry of recreation facility would be terrible - young kids walking right on by getting the message that there is no harm or risk from the activity. No thanks.	3/28/2018 4:59 PM
89	far enough away from public facilities, schools and businesses to not disturb residents, students, customers and employees, etc	3/28/2018 3:25 PM
90	Same as the City's restriction on tobacco	3/28/2018 2:50 PM
91	Same regulations as tobacco smoking regulations and liquor regulations	3/28/2018 2:35 PM

Legalization of Cannabis

Q9 What locations do you believe The City of Red Deer should ban smoking / vaping of cannabis, via its Smoke Free Bylaw?

Answered: 1,463 Skipped: 10



ANSWER CHOICES

ANSWER CHOICES	RESPONSES
Municipal Parks and Playgrounds	1,050 71.77%
Outdoor skating rinks	889 60.77%
Festivals and Outdoor Public Events (zero tolerance)	632 43.20%

Legalization of Cannabis

Festivals and Outdoor Public Events (designated areas)	46.89%	686
Skate parks	55.84%	817
Sportsfields	59.74%	874
Trail system	38.55%	564
None	15.99%	234
Other (please explain)	14.90%	218
Total Respondents: 1,463		
#	OTHER (PLEASE EXPLAIN)	DATE
1	Everywhere other than the house or property of the user	4/9/2018 7:34 PM
2	EVERYWHERE	4/9/2018 6:22 PM
3	Should only be consumed in the home	4/9/2018 12:19 PM
4	All locations. Should be treated like alcohol but even more restrictive due to second hand smoke dangers, etc.....do not treat it like smoking a cigarette because a cigarette does not cause intoxication.	4/9/2018 11:55 AM
5	Away from children and away from anyone who can be impacted who does not want to be	4/9/2018 10:52 AM
6	No public area exposure especially where children have access	4/9/2018 10:40 AM
7	Designated smoking areas should be set aside in all public areas for all smokers; cigar,tobacco,cannabis,vaping, etc..	4/9/2018 7:39 AM
8	places where people breathe oxygen or don't want to smell like cannabis	4/8/2018 11:24 PM
9	public areas that would have children/minors	4/8/2018 6:36 PM
10	if people need to consume anywhere but home or maybe a designated outdoor space at a bar there are alternatives so there is no need to allow it anywhere it might offend others	4/8/2018 3:33 PM
11	It should only be banned in the places that tobacco is banned.	4/8/2018 11:39 AM
12	There should be the same restrictions as alcohol	4/8/2018 7:54 AM
13	Anywhere outdoors it should only be consumed in their private residents	4/7/2018 5:16 PM
14	ban in all locations	4/7/2018 11:59 AM
15	in all public areas	4/7/2018 10:10 AM
16	I don't want to be exposed, nor do I want to see children exposed to people getting high in public places!	4/7/2018 9:19 AM
17	I would like smoking to be included with this. Non smokers should not have to breathe in second hand smoke	4/7/2018 8:09 AM
18	in your own home only	4/7/2018 8:00 AM
19	outside of buildings on public sidewalks and parking lots	4/7/2018 12:17 AM

Legalization of Cannabis

20	Within 100 meters of a minor	4/6/2018 10:38 PM
21	No where children can go.	4/6/2018 7:57 PM
22	Large public events put on by the city where families would gather. ie. Canada day celebration	4/6/2018 9:42 AM
23	I believe there should be a complete smoking ban within the city. Smoking should only be allowed in one's home or vehicle. Those with allergies or respiratory illnesses should not have to suffer. Besides, cannabis is an assault on the senses.	4/6/2018 9:13 AM
24	Indoors only and in the privacy of your own home.	4/5/2018 10:23 PM
25	We need consideration for all citizens. Children, allergies, non smokers.	4/5/2018 10:03 PM
26	keep it at home. Seriously, no question about it	4/5/2018 9:49 PM
27	Schools & playgrounds	4/5/2018 9:26 PM
28	Depends if it's recreational vs medicinal. For recreational, I think it should follow the same regulations as alcohol.	4/5/2018 8:48 PM
29	All places where liquor consumption is banned	4/5/2018 8:01 PM
30	cannabis should be consumed any where liquor can be consumed	4/5/2018 5:19 PM
31	If you can't drink in public you shouldn't be able to smoke pot in public - Only designated areas at outdoor events like beer gardens for example	4/5/2018 3:46 PM
32	Follow current nonsmoking bylaw	4/5/2018 12:46 PM
33	Outdoors. Like U.S. make illegal to smoke outside contained home so does not infringe on others nearby. Could not open house windows in summer due to neighbors illegally smoking pot on deck, which then engulfed my home for an hour or more before dissipated.	4/5/2018 12:44 PM
34	same as smoking by law	4/5/2018 12:25 PM
35	few laws are enforced now, like no smoking within 9 meters of stores and such, example collicutte rec center	4/5/2018 11:16 AM
36	Not used till ordorless..	4/5/2018 10:50 AM
37	I agree with what Calgary is proposing	4/5/2018 10:29 AM
38	Any place where smoke could be an annoyance to others. If not affecting public or causing fires in parks etc., Leave them alone.	4/5/2018 10:01 AM
39	Common courtesy and decency should be enforced here. Some people have allergies, children play, and cannabis use does have the secondary effect of contact high (unlike cigarette smoke or alcohol). Regulations need to be in place to protect others.	4/5/2018 9:51 AM
40	everywhere	4/5/2018 8:27 AM
41	Anywhere that children are likely to be regularly - they don't have a choice when others smoke around them. And Red Deer residents deserve to be able to use the amenities above without being concerned for their own health / well-being, or that of their children.	4/5/2018 7:15 AM
42	Not at neighbourhood playgrounds, but on park trails within the city should be allowed	4/5/2018 6:41 AM
43	Same standard as liquor consumption	4/5/2018 5:45 AM

Legalization of Cannabis

44	Utterly prohibited.	4/5/2018 12:11 AM
45	No where people who wouldnt like them to even be smoking a cigarette	4/4/2018 11:40 PM
46	Beaches	4/4/2018 10:21 PM
47	Same as for tobacco	4/4/2018 10:20 PM
48	Should not be consumed in public	4/4/2018 10:11 PM
49	If the rules which apply to tobacco smoke, such as minimum distance, are applied it would suffice. The effects of second hand tobacco smoke have been proven harmful whereas much research needs to be done into long term effects of second hand cannabis.	4/4/2018 9:45 PM
50	No smoking within 150 metres of playgrounds	4/4/2018 9:27 PM
51	anywhere children may be	4/4/2018 9:25 PM
52	This question is very confusing as it's asking for the banning but then is providing places like designated areas. Are you talking about banning the designated areas as well? Also if following the liquor & tobacco laws aren't these places already off limits	4/4/2018 9:14 PM
53	All public places should be banned	4/4/2018 7:55 PM
54	The current Smoke Free bylaw seems to be working well. Suggest leaving as is and re-examine in 12 to 18 months once impact some of legalization are better understood	4/4/2018 7:34 PM
55	Depending on the strain or type of cannabis, it can effect others. No public consumption.	4/4/2018 6:11 PM
56	Anywhere other than private residence or establishment specifically for cannabis use (similar to a bar)	4/4/2018 6:09 PM
57	NO smoking in public places	4/4/2018 6:02 PM
58	There is no need to smoke it in public. If needed they can eat it	4/4/2018 5:54 PM
59	Smoking/vaping of cannabis should be prohibited in All public locations.	4/4/2018 5:30 PM
60	Anywhere CHILDREN could be located should be Restricted! Period	4/4/2018 4:39 PM
61	Outside CoRD buildings completely, approx 15m	4/4/2018 4:39 PM
62	Same as tobacco	4/4/2018 4:33 PM
63	You can't drink alcohol in public so you should be able to consider drugs in public either.	4/4/2018 4:27 PM
64	It should be used strictly in someones house	4/4/2018 4:05 PM
65	I honestly don't know the current	4/4/2018 3:43 PM
66	Everywhere but your own home	4/4/2018 3:37 PM
67	Those who want to smoke it can smoke it at home, and then STAY home!	4/4/2018 3:30 PM
68	Backyards, balconies also leak stinky smoke, and should be banned. Tobacco smoking should be also banned except within private residences.	4/4/2018 3:20 PM
69	Locations with majority use by underage people. Or locations aimed at youth	4/4/2018 3:06 PM

Legalization of Cannabis

70	I know my neighbors are not going to respect our personal air at home so I wish we could be protected from the smell and second hand smoke, especially when it comes in our house!	4/4/2018 3:06 PM
71	I'm in support of cannabis/beer garden style public consumption. I would say not allow it around children	4/4/2018 2:51 PM
72	If it doesnt have a regular smoking area/ beer garden it doesnt need a cannabis garden	4/4/2018 2:40 PM
73	I think if they are using "edibles" then could be fine, where there could be second hand "high" via smoking or vaping, there should be zero public usage. (As someone who instantly gets a migraine when I smell it, and often gets physically sick from the smell, I think there needs to be a zero tolerance for public usage.	4/4/2018 2:38 PM
74	I do not think it should be any more restrictive than cigarettes.	4/4/2018 1:10 PM
75	It should be treated as alcohol is treated, only in licensed designated spaces.	4/4/2018 12:30 PM
76	You can't drink a beer anywhere in public, why would we allow people to smoke pot and get high? I don't want to smell pot while I'm trying to enjoy the outdoors with family.	4/4/2018 9:23 AM
77	If smoking tobacco is permitted in these spaces, so should smoking cannabis.	4/4/2018 9:11 AM
78	I would say anywhere where the focus is on kids, playgrounds, schools ect..	4/4/2018 8:48 AM
79	same as tobacco	4/4/2018 8:47 AM
80	within city limits	4/4/2018 8:19 AM
81	Same as tobacco	4/4/2018 7:48 AM
82	There should be zero public consumption sites along with zero tolerance & 100% enforcement !!!!	4/4/2018 7:48 AM
83	We were in the beautiful mountain town of Banff not expecting the stench that comes from that crap.	4/3/2018 7:24 PM
84	It really should be treated the same as alcohol consumption	4/3/2018 6:48 PM
85	These are good questions. Can you smoke cigarettes at these events/places?	4/3/2018 6:01 PM
86	Same as tobacco	4/3/2018 5:59 PM
87	Follow the tobacco regulations.	4/3/2018 3:34 PM
88	private yards	4/3/2018 1:19 PM
89	Transit	4/3/2018 12:57 PM
90	The smoke free bylaw (as well as alcohol consumption) is already not followed by many people. At the hospital ER doors, many people smoke now. And in many other places where it is supposed to be smoke free. I don't know how that will be policed. If it is to be enforced more readily that will only ad costs to do this. I don't think our taxes should be going towards policing people to not consume pot, but it should be done. But will that actually be done?? Our taxes should be going to more much needed health care facilities and bringing more physcians to Red Deer. We are in a desperate crisis with health care needs in Red Deer. I don't think the decision to legalize cannabis was thought out well enough before legislation. We have an ill child. So I have no idea where pot "smoke" should be allowed. There are other ways people could consume cannabis in different public areas. Again what are the rights of non cannabis smokers??	4/3/2018 12:10 PM
91	For public areas, same as liquor regulations, as well as Smoke Free bylaw.	4/3/2018 11:36 AM
92	I think Cannabis should be regulated the same as liquor - no public consumption	4/3/2018 11:15 AM

Legalization of Cannabis

93	Would like all smoking moved further away from doorways. I have walked through a cloud of smoke outside city hall downtown. ing past	4/3/2018 9:48 AM
94	Same restrictions should be applied the same as cigarette smoking	4/3/2018 8:55 AM
95	all public locations	4/3/2018 5:40 AM
96	The non smokers shouldn't have to smell it it is our choice not to smoke it we have rights too	4/2/2018 8:35 PM
97	Anywhere kids under 18 frequent, basically.	4/2/2018 8:03 PM
98	Anywhere alcohol is prohibited, cannabis should also be prohibited	4/2/2018 7:56 PM
99	Tobacco and cannabis should have the same guidelines	4/2/2018 7:03 PM
100	Anywhere where children are permitted.	4/2/2018 5:37 PM
101	schools and/or any educational and sport facility	4/2/2018 4:04 PM
102	Too cold. Inside Tim Horton's would be great.	4/2/2018 2:26 PM
103	same exactly at smoking currently is. Smokers have been discriminated against for years and now you think it is okay for smoking cannabis? Where is the sense in this?	4/2/2018 11:22 AM
104	I think it should be the same as alcohol and could possibly be allowed by exception along with liquor licences	4/2/2018 10:00 AM
105	If there's children at home, cannabis consumption should not be allowed	4/2/2018 7:27 AM
106	no public consumption....same as alcohol	4/2/2018 6:37 AM
107	Playgrounds but not Municipal Parks	4/1/2018 11:23 PM
108	Smoke it in your own house. Not outside. I don't need to be breathing that shit in. You do realize people who don't want anything to do with getting high will be high just by breathing that crappy second hand air/smoke in	4/1/2018 10:39 PM
109	Off leash areas	4/1/2018 9:54 PM
110	The same rules as public sugar use.	4/1/2018 8:29 PM
111	Libraries	4/1/2018 2:26 PM
112	Anywhere there may be children or pregnant women	4/1/2018 2:02 PM
113	unsure if you mean ban smoking at festivals with designated areas, or just festival & keep designated areas	4/1/2018 1:34 PM
114	Anywhere alcohol is prohibited so should cannabis be as it is still a drug.	4/1/2018 12:17 PM
115	Basically all public areas	4/1/2018 12:06 PM
116	Anywhere that children frequent probably isn't a good spot to smoke	4/1/2018 12:06 PM
117	Schools	4/1/2018 9:40 AM
118	Ban vaping everywhere. Only homos vape	4/1/2018 5:58 AM
119	Any place there are children around	4/1/2018 5:32 AM

Legalization of Cannabis

120	Every location.	4/1/2018 1:53 AM
121	Any place that public visit. No person or child should ever have to ingest a drug unless they choose to.	3/31/2018 11:53 PM
122	All public area	3/31/2018 11:20 PM
123	Playgrounds, not parks	3/31/2018 11:17 PM
124	In the privacy of your own home	3/31/2018 11:12 PM
125	I don't want to breath in second hand smoke period, so nowhere I or my family are	3/31/2018 10:50 PM
126	I think that you should be able to smoke it at the skate parks and the outdoor rinks as long as children are not present.	3/31/2018 10:17 PM
127	Parks are fine but not playgrounds areas were kids are	3/31/2018 9:30 PM
128	Anywhere u18 kids can go	3/31/2018 9:21 PM
129	Playgrounds (places children frequent)	3/31/2018 8:57 PM
130	Around children	3/31/2018 7:12 PM
131	Same as the smoke free bylaw	3/31/2018 6:10 PM
132	Any where alcohol can not be consumed	3/31/2018 5:41 PM
133	Same as liquor	3/31/2018 4:59 PM
134	Should be treated similar to alcohol	3/31/2018 4:21 PM
135	Business where the employees are subjected to customers smoking. I am a member of the Click and Collect team at Superstore and far too often to I have to serve customers smoking in my face. It's not only rude, it's also disgusting	3/31/2018 4:17 PM
136	I don't know enough about the Smoke Free Bylaw to accurately respond to this question	3/31/2018 3:53 PM
137	Places frequented by children, animals	3/31/2018 3:49 PM
138	just the same as current Nicotine smoking for any smoked product	3/31/2018 3:32 PM
139	Same restrictions as tobacco and alcohol	3/31/2018 3:12 PM
140	Same as Alcohol, not around children or where it affects the health of others	3/31/2018 2:02 PM
141	If tobacco products and smoking cigarettes in these places is allowed or there are designated zones then cannabis should be allowed as well. Cannabis is less harmful to a human being than tobacco is, so that should be a no brainer.	3/31/2018 1:59 PM
142	Nowhere where minors are	3/31/2018 1:30 PM
143	all city owned property parking lots	3/31/2018 1:03 PM
144	Follow the tobacco laws	3/31/2018 12:39 PM
145	No consumption where there may be children	3/31/2018 12:38 PM

Legalization of Cannabis

146	I don't believe in. Among vaping of cannabis. Dry herb bothers people like smoking. Young athletes and older ones would prefer fresh air. I think people should be able to smoke inside their vehicles. Especially if they are in a parking lot of said hockey rink or skate park.	3/31/2018 12:38 PM
147	All of the above	3/31/2018 12:21 PM
148	Impose 100m distance from all these	3/31/2018 11:35 AM
149	No public consumption	3/31/2018 10:53 AM
150	Treat it like alcohol	3/31/2018 10:04 AM
151	See #8	3/31/2018 9:50 AM
152	No restrictions needed. There is no danger in cannabis use	3/31/2018 8:53 AM
153	All public spaces	3/31/2018 8:51 AM
154	The same places alcohol consumption is legal.	3/30/2018 10:36 PM
155	Anywhere there could be children	3/30/2018 5:29 PM
156	I don't want to same the same problo with discarded needles. They are found everywhere. This isn't the legacy we want to leave for our children.	3/30/2018 4:57 PM
157	I'm not a supporter of smoking /vaping of cannabis in public locations, the smell is the main reason, and same goes for cigarette smoking, but I feel cannabis smells much worse	3/30/2018 3:18 PM
158	Should follow tobacco regulations	3/30/2018 12:51 PM
159	Apartment buildings, or at least allow landlords to prohibit cannabis from the premises in all rental units.	3/30/2018 12:47 PM
160	Ban within Red Deer City Limits	3/30/2018 12:36 PM
161	Malls and parking lots	3/30/2018 12:27 PM
162	Any where that it becomes a problem for another person.	3/30/2018 9:52 AM
163	Same as tobacco	3/30/2018 9:52 AM
164	Same as tobacco	3/30/2018 8:26 AM
165	The ban should be the same as the restrictions on tobacco use	3/30/2018 7:49 AM
166	city hall park other than 420	3/29/2018 10:01 PM
167	Playgrounds yes burn places like coronation park should be fine	3/29/2018 8:34 PM
168	Also restrict tobacco to zero tolerance at outdoor public events, etc.	3/29/2018 8:17 PM
169	No public consumption I don't want my neighbours smoking etc.	3/29/2018 7:38 PM
170	CITY HALL PARK	3/29/2018 7:26 PM
171	Restrictions should be current alcohol/smoking restrictions combined.	3/29/2018 7:00 PM
172	Any place in may bother someone. The smell is potent and lingers	3/29/2018 5:35 PM

Legalization of Cannabis

173	Simply restrict cannabis usage in alignment with the existing smoke free bylaw.	3/29/2018 3:40 PM
174	not in Red Deer	3/29/2018 3:08 PM
175	indoors only	3/29/2018 2:50 PM
176	any indoor facilities	3/29/2018 2:23 PM
177	Cannabis should be treated just like alcohol in these situations	3/29/2018 1:24 PM
178	Anywhere 2nd hand smoke can affect minors.	3/29/2018 1:18 PM
179	all of the above..a city in quebec banned all public use. Red Deer should follow that path	3/29/2018 1:15 PM
180	No public consumption	3/29/2018 1:13 PM
181	Public places where kids are present or can be present	3/29/2018 12:41 PM
182	Not near entrances of public buildings	3/29/2018 12:27 PM
183	Playgrounds yes..... Parks no....	3/29/2018 12:26 PM
184	Q 3&4 say the same thing bc the the original Q says "should ban" - intentionally misleading?	3/29/2018 12:15 PM
185	Anywhere where children are	3/29/2018 9:12 AM
186	Same rules as current smoking and liquor consumption	3/29/2018 8:45 AM
187	The festivals/outdoor question here is confusing. I would want it allowed in designated adult areas at event, similar to a beer garden.	3/29/2018 8:42 AM
188	Smoking/Mapping cannabis should also be banned in the crosswalks at Signalized intersections	3/29/2018 8:38 AM
189	playgrounds yes, but I'm not sure about parks as a whole	3/29/2018 8:33 AM
190	All public area. Private property in homes only.	3/29/2018 8:05 AM
191	Hey, if I'm not allowed to drink a beer at City Hall, why do druggies get to smoke pot there?	3/29/2018 8:04 AM
192	all areas	3/29/2018 8:03 AM
193	Should be same rules as drinking in public/ like beer garden areas	3/29/2018 8:00 AM
194	treat it like booze. However, outside drinking within 10' of a bar should be allowed (like it used to be in the UK)	3/29/2018 7:56 AM
195	should only be allowed in your own home	3/29/2018 7:36 AM
196	Same places as smoking and alcohol combined. Exempt designated public areas and trail system	3/29/2018 7:04 AM
197	anywhere children, families, under 18 events are held	3/29/2018 6:30 AM
198	Public indoors	3/29/2018 4:42 AM
199	I would hope most people will be respectful and use discretion as to when it's appropriate or not.	3/29/2018 1:09 AM
200	all public spaces	3/28/2018 11:05 PM
201	I feel that consuming cannabis should be set the same as alcohol. Impaired driving is a serious thing.	3/28/2018 10:02 PM

Legalization of Cannabis

202	Another poorly constructed question. How can I choose between a designated area at an outdoor event and total ban when the question asks where it should be banned? I think a designated smoker by area should be ok.	3/28/2018 9:04 PM
203	Question is not clear - I support designated areas for public events, all other areas where regular smoking is permitted, so should cannabis too be permitted.	3/28/2018 7:39 PM
204	Anywhere families and kids will be	3/28/2018 6:32 PM
205	all over please	3/28/2018 5:30 PM
206	Anywhere frequented by children such as playgrounds	3/28/2018 5:15 PM
207	Canabis retail stores should not be allowed anywhere	3/28/2018 4:46 PM
208	All public use should be ban	3/28/2018 4:11 PM
209	Red Deer should be a drug free city	3/28/2018 4:06 PM
210	I can't say that I disagree with any of the choices, what it is going to come down to is the enforcement and education budgets to deter people from smoking in these areas.	3/28/2018 3:39 PM
211	If Festivals & Outdoor public events allow alcohol than designated areas for cannabis smoking	3/28/2018 3:25 PM
212	It should be banned in all public places.	3/28/2018 3:00 PM
213	Residential neighborhoods	3/28/2018 2:59 PM
214	There should zero tolerance in front of stores/buildings frequented by families	3/28/2018 2:43 PM
215	Same regulations as tobacco smoking	3/28/2018 2:35 PM
216	Consumption should be banned in any public area where young children are present.	3/28/2018 2:31 PM
217	ban it everywhere except in a dwelling unit	3/28/2018 2:27 PM
218	mall entrances. the designated smoking areas in the mall should be revised so that it is away from the entrances.	3/28/2018 10:36 AM

Public Consumption of Cannabis

INFORMATION FOR MUNICIPALITIES

Regulations restricting public consumption of cannabis are important for reducing health and social harms in our communities. The following information provides municipalities important information to make healthy and evidence-informed decisions about public consumption of cannabis.

Risk of Normalization

Second-Hand Smoke

Intoxication

Risk of Normalization

- Normalization means becoming a 'normal part' of leisure and lifestyle and no longer considered potentially harmful
- Children tend to copy what they observe and are influenced by normality of any type of smoking around them.
- Normalization of cannabis is evident in society as discussion has shifted from a substance once considered harmful and privately used, to one that has a degree of acceptability in different spaces (i.e., parks, concerts).
- Cannabis use is gaining more social acceptance and associated disregard of potential harms.
- Cannabis users often do not believe there are any long-term risks or they think they can manage harms with moderate use.¹
- Mixed interpretations about cannabis use and associated harms illustrate the expansion of normalization.¹
- Normalization of cannabis has the risk of renormalizing all forms of smoking (including tobacco and waterpipes). This would be a step backwards for public health.
- In Canada, evidence indicating cannabis normalization is particularly strong among individuals aged between 15 and 44 years.²
- Prevalence rates for cannabis consumption have risen in Canada since the late 1970s.
- In 2012, the US Surgeon General declared a causal association between smoking in films and youth smoking initiation.
- An Ontario study showed co-use of cannabis and tobacco has increased among grade 7, 9, and 11 students. In 2011, 92% of tobacco users also used cannabis, up from 16% in 1991.³
- Tobacco related diseases kill 10 Albertans every day
- 2012 Alberta's Chief MOH identified many hazards associated with water pipe smoking.

Why is normalization of smoking cannabis a problem?

- Normalization leads to increases in rates of use (lessons learned from tobacco and alcohol).
- There are at least 33 known carcinogens in cannabis smoke.⁴
- Like tobacco smoke, cannabis smoke is a mixture of tiny particles in a gas-vapour.
- Both types of smoke have similar concentrations of particulate matter and toxicants, including carbon monoxide, hydrogen cyanide and nitrosamines, all of which pose health risks.⁵
- Cannabis smoking is associated with cancer, respiratory problems and cardiovascular disease.^{6,7}

Second-Hand Smoke

- In the early days, there was little data about harms of tobacco and few restrictions for tobacco use were put in place. Enacting strong regulations to keep citizens safe from second and third-hand cannabis smoke is the best option until further studies can be completed.
- Factors that impact the short-term effects of second-hand smoke include:
 - ventilation space,
 - volume of air,
 - amount of cannabis cigarettes lit at one time,
 - potency of the cannabis,
 - number of smokers.²
- Evidence from several comparative studies concluded that cannabis smoke produces more changes to genetic material and is more toxic to living cells than tobacco smoke.^{5, 6, 8, 9}
- Second-hand exposure to cannabis smoke can result in a positive test for cannabis in body fluids, urine and blood, and can lead to psychoactive effects.⁷
- Evidence suggests that even weak doses and exposure can result in positive tests and lead to psychoactive effects.²
- There is no universal threshold that can differentiate between those who have actively smoked cannabis and are intoxicated, those who have actively smoked cannabis in the past and those who have been exposed to second-hand smoke.²

Intoxication

- Cannabis can cause bad reactions: paranoia, panic, increased HR, confusion, nausea/vomiting.
- 20-30% of recreational users experience intense anxiety and/or panic attacks after smoking cannabis. Panic and phobic attacks are more common in new users and in novel/fun or stressful environments.¹⁰
- Cannabis intoxication can produce vivid mental imagery, illusions and hallucinations, and can mimic behaviours associated with psychotic disorders.¹¹
- Simultaneous use of alcohol and cannabis has been found to approximately double the odds of impaired driving, social consequences, and harms to self.¹²
- According to AHS treatment data, of those using AHS Addiction Services, more than half used cannabis, and of those who use cannabis, 90% have used alcohol and 80% have used tobacco (Alberta Health Services, 2017).

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Appendix G

Erin Stuart

From: Frieda McDougall
Sent: July 10, 2018 11:43 AM
To: City Council; Craig Curtis; Tara Lodewyk
Cc: Erin Stuart; Samantha Rodwell
Subject: July 10, 2018 - Citizen inquiry re: cannabis consumption - from Frieda McDougall

For your information, a citizen inquiry and the organizational response provided.

Frieda

From: Frieda McDougall
Sent: July 10, 2018 10:16 AM
To:
Subject: FW: One quick question

Hello Jim. We are still anticipating that bylaws related to both smoking on streets or other public areas and amendments to our License Bylaw will be brought for Council's consideration this summer. Optimally first reading could be introduced on July 23 however this could be deferred to August pending any other emerging issues relating to these issues.

Thanks for your patience as we ready our community to respond to this new legislation.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136
F: 403-346-6195

From: Jim Asmus
Sent: June 21, 2018 3:18 PM
To: Vesna Higham; Michael Dawe
Cc: Frieda McDougall; Jim Asmus
Subject: Re: One quick question

Good afternoon.

In between my original question (attached) and the "official" city response, there has several timely replies by both of you. Which I do thank you for.

Since this official response I have been waiting to see what the city actually does. Unfortunately I have not seen any leadership on this issue. I have noticed in the news that several cities and towns are passing bylaws that prohibits vaping and smoking cannabis in public.

Why can't our council show leadership in this issue and stand up for the tax-payers of this city and do the same.

Regards,
Jim

On Apr 17, 2018, at 11:04 AM, Frieda McDougall <Frieda.McDougall@reddeer.ca> wrote:

Hello Jim. Thank you for your email to members of Council. It is entirely probable that cannabis smoking will be allowed on public streets, just like cigarette smoking as smoking cannabis will become a legal activity. At present the Smoke Free Bylaw's definition of smoking is already broad enough that it applies to smoking cannabis. We are watching the province and federal government for further guidance on setbacks and buffers from certain non-compatible areas (hospitals, playgrounds, etc) and will make amendments to the bylaw as required.

Thank you for taking the time to write.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136

F: 403-346-6195

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

From: Jim Asmus

Sent: March 28, 2018 8:09 PM

To: MayorMailbox <Mayor@reddeer.ca>; Michael Dawe <Michael.Dawe@reddeer.ca>; Vesna Higham <Vesna.Higham@reddeer.ca>

Cc: mkemmis@reddeeradvocate.com; cryno@reddeeradvocate.com; Jim Asmus

Subject: One quick question

With regards to the legalization of marijuana. What is the City of Red Deer doing to ensure I can walk down a public sidewalk without having to endure the obnoxious second hand smoke from this drug?

As a long standing contributor to society and tax paying citizen, I would hope that our government could keep a non-toxic street corner available for people like myself.

We have already lost our pathway system to non-tax paying street people. We have lost emergency response to non-tax paying drug users. When does it stop.

I look forward to your reply.

Regards,
Jim Asmus

Erin Stuart

From: Frieda McDougall
Sent: July 12, 2018 9:27 AM
To: City Council; Craig Curtis; Lisa Perkins; Tara Lodewyk
Cc: Erin Stuart; Samantha Rodwell
Subject: July 12, 2018 - Possible Smoking/vaping/cannabis bylaw - from Frieda McDougall

For your information, a citizen inquiry and the organizational response provided.

Frieda

From: Frieda McDougall
Sent: July 12, 2018 9:18 AM
To:
Subject: FW: Possible Smoking/vaping/cannabis bylaw

Good morning Heather. Yes, The City of Red Deer is also reviewing its Smoke Free Bylaw related to both smoking on streets or other public area. We anticipate it may be introduced for first reading could be introduced on July 23 however this could be deferred to August pending any other emerging issues relating to this issue.

Thanks for taking the time to write.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136
F: 403-346-6195

Begin forwarded message:

From: Heather Horn
Date: July 11, 2018 at 9:48:34 AM MDT
To: dianne.wyntjes@reddeer.ca
Subject: Possible Smoking/vaping/cannabis bylaw

I have just read that Lacombe and Sylvan lake are passing bylaws now as well that prohibit smoking/vaping/cannabis in public.

Can you tell me if there are plans for Red Deer to follow suit as well and if there is anyway I can support this?

Thank you
Heather Horn

Erin Stuart

From: Frieda McDougall
Sent: June 06, 2018 7:03 AM
To: MayorMailbox; Craig Curtis
Cc: Erin Stuart; Tara Lodewyk
Subject: June 6, 2018 - Smoke Free Bylaw wording examples - from Frieda McDougall
Attachments: Bylaw wording_examples_regulation 2018 05.docx

For your information.

Frieda

From: Frieda McDougall
Sent: June 06, 2018 6:37 AM
To: 'Gail.foreman@albertahealthservices.ca'
Subject: FW: Smoke Free Bylaw update

Good morning Gail. Thank you for taking the time to share bylaw wording samples. We appreciate it.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136
F: 403-346-6195

From: Gail Foreman [mailto:Gail.Foreman@albertahealthservices.ca]
Sent: May 23, 2018 9:01 AM
To: Tara Veer
Subject: Smoke Free Bylaw update

Good morning Tara,

Hope this finds you well.

My Medical Officer of Health; Dr. Achebe has asked me to pass this resource along as I understand Red Deer is looking to update the Smoke Free Bylaw to address public cannabis consumption. Please feel free to contact me at any time.

Best regards,

Gail

Gail Foreman RN BScN CTE
Tobacco Reduction Specialist
AHS Central Zone
300 Jordan Parkway

Red Deer, Alberta
T4P 0G8
Phone: 403-356-6396

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Addressing the Public Consumption of Cannabis: Updating Municipal Smoke Free Bylaws

AHS has recommended that municipal Smoke Free Bylaws be updated to include more spaces that can be designated 'smoke free' to address places where cannabis and tobacco may be used. The purpose is to protect public health from unwanted exposure to second hand smoke.

Suggested wording is broad in its definition of 'smoking' to address the increasing number of new and novel products continuously being introduced to the market by the tobacco industry.

Examples of additions to the 'whereas' section;

AND WHEREAS it has been found that exposure to second hand smoke;

- Is still common in public places for people of all ages. ¹
- 9.9% of nonsmokers reported exposure in 2008 and in 2014, that increased to 13.5%²
- Almost 12% of preschoolers have detectable levels of nicotine metabolites in blood or urine, as do 13% of those age 6 to 11, and almost 18% of those age 12 to 19 ³
- Is still a significant concern for children who are exposed to second-hand smoke ⁴

AND WHEREAS it has been found that exposure to second hand smoke is also a concern outdoors;

- During smoking, levels of (tobacco)smoke outdoors may be as high as second hand smoke indoors, especially in close proximity to those smoking ⁵
- The closer you are to a second hand smoke source outdoors the greater your exposure to its harmful effects⁶
- In fact, being within a few feet of someone who smokes outdoors may expose you to air pollution levels that have been measured in homes and previously in bars that allowed smoking. ^{7,8}
- Cigarette smoke has a much higher CO concentration than does the exhaust from a clean, well maintained vehicle.⁹

¹ Canadian Community Health Survey 2014

² Canadian Community Health Survey 2014

³ Canadian Community Health Survey 2014

⁴ Second-hand smoke exposure higher for kids and teens *CMAJ* 2015

⁵ Repace, J. Measurements of Outdoor Air Pollution from Second Hand Smoke on the UMBC Campus. June 2005

⁶ Repace, J. Measurements of Outdoor Air Pollution from Second Hand Smoke on the UMBC Campus. June 2005

⁷ Canadian Council for Tobacco Control. Fact sheet on Second Hand Smoke and Outdoor Places

⁸ Ryan David Kennedy, University of Waterloo, 2008

- Smoke from a single cigarette can be detected between 7-10m (25-30 feet approximately) away.¹⁰
- This measurement easily encompasses the area/ distance between people at a crowded beach, on a sidewalk, doorway, a playground, outdoor events and gatherings like parades, public markets or even some campgrounds.

AND WHEREAS despite general public awareness that tobacco secondhand tobacco smoke is harmful, much of the public still regards second hand cannabis smoke as benign.^{11,12}

- Cannabis smoke and tobacco smoke are chemically and physically similar
- Secondhand cannabis smoke can cause range of detectable effects
- Cannabis SHS (second hand smoke) may have similar cardiovascular effects as tobacco smoke
- Cannabis' active ingredient can show up in tests even for nonsmokers, if they've had concentrated exposure to second hand cannabis smoke.

AND WHEREAS it has been determined that second hand smoke (exhaled smoke and the smoke from idling cigarettes, cigars and pipes and other like products and devices such as electronic vaping devices, cannabis cigarettes, blunts, spliffs) is a health hazard or discomfort for many persons.

Example of a broad definition of 'Smoking'

"Smoke" or "Smoking" means to inhale, exhale, burn, or have control over a lighted cigarette, cigar, pipe, water pipe /hookah, or other implement designed to burn or heat tobacco or any other weed or substance for the purpose of inhaling or tasting of its smoke or emissions.

As the province has not been specific about where public consumption of cannabis may occur outdoors:

'Prohibited in areas frequented by kids and other public places where smoking tobacco is prohibited'. Municipalities may wish to define specifically indoor and outdoor locations in their

⁹ Dan Jaffe and Laurie Chavasse COMPARING THE CO CONTENT OF CIGARETTE SMOKE AND AUTO EXHAUST USING GAS CHROMATOGRAPHY J.College Sci. Teaching, pgs.172-176, Dec. 1999

¹⁰ Repace, J. Measurements of Outdoor Air Pollution from Second Hand Smoke on the UMBC Campus. June 2005

¹¹ Herrmann E, Cone E, Mitchell J, et al. Non-smoker exposure to secondhand cannabis smoke II: Effect of room ventilation on the physiological, subjective, and behavioral/cognitive effects. *Drug and Alcohol Dependence*. 2015

¹² Xiaoyin Wang, Ronak Derakhshandeh, Shilpa Narayan, Emmy Luu, Stephenie Le, Olivia M. Danforth, Hilda J. Rodriguez, Richard E. Sievers, Suzaynn F. Schick, Stanton A. Glantz, Matthew L. Springer, Univ of California, San Francisco, San Francisco, CA. Brief Exposure to Marijuana Secondhand Smoke Impairs Vascular Endothelial Function *Journal of the American Heart Association*. 2016;5:e003858 Originally published July 27, 2016

communities where children under the age of 18 frequent not already covered by federal or provincial legislation. Municipalities may choose to add the phrasing 'Including but not limited to...' to their list of locations.

Regulation; *Already included under provincial legislation (either the Tobacco and Smoke Free Act or the newer Cannabis Regulation). These are recommended to be included in municipal bylaws and defined to provide better protection from exposure to second hand smoke.

Beaches

Bingo Establishment *

Casino*

Drinking Establishment*

Grandstand

Hotel/ Motel /Guest rooms

Health care grounds

Outdoor Public Events; Festivals, Markets, Parade Routes

Patio*

Parks

Playgrounds*

Private Club*

Public Building*

Public Transportation* (indoor spaces)

Public Transportation Sites (outdoors); Bus Stops, Enclosures, Stations

Restaurant*

Sidewalk Café*

Skate Parks*

Sports fields or facilities

Trails

Work Place

In outdoor areas that are very large, municipalities may choose to designate an area where 'smoking' is permitted.

These areas should be well defined, (with signage and demarcation) at least 50m away from outdoor areas listed above to reduce the impact of second hand smoke drift.¹³

¹³ Canadian Council for Tobacco Control. Fact sheet on Second Hand Smoke and Outdoor Places

Erin Stuart

From: Frieda McDougall
Sent: July 07, 2018 8:09 PM
To: Erin Stuart; Tara Lodewyk
Subject: FW: Non-Smoking BYLAW NO. 3345/2005

For your comments please and thanks.

Frieda

From: Vesna Higham
Sent: July 06, 2018 11:35 AM
To: Frieda McDougall
Subject: Fwd: Non-Smoking BYLAW NO. 3345/2005

An email about cannabis smoking ... thanks for responding.

Best regards,

Vesna Higham
Councillor | The City of Red Deer

Cell: 403-505-1172
Home: 403-341-4996
Email: vesna.higham@reddeer.ca

Sent from my iPhone

Begin forwarded message:

From: Patricia Ryan <Patricia.Ryan@gov.ab.ca>
Date: July 6, 2018 at 11:15:49 AM MDT
To: "citycouncil@reddeer.ca" <citycouncil@reddeer.ca>
Cc: Patricia Ryan <Patricia.Ryan@gov.ab.ca>
Subject: re: Non-Smoking BYLAW NO. 3345/2005

I have just read the **current non-smoking bylaw dated June 20th, 2005**. I want to know if you plan to update it any time soon. I live in an apartment complex and because marijuana is being legalized soon it's become apparent that people are already smoking weed in the building. It is a very strong odour and seeps under the door frames and into other apartments including mine. When I rented my apartment the lease said non-smoking but I have (2) neighbours who **smoke cigarettes non-stop** and now some people are smoking weed. The landlord refuses to do anything about it. I have COPD and I sometimes wake in the night choking on the smoke that gets into my apartment.

Is there any possibility that this bylaw can be updated to include apartment complexes? This is going to be a big issue soon and people with asthma and COPD like myself are being affected already.

I think this needs to be addressed as soon as possible because my rights are being ignored. If tenants need (medical marijuana) or just want it maybe **the bylaw could specify** that in **apartment buildings they use oil or food rather than smoking**. That is a compromise that I could get behind. I believe **landlords should also be held accountable** for allowing smoking in their buildings. I would move but there is no guarantee that it won't be the same elsewhere.

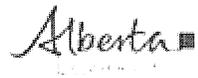
Sincerely,

Pat Ryan

Administrative Assistant
Central Region
Children's Services
Government of Alberta

Tel 403-755-6142

patricia.ryan@gov.ab.ca



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Amber Senuk

Subject: FW: August 17, 2018 - To: Colleen Myrol re: Our family supports a total ban on Marijuana in public.

From: Frieda McDougall <Frieda.McDougall@reddeer.ca>

Date: August 17, 2018 at 8:43:23 AM MDT

To: '

Subject: August 17, 2018 - To: Colleen Myrol re: Our family supports a total ban on Marijuana in public.

Hello Colleen. Thank you for your email to City Council. Following is the link to the August 20 Council meeting which contains the report and recommendations with regard to the consumption of cannabis in public places: <http://meeting.reddeer.ca/meetresults.aspx>. You will note that administration's recommendation is that any form of consumption or smoking of cannabis be banned in public locations.

Thank you for taking the time to write.

Frieda McDougall | Manager
Legislative Services
The City of Red Deer

T: 403-342-8136

F: 403-346-6195

Begin forwarded message:

From: "Colleen Patricia Myrol \ (Trish\)"
Date: August 16, 2018 at 7:09:22 PM MDT
To: <citycouncil@reddeer.ca>
Cc: _____
Subject: Our family supports a total ban on Marijuana in public.

August 16, 2018
Red Deer, Alberta

Red Deer City Council,

On behalf of the Myrol family, we ask that Council will support a total ban for smoking marijuana in public. We feel the government has been extremely unfair to our cities and municipalities. The whole province knows that we cannot walk around our cities drinking alcohol, period. It is going to be a nightmare for policing and for citizens to know what the rules are in each jurisdiction. Having said that we have to deal with the reality and what is best for our city.

These are just a few of our reasons for wanting a total ban in public;

- It will make it easier for enforcement by the police and bylaw officers.

- This is an extremely polarizing legislation . Many people are for it and many are against it. Let's try to eliminate controversy for all concerned. There are just too many variables. Take Bower Ponds for example. Can I smoke on the walking trail ,in the boats sitting, or on the grounds in front of the stage? What about around the playground, or watching a football/ballgame game in the stands? Are the children upwind or downwind? I just see this as a difficult issue on many levels. A total ban would work here.
- We have come a long way with cigarette smoking and we still have problems with having to walk through smoke on the outside of a building. PLEASE let's not mess it up with marijuana smoke.
- Second hand marijuana smoke may even have a mental effect on those who breathe it in, this is different from tobacco smoke, and we don't want that at all.
- If we want Red Deer to appear to be a clean, green, healthy environment, welcoming to the world, remember - marijuana stinks. Keep it out of public places.

Thank you for your time and consideration.

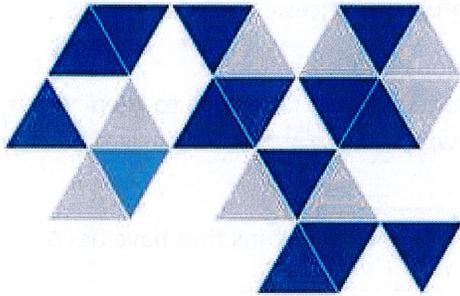
Respectfully,

Colleen Anholt Myrol

Amber Senuk

Subject: FW: Recommend revisions to proposed Smoke-Free Bylaw No. 3345/A-2018
Attachments: ASH municipal bylaw chart July 2018 highlighted.pdf

From: Les Hagen <hagen@ash.ca>
Sent: August 19, 2018 9:30 PM
To: MayorMailbox <Mayor@reddeer.ca>
Subject: Recommend revisions to proposed Smoke-Free Bylaw No. 3345/A-2018



Mayor Tara Veer
City of Red Deer
4914 – 48 Avenue
Red Deer, Alberta

August 19, 2018

Dear Mayor Veer;

Re: Recommended revisions to *Smoke Free Bylaw No. 3345/A-2018*

ASH is Western Canada's leading tobacco control organization and we have assisted many municipalities with the development of smoking bylaws since our creation in 1979.

We have some significant concerns with the proposed *Smoke Free Bylaw No. 3345/A-2018* including:

1. The complete exemption for medical users stipulated in the bylaw.
2. The lack of full alignment between outdoor restrictions on tobacco smoking/vaping cannabis smoking/vaping.

We believe that these omissions and exemptions will undermine the implementation of the proposed bylaw and will undermine public health for the following reasons:

1. The complete exemption for medical users will undermine the bylaw because it is very easy for cannabis users to get a certificate for medical use. About 2,000 Red Deer residents already have a "green card" for medical cannabis use and we expect this number to surge following cannabis legalization. This major loophole will undermine the proposed restrictions and may render the new bylaw largely ineffective by cannabis users who

simply choose to get a green card in order to evade the bylaw. In our opinion, this major loophole represents a fatal flaw in the proposed bylaw.

2. The failure to place equivalent restrictions on the smoking and vaping of tobacco *and* cannabis will further invite widespread abuse as described above. Several Alberta municipalities including Okotoks, Lloydminster, Lacombe, Camrose, and Wood Buffalo/Fort McMurray are aligning restrictions on the smoking and vaping of cannabis and tobacco in preparation for cannabis legalization. By doing so, they will be controlling the *behaviour* of smoking and vaping instead of attempting to control cannabis in isolation. By taking an isolated approach to cannabis legalization, the City of Red Deer would miss a huge opportunity to simplify enforcement and to increase the public health impact of the *Smoke Free Bylaw*.

According to [new data](#) from the Canadian Centre for Substance Use and Addiction, tobacco kills *55 times* more Canadians than cannabis. For this reason, any regulatory measures that can be justified to control cannabis consumption can be easily justified to control tobacco use. Tobacco regulation should not take a back seat to cannabis regulation especially if the main objective is to protect children and youth from harmful substances.

Public smoking bans have evolved over several decades and they represent an enormous public health achievement. Smoking bans have become a cornerstone of the successful effort to reduce tobacco use and to keep children and youth tobacco-free. Red Deer has been a part of this success story and was an early leader in the overall effort to create smoke-free workplaces.

Cannabis legalization has the potential to renormalize public smoking and to reverse or impair the gains that have been made in reducing tobacco use.

To a five-year-old, smoking is smoking whether it involves tobacco or cannabis and smoking or vaping. Vaping produces visible emissions that closely emulate smoking. Public smoking and vaping will model smoking behavior to children and youth, placing them at greater risk of becoming smokers themselves as they get older.

For these reasons, we are very discouraged to observe that the proposed bylaw does not align public restrictions on the smoking and vaping of cannabis with those on tobacco. The proposed bylaw represents a lost opportunity to expand its public health impact by placing parallel restrictions on tobacco smoking and vaping. These omissions undermine the implementation of the proposed bylaw.

We urge Red Deer City Council to take the following corrective measures:

1. Remove the exemption for medical cannabis users in the proposed *Smoke Free Bylaw No. 3345/A-2018* to prevent the widespread abuse of this major loophole.
2. If desired, the City can create discreet smoking/vaping areas in designated outdoor areas if there are legal concerns about accommodating medical cannabis users. These areas should be located away from crowds and high traffic areas and should be out of sight of children and youth.
3. Align restrictions on the smoking and vaping of cannabis and tobacco through equivalent amendments to *Smoke Free Bylaw No. 3345/A-2018*
4. Extend the restrictions on smoking and vaping to include all city parks including trails, beaches, and other recreation areas. Parks are presently exempted from the *Smoke Free Bylaw*. Over 100 Canadian municipalities have already banned smoking in parks including Vancouver, Victoria, Wood Buffalo, Okotoks, Camrose, Lloydminster and Regina.
5. Extend restrictions on smoking and vaping to include all group residential facilities including seniors' residences and youth group homes. These facilities are currently exempted from the provincial *Tobacco and Smoking Reduction Act*. People living and working in these facilities deserve full protection from secondhand smoke

especially with cannabis legalization on the horizon. Camrose is considering similar restrictions in its revised smoking bylaw.

6. Extend restrictions on smoking and vaping to include all hotel and motel rooms. These establishments are currently exempted from the provincial *Tobacco and Smoking Reduction Act*. People residing and working in these establishments deserve full protection from secondhand smoke especially with cannabis legalization on the horizon. Canmore, Airdrie and Stettler have banned smoking in hotel and motel rooms for over a decade with no reported negative impacts.
7. Amend the Smoke-Free Bylaw to provide residential building owners and managers to declare their buildings to be smoke-free and for these buildings to be enforceable under the bylaw. This amendment would allow the City to levy fines against residents who continue to smoke in violation of building smoking bans. This provision would encourage more residential building owners and operators to declare their buildings to smoke-free knowing that City will be providing them with another practical enforcement tool (other than eviction which is difficult to achieve).

ASH is very willing to assist with these amendments and we have provided a number of useful resource materials at www.ash.ca/municipal including a model smoking/vaping bylaw. Please feel free to contact me directly at hagen@ash.ca or at 780-919-5546 if you required any further information.

Thank you.

Sincerely,



Les Hagen
Executive Director

P.S. Attached you will find a summary chart of municipal smoking restrictions in Alberta.

Kaitlin Bishop

Subject: FW: Concern with exemption for medical cannabis users

Importance: High

From: Brian Ladd <Brian.Ladd@albertahealthservices.ca>

Sent: August 20, 2018 3:11 PM

To: MayorMailbox <Mayor@reddeer.ca>; Buck Buchanan <Buck.Buchanan@reddeer.ca>; Michael Dawe <Michael.Dawe@reddeer.ca>; Tanya Handley <Tanya.Handley@reddeer.ca>; Vesna Higham <Vesna.Higham@reddeer.ca>; Lawrence Lee <Lawrence.Lee@reddeer.ca>; Frank Wong <Frank.Wong@reddeer.ca>; Dianne Wyntjes <Dianne.Wyntjes@reddeer.ca>; Ken Johnston <Ken.Johnston@reddeer.ca>

Cc: Erin Stuart <Erin.Stuart@reddeer.ca>; Ifeoma Achebe <ifeoma.Achebe@albertahealthservices.ca>

Subject: Concern with exemption for medical cannabis users

Dear Mayor Veer and Council,

In anticipation of the Council meeting tonight, I would like to note one concerning element in proposed by-law (3345/A-2018) to amend 3345/2005, as released late last week with the agenda. Point 5 on page 1 of the proposed amendments notes that the following has been added to the original by-law (3345/2005) as Section 4:

4. A person who is entitled to possess Cannabis pursuant to a medical document under the *Access to Cannabis for Medical Purposes Regulations* is not subject to this bylaw but must adhere to regulations governing the Smoking of Tobacco and other substances

Please note that **AHS recommends that municipalities implement regulations banning cannabis consumption in public places. Users of medical cannabis can use cannabis oil if they are required to take medication in public away from the home.** This is consistent with the Government of Canada's policy[i] and Canada's Lower-Risk Use Guidelines to promote less harmful forms of cannabis consumption. **The limitations on their ability to use medical cannabis would only be for smoked and vaped cannabis.** Smoking/vaping have substantial harmful health effects on users and non-users exposed to second hand smoke or vapour if consumers are able to smoke or vape cannabis in public.

For public health reasons, we encourage you to propose amendment of this particular exemption for medical cannabis users, in order to ensure no smoking or vaping of cannabis is permitted in public.

Thank you for the opportunity to contribute a public health voice to this issue, and please be in touch with me or with Dr. Ifeoma Achebe (lead Medical Officer of Health, Central Zone: ifeoma.achebe@albertahealthservices.ca) if you have any questions or concerns.

Best regards,

Brian

Brian Ladd MNRM MSc
Analyst, Healthy Public Policy Unit
Public Health Surveillance and Infrastructure
Population, Public, and Indigenous Health
#104 14310 111 Ave NW
Edmonton AB T5M 3Z7

Office: 780-342-0286
Cell: 780-862-6993
Fax: 780-342-0316

Alberta Health Services

^[1] O'Brien, G Oral Presentation on Canada's Tobacco Strategy, Tobacco Control Directorate, Pan Canadian Tobacco Cessation & Cancer Care Network Mtg, June 20, 2018 Saskatoon, Saskatchewan

Amber Senuk

From: Erin Stuart
Sent: August 15, 2018 3:38 PM
To: Amber Senuk
Cc: Frieda McDougall; Tara Lodewyk
Subject: FW: Letter from Central Zone Medical Officer of Health for inclusion in materials for August 20th Council meeting
Attachments: AHS Recommendations on public consumption in Red Deer letter from Central Zone MOH.pdf; Public Consumption of Cannabis Information for Municipalities.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Hi Amber,

I have received the attached letter just now from AHS in regards to the *Smoke Free Bylaw*.

Thank you,

Erin Stuart
 Inspections & Licensing Manager
 Inspections & Licensing Department

Phone: (403) 342-8192
 Fax: (403) 342-8200
erin.stuart@reddeer.ca
www.reddeer.ca

From: Brian Ladd <Brian.Ladd@albertahealthservices.ca>
Sent: August 15, 2018 3:37 PM
To: Erin Stuart <Erin.Stuart@reddeer.ca>
Cc: Ifeoma Achebe <ifeoma.Achebe@albertahealthservices.ca>; Debbie MacPherson <Debbie.MacPherson@albertahealthservices.ca>
Subject: Letter from Central Zone Medical Officer of Health for inclusion in materials for August 20th Council meeting

Hello Erin,

Thanks again for the opportunity to share a letter from AHS for inclusion with the materials going forward to Council for the August 20th meeting. Attached is a letter from our lead Central Zone Medical Officer of Health, Dr. Ifeoma Achebe. Also attached is a one-pager on issues with public consumption of cannabis, though I think you have that already.

If you have any questions about these materials or about AHS's position on public consumption, please be in touch.

All the best,

Brian

Brian Ladd MNRM MSc

Analyst, Healthy Public Policy Unit
Public Health Surveillance and Infrastructure
Population, Public, and Indigenous Health
#104 14310 111 Ave NW
Edmonton AB T5M 3Z7

Office: 780-342-0286
Cell: 780-862-6993
Fax: 780-342-0316

Alberta Health Services
www.albertahealthservices.ca

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Medical Officer of Health
Johnstone Crossing Community
Health Centre,
300 Jordan Parkway
Red Deer AB T4P 0G8
Tel: 403 356 6424
Fax: 403 356 6436

August 15, 2018

To: Her Worship Mayor Tara Veer and Councillors:

Re: AHS's Recommendations Regarding Public Consumption of Cannabis and Tobacco in the City of Red Deer

Alberta Health Services has appreciated the opportunity to support the City of Red Deer in shaping public policy pertaining to the sale, production, and consumption of cannabis products.

Overall, AHS is advising a precautionary approach with more protective regulations to reduce harms, as it is easier to relax or remove requirements later than to add them after the fact. This approach is consistent with the recommendations of the federal Taskforce on Cannabis Legalization and Regulation and the Chief Medical Officers of Health of Canada.

AHS recommends that **municipalities implement regulations restricting cannabis consumption in public places** for the following reasons:

(1) **Cannabis is an intoxicant** – It is a mood altering substance and needs to be treated like other legal intoxicants (e.g., alcohol). Some cannabis users may experience adverse reactions, such as paranoia, panic, increased heart rate, confusion, and nausea/vomiting. Cannabis also affects reaction time, judgement, performance, cognition, and learning. **Both alcohol and cannabis are major causes of impaired driving and using them together compounds the risk.** Research shows the simultaneous use of alcohol and cannabis has been found to approximately double the odds of impaired driving incidents, social consequences, and harms to self.

(2) **Harms related to second and third-hand smoke**—Smoking cannabis has the potential to damage lungs, and cause respiratory problems and cardiovascular disease. Smoking/vaping have substantial harmful health effects on users and non-users exposed to second hand smoke or vapour.

(3) **Normalization of cannabis and renormalization of smoking**, especially for children and youth -- Children tend to copy what they observe and are influenced by the normality of any type of consumption and smoking around them. Exposing children and youth to smoking behaviour and cannabis consumption would be a step backwards for public health. Evidence shows that normalization increases rates of use. **Therefore, restricting cannabis consumption, especially in areas frequented by children, should be a priority for Council.**

(4) **Future legislation** – allowing public consumption (including in designated areas) may create future challenges and issues when other cannabis products, such as edibles such as cannabis-infused beverages, become legal. Alcoholic beverages that cause impairment are not allowed in public, so allowing cannabis beverages would present an inconsistency and/or open the door for repealing effective harm reduction regulations for alcohol. It would be prudent to wait until federal and provincial regulations governing cannabis consumption lounges are available before considering public consumption spaces, especially with concerns with impaired driving.

August 15, 2018
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(5) **Consistency with other jurisdictions** – Internationally, public consumption has not been permitted in any jurisdictions that have legalized cannabis. In Canada, public consumption has been banned in Ontario, Manitoba, Saskatchewan, New Brunswick, Newfoundland, P.E.I., and Yukon. And other jurisdictions are expanding restrictions. For example, the City of Hague in the Netherlands has announced a ban on public consumption of cannabis in 13 areas of the city effective May 1, 2018.

Drafting municipal cannabis regulations provides Council with the opportunity to strengthen all bylaws that protect against the harms smoking/vaping, and fulfill municipal government's role as a strong partner in protecting the health and safety of the population. AHS recommends considering amendments that increase protection from exposure to smoked/vaped tobacco and all tobacco-like substances (e.g., shisha).

Allowing public consumption will likely create a number of health and safety concerns, nuisance issues, and risks to children and youth. Based on our current review of evidence, Alberta Health Services recommends against public consumption of cannabis.

AHS would be pleased to work with the City of Red Deer to incorporate these recommendations into the smoking bylaw.

Sincerely,



Dr. Ifeoma Achebe, MBBS, DTM, M.Sc, D (ABPM)
Medical Officer of Health, Central Zone
Population, Public, & Indigenous Health
Alberta Health Services

Attachment: Public Consumption of Cannabis: Information for Municipalities

Public Consumption of Cannabis

INFORMATION FOR MUNICIPALITIES

Regulations restricting public consumption of cannabis are important for reducing health and social harms in our communities. The following information provides municipalities important information to make healthy and evidence-informed decisions about public consumption of cannabis.

Risk of Normalization

Second-Hand Smoke

Intoxication

Risk of Normalization

- Normalization means becoming a 'normal part' of leisure and lifestyle and no longer considered potentially harmful
- Children tend to copy what they observe and are influenced by normality of any type of smoking around them.
- Normalization of cannabis is evident in society as discussion has shifted from a substance once considered harmful and privately used, to one that has a degree of acceptability in different spaces (i.e., parks, concerts).
- Cannabis use is gaining more social acceptance and associated disregard of potential harms.
- Cannabis users often do not believe there are any long-term risks or they think they can manage harms with moderate use.¹
- Mixed interpretations about cannabis use and associated harms illustrate the expansion of normalization.¹
- Normalization of cannabis has the risk of renormalizing all forms of smoking (including tobacco and waterpipes). This would be a step backwards for public health.
- In Canada, evidence indicating cannabis normalization is particularly strong among individuals aged between 15 and 44 years.²
- Prevalence rates for cannabis consumption have risen in Canada since the late 1970s.
- In 2012, the US Surgeon General declared a causal association between smoking in films and youth smoking initiation.
- An Ontario study showed co-use of cannabis and tobacco has increased among grade 7, 9, and 11 students. In 2011, 92% of tobacco users also used cannabis, up from 16% in 1991.³
- Tobacco related diseases kill 10 Albertans every day
- 2012 Alberta's Chief MOH identified many hazards associated with water pipe smoking.

Why is normalization of smoking cannabis a problem?

- Normalization leads to increases in rates of use (lessons learned from tobacco and alcohol).
- There are at least 33 known carcinogens in cannabis smoke.⁴
- Like tobacco smoke, cannabis smoke is a mixture of tiny particles in a gas-vapour.
- Both types of smoke have similar concentrations of particulate matter and toxicants, including carbon monoxide, hydrogen cyanide and nitrosamines, all of which pose health risks.⁵
- Cannabis smoking is associated with cancer, respiratory problems and cardiovascular disease.^{6,7}

Second-Hand Smoke

- In the early days, there was little data about harms of tobacco and few restrictions for tobacco use were put in place. Enacting strong regulations to keep citizens safe from second and third-hand cannabis smoke is the best option until further studies can be completed.
- Factors that impact the short-term effects of second-hand smoke include:
 - ventilation space,
 - volume of air,
 - amount of cannabis cigarettes lit at one time,
 - potency of the cannabis,
 - number of smokers.²
- Evidence from several comparative studies concluded that cannabis smoke produces more changes to genetic material and is more toxic to living cells than tobacco smoke.^{5, 6, 8, 9}
- Second-hand exposure to cannabis smoke can result in a positive test for cannabis in body fluids, urine and blood, and can lead to psychoactive effects.⁷
- Evidence suggests that even weak doses and exposure can result in positive tests and lead to psychoactive effects.²
- There is no universal threshold that can differentiate between those who have actively smoked cannabis and are intoxicated, those who have actively smoked cannabis in the past and those who have been exposed to second-hand smoke.²

Intoxication

- Cannabis can cause bad reactions: paranoia, panic, increased HR, confusion, nausea/vomiting.
- 20-30% of recreational users experience intense anxiety and/or panic attacks after smoking cannabis. Panic and phobic attacks are more common in new users and in novel/fun or stressful environments.¹⁰
- Cannabis intoxication can produce vivid mental imagery, illusions and hallucinations, and can mimic behaviours associated with psychotic disorders.¹¹
- Simultaneous use of alcohol and cannabis has been found to approximately double the odds of impaired driving, social consequences, and harms to self.¹²
- According to AHS treatment data, of those using AHS Addiction Services, more than half used cannabis, and of those who use cannabis, 90% have used alcohol and 80% have used tobacco (Alberta Health Services, 2017).

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¹² Subbaraman, M. and Kerr, W. (2015). Simultaneous versus concurrent use of alcohol and cannabis in the national alcohol survey. *Alcoholism: Clinical and Experimental Research*, 39(5), 872-879.

FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018
TO: Erin Stuart, Inspections and Licensing Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Smoke Free Bylaw No. 3345/A-2018 – Amendments related to Cannabis Legalization

Reference Report:

Inspections and Licensing, dated July 9, 2018

Resolution:

At the Monday, August 20, 2018 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated July 9, 2018 re: Smoke Free Bylaw No. 3345/A-2018 Amendments related to Cannabis Legalization hereby directs administration to develop amendments for the follow offences:

- for a second offence, to a fine of \$500
- for a third or subsequent offence, to a fine of not less than \$500 and not more than \$2,500 .

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated July 9, 2018 re: Smoke Free Bylaw No. 3354/A-2018 Amendments related to Cannabis Legalization hereby directs administration to explore amendments to prohibit indoor Cannabis Smoking or Vaping in multi-unit housing throughout the city.

Resolved that Council of The City of Red Deer having considered the report from Inspections & Licensing dated July 9, 2018 re: Smoke Free Bylaw No. 3354/A-2018 Amendments related to Cannabis Legalization hereby directs administration to explore amendments to prohibit the Smoking or Vaping of medical Cannabis in public places.

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave first reading to the following bylaw:

Bylaw 3345/A-2018 (an amendment to the Smoke Free Bylaw to address the public consumption component related to cannabis)

Report back to Council:

Yes. This bylaw, including the amendments as directed by Council, will come back for second and third reading at the September 4, 2018 Council Meeting.

Comments/Further Action:

None.



Frieda McDougal
Manager

- c. Director of Planning Services
Corporate Meeting Administrator



July 10, 2018

Business Licence Bylaw No. 3609/2018

Inspections and Licensing

Report Summary

The existing *License Bylaw* No. 3159/96 was adopted in 1996, and since then has only some minor amendments and additions for different categories (Appendix A). A simpler, more concise bylaw is proposed, which will provide fairness and consistency for all types of business in the city, as well as ensuring clear regulations that are up to date and allow for more flexibility.

Administration recommends that Council give first reading to *Business Licence Bylaw* No. 3609/2018, with second and third readings of the bylaw on September 4, 2018. Subsequently, Administration recommends that following second and third readings on September 4, the *License Bylaw*, the *Drinking Establishment Licensing Bylaw* and the *Late Night Clubs Bylaw* be repealed.

City Manager Comments

I support the recommendation of Administration. If first reading of Bylaw 3609/2018 is given, this bylaw will come back for second and third reading at the September 4, 2018 Council Meeting.

Tara Lodewyk
Interim City Manager

Proposed Resolutions

That Business License Bylaw 3609/2018 be read a first time.

Rationale for Recommendations

1) A more simplified, concise bylaw allows for evolution of business types. The proposed bylaw is easier to understand for business owners and other stakeholders, and allows for increased flexibility as business types and models evolve, and new trends emerge.

2) Creates fairness between business types by requiring a licence for all business types, and charging the same fee for all business types. The existing bylaw licenses only very specific types of business types, and the fee charged is attributed to the type of business.

3) A fees and charges review has identified the requirement for a simplified fee structure, with a lower fee than what is currently charged for resident business owners.

4) Requiring an annual licence of all businesses in the city provides the opportunity for up-to-date statistics on business data. This information is requested often by both internal and external stakeholders.

Discussion

The *Municipal Government Act* grants municipalities the authority to have a licensing bylaw for the purposes of regulating “business, business activities and persons engaged in business” (Section 7(e)).

The *License Bylaw* was adopted over 20 years ago and has had few amendments. The amendments that were completed addressed different business types on an as-needed basis. Due to the extensive changes to the bylaw, Administration is proposing a complete new bylaw to licence and regulate businesses within the city, rather than amending the existing bylaw.

In addition, we have a *Drinking Establishment Licensing Bylaw* which was created in 2004 and a *Late Night Club Bylaw* in 2001 (Appendices D & E). These bylaws have also had a few amendments since their inception and have been effective.

Current Bylaw

The bylaw as it exists is complex, outdated and creates an imbalance between business types requiring licences and the fees charged to those business types.

Within the bylaw, there are specific categories identified, which are required to obtain an annual business licence. Those categories include businesses such as Massage Clinics, Contractors, Photographers, and others. Further, many of those categories included in the bylaw have specific provisions that regulate that category of business. There is lack of consistency between the types of categories that have been included within the bylaw, and the fees charged for each category, despite the amount of administrative work associated with them being equal.

On the other hand, those categories of businesses not identified within the bylaw do not require an annual licence. They simply require an Occupancy Permit, which is obtained once, at the time the business occupies their space. Those types of businesses typically include the ‘bricks and mortar’ businesses, including retail stores, restaurants and offices.

At this time, licensing requirements are contained in three different bylaws which can make it difficult for application and navigation by citizens.

New Bylaw

The most significant change from the existing bylaw to the proposed bylaw is the requirement for all businesses to now obtain an annual business licence. This creates a fair and equitable environment for all businesses, allows The City to obtain up-to-date business data, and provides a mechanism to place terms and conditions on a business, if necessary.

Although the bylaw no longer identifies the vast list of business categories, that information will be captured through the application process, and used for statistical information, as well as to form a future online business directory. The category is important for those two purposes, but it is no longer required to determine the fee to be charged to the business owner.

Generally, the new bylaw seeks to be simplified and easier to understand, as well as being flexible to changes in technology, business models and other trends in business. This is accomplished in a number of ways:

Definitions

The number of definitions within the bylaw has been reduced, where possible, and if required, are necessary for the purposes of administering the bylaw or have been placed in the appropriate Schedule that is specific to that type of business.

Business Categories

The bylaw no longer identifies every type of business category. The definitions are more general allowing for evolution in types of businesses without having to continually update the bylaw.

Regulations

The proposed bylaw is also simplified by reducing unnecessary provisions specific to regulating a specific type of business. Where Administration has determined that further regulations are required, due to concerns for the safety of the public, those regulations have been included in individual Schedules at the back of the bylaw.

Bylaw Consolidation

Administration has consolidated a number of existing bylaws, including the *Drinking Establishment Licensing Bylaw* and the *Late Night Clubs Bylaw* into the one proposed bylaw to ensure consistency between regulations, and provide one comprehensive bylaw.

Short-Term Licences

Feedback received from seasonal business owners and non-resident contractors has indicated their desire for the availability of a Short-Term Licence. The addition of this licence would allow them to operate for four months with an adjusted fee; following the expiration of that licence, they would no longer be able to operate within city limits.

Fees and Charges

A full fees and charges review was completed as part of this project. It identified that the full cost of processing various types of applications is the same, therefore the fee structure should be simplified. There are fees proposed for 'Resident', 'Non-Resident', 'Short-Term Resident' and 'Short-Term Non-Resident', as well as new charges for services not previously charged for such as Alteration/Relocation Fees and Late Fees (Appendix C).

Businesses who have paid fees in the past for a licence will now pay slightly less or more, depending on the category of business. Those businesses who previously did not require a licence, typically the 'bricks and mortar' type business such as restaurants and retail sales, will pay for an annual licence. Applications for new licences may be pro-rated, based on what month they apply, to a minimum fee, ensuring that basic administrative costs are covered.

Administration recommends waiving licence fees for the remainder of 2018. Once the bylaw is approved by Council, businesses will be able to apply and renew their licences online. The fees for licences are adopted as part of the bylaw, and a formal request to adjust the operating budget will come as part of the 2019 Operating Budget process.

Other Municipalities

A review of municipalities across Alberta identified that The City of Red Deer is unique in that we are one of the only municipalities that does not have a requirement for all businesses to obtain an annual licence to operate their business. It is best practice for all businesses to require an annual licence; several bylaws identify specific categories, however have generic 'Resident' and 'Non-Resident' categories to capture businesses that do not fall within those identified.

Consultation

Administration has informed the Red Deer Chamber of Commerce, the Downtown Business Association, BILD Alberta and the Red Deer Construction Association of the upcoming changes to the bylaw. No concerns were identified through those meetings. The Chamber of Commerce identified their interest in a regional licence that would allow a business to operate within more than one municipality (Appendix). This has not been explored as part of this bylaw, but will be explored in the near future, using learnings from the regional approach being explored for vehicles for hire.

This project falls within the inform section of the public participation spectrum, whereby Administration provides the public with balanced and objective information to assist them in understanding the new bylaw and the requirement to obtain an annual licence, and how they can obtain that licence.

To achieve the above goal, Administration is proposing a number of communication tactics including updated web content and social media presence, utility bill inserts, news releases and announcements in the newspaper and the Red Deer Chamber of Commerce and Downtown Business Association newsletters. This will take place through the summer and fall of 2018.

Following those timelines, License Inspectors will do business visits to inform those businesses that have not yet obtained their licence.

Next Steps

If Council should proceed with first reading of Bylaw 3609/2018, second and third readings of the bylaw would occur on September 4, 2018. Unlike a municipality's land use bylaw, which requires a legislated public hearing, a licensing bylaw does not require a public hearing. Following second and third readings of the bylaw, several bylaws would require repeal due to the consolidation identified above in the report. These bylaws are the Licence Bylaw, the Drinking Establishment Licensing Bylaw and the Late Night Clubs Bylaw.

Administration at that time would commence the process of informing business owners of the requirement to obtain their licence. Although the bylaw would be in effect upon 3rd reading, it is proposed that through the remaining months of 2018, the focus would be on informing and encouraging business owners to apply and obtain their licence, with no fee being charged. This allows time for businesses to be informed and obtain their licence, and Administration time to launch the online application system.

Appendices

- Appendix A: Existing *License Bylaw No. 3159/96*
- Appendix B: Proposed *Business Licence Bylaw No. 3609/2018*
- Appendix C: Fees and Charges Summary for Licence Fees
- Appendix D: Existing *Drinking Establishment Licensing Bylaw No. 3332/2004*
- Appendix E: Existing *Late Night Club Bylaw No. 3275/2001*
- Appendix F: Correspondence and Documentation from Chamber of Commerce

BYLAW NO. 3159/96

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

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

PART I

SHORT TITLE AND DEFINITIONS

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

2 In this bylaw,

"**Advertiser**" means:

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

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

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

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

"**Auctioneering**" means the business conducted by an auctioneer;

¹"**Bed & Breakfast**" means a detached dwelling occupied by the property owner of the Bed & Breakfast host as a primary residence,

¹ 3159/C-2001

Bylaw No. 3159/96

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in which are offered overnight accommodation and a breakfast meal, for rent to travelling guests who are temporarily visiting the Red Deer area, in compliance with the regulations contained in the Land Use Bylaw:

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

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

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

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

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

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

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

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

¹**"Contractor (General)"** means the business of accepting contracts for the erection, alteration, construction, repair of buildings or structures of any kind or the person or firm engaged in such business, as the context requires, and includes any subcontractor or subtrade, as listed in Schedule 'A' section 13, or any owner of property or any agent of the owner who supervises the erection, construction, alteration and repair of buildings or structures where a general contractor is not engaged in the project;

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

²**"Farmer's Market"** means the business of conducting a public open market at which various vendors of goods lease a stall or space from a holder of a provincial market approval and situate at the location approved by the City from time to time.

³**"Festival"** means any music festival, dance festival, rock festival, rave, or similar musical or entertainment activity likely to attract 50 persons or more in any one 24 hour period, at which music is provided by paid or amateur performers, or by pre-recorded means, which is held at any place within the city and to which members of the public are invited or admitted at charge, or free of cost, but shall not include:

- (a) any activity conducted by a religious organization recognized by federal, municipal or provincial agencies as such for tax exemption purposes;

¹ 3159/A-2008

² 3159/B-96

³ 3159/A-2001

Bylaw No. 3159/96

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- (b) any activity conducted by a recognized government agency;
- (c) any activity conducted by any other organization or service club, which the Manager is satisfied, is a non-profit organization, notwithstanding that such organization might not be registered for income tax purposes with Revenue Canada;
- (d) any activity promoted or conducted by the Red Deer Westerner Exposition Association on lands or premises under its direct control;
- (e) does not include any event which takes place at premises which are licensed under the Alberta Gaming and Liquor Act.

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

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

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

"Janitor Service" means the business of cleaning or maintaining in a clean condition all or any part of the interior or exterior of

¹ 3159/C-2001

buildings and dwelling houses and includes the business of cleaning rugs and upholstery and the washing of the exterior and interior of windows;

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

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

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

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

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

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

¹**"Mobile Supervised Consumption Services"** means a business operated within a Mobile Supervised Consumption Services Unit, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and controlled environment where a person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;

²**"Mobile Supervised Consumption Services Unit"** means a vehicle designed or retrofitted to accommodate Mobile Supervised Consumption Services and having no more than two-booths and room for two people to recover post-consumption.

¹ 3159/A-2018

² 3159/A-2018

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

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

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

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

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

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

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

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

"Retail Salesperson" means any person who sells or agrees to sell any services, goods, or property of any nature or kind wherever

Bylaw No. 3159/96

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situate, as individual items or in small quantities, as opposed to wholesale lots, directly to the consumer from any location within the City; but shall not include charitable organizations, local youth groups, community service organizations and auctioneers;

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

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

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

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

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

PART 2

APPOINTMENT, POWERS AND DUTIES OF INSPECTIONS AND LICENSING MANAGER

- 3 All licenses issued under this Bylaw shall be in a form approved by the Manager.
- 4 The Manager has the authority to:

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- (a) grant, refuse to grant, revoke, renew or refuse to renew licenses under this Bylaw;
 - (b) maintain appropriate records pertaining to the licensing of businesses, infractions of this Bylaw, and generally all matter arising out of the application and enforcement of this Bylaw;
 - (c) enforce the provisions of this Bylaw.
- 5 The Manager shall refuse to grant or renew a license, and shall revoke or suspend a license, if in his opinion, and upon reasonable grounds, he believes that:
- (a) The applicant is not bona fide;
 - (b)¹ The applicant or the Licensee has contravened the provisions or requirements of this bylaw or any other bylaw of the City, or any enactment of the Province of Alberta;
 - (c) The applicant or Licensee is not worthy of public trust;
 - (d) The applicant or Licensee has withheld or concealed information from the Manager, his designate, or a peace officer, or has provided false information on any application for a license;
 - (e) The Licensee refuses to admit the Manager, his designate, a peace officer, or any other person authorized by this bylaw or any Statute of the Province of Alberta, into the premises, vehicles or apparatus from which the business is carried out;
 - (f) There are other just and reasonable grounds for so doing.
- 6 The Manager may suspend the effect of revocation of a license upon the performance by the Licensee of any conditions stated in writing by the Manager.
- 7 (1) Notice of the cancellation or suspension of a license may be given by personal delivery of such notice to the Licensee or by mailing a

¹ 3159/A-96

double registered letter to the Licensee at his place of business or residence as shown on the license.

- (2) The Licensee shall immediately upon being given verbal notice, or upon being served with written notice of the revocation of his license, terminate the operation of his business.
- ¹⁸ (1)² If the Manager refuses to grant or renew a license or revokes or suspends a license, the applicant or Licensee may appeal the decision to the Red Deer Appeal & Review Board, in accordance with relevant procedures as outlined in the City of Red Deer Committees Bylaw.

PART 3

GENERAL REGULATIONS REGARDING LICENSES

- ³⁹ (1) No person shall carry on any business referred to in this Bylaw or in Schedule "A" attached hereto, without first being the holder of a valid and subsisting license to do so and having paid to the City the fee required under Schedule "A".
- (2) The fees listed in Schedule "A" may be reduced pro-rata on a monthly basis for each month or partial month from the date the License is first issued until December 31 of that year for any Licensee who has not obtained a License in the past.
- 10 The issuance of a license under this bylaw does not authorize or permit the Licensee to carry on business or any activity under such license contrary to the provisions of the City Land Use Bylaw.
- 11 ⁴(1) All licenses issued pursuant to this Bylaw shall be valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued.
- (2) All licenses issued remain the property of the City.

¹ 3159/A-2008

² 3159/A-2009

³ 3159/B-2015

⁴ 3159/B-2015

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- 12 (1) All licenses issued shall be conspicuously displayed at or near the main entrance of businesses that are carried on at a fixed location.
- (2) All licenses issued to businesses that are not carried on at a fixed location shall be carried on the person of the Licensee or in or on the vehicle or apparatus from which such business is carried on and shall be shown to the Manager, his designate, a bylaw enforcement officer, or peace officer upon demand.
- 13 The Manager or his designate may issue concurrent licenses to businesses which carry on their business from several locations, vehicles or apparatus simultaneously.
- 14 (1) A commercial agent representing a company or business and working in conjunction with a person who holds a home occupation license for same may be licensed under that home occupation for a resident license fee as a commercial agent.
- (2) Commercial agents working in conjunction with a person who holds a home occupation license must produce proof of that arrangement satisfactory to the Manager.
- 15 Each additional business operated from a licensed home occupation site will be charged a resident license fee.
- 16 No transfer of a license shall have any effect:
- (a) without the prior written approval of the Manager;
- (b) without the transferee paying therefore a fee of \$10.00.
- 17 No business whether or not licensed under this Bylaw, shall use any highway within the control, management or direction of the City for the purposes of display, advertising, or carrying on any business without first obtaining permission as required by the City.
- 18 No owner or manager of a hotel, motel, mall, commercial business or other property shall knowingly allow, suffer, or permit any person to carry on any business or activity thereon without such person being the holder of a subsisting license where required under this bylaw.

PART 4

EXCEPTIONS TO LICENSE REQUIREMENT

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

PENALTIES

²21

- (a) A person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a fine of not less than \$250 and not more than \$10,000, exclusive of costs and, in default of this payment, to imprisonment for a period not exceeding six months.

¹ 3159/B-96

² 3159/A-2008

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(b) A person who breaches any of the provisions of this bylaw where the breach is of a continuing nature shall, in addition to the penalties set forth in section 21(a), pay a penalty of not less than \$250 for each day that the breach continues.

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

PART 5

REGULATIONS RESPECTING SPECIFIC LICENSES

AMUSEMENT ARCADE

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

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

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

26 The Owner or Manager of an Amusement Arcade shall not employ any person of less than 18 years of age in connection in any way with the operation of an Amusement Arcade.

27 The Owner, Manager, and any employee engaged in the operation of an Amusement Arcade shall not suffer, allow or permit persons not actively making use of the amusement, sport or arcade machines located on the premises, to loiter upon the said premises.

28 No person under the age of 14 years shall be permitted on the premises of an Amusement Arcade unless accompanied by a parent or guardian.

- 29 An Amusement Arcade license shall not be required in respect of rides operated for the amusement of children.

BILLIARD ROOMS

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

CONTRACTORS

¹33

- (a) The Manager may suspend or revoke a Contractor's license where the Licensee has:
- (i) commenced any development prior to obtaining all necessary permits; or
 - (ii) failed to commence or complete development within the time required by the Land Use Bylaw and in accordance with a permit issued according to the Land Use Bylaw or has failed to comply with any of the conditions of the permit.
- (b) The Manager may refuse to renew a Contractor's license if permits issued more than one year prior to the license renewal date remain outstanding as a result of required inspections that have not been completed or safety concerns that have not been addressed to the satisfaction of the Safety Codes Officer involved.
- (c) The suspension or revocation of a Contractor's license may be for the remaining of the existing license period and for an additional

maximum period of 24 months thereafter or a lesser period as the Manager deems appropriate.”

- ¹33.1 Notwithstanding anything contained in this bylaw, the Contractor shall complete all outstanding developments that are the subject of the suspension, revocation, or renewal refusal of the license, to the satisfaction of the Safety Codes Officer. The penalty for failing to complete outstanding developments is contained in Section 21 of this Bylaw.”
- ²34 A suspension, revocation, or renewal refusal of a license shall not be effective until:
- (a) The Manager has given 14 days written notice to the Licensee of the proposed suspension, revocation, or renewal refusal; and
 - (b) The Licensee has not appealed the proposed suspension, revocation, or renewal refusal within the allotted appeal period, or having filed an appeal, the appeal has been heard as specified in this bylaw and has been denied.”

BOOK AGENTS (CANVASSERS)

- 35 Seven clear days prior to the commencement of his business operation every person to whom a book agent license is issued shall provide the following information to the Manager and shall advise the Manager of any changes in the following information in writing:
- (a) the names of the persons comprising his sales crew;
 - (b) the place or places of residence of the members of his sales crew, together with their addresses in the City;
 - (c) the Provincial license number of each sales person.
- 36 Where any person is an employee of a book agent, such employee may take out a license for the period running concurrently with the period of the license issued to the employer.

1 3159/A-2008

2 3159/A-2008

- 37 Not more than 4 employees' licenses shall be issued for each employer's license.

FESTIVALS

- 38 No person shall operate, maintain, conduct, advertise, sell or furnish tickets for any outdoor or indoor festival in the City unless he shall have obtained a license from the City to operate or conduct such festival.

- 39¹ Applications for licenses to conduct a festival shall be made in writing to the Manager not less than 90 days prior to the commencement date of the festival and shall contain the following information:

- (a) the name, age, residence and the mailing address of the person making such application. If the application is made by a partnership, the name and addresses of the partners shall appear. When the applicant is a corporation, the application shall be signed by the President, Vice President and Secretary of such corporation and shall contain the addresses of such corporate officers, and the names and addresses of the directors of the company , and shall have annexed thereto, a certified copy of the Articles of Incorporation of the company;
- (b) a written statement of the kind, character or type of festival which the applicant proposes to conduct, operate or carry on;
- (c) the address or legal description of the place where the proposed festival is to be conducted, operated or carried on, together with the proof of ownership of such place, and a statement signed by the owner of such place indicating his consent that such place be used for the proposed festival;
- (d) the date or dates and the hours during which the festival is to be conducted;
- (e) an estimate of the number of customers, spectators, participants and other persons expected to attend the festival for each day it is conducted;

¹ 3159/A-2001

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

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

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

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

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

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

MESSAGE CLINIC

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

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

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

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

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

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- (b) permit any person who appears to be intoxicated by alcohol or under the influence of a drug to enter or remain in any massage clinic operated by him;
- (c) use or permit to be used any camera or other photographic or recording device in, upon or at a massage clinic by any person other than a Peace Officer, Medical Health Officer or a Public Health Inspector acting under his direction, or a Bylaw Enforcement Officer of the City, or
- (d) provide any movies, slide shows, games of skill, or sports activities on or in the premises occupied by a massage clinic or any activity or entertainment of any kind other than those approved by the City on issuance of the license for the massage clinic.

51 Except where massage services have been approved as an accessory use to an existing business holding a valid occupancy permit:

- (a) no massage therapist shall perform massage services at any place other than the premises of a massage clinic licensed under this bylaw;
- (b) no massage therapist shall provide massage as an approved accessory use where two or more massage therapists are employed unless a massage clinic license is issued for such use.

52 No person shall perform or administer a massage unless he or she is licensed as a massage therapist under this Bylaw.

53 No massage therapist license shall be issued unless the applicant:

- (a) is the holder of Certificate of Proficiency in Body Massage;
or
- (b) is the holder of a written statement from the Medical Health Officer for the David Thompson Regional Health Authority that the applicant has qualifications equivalent to those required for a Certificate of Proficiency in Body Massage;
and

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(c) is the holder of a health inspection certificate or employed at a massage clinic holding a health inspection certificate.

54 No person shall operate a massage clinic unless he is the holder of a valid massage therapist license.

55 The Manager may at any time require any person who performs massages in a massage clinic to be medically examined by the Medical Officer of Health or a Medical Doctor designated by him and the Medical Health Officer may make a report of such examination to the Manager.

56 No owner's license shall be transferred and if an owner sells, leases or otherwise disposes of a massage clinic or the premises or part thereof upon or in which a massage clinic is operated, the license in respect of such massage clinic shall, notwithstanding any other provision of this bylaw, terminate.

57 Any Bylaw Enforcement Officer, Peace Officer, or any other person authorized by the Manager, may inspect any premises for which a massage clinic license has been issued at all reasonable times. Any person who refuses admission to any such person or who refuses to produce his license when called upon by any such person to do so, shall be guilty of an offence.

PAWN BROKER

58 No Pawn Brokers license shall be issued to any person who carries on business as an auctioneer, or as a second hand dealer.

59 Every pawn broker shall keep a book or other record in a form satisfactory to the Manager in which shall be recorded in permanent form at the end of each transaction the following information:

(a) an accurate description of the property pawned or pledged, including serial numbers, makes and models, etc.;

(b) the date and time such property was acquired by the pawn broker;

(c) the rate of interest to be paid by the pledgor;

- (d) the name, address and an accurate description of the person from whom the property was acquired.
- 60 No entry in such book or record shall be erased, obliterated or defaced, nor shall any portion thereof be torn out or removed.
- 61 Every pawn broker shall at the time of each transaction deliver to the person pawning or pledging personal property with him a personal note or memorandum signed by him containing a summary of the items set forth in Section 59. No charge shall be made or received by the pawn broker for such note or memorandum.
- 62 The books or records and any personal property in a pawn broker's premises shall be open for inspection at all times by any peace officer, or the Manager.
- 63 Each pawn broker shall before 12:00 o'clock noon on any day his business premises is open for business deliver to The City Detachment of the R.C.M.P. a detailed and accurate description of all personal property received by him upon pledge or pawn during the period preceding 10:00 o'clock in the forenoon of that day and after 10:00 o'clock in the forenoon of the previous day on which his shop was last open for business, including:
- (a) the date and time of day when each property was received;
 - (b) the serial or folio number in the pawn broker's book or record; and
 - (c) the name, address and a detailed description of the person or persons from whom the pledge or pawn was received, including the description of the clothing and any other distinguishing feature of the pledgor.
- 64 Such report shall be made in form approved by the Manager.
- 65 When any property is redeemed or sold, the pawn broker shall enter into such book or record:

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- (a) The name and address of the person purchasing or redeeming such property; and
- (b) The date of redemption or sale.

66 No pawn broker shall permit any property received by him as a pledge or pawn or otherwise as security for any loan, to be redeemed or removed from his place of business until at least 72 hours has elapsed from the time of first receiving such property, and no property shall be sold until a period of three months has elapsed from the time such property was received by the pawn broker.

67 No pawn broker shall take any property as a pledge or pawn for security for any loan from any of the following persons:

- (a) any person who appears to be intoxicated by alcohol or under the influence of drugs;
- (b) any person under the age of 18 years;
- (c) any person who the pawn broker believes to have a criminal record or to have acquired the property illegally;

68 No pawn broker shall employ to take or receive any pawn or pledge, any person under 18 years of age nor any person who has been convicted of theft or possession of stolen property.

69 No pawn broker shall purchase or otherwise acquire any personal property which is second hand except where such personal property has been sold as an unredeemed pledge or pawn and is re-acquired from the purchaser.

SECOND HAND DEALERS

70 A person shall not be required to hold a license for dealing in second hand goods where the second hand goods are accepted as part of the consideration for the purchase price of new goods.

71 Each second hand dealer shall keep a book or other record in duplicate containing the following information:

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- (a) an accurate description of the second hand goods including serial numbers, makes and models and any distinguishing features, including the fact that the serial number had been removed or is missing;
- (b) the date and time of the day when such second hand goods were acquired;
- (c) the name, address and an accurate description of the person from whom the second hand goods were acquired; and
- (d) the amount paid by the dealer for the second hand goods.

72 No entry made in such book or record shall be erased, obliterated or defaced nor shall any portion thereof be torn out or removed.

73 The book or record required herein and any personal property in the second hand dealer's place of business shall be open to inspection at all times by any Peace Officer, a Bylaw Enforcement Officer, or the Manager and the duplicate copy of such book or record shall be delivered to the Peace Officer, the Bylaw Enforcement Officer, or the Manager upon request.

74 No second hand dealer shall dispose of or undertake the repair of any second hand goods until 72 hours have elapsed from the time of acquisition of such goods.

75 Each second hand dealer shall keep separate and apart from his other goods those goods referred to in Section 74 until the time set forth in that section has elapsed.

76 Sections 71 to 75 inclusive do not apply to:

- (a) the purchase of second hand goods, wares, merchandise or other effect bargained for or delivered to the purchaser at any place outside the City, although such person disposes of the same within the City;
- (b) persons who deal in second hand books;
- (c) auctioneers;

- (d) thrift shops and clothing banks operated by any church or charitable organization.

PUSH CART VENDING UNITS AND MOBILE VENDING UNITS

- 77 Push cart vending units may be permitted at locations approved by the Manager, on public or private property.
- 78 Mobile vending units or mobile canteens may be permitted at locations approved by the Manager, on public or private property.
- 79 Licenses issued to hawkers or the vendors of unprepared food items shall be subject to a condition that there will be no signs posted on private or public lands. Only one sign, not to exceed two feet by two feet may be located on the vehicle or kiosk.
- ¹80 No license for Mobile Supervised Consumption Services shall be issued unless the applicant has been granted an exemption for medical purposes by the federal government in accordance with section 56.1 of the *Controlled Drugs and Substances Act*.
- 81 (1) Prior to submitting a license application, the applicant must provide written notice of their intent to apply for a license to each owner and occupant of land located with a 100m radius of each location where the applicant is proposing to operate the Mobile Supervised Consumption Services.
- ²(2) A license for Mobile Supervised Consumption Services may only be issued for the following location within the City of Red Deer:
- (a) 3942 – 50A Avenue
- ³(b) 5246 – 53 Avenue
- 82 In addition to any other requirements of this Bylaw, a license application for Mobile Supervised Consumption Services must include the following information:
- (a) a signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;

¹ 3159/A-2018

² 3159/B-2018

³ 3159/D-2018

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- (b) a proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - (c) a detailed description of each proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces, and photographs of the interior and exterior of the vehicle; and
 - (d) confirmation the applicant has provided with the written notice required by section 81.
- 83 Prior to making a decision to issue or renew a license for Mobile Supervised Consumption Services, the Manager may
- (a) refer the application to Health Canada, Alberta Health Services and the RCMP for consultation,
 - (b) take into consideration any written submissions received in response to the notice issued under section 81.
- 84 (1) Subject to subsection (2), the Manager may impose terms and conditions on a license for Mobile Supervised Consumption Services if, in the opinion of the Manager based on reasonable grounds, it is in the public interest to do so. Such conditions may address, without limitation, CPTED concerns, hours of operation, queue management, and security concerns.
- (2) Any terms and conditions imposed by the Manager must not conflict with any term or condition of the associated exemption granted for medical purposes by the federal government pursuant to section 56.1 of the *Controlled Drugs and Substances Act*.
- 85 No person shall operate a Mobile Supervised Consumption Services contrary to any term or condition of the license issued.
- 86 No person shall cause or permit any outdoor storage of goods within the vicinity of a Mobile Supervised Consumption Services Unit.
- 87 No person shall cause or permit a Mobile Supervised Consumption Services Unit to remain parked at an approved location outside of the days and hours of operation approved in the license issued.

REPEAL AND TRANSITIONAL

¹88 License Bylaw No. 2846/84 is repealed.

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

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

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

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

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

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

"G. D. SURKAN"

"KELLY KLOSS"

MAYOR

CITY CLERK

¹ 3159/A-2018

² 3159/B-2015, 3159/A-2018

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SCHEDULE "A"

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Schedule of Fees¹

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

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

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SCHEDULE "A"

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

SCHEDULE "A"

Type of Business	Resident	Non-Resident
22 Mall Kiosk - annual fee		
(a) up to 500 sq. ft.	N/A	360.00
(b) over 500 sq. ft.	N/A	1095.00
23 Massage Clinic	120.00	N/A
24 Massage Therapist	60.00	60.00
¹ 24.1 Mobile Supervised Consumption Services	120.00	
25 Mobile Vending Unit or Canteen	120.00	360.00
26 Pawnbroker, Second Hand Dealer	60.00	N/A
27 Phrenologist, Fortune Teller, Hypnotist, Palmist, Card Reader, Graphologist or other similar occupation	240.00	600.00
28 Photographer	NIL	360.00
29 Push Cart Vending Units	60.00	
30 Street Entertainers	24.00	24.00
31 Trade Fair or Trade Show:		
(a) No Charge where Red Deer residents and businesses may participate;		
(b) Where Red Deer residents and businesses may not participate, the fee will be \$820.00 per annum plus \$360.00 for each day the show is in operation.		

¹ 3159/A-2018

SCHEDULE "A"

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

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

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

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

Appendix B

BYLAW NO. 3609/2018

A Bylaw to licence and regulate businesses within the City of Red Deer.

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

1. This Bylaw may be cited as the Business Licence Bylaw.
2. In this Bylaw:
 - (a) **“Business”** means:
 - i. a commercial, merchandising or industrial activity or undertaking;
 - ii. a profession, trade, occupation, calling or employment; or
 - iii. an activity providing goods or services,whether or not for profit and however organized or formed, including a co-operative or association of Persons;
 - (b) **“Cannabis”** means cannabis plant, fresh cannabis, dried cannabis, cannabis oil and cannabis plant seeds and any other substance defined as cannabis in the *Cannabis Act* (Canada) and its regulations, as amended from time to time and includes edible products that contain cannabis;
 - (c) **“Cannabis Production Facility”** means any building in which an activity authorized by the Medical Marihuana Production Regulations, SOR/2013-119, or any successor or replacement legislation or regulation, is or may be conducted, including such activities as growing, producing, labelling, packaging, storing and transporting of cannabis;
 - (d) **“Cannabis Retail Sales”** means a retail store that is licensed by the Province of Alberta where Cannabis and Cannabis Accessories are lawfully sold to individuals who attend at the Premises;
 - (e) **“Carry On”, “Carrying On”, “Carried On” and “Carries On”** means to conduct, operate, perform, keep, hold, occupy, deal in or use, for a fee or exchange of benefits, whether as principal or agent;
 - (f) **“City”** means the City of Red Deer;
 - (g) **“Direct Seller”** means the activities of soliciting, negotiating or concluding in person, at any place other than the seller’s place of business, sales contracts, including direct sales contracts to which Part 3 of the *Fair Trading Act* applies, for the provision of goods or services, where the

buyer is a consumer, as per the *Designation Of Trades And Businesses Regulation*, Alberta Regulation 178/1999;

- (h) **"Drinking Establishment"** means a business the primary purpose of which is the sale of alcoholic beverages for consumption on the Premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the Premises, take-out food services, the sale of alcoholic beverages for consumption away from the Premises, and entertainment. A Drinking Establishment includes any Premises in respect of which a "Class A" Liquor Licence has been issued by the Alberta Gaming and Liquor Commission and where the terms of the licence prohibit minors;
- (i) **"Late Night Club"** means a facility, the primary purpose of which is to host late night events where:
- i. no alcohol or alcoholic beverages are available on the Premises for consumption or sale;
 - ii. 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
 - iii. the events are held for the purpose of gain or profit;
 - iv. tickets are sold or an entrance or attendance fee is charged for persons to attend; and
 - v. music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played,
- (j) **"Market"** means the Business of providing for rent, stalls, tables or spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (k) **"Mobile Business Unit"** means a motor vehicle, temporary structure or display, or stand from which a Business is Carried On;
- (l) **"Mobile Supervised Consumption Services"** means a Business operated within a Mobile Supervised Consumption Services Unit, pursuant to an exemption granted for medical purposes by the federal government, offering a supervised and controlled environment where a Person may consume a controlled substance that was obtained in a manner not authorized under the *Controlled Drugs and Substances Act*;
- (m) **"Mobile Supervised Consumption Services Unit"** means a vehicle designed or retrofitted to accommodate Mobile Supervised Consumption Services and having no more than two-booths and room for two people to

recover post-consumption;

- (n) **"Non Resident Business"** means a Business that is Carried On in Red Deer by a Person who either:
 - i. does not reside or have its registered office in Red Deer; or
 - ii. does not own or lease the Premises that the Business is Carried On from.
- (o) **"Pawn"** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;
- (p) **"Pawnbroker"** means a Person who Carries On the Business of loaning or holding oneself out as ready to loan money on the security of the pawn of property but does not include a bank, trust company, credit union or other similar institution, and includes an agent or employee;
- (q) **"Pawned Goods"** means any item that is pawned but does not include real property;
- (r) **"Pawn Shop"** means a place of Business, which is not a residence, where a Person may Pawn Goods.
- (s) **"Peace Officer"** means a Peace Officer as defined in the *Provincial Offenses Procedure Act*, S.A. 1988, c P-21.5;
- (t) **"Person"** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;
- (u) **"Premises"** means land, buildings, or structures;
- (v) **"Resident Business"** means a Business that is Carried On by a Person who either:
 - i. resides in Red Deer and Carries On a Business in Red Deer; or
 - ii. Carries On a Business from Premises in Red Deer which the Person owns or rents.
- (w) **"Second Hand Dealer"** means the Business of acquiring second-hand property by trade, purchase or consignment, for the purpose of selling or offering for sale, but does not include auction sales, auto-wreckers, or recycling depots;
- (x) **"Short Term Licence"** means a licence that is valid for not more than four (4) consecutive months in a calendar year;

- (y) **“Regulated Business”** means a Business that is identified in a Schedule to this Bylaw, excluding Schedule “A” and Schedule “J”, in relation to which Council may adopt regulations in addition to those set out in the body of this Bylaw; and
- (z) **“Trade Shows”** means an exposition where Businesses in a specific industry can gather to display, demonstrate or sell products or services to other participants or the general public, in a single event operated over the course of one day or one weekend.

City Manager

3. The City Manager is authorized to:

- (a) receive and consider applications for business licences, including the power to consult with, obtain information from and verify information with other employees or agents of the City, other governments, government agencies or Persons;
- (b) issue business licences, impose conditions on business licences and refuse to issue business licences;
- (c) revoke and suspend business licences;
- (d) keep a record of all business licences issued and any particulars of those licences;
- (e) maintain a register of business licences that is available to all departments of the City to access for the purpose of administering and enforcing this bylaw, any other bylaw of the City or an enactment of Alberta or Canada;
- (f) undertake any inspections of lands or buildings and make any inquiries necessary to ensure compliance with this bylaw;
- (g) be responsible for the administration and enforcement of this bylaw; and
- (h) exercise any other power, responsibility or discretion provided under this bylaw.

Directory

- 4. The City Manager may publish or authorize the production of a directory of licensed businesses in the City, made publicly available.
- 5. The directory may contain any information provided by an applicant or licence holder under this bylaw.

6. When an applicant or licence holder provides information under this bylaw, the applicant or licence holder must be given an opportunity to exercise the right not be included in a directory that may be published under section 4.
7. The City Manager may establish terms and conditions under which a directory is published or information included in it.
8. The City Manager may also include information in the directory in relation to a Person who is not required to hold a business licence under this bylaw:
 - (a) on the request of that Person; and
 - (b) on terms and conditions established by the City Manager, including payment of a fee for inclusion.

Requirement for a Business Licence

9. A Person that Carries On a Business in Red Deer must hold a valid business licence authorizing the Person to Carry On that Business.
10. Section 9 applies whether a Person Carries On a Business as a principal or as an agent.

Exclusions from the Requirement for a Business Licence

11. The following Persons may Carry On a Business in Red Deer without a business licence:
 - (a) the Crown in right of Alberta;
 - (b) the Crown in right of Canada;
 - (c) The City; and
 - (d) a Person whose Business is expressly exempted from the requirement of a business licence by a statute of the Legislature of Alberta or Parliament of Canada.
12. No licence is required for:
 - (a) a Business that rents a stall, table, or space in a Market and Carries On within Market hours;
 - (b) Mobile Business Units that are operating as part of a Special Event approved by the City; or
 - (c) a Business that is operating as a vendor at a Trade Show.

13. The Person who organizes a Market or Trade Show is required to obtain a business licence.
14. If only part of a Business is covered by an exemption under section 11 or 12, the Person who Carries On the Business must comply with this bylaw in respect of any part of the Business that is not exempted.
15. A Person who contracts with any of the Governments or Persons designated in section 11 will be subject to all the requirements of this bylaw.

Application for a Business Licence

16. Before the issue or renewal of a business licence, a Person must submit to the City Manager:
 - (a) an application in a form established by the City Manager;
 - (b) the applicable fee; and
 - (c) any additional information required by this bylaw or by the City Manager.
17. An applicant must be at least 18 years old or have an agent at least 18 years old sign/authorize on behalf of the applicant.
18. The application must be in the form required by the City Manager and information to be submitted with an application must include the following:
 - (a) the applicant's name;
 - (b) the legal name of the Business and any brand names/trade names/operating names under which the Business is to be conducted;
 - (c) the Business contact information, including phone number(s), email address(es), and mailing address;
 - (d) the operating address of the Business;
 - (e) the proper name of the owner(s) of the Business, including the corporate information;
 - (f) the owner(s) contact information, including phone number(s), email address(es), and mailing address(es);
 - (g) a description of the nature of the Business that includes type of Business and the number of employees;
 - (h) where a Person intends to engage in or operate a Business at a specific

Premises within the City, the Person shall ensure all necessary approvals required by law have been obtained, and shall provide proof of a valid and existing Development Permit for the Premises;

- (i) the signature/authorization of the applicant or the applicant's agent;
 - (j) any other information that the City Manager may reasonably require for the purpose of the administration of this bylaw; and
 - (k) the business licence fee specified under Schedule A, unless that Business is exempt under section 11 or 12.
19. In addition to the information required in section 18, an applicant for a business licence for a Regulated Business must also provide the information and documents required by the Schedule applicable to that Business.
20. If there is any change to the information provided to the City Manager in the application for a business licence during the term of a business licence, the licence holder must advise the City Manager in writing of the change immediately.

Considering the Application

21. The City Manager must consider each complete application, as outlined in section 18.
22. Subject to section 23, the City Manager must grant a business licence to the applicant if the applicant meets the requirements of this bylaw.
23. The City Manager may refuse to issue a business licence or may impose conditions on a business licence if the City Manager:
- (a) has revoked or suspended a business licence of the applicant for the same or a similar Business within the past 12 months; or
 - (b) has reasonable grounds for believing that the applicant does not or will not comply with this bylaw, another bylaw of the City, or an enactment of Alberta or Canada in relation to the Carrying On of the Business; or
 - (c) has reasonable grounds for believing that issuing a business licence with respect to the proposed Business is not in the public interest.
24. The City Manager may consult, prior to issuing or renewing a business licence, with authorities and agencies, including but not limited to the Province of Alberta, the RCMP, and City departments, to determine whether they are in possession of information which, in the opinion of the City Manager, renders it inappropriate for a business licence to be issued to the Person.

25. At any relevant time, the City Manager may impose, in addition to the conditions referenced under section 23, conditions on a new or existing business licence in relation to the establishment or operation of the applicable Business.
26. The City Manager must specify on the business licence:
- (a) the name of the licence holder(s) and each name under which the Business is to be conducted;
 - (b) a description of the type of Business for which the licence is issued;
 - (c) the Schedule, if any, applicable to the regulation of the Business;
 - (d) the location where the Business is to be conducted;
 - (e) any conditions on the business licence; and
 - (f) the expiry date of the business licence.

Business Licence Fee

27. If the fee for a business licence is not paid, the business licence is not valid.
28. Once the City Manager has issued a business licence, the business licence fee is not refundable.

Effect of and Limitations on a Business Licence

29. Subject to section 31, a business licence allows the licence holder to Carry On the Business described in the business licence, and a business licence for a Regulated Business allows the licence holder to Carry On the Regulated Business described in the business licence provided that the licence holder complies with the specific regulations for that Regulated Business.
30. A business licence remains the property of the City.
31. A business licence does not relieve the licence holder from the obligation to obtain any other permit, licence or other approval that may be required under another bylaw of the City or any other governmental authority.
32. A business licence does not confer any property right and no licence holder may sell, transfer, assign, lease or otherwise dispose of or deal in a licence.

Term of Business Licence

33. A business licence issued under this bylaw expires on December 31 of the year for which it was issued, unless:
- (a) it is revoked earlier under section 39 of this bylaw; or

- (b) it was issued as a Short Term Licence.

Obligations of Business Licence Holder

- 34. A licence holder must ensure that the Business conducted under a business licence complies with:
 - (a) this bylaw; and
 - (b) any conditions imposed on the business licence.
- 35. A licence holder must:
 - (a) post the business licence in a conspicuous place in the Premises where the Business under licence is Carried On or operated;
 - (b) Carry On the Person of the licensee, or in or on the vehicle or apparatus from which the Business is Carried On; and
 - (c) produce the business licence to the City Manager or Peace Officer if requested to do so.
- 36. A licence holder must give access to the Premises specified in the business licence to the City Manager or a Peace Officer if requested to do so.

Cancellation of Business Licence by a Licence Holder

- 37. A licence holder may cancel a business licence by providing written notice to the City Manager.
- 38. If a licence is cancelled under section 37, the business licence fee is not refundable.

Revocation or Suspension of Business Licence by City Manager

- 39. If the Business Carried On or operated under a business licence does not comply with:
 - (a) this bylaw;
 - (b) any condition imposed on the licence; or
 - (c) any other bylaw or enactment of Alberta or Canada applicable to the Business or the Premises where the Business is located,

the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
- 40. If an applicant for a business licence provides inaccurate or misleading

information in an application for a business licence, the City Manager may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.

41. The City Manager, upon the reasonable belief that the safety, health or welfare of the public may be at risk due to the issuance of the licence, may revoke the business licence or suspend the business licence for a period that the City Manager considers appropriate.
42. The City Manager must give written notice of the revocation or suspension, setting out in general terms the reason for the revocation or suspension and in the case of a suspension the period of the suspension.
43. The revocation or suspension of a business licence under section 39 is effective:
 - (a) 24 hours after delivery if the written notice is delivered personally to the licence holder or the registered office of a corporate licence holder;
 - (b) 72 hours after posting if the written notice is posted in a conspicuous place at the Premises specified in the licence where the Business is to be conducted or operated; or
 - (c) seven days after the written notice is sent to the mailing address provided in the application for a business licence or the address subsequently provided in writing under section 18,

whichever is earliest.
44. In the notice suspending or revoking a licence, the City Manager may increase the time before which a revocation or suspension is effective from that established under section 43.
45. If the City Manager increases the amount of time under section 43, the City Manager may impose conditions on the business licence that the City Manager considers reasonable to ensure the protection of the public and the integrity of the administration of this bylaw.
46. A licence holder must cease Carrying On a Business immediately once a suspension or revocation is effective.
47. The City Manager may act under section 39 in addition to or instead of prosecuting an offence under this Bylaw or the *Provincial Offences Procedure Act*, or both.

Appeals

48. If the City Manager:

- (a) refuses to issue a business licence;
- (b) revokes or suspends a business licence;
- (c) identifies a Business subject to a Schedule;
- (d) imposes a condition on a business licence; or
- (e) refuses to waive a fee for a Not for Profit Organization,

the applicant or licence holder may appeal the decision to the Red Deer Appeal and Review Board. Appeals are governed and processed in accordance with the provisions of the City of Red Deer *Appeal and Review Bylaw*, No. 3487/2012.

- 49. On the filing of an appeal in accordance with section 48, the decision being appealed is stayed, pending the decision of the Board.
- 50. The Red Deer Appeal and Review Board may:
 - (a) uphold the decision of the City Manager;
 - (b) vary the decision of the City Manager or substitute its own decision; or
 - (c) overturn the decision of the City Manager.

Inspection of Lands and Buildings

- 51. If there are reasonable grounds for believing that a Person is Carrying On a Business without a business licence, or is in contravention of this bylaw, the City Manager or Peace Officer may inspect the Business Premises and surrounding lands, without prior notice.

Business Licence is not a Representation of Compliance with other Bylaws

- 52. A business licence issued under this bylaw is not a representation to the licence holder that the Business complies with the requirements of any other bylaw or enactment and the licence holder is responsible to ensure that the licence holder complies with all applicable bylaws and enactments.

Enforcement

- 53. A Person is guilty of an offence if that Person:
 - (a) Carries On a Business in Red Deer without a business licence as required under this bylaw, unless an exclusion under section 11 applies;
 - (b) Carries On a Business in Red Deer in breach of a condition imposed on a

business licence;

- (c) hinders or obstructs any Person in the exercise or performance of the Person's duties or powers pursuant to this bylaw; or
 - (d) is in breach of any provision of this bylaw.
54. When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
55. The owner of real property, who is registered on title at the Land Titles Office, shall be responsible for any act of a permit holder or Person Carrying On Business on the Premises located on the property that constitutes an offence under this Bylaw, in the same manner and to the same extent as though the act were done by the owner.

Fines and Penalties

56. A Person who is guilty of an offence under this bylaw is liable to the specified penalty for that offence, as stated in the Specified Penalty Table under Schedule J.
57. A Person who breaches any of the provisions of this bylaw where the breach is of a continuing nature shall, in addition to the penalties set forth Schedule J, pay a penalty of not less than \$250 for each day that the breach continues.
58. A Person who has not submitted payment by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing.
59. When a penalty is not specified under this bylaw, a Person who is guilty of an offence is liable to a fine not exceeding \$10,000, and in default of payment of the fine, to imprisonment for up to six months.

Municipal Violation Tag

60. A Peace Officer may issue, with respect to an offence under this bylaw, a municipal violation tag specifying the fine amount (including any early payment fine amount), as may be established by this bylaw.
61. Where a municipal violation tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

Violation Ticket

62. A Peace Officer may issue, with respect to an offence under this bylaw, a violation ticket:

Schedule "A"
Fee Schedule

GST EXEMPT

1. The fees for licences are:

(a)	ent Business	Resid \$108.00
(b)	Resident Business	Non \$420.00
(c)	ent Short Term	Resid \$50.00
(d)	Resident Short-Term	Non- \$175.00
(e)	e Fee	Chang \$25.00
(f)	Fee	Late \$25.00

2. Resident Business and Non Resident Business licence fees under this bylaw may be pro-rated on a monthly basis for each month from the date the licence is first issued until December 31 of that year, for any Business that was not operated or Carried On prior to the licence being issued. In no case will the pro-rated fee be less than \$35.00

3. Business licence fees to be reviewed each year, prior to the renewal process, based on the Consumer Price Index (CPI) of Alberta. Fees will be rounded to the nearest \$0.05.

Schedule "B"
Pawn Shops and Pawnbrokers

1. A Pawnbroker must not also Carry On the Business of a Second Hand Dealer on the same Premises.
2. A Pawnbroker must keep a record, recorded at the time of each transaction, of the following information, in a form satisfactory to the City Manager, including by electronic means, where the Pawnbroker receives Pawns Goods:
 - (a) the date and time at which the Pawns Goods were received;
 - (b) an accurate description of the Pawns Goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks;
 - (c) the amount of money advanced for the Pawns Goods;
 - (d) the rate of interest which is to be charged on the loan which is made;
 - (e) the full name of the employee who accepted the Pawns Goods.
3. In addition to section 3, a Pawnbroker must record a complete and accurate description of the Person pawning the goods, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the Pawns Goods, that confirm the name and address given.
4. At the time a Person Pawns goods, a Pawnbroker must free of charge, give that Person a copy of the summary of information taken at the time the goods are Pawns.

5. Immediately upon request, a Pawnbroker must make available to the City Manager or Peace Officer an accurate copy of the information kept under section 3.
6. If Pawned Goods are redeemed, the Pawnbroker who conducts the transaction must record:
 - (a) the Pawnbroker's own name and the date the pawned goods were redeemed;
 - (b) the same information required under section 4 relative to the Person who has redeemed the Pawned Goods; and
 - (c) ensure the information recorded in sections 3 and 4 is kept in accordance with section 15.
7. A Pawnbroker must:
 - (a) not sell any Pawned Goods until at least forty-five (45) days have elapsed from the time the goods were Pawned;
 - (b) keep all Pawned Goods in the Pawn Shop where the Pawn occurred until forty-five (45) days have elapsed from the time the goods were Pawned; and
 - (c) keep all Pawned Goods which have not been redeemed within the time allowed and are for sale apart from all other Pawned Goods for which the forty-five (45) days have not yet elapsed.
8. Notwithstanding section 8, if a longer period of retention has been agreed upon between the Pawnbroker and the Person who Pawns Goods, the Pawnbroker cannot sell or remove the goods from the Pawn Shop where the Pawn occurred until that longer period has expired.
9. A Pawnbroker must not accept Pawned Goods:
 - (a) if the goods are offered by a Person who:
 - i. is under 18 years of age; or
 - ii. fails to provide the identification required under section 4; or
 - iii. appears to be intoxicated.
 - (b) if the goods have had or appear to have had the identification number or serial number removed or altered with in any way, unless prior written approval is obtained from the RCMP.

10. A Pawnbroker must not:
 - (a) erase or alter any information recorded under section 3 or section 4; or
 - (b) direct or allow any Person to erase or alter any information recorded under section 3 or section 4.
11. A Pawnbroker must post in a conspicuous location in the place of Business:
 - (a) the maximum interest rate allowed by the *Statutes of Canada* to be taken by the Pawnbroker; and
 - (b) a detailed statement as to the manner in which the interest rate charged by the Pawnbroker is calculated.
12. The books or records and any personal property in a Pawnbroker's Premises shall be open for inspection at all times by any Peace Officer or the City Manager.
13. On any the Pawn Shop is open for business, each Pawnbroker shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Pawned Goods received during the preceding 24 hour period (from 10:00 am that day to 10:00am of the previous day on which the shop was last open for business), including:
 - (a) the date and time of day when each property was received;
 - (b) the serial or folio number in the Pawnbroker's book or record; and
 - (c) the name, address and a detailed description of the Person or Persons from whom the Pawn was received, including the description of the clothing and any other distinguishing features.
14. The information required to be kept in sections 3 and 4 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) in the Pawn Shop; and
 - (d) for a period of one (1) year from the date the goods were Pawned.

Schedule "C"
Second Hand Dealers

1. A Second Hand Dealer shall not Carry On the business of a Pawnbroker from the same Premises as the Second Hand Dealer business.
2. A Person shall not be required to hold a licence for dealing in second hand goods where the second hand goods are accepted as part of the consideration for the purchase price of new goods.
3. A Second Hand Dealer must keep a record in English, in a form satisfactory to the City Manager, in relation to each transaction of receiving second hand goods:
 - (a) the date and time at which the second hand goods were received;
 - (b) an accurate description of the second hand goods, including, but not limited to:
 - i. the make and model;
 - ii. the manufacturer's name;
 - iii. any serial number; and
 - iv. other distinguishing marks; and
 - (c) the amount paid by the dealer for the second hand goods.
4. In addition to section 3, a Second Hand Dealer must record a complete and accurate description of the Person of whom the second hand goods were acquired, including the Person's:
 - (a) full name;
 - (b) date of birth;
 - (c) residential address and telephone number; and
 - (d) physical description which shall include the following specifics: eye colour, hair colour, height, weight, and any other distinguishing feature.
5. No entry made in such book, record or computer program shall be erased, obliterated or defaced, nor shall any portion thereof be torn out or removed.
6. The book, record or computer program required herein and any personal property in the Second Hand Dealer's place of Business shall be open to inspection at all times by any Peace Officer or City Manager, and the duplicate copy of such book

or record shall be delivered to the Peace Officer or City Manager upon request.

7. No Second Hand Dealer shall dispose of or undertake the repair of any second hand goods until 72 hours have elapsed from the time of acquisition of such goods.
8. Each Second Hand Dealer shall keep separate and apart from his other goods those goods required to be held under section 7, until the time set forth in that section has elapsed.
9. Sections 3 to 8 inclusive do not apply to:
 - (a) the purchase of second hand goods, wares, merchandise or other effect bargained for or delivered to the purchaser at any place outside the City, although such Person disposes of the same within the City;
 - (b) Persons who deal in second hand books;
 - (c) auctioneers; or
 - (d) thrift shops and clothing banks operated by any church or charitable organization.

Schedule "D"
Mobile Business Units

1. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Mobile Business Unit, must submit to the City Manager, in a form acceptable to the City Manager; a schedule of all locations the Mobile Business Unit intends to Carry On Business, including civic address(es), date(s) and time(s).

Schedule "E"
Direct Sellers

2. In addition to the requirements of section 18 of this Bylaw, an applicant for a business licence for a Direct Seller Business, must submit to the City Manager, in a form acceptable to the City Manager; proof of a current/valid direct selling business licence, issued under the *Direct Selling Business Licensing Regulation*, Alberta Regulation, 190/1999.
3. A Direct Seller may not Carry On Business between the hours of 8:00PM and 8:00AM.
4. A Direct Seller must carry with him a copy of the valid business licence issued under this Bylaw and produce it on request to each potential customer.

Schedule "F"
Drinking Establishments

Mandatory Requirements

1. The licence holder for a Drinking Establishment must:
 - (a) adhere to the provisions of all bylaws, enactments or regulations which apply to the Drinking Establishment;
 - (b) maintain in place a plan to the reasonable satisfaction of the City Manager which includes provisions for:
 - i. first aid for patrons of the establishment; and
 - ii. outside inspection and clean up in the vicinity of the Drinking Establishment during and after the hours of operation.
 - (c) require its manager and staff, on the request of a member of the RCMP, Peace Officer, Safety Codes Officer or City Manager to:
 - i. assist the member of the RCMP, City Manager or Peace Officer in carrying out an inspection of the Premises, and
 - ii. point out the location of the Drinking Establishment Licence so that it may be examined.

Conditions Attached to Licence

2. Where events have occurred in connection with the operation of a Drinking Establishment that put at risk the safety, health, welfare or property of members of the public or of the patrons or employees of the Drinking Establishment, the City Manager may include in the licence for that Drinking Establishment specific conditions which are intended to deal with that risk, including conditions respecting the following matters:
 - (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
 - (b) the procedures required to be in place to address emergency medical and security concerns;
 - (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;
 - (d) requirements that the owner install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and the procedures

governing the retention of copies of video tapes or other visual surveillance recordings;

- (e) a requirement that the owner install, maintain and operate an airport-style metal detecting security gate of a model and type and in a manner specified by the City Manager, for the purpose of identifying and barring entry to anyone carrying metal weapons;
- (f) a requirement that the owner enter into an agreement specifying the conditions set out herein, including such additional conditions as may be required by the City Manager pursuant to the provisions of subparagraph (g). Such agreement may, but need not, set out the terms and provisions which will give rise to a revocation or suspension of any licence granted under this Bylaw; and
- (g) such additional conditions consistent with the foregoing requirements, as are, in the opinion of the City Manager, reasonably necessary to protect the safety, health, welfare, and property of the patrons and employees of the Drinking Establishment.

Inspection of Premises and Facilities

3. A Peace Officer, City Manager, Safety Codes Officer, or member of the RCMP may enter and inspect the Premises of any licensed Drinking Establishment at any reasonable time, including during its hours of operation:
 - (a) to determine if the facilities meet the requirements of this Bylaw, other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (b) to ensure that the Licensee is complying with the requirements of this Bylaw, the conditions attached to a licence issued under this Bylaw and other applicable bylaws of the City or any other laws or regulations which the City Manager, Peace Officer, Safety Codes Officer or member of the RCMP is authorized to enforce;
 - (c) in the case of a facility whose licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

Schedule "G"
Mobile Supervised Consumption Services Units

Application Requirements

1. In addition to any other requirements of this Bylaw, before the issuance or renewal of a Business Licence for a Mobile Supervised Consumption Services Unit, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) A signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;
 - (b) A proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - (c) A detailed description of the proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces;
 - (d) Photographs of the interior and exterior of the vehicle; and
 - (e) Confirmation the applicant has provided with the written notice required by section 3.
2. No licence for a Mobile Supervised Consumption Services shall be issued unless the applicant has been granted an exemption for medical purposes by the federal government in accordance with section 56.1 of the *Controlled Drugs and Substances Act*.
3. Prior to submitting a licence application, the applicant must provide written notice of their intent to apply for a licence to each owner and occupant of land located within a 100 metre radius of each location where the applicant is proposing to operate the Mobile Supervised Consumption Services.
4. Applications for the issuance or renewal of a Business Licence for Mobile Supervised Consumption Services may be circulated to Health Canada, Alberta Health Services and the RCMP for referral and consultation.

Licence Conditions

5. Prior to making a decision on issuance or renewal of a Business Licence, the City Manager may take into consideration any written submissions received in response to the notice issued under section 3.
6. The City Manager may impose terms and conditions on a licence for Mobile Supervised Consumption Services if, in the opinion of the City Manager based on reasonable grounds, it is in the public interest to do so. Such conditions may

- address, without limitation, CPTED concerns, hours of operation, queue management, and security concerns.
7. Any terms and conditions imposed by the City Manager must not conflict with any term or condition of the associated exemption granted for medical purposes by the federal government pursuant to section 56.1 of the *Controlled Drugs and Substances Act*.
 8. It is a condition of every Business Licence for Mobile Supervised Consumption Services that:
 - (a) No outdoor storage of goods is allowed in connection with the operations of the Business;
 - (b) The Mobile Supervised Consumption Services Unit shall not remain at an approved location outside of the days and hours of operation approved in the licence;
 - (c) The site must be left in the condition it was prior to Business operation.
 9. A licence for a Mobile Supervised Consumption Service Unit may only be issued for the following locations within the City of Red Deer:
 - (a) 3942 50A Avenue
 - (b) 5246 53 Avenue

10.

SCHEDULE "H"
Cannabis Retail Sales and Cannabis Production Facility

Application Requirements

1. In addition to any other requirements of this bylaw, before the issuance or renewal of a business licence for Cannabis Retail Sales or Cannabis Production Facility, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) A proposed security plan for the licensed Premises.

Licence Conditions for Cannabis Retail Sales

2. It is a condition of every business licence for Cannabis Retail Sales that the licence holder must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting Cannabis Licence pursuant to the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee's compliance with the qualifications, conditions, or training requirements for employees of Cannabis Licensees set out in the *Gaming, Liquor and Cannabis Act* (Alberta), as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer or City Manager;
 - (c) Display the business licence number assigned to their business licence for Cannabis Retail Sales in any advertisement for the Business placed in any newspaper, web page, magazine or periodical, and not advertise the Business unless any name, telephone number, e-mail address, internal address or other contact information used in the advertisement was previously provided to the City Manager;
 - (d) Ensure that a minimum of two employees are present on the licensed Premises at any time the Business is open to the public;
 - (e) Display the Licence in a prominent location in the Business as well as information regarding the health and safety impacts of Cannabis and resources available to users of Cannabis;
 - (f) Comply with an approved security plan; and
 - (g) Comply with all applicable municipal, provincial and federal legislation,

regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the Business.

Licence Conditions for Cannabis Production Facility

3. It is a condition of every business licence for a Cannabis Production Facility that the licence must:
 - (a) Maintain and keep on the licensed Premises:
 - i. Proof of a valid and subsisting issued under the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time; and
 - ii. A list of all Persons employed including proof of each employee's compliance with the qualifications, conditions, or training requirements set out in the *Cannabis Act*, *Controlled Drugs and Substances Act*, or other applicable federal legislation, as amended from time to time.
 - (b) Produce the information set out in subsection (a) when requested to do so by a Peace Officer;
 - (c) Comply with an approved security plan; and
 - (d) Comply with all applicable municipal, provincial and federal legislation, regulations, and other requirements, including the terms and conditions of any federal or provincial licence, permit or authorization, which apply to the operation of the licensed Premises.

Schedule "I"
Late Night Clubs

Application for a Licence

1. A Person wishing to obtain a licence for a Late Night Club may apply to the City Manager by providing an application in the form established by the City Manager, containing the following information:
 - (a) the full names and addresses of the following Persons:
 - i. the applicant; or
 - ii. where the applicant is a corporate entity, the directors and shareholders of the applicant;
 - (b) the consent of all the above parties for the Red Deer City RCMP to conduct a security check on them;
 - (c) the name and address of the registered owner of the Premises in which the Late Night Club will be located;
 - (d) a description of the usual types of events that will be held at the Late Night Club, including the hours of operation and the method by which admission will be charged; and
 - (e) a description satisfactory to the City Manager of the sound system to be used at the Late Night Club and any steps that will be taken by the applicant to ensure that no offence under the Community Standards Bylaw will occur and that noise disturbance outside the Late Night Club is minimized.
2. The City Manager may not issue a Late Night Club licence if:
 - (a) the City of Red Deer RCMP recommend against issuing the Late Night Club licence because of the criminal record of the applicant; or
 - (b) there are reasonable grounds to believe that it would not be appropriate to issue a Late Night Club licence to an applicant because the potential noise impact of the Late Night Club would create a nuisance in the community near the proposed club.
3. The City Manager may impose conditions in a Late Night Club licence respecting:
 - (a) the number and qualifications of security personnel which must be available at the Late Night Club;
 - (b) the procedures required to be in place to address emergency medical and security concerns;

- (c) the number of people who may attend the Late Night Club;
 - (d) noise abatement measures which must be made to ensure noise outside or within the venue is minimized; and
 - (e) such additional conditions as are, in the opinion of City Manager, reasonably necessary to protect the safety, health, welfare, and property of the attendees of the late night club and its employees.
4. A Late Night Club must meet the following requirements:
- (a) maintain in place an adequate security plan which includes provisions for:
 - i. first aid;
 - ii. entrance control to ensure that alcohol or illicit drugs are not brought into the Premises;
 - iii. outside inspection and clean up in the vicinity of the Late Night Club during and after the hours of operation; and
 - iv. line control including ensuring that patrons are not permitted to re-enter the Late Night Club after they have left;
 - (b) provide for an adequate supply of potable water at no cost to those in attendance.
5. A Late Night Club shall not remain open later than 6:00 a.m.

Inspection Of Premises And Facilities

6. A Peace Officer, City Manager, or member of the RCMP may enter and inspect the Premises of any intended or licensed Late Night Club at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this bylaw;
 - (b) to ensure that the licensee is complying with the requirements of this bylaw or of a licence issued under this bylaw;
 - (c) in the case of a facility whose Late Night Club licence has been suspended, to examine the Premises to determine whether the conditions leading to the suspension of the licence have been corrected.

Duty to Assist Inspector

7. Late Night Club licences issued shall be subject to a condition that the licence holder must, on the request of a member of the RCMP, City Manager or Peace Officer:
- (a) assist the member of the RCMP, City Manager, or Peace Officer in carrying out an inspection under section 6; and

- (b) provide the member of the RCMP, City Manager, or Peace Officer with the Late Night Club licence and provide a place where it may be examined.

**Schedule “J”
Specified Penalties**

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1 st Offense	2 nd Offense	3 rd and Subsequent Offense
Applicable to all Licence Types				
35(a)	Failing to post licence in a conspicuous place in the Premises or the vehicle/apparatus where the business is Carried On	\$250	\$500	\$1,000
35(c)	Failing to produce a licence upon request	\$250	\$500	\$1,000
36	Failing to give access to the Premises on the business licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$500	\$500	\$1,000
46	Carry On Business while licence suspended or revoked	\$500	\$1,000	\$5,000
53(a)	Carry On or operate a Business without a licence	\$250	\$500	\$1,000
53(b)	Carries On a Business in breach of an imposed licence condition	\$500	\$1,000	\$2,500
53(c)	Hinders or obstructs any Person in the exercise or performance of the Person’s duties or powers	\$250	\$500	\$1,000
Applicable to Pawn Shops				
Schedule “B” 2	Carry On Business as a Pawnbroker and Second-hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 3 and 4	Fail to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 11(a)	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
Schedule “B” 8	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B”	Accepting goods from an	\$500	\$1,000	\$2,500

10(a)	unauthorized Person			
Schedule "B" 13	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Applicable to Second Hand Dealers				
Schedule "C" 1	Second Hand Dealer Carry On business of Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 and 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C"	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 5	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7	Disposing or repairing of goods before 72 hours has elapsed	\$500	\$1,000	\$2,500
Applicable to Direct Sellers				
Schedule "E" 2	Operating within prohibited timeframe (between 8:00PM and 8:00AM)	\$500	\$1,000	\$2,500
Schedule "E" 3	Failure to produce licence to customer upon request	\$500	\$1,000	\$2,500
Applicable to Drinking Establishments				
Schedule "F" 3(c)	Failure or refusal to allow Peace Officer to City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Mobile Supervised Consumption Service Unit				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of business	\$1,000	\$5,000	\$10,000
Schedule "G" 9	Operating outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 145	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales				
Schedule "H" 2(a)(i)	Failure to keep proof of valid subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 2(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000

Schedule "H" 2(b)	Failure to produce information as requested by Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 2(d)	Failure to maintain a minimum of two employees during hours of operation	\$1,000	\$5,000	\$10,000
Schedule "H" 2(f)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Production Facility				
Schedule "H" 3(a)(i)	Failure to keep proof of valid subsisting Cannabis Licence on Premise	\$1,000	\$5,000	\$10,000
Schedule "H" 3(a)(ii)	Failure to keep list of all Persons employed	\$1,000	\$5,000	\$10,000
Schedule "H" 3(b)	Failure to produce information as requested by Peace Officer or City Manager	\$1,000	\$5,000	\$10,000
Schedule "H" 3(c)	Failure to comply with approved security plan	\$1,000	\$5,000	\$10,000
Applicable to Late Night Clubs				
Schedule "I" 5	Operating after 6 A.M.	\$500	\$1,000	\$2,500
Schedule "I" 7	Refusal to allow Peace Officer or City Manager to perform their duties	\$500	\$1,000	\$2,500

Appendix C

FAR Supporting Documentation - Fees and Charges Evaluation

Date Reviewed _____

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Data Collection Components									Subsidization Range Details						Recommendation		
LICENSE TYPE	Current Fee	Full Cost	Market Analysis Price Range		Market Avg	Subsidization Range %		Projected Volume	Current Subsidy	Subsidy Value and % Per "Charge"						New Fee \$ And Subsidy %	Forecast Subsidy Value
Resident	\$ 60.00	\$ 85.50	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	3306	\$ 25.50 29.82%	\$ - 0.00%	\$ 5.34 6.2500%	\$ 10.69 12.50%	\$ 16.03 18.75%	\$ 21.38 25.00%	\$ 108.00 -26.32%	-\$ 74,385.00	
Non-Resident	\$ 360.00	\$ 85.50	Low \$ 175.00	High \$ 774.00	\$ 566.57	0%	25%	1653	-\$ 274.50 -321.05%	\$ - 0.00%	\$ 5.34 6.2500%	\$ 10.69 12.50%	\$ 16.03 18.75%	\$ 21.38 25.00%	\$ 420.00 -391.23%	-\$ 552,928.50	
Resident Short-Term	\$ -	\$ 85.50	Low \$ 25.00	High \$ 309.00	\$ 113.00	0%	25%	10	\$ 85.50 100.00%	\$ - 0.00%	\$ 5.34 6.2500%	\$ 10.69 12.50%	\$ 16.03 18.75%	\$ 21.38 25.00%	\$ 50.00 41.52%	\$ 355.00	
Non-Resident Short-Term	\$ -	\$ 85.50	Low \$ 50.00	High \$ 309.00	\$ 136.33	0%	25%	25	\$ 85.50 100.00%	\$ - 0.00%	\$ 5.34 6.2500%	\$ 10.69 12.50%	\$ 16.03 18.75%	\$ 21.38 25.00%	\$ 175.00 -104.68%	-\$ 2,237.50	
CURRENT BYLAW LICENSE TYPES AND STATS									SUBSIDIZATION RANGE DETAILS								
Advertiser (resident)	\$ 60.00	\$ 30.00	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	0	-\$ 30.00 -100.00%	\$ - 0.00%	\$ 1.88 6.2500%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ -	
Advertiser (non-resident)	\$ 180.00		Low \$ 175.00	High \$ 774.00	\$ 566.57	0%	25%	0									
Auctioneer (resident)	\$ 60.00	\$ 30.00	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	1	-\$ 30.00 -100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 30.00	
Auctioneer (non-resident)	\$ 180.00		Low \$ 175.00	High \$ 774.00	\$ 566.57	0%	25%	3									
Bed & Breakfast (resident only)	\$ 180.00	\$ 30.00	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	1	-\$ 150.00 -500.00%	\$ - 0.00%	\$ 1.88 6.2500%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 30.00	
Billiard Room (resident only)	\$ 60.00		Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	1									
Circus or other show (per day of operation) (resident)	\$ 120.00	\$ 30.00	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	0	-\$ 90.00 -300.00%	\$ - 0.00%	\$ 1.88 6.25%	#NAME? 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	\$ - 100.00%	\$ -	
Circus or other show (per day of operation) (non-resident)	\$ 240.00		Low \$ 175.00	High \$ 774.00	\$ 566.57	0%	25%	1									
Cleaners, Dyers and Launderers (non-resident only)	\$ 360.00	\$ 30.00	Low \$ 175.00	High \$ 774.00	\$ 163.80	0%	25%	5	-\$ 330.00 -1100.00%	\$ - 0.00%	\$ 1.88 6.2500%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	\$ - 100.00%	\$ 150.00	
Detective or Security Patrol Agency (resident)	\$ 60.00	\$ 30.00	Low \$ 88.20	High \$ 235.00	\$ 164.78	0%	25%	0	-\$ 30.00 -100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	\$ - 100.00%	\$ -	
Detective or Security Patrol Agency (non-resident)	\$ 180.00		Low \$ 175.00	High \$ 774.00	\$ 566.57	0%	25%										
Contractor (resident)			Low	High		0%	25%	378	-\$ 15.00	\$ -	\$ 2.81	\$ 5.63	\$ 8.44	\$ 11.25		\$ 17,010.00	

Contractor (resident)	\$ 60.00	\$ 45.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	37%										
Contractor (non-resident)	\$ 360.00		Low	High	\$ 566.57	0%	25%	671										
Direct Seller or Commercial Agent (resident)	\$ 60.00	\$ 45.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	14	-\$ 15.00	\$ -	\$ 2.81	\$ 5.63	\$ 8.44	\$ 11.25			100.00%	\$ 630.00
Direct Seller of Commercial Agent (non-resident)	\$ 360.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	91										
Drinking Establishment Occupant Load: 1 - 299	\$ 100.00		\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	34										
Drinking Establishment Occupant Load: 300 - 499	\$ 1,000.00		\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	4										
Drinking Establishment Occupant Load: 500+	\$ 5,000.00	\$ 30.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	0	-\$ 4,970.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ -
Farmer's Market	\$ 330.00	\$ 30.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	3	-\$ 300.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ 90.00
Home Occupation Business	\$ 180.00	\$ 30.00	\$ 53.00	\$ 187.00	\$ 149.04	0%	25%	1336	-\$ 150.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ 40,080.00
Janitor Service (resident)	\$ -		\$ 88.20	\$ 235.00	164.78	0%	25%	0										
Janitor Service (non-resident)	\$ 180.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	19										
Late Night Club	\$ 450.00	\$ 30.00	\$ 88.20	\$ 235.00	\$ 237.80	0%	25%	0	-\$ 420.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ -
Mall Kiosk (up to 500 sq. ft.) (resident)	\$ -	\$ 30.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	8	\$ 30.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ 240.00
Mall Kiosk (up to 500 sq. ft.) (non-resident)	\$ 360.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	18										
Mall Kiosk (over 500 sq. ft.) (resident)	\$ -		\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	0										
Mall Kiosk (over 500 sq. ft.) (non-resident)	\$ 1,095.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	0										
Massage Clinic (resident only)	\$ 120.00	\$ 30.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	32	-\$ 90.00	\$ -	\$ 1.88	\$ 3.75	\$ 5.63	\$ 7.50			100.00%	\$ 960.00
Massage Therapist (resident)	\$ 60.00	\$ 45.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	144	-\$ 15.00	\$ -	\$ 2.81	\$ 5.63	\$ 8.44	\$ 11.25			100.00%	\$ 6,480.00
Massage Therapist (non-resident)	\$ 60.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	18										
Mobile Vending Unit or Canteen (resident)	\$ 120.00		\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	22										
Mobile Vending Unit or Canteen (non-resident)	\$ 360.00		\$ 175.00	\$ 774.00	\$ 566.57	0%	25%	5										
Pawn Shop (resident only)			Low	High		0%	25%	4	-\$ 15.00	\$ -	\$ 2.81	\$ 5.63	\$ 8.44	\$ 11.25				\$ 180.00

Food Shop (resident only)	\$ 60.00	\$ 45.00	\$ 88.20	\$ 235.00	\$ 164.78	0%	25%	4	-33.33%	0.00%	6.25%	12.50%	18.75%	25.00%	100.00%	
Peddler / Hawker (per location) (resident)	\$ 60.00	\$ 30.00	Low 88.20	High 235.00	\$ 164.78	0%	25%	4	-\$ 30.00 -100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 120.00
Peddler / Hawker (per location) (non-resident)	\$ 360.00		Low 175.00	High 774.00	\$ 566.57	0%	25%	2								
Photographer (resident)	\$ -	\$ 30.00	Low 88.20	High 235.00	\$ 164.78	0%	25%	4	\$ 30.00 100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 120.00
Photographer (non-resident)	\$ 360.00		Low 175.00	High 774.00	\$ 566.57	0%	25%	2								
Push Cart Vendor (one fee for all)	\$ 60.00	\$ 30.00	Low 88.20	High 235.00	\$ 164.78	0%	25%	5	-\$ 30.00 -100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 150.00
Second Hand Dealer	\$ 60.00		Low 88.20	High 235.00	\$ 164.78	0%	25%	15								
Street Entertainer (resident)	\$ 24.00	\$ 30.00	Low 88.20	High 235.00	\$ 164.78	0%	25%	22	\$ 6.00 20.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 660.00
Street Entertainer (non-resident)	\$ 24.00		Low 88.20	High 235.00	\$ 566.57	0%	25%	4								
Trade Fair/Show	\$ -	\$ 30.00	Low 88.20	High 235.00	\$ 164.78	0%	25%	0	\$ 30.00 100.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ -
Transient Trader (non-resident only)	\$ 825.00	\$ 30.00	Low 175.00	High 774.00	\$ 796.80	0%	25%	4	-\$ 795.00 -2650.00%	\$ - 0.00%	\$ 1.88 6.25%	\$ 3.75 12.50%	\$ 5.63 18.75%	\$ 7.50 25.00%	100.00%	\$ 120.00

BYLAW NO. 3332/2004**Being A Bylaw to Regulate and License Drinking Establishments in Red Deer.**

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

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

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

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

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

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

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

Definitions

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

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

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

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

License Required

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

Application for License

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

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

Duty to Advise of Change in Information

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

Consultation and Approvals

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

License Fee

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

Duration of License

- 8 (a)³ Every Drinking Establishment license is valid for a calendar year, or portion thereof remaining, and shall expire on December 31 of the year in which it was issued, unless sooner suspended or revoked.
- (b)⁴ Subject to Section 6 (b), a licensee shall be entitled to renew its license from year to year, provided that the licensee completes the renewal documentation prescribed by The City, pays the license fee and otherwise complies with the requirements of this bylaw.

Mandatory Requirements

- 9 The owner and manager of a Drinking Establishment must:

¹ 3332/B-2012

² 3332/B-2012. 3332/A-2015

³ 3332/A-2015

⁴ 3332/B-2012

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

Conditions Attached to License

10 Where events have occurred in connection with the operation of a Drinking Establishment that put at risk the safety, health, welfare or property of members of the public or of the patrons or employees of the Drinking Establishment, whether prior to the enactment of this bylaw, or during the currency of a license, the Inspections and Licensing Manager may include in the license for that Drinking Establishment specific conditions which are intended to deal with that risk, including conditions respecting the following matters:

- (a) the number and qualifications of security personnel who must be available at the Drinking Establishment;
- (b) the procedures required to be in place to address emergency medical and security concerns;
- (c) noise abatement measures which must be made to ensure noise outside or within the venue is minimized;
- (d) requirements that the owner and manager install and maintain a system of video camera surveillance, including specific requirements as to the number and type of cameras, their location and hours of operation, and

the procedures governing the retention of copies of video tapes or other visual surveillance recordings;

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

Revocation or Suspension of License

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

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

12. The Inspections and Licensing Manager may suspend a license for non-compliance either with this Bylaw or with a condition of the license, until the

¹ 3332/A-2009

requirements of this bylaw or of the condition of the license have been met, or until the Inspections and Licensing Manager is reasonably satisfied that appropriate measures have been taken to prevent a recurrence of the non-compliance.

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

¹ 3332/A-2009

² 3332/A-2009

³ 3332/A-2009

and Licensing Manager shall issue or renew the license, subject to any conditions imposed pursuant to section 9.

¹18² Deleted

Inspection of premises and facilities

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

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

Obstruction of Inspector

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

Offences

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

- 22³
- (a) A person who contravenes or fails to comply with any provision of this bylaw is guilty of an offence and liable upon summary conviction to the specified penalty of \$500.00 for a first offence, \$1,000.00 for a second offence and \$1,500.00 for a third or subsequent offence, and in default of payment of any penalty, to imprisonment for up to 6 months.
 - (b) Where a peace officer or bylaw enforcement officer reasonably believes that a person has contravened any provision of this bylaw, the peace

¹ 3332/A-2006

² 3332/A-2009

³ 3332/A-2012

officer or bylaw enforcement officer may, in addition to any other remedy at law, serve upon the person a municipal ticket, in the form used by the City, allowing payment of the penalty as set out in section 21(a) of this bylaw for the particular offence, which payment will be accepted by the City in lieu of prosecution of the offence, or, a peace officer or bylaw enforcement officer may issue a violation ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, allowing a voluntary payment of the penalty as set out in section 21(a) of this bylaw, or, requiring a person to appear in court without the alternative of making a voluntary payment. The recording of the payment of a penalty made to the City or the Provincial Court of Alberta shall constitute an acceptance of a guilty plea and conviction for the offence.

- (c) Any peace officer or bylaw enforcement officer who reasonably believes that a person has contravened any provision of this bylaw may seize and take possession of any licenses where the same are revoked or suspended, or otherwise required to be returned to the City.
- (d) Any person who contravenes the same provision of this bylaw within twelve months after the date of the first contravention, is liable to the specified penalties for such second, third or subsequent offence in the amount set out in section 21(a) of this bylaw.
- (e) A person who breaches any of the provisions of this bylaw where the breach is of a continuing nature, shall, in addition to the penalty set forth in section 21(a), pay a penalty of \$500.00 for each day that the breach continues.
- (f) This section shall not prevent any peace officer or bylaw enforcement officer from issuing a violation ticket pursuant to the provisions of the *Provincial Offences Procedure Act*, without first issuing a municipal ticket.
- (g) If a person is found guilty of an offence under this bylaw, and the conduct giving rise to the offence involves the non-payment of a fee which remains unpaid, the court shall, in addition to any other penalty imposed, impose a penalty equivalent to the amount of the unpaid fee.
- (h) If a person is found guilty of an offence under this bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this bylaw.

General

23¹ A License issued pursuant to this bylaw is the property of the City and may not be transferred.

¹ 3332/A-2012

- 24¹ No License may be issued or renewed if the applicant, or any individual or corporation named in the application, has an unpaid fine owing to the City for an offence under this bylaw.
- 25² A copy of a record of the City, certified by the Inspections and Licensing Manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.
- 26³ In any prosecution for an offence, where a question arises as to whether a person had a valid and subsisting License, the burden is on that person to establish that the License was valid and subsisting.

Severability

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

Transitional

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

Effective Date

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

¹ 3332/A-2012

² 3332/A-2012

³ 3332/A-2012

⁴ 3332/A-2012

⁵ 3332/A-2012

⁶ 3332/A-2012, 3332/A-2015

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

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

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

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

“G.D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

SCHEDULE "A"
DRINKING ESTABLISHMENT LICENSE FEES

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

BYLAW NO. 3275/2001

Being a bylaw to regulate late night clubs in Red Deer.

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

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

AND WHEREAS, it appears to Council that late night clubs in Red Deer have resulted in increased vandalism and litter in areas adjacent to the clubs and have also caused noise which is disturbing to residents who live in proximity to the clubs;

AND WHEREAS, Council deems it advisable to enact a bylaw to provide for the licensing and regulation of late night clubs so as to ensure that their possible adverse impacts upon the community are minimized.

COUNCIL ENACTS AS FOLLOWS:

- 1 This bylaw may be referred to as the "Late Night Clubs Bylaw".
- 2 In this bylaw, the following words shall have the following meanings:
 - (a) "Late night club" means a facility, the primary purpose of which is to host late night events where:
 - (i) no alcohol or alcoholic beverages are available on the premises for consumption or sale;
 - (ii) 20 or more patrons are assembled at any time between 3:00 a.m. and 6:00 a.m.;
 - (iii) the events are held for the purpose of gain or profit;
 - (iv) tickets are sold or an entrance or attendance fee is charged for persons to attend; and

- (v) music, noise or sound of any kind or source, including but not limited to amplified recorded or computer generated music, amplified recorded or computer generated sounds, live music, sound or band music is performed or played.
 - (b) "Late night club manager" means the person responsible for the day to day management of the late night club.
- 3 No person shall operate a late night club without a license.
- 4 A person wishing to obtain a license for a late night club may apply to the City license inspector by paying the annual license fee of \$450.00 and by providing an application in the form established by the license inspector from time to time and containing the following information:
 - (a) the full names and addresses of the following persons:
 - (i) the applicant;
 - (ii) where the applicant is a corporate entity, the directors and shareholders of the applicant;
 - (iii) the late night club manager.
 - (b) the consent of all the above parties for the Red Deer City RCMP to conduct a security check on them;
 - (c) the name and address of the registered owner of the premises in which the club will be located;
 - (d) a description of the usual types of events that will be held at the late night club, including the hours of operation and the method by which admission will be charged; and
 - (e) a description satisfactory to the license inspector of the sound system to be used at the late night club and any steps that will be taken by the applicant to ensure that no offence under the Noise Bylaw will occur and that noise disturbance outside the late night club is minimized.
- 5 The licence inspector may not issue a late night club licence if:

- (a) the City of Red Deer RCMP recommend against issuing the late night club licence because of the criminal record of the applicant or the manager; or
 - (b) there are reasonable grounds to believe that it would not be appropriate to issue a late night club licence to an applicant because the potential noise impact of the late night club would create a nuisance in the community near the proposed club.
- 6 The licence inspector may include in a late night club licence specific conditions respecting:
- (a) the number and qualifications of security personnel which must be available at the late night club;
 - (b) the procedures required to be in place to address emergency medical and security concerns;
 - (c) the number of people who may attend the late night club;
 - (d) noise abatement measures which must be made to ensure noise outside or within the venue is minimized; and
 - (e) such additional conditions as are, in the opinion of the licence inspector, reasonably necessary to protect the safety, health, welfare, and property of the attendees of the late night club and its employees.
- 7 A late night club must meet the following requirements:
- (a) maintain in place an adequate security plan which includes provisions for:
 - (i) first aid;
 - (ii) entrance control to ensure that alcohol or illicit drugs are not brought into the premises;
 - (iii) outside inspection and clean up in the vicinity of the late night club during and after the hours of operation; and

- (iv) line control including ensuring that patrons are not permitted to re-enter the late night club after they have left;
 - (b) provide for an adequate supply of potable water at no cost to those in attendance.
- 8 A late night club shall not remain open later than 6:00 a.m.
- 9 The license inspector may revoke or suspend any licence granted under this bylaw where:
 - (a) an applicant has provided false or misleading information in his or her application;
 - (b) the applicant acquires a criminal record that would, in the reasonable opinion of the license inspector, make the applicant unsuitable as the operator of a late night club;
 - (c) the applicant breaches any condition of a licence granted under this bylaw;
 - (d) the applicant fails to meet any of the standards required of a licensee or of an applicant hereunder; or
 - (e) the applicant or any of the officers, agents or employees of the late night club denies entry to the premises of a late night club by a member of the RCMP, a license inspector or a bylaw enforcement officer exercising powers of inspection under section 13 of this bylaw;
 - (f) where it appears to the license inspector that the operation of the late night club is resulting in complaints that the provisions of the Noise Bylaw are being breached.
- 10 The suspension of a license for non-compliance with this bylaw or a condition of the license, shall continue until, in the reasonable opinion of the license inspector, the requirements of this bylaw or of the conditions have been met.

- 11 A person who breaches any of the provisions of this bylaw shall be guilty of an offence and shall be liable upon conviction to a fine of \$500.00, plus \$100.00 for each day that such offence continues, and in default of payment thereof, to imprisonment for a period not exceeding six months.
- 12 Any peace officer, license inspector or bylaw enforcement officer who has reasonable grounds to believe that any person has contravened any provision of this bylaw may:
- (a) serve upon such person a summons for the offence; or
 - (b) serve upon such person an offence ticket allowing payment of the specified penalty to the City which shall be accepted by the City in lieu of prosecution for the offence; and
 - (c) seize and take possession of any licenses where the same are revoked or suspended, or otherwise required to be returned to the City.

INSPECTION OF PREMISES AND FACILITIES

- 13 A licence inspector, bylaw enforcement officer or member of the RCMP may enter and inspect the premises of any intended or licensed late night club at any reasonable time, including during its hours of operation:
- (a) to determine if the facilities meet the requirements of this bylaw;
 - (b) to ensure that a licensee is complying with the requirements of this bylaw or of a licence issued under this bylaw;
 - (c) in the case of a facility whose late night club licence has been suspended, to examine the premises to determine whether the conditions leading to the suspension of the license have been corrected.

DUTY TO ASSIST INSPECTOR

- 14 Late night club licences issued shall be subject to a condition that the late night club manager must, on the request of a member of the RCMP, a licence inspector or a bylaw enforcement officer:

- (a) assist the member of the RCMP, licence inspector or bylaw enforcement officer in carrying out an inspection under section 13 of this bylaw, and
 - (b) provide the member of the RCMP, licence inspector or bylaw enforcement officer with the late night club licence and provide a place where it may be examined.
- 15 No person may hinder, obstruct or impede a member of the RCMP, licence inspector or bylaw enforcement officer in the performance of their duties or in the exercise of the powers of inspection under this bylaw.
- 16 Bylaw No. 3269/2000 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A SECOND TIME IN OPEN COUNCIL this 12 day of February 2001.

READ A THIRD TIME IN OPEN COUNCIL this 12 day of February 2001.

AND SIGNED BY THE MAYOR AND CITY CLERK this 12 day of February 2001.

“G. D. Surkan”

“Kelly Kloss”

MAYOR

CITY CLERK

APPENDIX F**Erin Stuart**

From: Reginald Warkentin <RWarkentin@reddeerchamber.com>
Sent: May 10, 2018 2:33 PM
To: Erin Stuart
Subject: Inter-community business licence
Attachments: Business License Strategy for Central Alberta (Board Approved).pdf

Hi Erin,

It was great to meet with you earlier. Thanks for sharing the status and vision for business licensing in Red Deer. It will be really interesting to see what the data shows in the next couple of years.

I would also like to say we appreciate you looking into the potential of a “would you be interested in hearing from the Chamber” or something similar on the application.

Regarding the inter-community business licence, I attached our position outlining the rationale along with the links below. The policy recommends working with the province, but we now know that isn't at all necessary. I'd also like to offer the help of the Chamber to help further this cause.

A local tourism company put together [this spreadsheet](#) outlining the costs and licences they're subject to.

The Regional District of Central Okanagan put together [this excellent summary](#) of their program.

Look forward to discussing further.

Thanks,

Reg

**Reg Warkentin**

Policy and Advocacy Manager

403-347-4491

3017 Gaetz Avenue, Red Deer, AB T4N 5Y6

reddeerchamber.com

This email has been scanned for spam and malware by The Email Laundry.



POLICY 2014

INTER-COMMUNITY MOBILE BUSINESS LICENSE STRATEGY

As economic interconnectivity continues to increase through ease of communication and transport, it is imperative for economic growth, efficiency, competition, and productivity that it becomes easier for businesses to operate outside of their home municipality. Many businesses provide their service by moving from client to client. If a business could easily operate in a neighbouring municipality, it would greatly increase their customer base, and therefore increase opportunities for growth. In Canada, municipal governments issue their own business licenses for their jurisdictions. There is no uniformity throughout the province regarding municipal business licenses.¹ If a business wishes to operate in multiple municipalities, it must obtain a license for each. This is a major obstacle for businesses operating in municipalities that are within close proximity of one another.

In the Red Deer Region there are 11 municipalities within a 30 minute drive from Red Deer. The Red Deer Region accounts for over 200,000 people and is a major hub for transportation, services, manufacturing, and distribution.² Similarly, the Edmonton Capital Region is comprised of 24 municipalities and home to over 1.2 million people.³ Businesses that operate in municipalities that are in close proximity to one another should be able to offer their services to all of them without having to deal with the cost, complication, and time requirements of acquiring a separate license for each municipality it wishes to operate in. It is to the advantage of municipalities like those in the Edmonton and Red Deer Regions to streamline business logistics, while still ensuring municipalities receive the appropriate taxes for firms operating within their jurisdiction. This would reduce barriers to business by removing red tape, while increasing efficiency, productivity, and market access, thereby encouraging growth. The growth of one area provides benefits to another.

A Mobile Business License would allow a business to operate in all partnering municipalities. It would reduce the complication and cost of obtaining multiple licenses and as a result, promote the growth of existing businesses and help with the attraction of new businesses to the region. In addition, this would ensure municipalities receive the appropriate fees from those businesses operating within their boundaries and reduce administrative costs to the municipality.

This type of program was successfully launched in 2008 by 17 communities in the Okanagan-Similkameen region of British Columbia through a partnership with the Provincial Ministry of Small Business and Revenue. The cost of the Mobile License is \$150 and purchased in addition to the local license. As of October 2013, 63 BC municipalities have established Mobile Business License Agreements in their communities. The BC provincial government has

¹ The Business Link. (2013). *Starting a Business in Alberta: Info Guide*. Retrieved from <http://www.canadabusiness.ab.ca/index.php/start-up/529-business-start-up-alberta-info-guide> on Dec 16, 2013.

² Red Deer Region. (2013). *Red Deer Alberta and the Red Deer Region*. Retrieved from <http://www.reddeerregion.com/> on Dec 16, 2013.

³ Government of Alberta (2007). *Municipal Profiles*. Retrieved from http://www.municipalaffairs.gov.ab.ca/documents/FINAL_REPORT_Appendix_A.pdf on 19 Dec 2013.

played a pivotal role in the creation of these agreements by encouraging them through the BC Jobs Plan and coordinating the discussion and implementation with the municipal governments.⁴ The Mobile Business License has shown to be very popular in the Okanagan-Similkameen region. According to an interim report done by the BC government, the program has been a resounding success. From January to August 2007, non-resident and inter-municipal licenses generated revenue of \$325,221. Over the same time period 1 year later, the Mobile Business License revenue was \$500,006; an increase of 54%.⁵

“Overall, it seems the Mobile Business License Pilot Project is on track to successfully meet its goals of making it easier to do business in Okanagan-Similkameen. Businesses report the Mobile Business License is cost-effective and convenient; municipalities report the Mobile Business License has not increased the administrative workload and has increased revenue.⁶”

The Red Deer Chamber of Commerce Recommends the Government of Alberta:

- 1) With consultation from stakeholders, reviews and provides recommendations and a framework for the establishment of a Mobile Business License Strategy. The committee would include representatives from the province, businesses and municipalities.

⁴ Government of British Columbia. (2013). *Mobile Business License Program*. Retrieved from <http://www.resourcecentre.gov.bc.ca/mobile.htm> on 18 Dec 2013.

⁵ Government of British Columbia. (2008). *Mobile Business License Pilot Project: Interim Report*. Retrieved from <http://www.resourcecentre.gov.bc.ca/pdf/MBL.pdf> on 18 Dec 2013.

⁶ IBID

Business Licenses, Permits and Tourism Fees for Tour Operator - Guided Activities in Central Alberta

Business based in Red Deer, up to 5 FTE

	Price	Required for charter bus to stop in town (e.g. hotel, restaurant, attraction)?	Required to pickup guests in town?	Required for sightseeing / guided tours with stops in town?	Notes
Red Deer Area					
City of Red Deer	\$0.00	No	No	No	No business licenses required. Occupancy Permit or Home Based Business License may be needed.
Red Deer County	\$120.00	?	?	?	Business licenses are being introduced. The cost is a one time fee, not an annual rate. The Economic Development Strategy recommends "an inter-jurisdictional business license with surrounding municipalities".
Tourism Red Deer	\$250.00		Not Applicable		Basic membership (includes visitor guide and website). Additional opportunities on a pay to play basis.
David Thompson County					
Town of Rocky Mountain House	\$360.00	No	Yes	?	Non resident business license.
Clearwater County	\$0.00	No	No	No	No business licenses required.
Nordegg Chamber of Commerce	\$100.00		Not Applicable		Local brochure and industry link to regional tourism group.
Rocky and Area Chamber of Commerce	\$110.00		Not Applicable		The visitor guide is published by the local newspaper. Ads are the only way to be included, prices range from \$300 to \$1,310.
Visitor Guide (The Mountaineer)	\$300.00		Not Applicable		
Lacombe Area					
City of Lacombe	\$412.00	?	Yes	?	Non resident business license.
Lacombe County	\$0.00	No	No	No	No business licenses required.
Lacombe Tourism	\$175.00		Not Applicable		Basic membership (includes visitor guide and website). Additional opportunities on a pay to play basis.
Other Areas					
Innisfail	\$300.00	No	Yes	No	Business license required to pickup guests in town (similar to taxi). Not required to drop off guests. Not required for stops in town if using local businesses.
Sylvan Lake	\$300.00	No	Yes	No	Non resident business license for pickup based on the location where the pickups are done. Was told yes for tours in the past.
Sylvan Lake Visitor Guide			Not Applicable		Published by the local paper. Not sure on pricing.
Parks Canada (Icefield Parkway + Banff and Jasper)					
Business Licenses	\$58.00	Yes	Yes	Yes	Prices range from \$3.90 to \$240 depending on size and classification.
Park Passes (per person)	\$0.00		Not Applicable		Free for 2017. Approx \$9 per adult per day in 2018.
Provincial Government					
Carrier Services	\$280.00		Not Applicable		Required for transporting guests in any vehicles over 11 passengers. Includes National Safety Certificate, Intra and Extra Provincial Operating Authority, \$280 for first application, \$110 for renewals. Valid for 3 years.
Alberta Parks	\$262.50		Not Applicable		Minimum of \$262.50 to a maximum of \$525 based on locations and activities. Guide certification requirements per district or if one permit can apply to all of Central Alberta.
Alberta Environment (PLUZ)	\$0.00		Not Applicable		Varies based on activities, impact, locations and exclusivity requirements. Can be as low as \$0.
Nearby Areas					

Mountain Resorts			Canadian Badlands			Major Cities			BC		
Town of Banff	\$957.38	Yes	Yes	Yes							
Town of Canmore	\$600.00	No	Maybe	No							
Town of Jasper	\$165.00	No	Maybe	No							
MD of Bighorn	\$0.00	No	No	No							
Kananaskis Improvement District	\$180.00	No	Maybe	Maybe							
Canadian Badlands			Major Cities			BC					
Courties	\$0.00	No	No	No							
Edmonton	\$743.00	?	?	?							
Calgary	\$0.00	No	No	No							
Provincial Government - Transportation	\$25.00		Not Applicable								
Town of Golden	\$0.00	No	No	No							

Includes DMO contributions. Answers are from a few years ago, waiting for staff to be back in office to confirm current requirements.
 Non resident business license. Pickup of guests depends on how it is advertised.
 Non resident business license. Pickup of guests depends on how it is advertised.
 No business licenses required.
 Not required to bring a group in if the use a local business (e.g. hotel, restaurant, ski hill) but require if you guide activities on your own that are charged directly to the guests (e.g. guided hike). Sightseeing stops on the way to the resort do not require a business license. Pickup of guests depends on how it is advertised. Small business rate is \$180 per year (< \$10k in annual revenues from tours in the area). Alberta Environment and Alberta Parks permits are also required.

No business licenses required by the courties in the badlands area within day trip range of Red Deer.

The department manager was unsure. We would need to fill an application for them to review and decide if it is required.
 No business licenses required.

7 Days Restricted. Cannot pickup guests in British Columbia. Can apply for annual permit for \$200 first year, \$100 renewal fee per year.
 No license required if you do not pickup additional guests in town.

* Pricing is based on the information posted on the municipality's website.

* Requirement is based on the information received when calling the number posted for each municipality. This may not be accurate.

* Charter stops are set by the clients, tour stops are set by the operator. Some consider these differently for business license requirements.



Inter-Community Business License Information

The Regional District of Central Okanagan is a Participating Municipality in the *Inter-Community Business License* Program. (Bylaw No. 1261)

An *'Inter-Community Business'* means a business that performs a service or activity within more than one Participating Municipality but not from Premises in one or more participating municipalities, and who provides the service or activity by moving from client to client.

An *'Inter-Community Business License'* means a business License which authorizes an Inter-Community Business to be carried on within the boundaries of any or all of the Participating Municipalities in accordance with this Bylaw.

'Municipal Business License' means a License or permit, other than an Inter-Community Business License, issued by a participating Municipality that authorizes a Business to be carried on within the jurisdictional boundaries of that Participating Municipality.

'Participating Municipality' means those of the following municipalities and the Regional District of Central Okanagan that have adopted this Inter-Community Business License Bylaw, and any other municipalities that adopt this bylaw at a later date.

City of Armstrong	City of West Kelowna	District of Coldstream
City of Enderby	City of Kelowna	Village of Keremeos
District of Lake Country	Village of Lumby	Town of Oliver
Town of Osoyoos	District of Peachland	City of Penticton
Town of Princeton	District of Salmon Arm	City of Vernon
Township of Spallumcheen	District of Summerland	Regional District of Central Okanagan
	District of Sicamous	

For more information about the RDCO Business License and Inter-Community Business License, please contact Community Services – Inspection Section at 250-469-6211 or email business@cord.bc.ca

If your business falls within the definition of an *Inter-Community Business* you have the opportunity to apply for an *Inter-Community Business License*. This however, does not exempt you from complying with any special requirements unique to the *Participating Municipalities*. **You are also required to first obtain a Business License in the jurisdiction where your business premise is located.**

For example, if you are a contractor and run your business from your home in the Regional District of Central Okanagan Electoral areas, you will need a RDCO *Municipal Business License* as it is considered a home based business. You may then also purchase an *Inter-Community Business License* to work in any of the *Participating Municipalities*. This eliminates the requirement to purchase a license for every municipality you work in.

These are two separate licenses: the annual fee for a RDCO Business License is \$85.00 or for renewals after December 31st - \$110.00 (includes late fee). The annual fee for an *Inter-Community Business License* is \$150.00. To apply for one or both licenses please fill out the application form and submit payment. We will mail your *Municipal* or combined *Municipal/Inter-Community Business License* upon receipt of full payment.

Non-resident businesses; businesses **not** maintaining a *Premises* in any of the *Participating Municipalities*, may apply for an *Inter-Community Business License* at a *Participating Municipality* of choice however you must first purchase a *Municipal Business License* from that *Participating Municipality*. You must meet all the requirements of the Municipal Business License Bylaw as well as the Inter-Community Business License Bylaw to obtain these licenses.



DATE: August 23, 2018
TO: Erin Stuart, Inspections & licensing Manager
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Business License Bylaw 3609/2018

Reference Report:

Inspections and Licensing, dated July 10, 2018

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave first reading to the following bylaw:

Bylaw 3609/2018 (a Business License Bylaw to license and regulate businesses within the City of Red Deer)

Report back to Council:

Yes.

Comments/Further Action:

This bylaw will come back for second and third reading at the September 4, 2018 Council Meeting.



Frieda McDougall
Manager

- c. Director of Planning Services
Corporate Meeting Administrator



July 27, 2018

Land Use Bylaw Amendment: Bylaw 3357/HH-2018
6108-60 Street Re-designation from AI to PI
Consideration of Second and Third Reading of the
Bylaw

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, July 9, 2018 Regular City Council meeting.

Recommendation:

That Council consider second and third reading of Bylaw 3357/HH-2018.

Background:

At the Monday, July 9, 2018 Council gave first reading to Bylaw 3357/HH-2018 – an amendment to the Land Use Bylaw to redesignate a portion of City owned land (6108-60 Street) from AI – Future Urban Development District to PI – Parks and Recreation District to facilitate trail development identified as part of the Riverside Meadows Trail Development Project.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on July 13 and July 20, 2018. A Public Hearing will be held on Monday, July 23, 2018 at 6:00 p.m. during Council's regular meeting.

Proposed Resolution:

That Bylaw 3357/HH-2018 be read a second and third time.



Originally Submitted to the July
9, 2018 Council Meeting

June 14, 2018

Land Use Bylaw Amendment: Bylaw 3357/HH-2018

6108 60 St Re-designation from A1 to P1

Planning Department

Report Summary & Recommendation

The Planning department is processing a Land Use Bylaw amendment, on behalf of the Parks, Recreation, and Culture department, to re-designate a portion of City owned land (6108 60 ST) from A1 – Future Urban Development District to P1 – Parks and Recreation District to facilitate trail development identified as part of the the Riverside Meadows Trail Development Project.

Administration recommends Council support First Reading of Land Use Bylaw Amendment 3357/HH-2018.

City Manager Comments

I support the recommendation of Administration. If first reading of Bylaw 3357/HH-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Craig Curtis
City Manager

Proposed Resolution

That Bylaw 3357/HH-2018 be read a first time.

Analysis

Administration supports the proposed amendment based on the following rationale:

1. Compliance with City Policy Framework

The proposed amendment aligns with the *Municipal Development Plan* and facilitates the Riverside Meadows Trail Development Project.

2. Aligns with Surrounding Land Use

The proposed amendment aligns with the land use designation of adjacent properties i.e. P1 – Parks and Recreation District and the re-designation will facilitate trail development which fits with the use of surrounding area.

Discussion

The current land use designation of the property is A1 – Future Urban Development District which does not allow trail development. The Parks, Recreation, and Culture department has applied to re-designate the property to P1 to facilitate trail development as part of the Riverside Meadows Trail Development Project. Construction of the trail is proposed to begin this fall.

The property currently functions as natural greenspace. See Appendix B for an aerial photo of the property.

The proposed amendment has been circulated to City departments. No concerns were raised.

An external circulation to adjacent properties has not been completed as the surrounding area is primarily City owned. Any landowners within 100 m will be notified of the public hearing should the amendment receive first reading.

Appendices

Appendix A - Bylaw 3357/HH-2018 and Amendment Maps

Appendix B - Air Photo of 6108 60 ST

BYLAW NO. 3357/HH-2018

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

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

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

- 1 The land shown in the sketch attached as Schedule A to this Bylaw (6108 60 ST, Lot 9, Block 15, Plan 9820478) is re-designated from A1 Future Urban Development District to P1 Parks and Recreation District.
- 2 The "Land Use District Map K16" contained in "Schedule A" of the Land Use Bylaw is amended in accordance with the Land Use District Map 15/ 2018 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2018.

READ A SECOND TIME IN OPEN COUNCIL this day of 2018.

READ A THIRD TIME IN OPEN COUNCIL this day of 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2018.

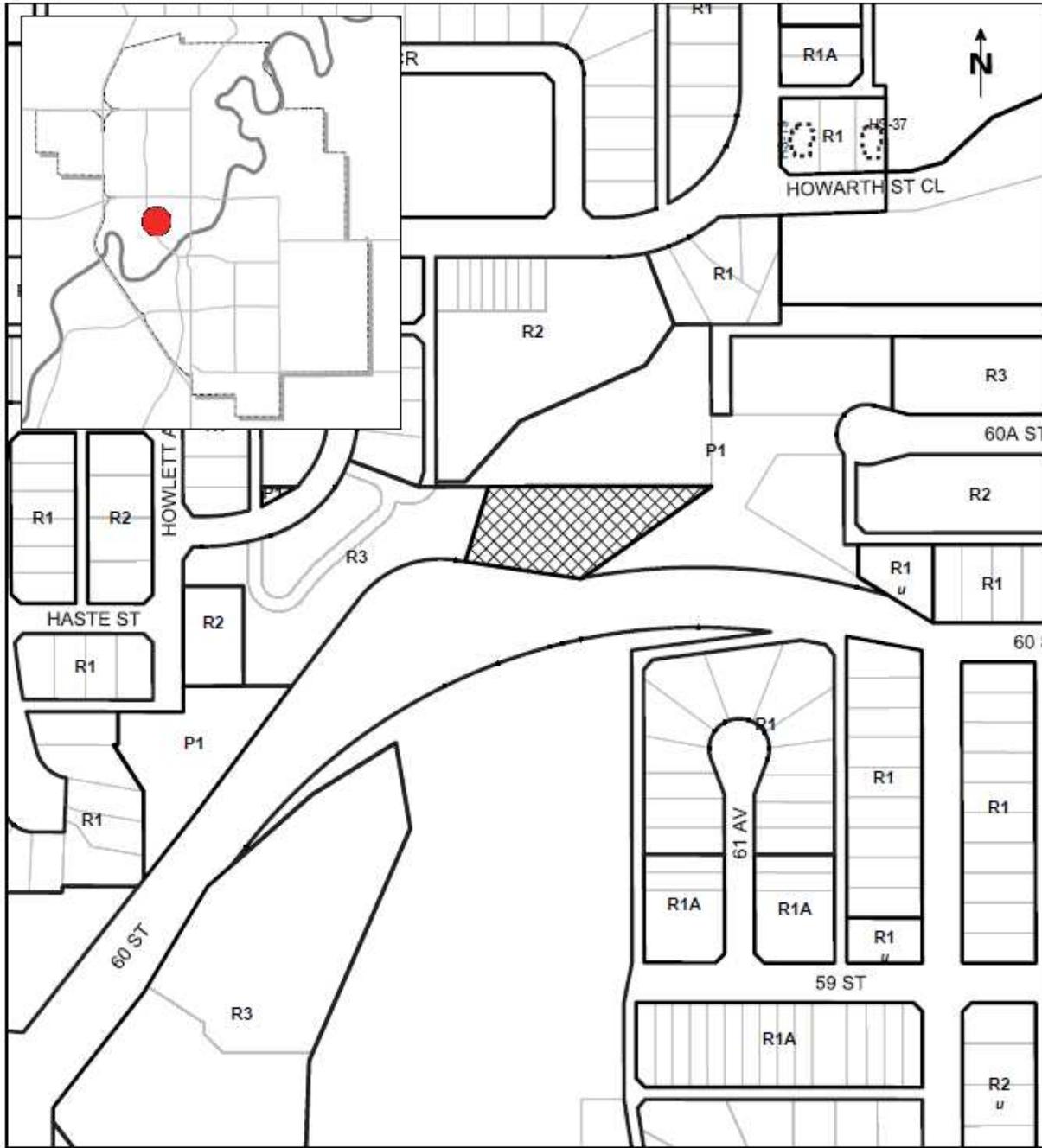
MAYOR

CITY CLERK

Schedule "A"



Proposed Amendment to Land Use Bylaw 3357/2006



Change District:



A1 to P1 - Parks and Recreation District

Proposed Amendment

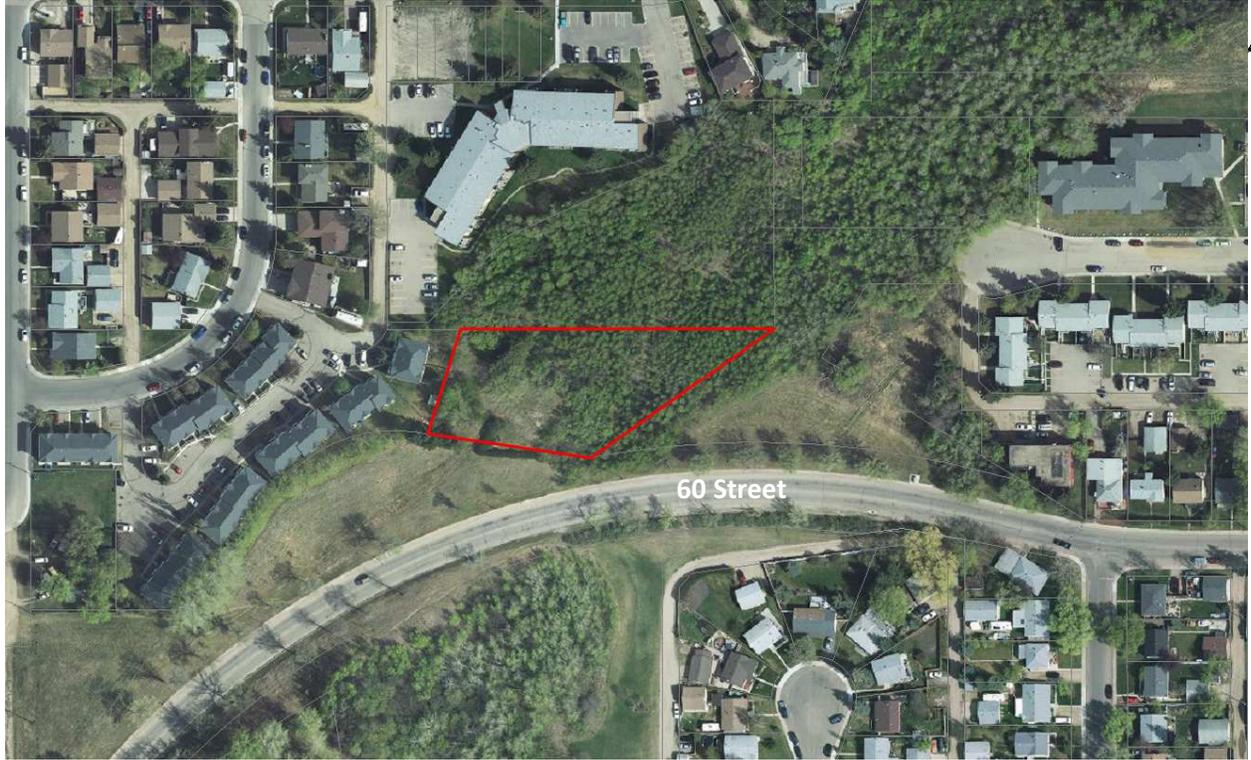
Map: 15 / 2018

Bylaw: 3357 / HH-2018

Date: Jun. 14, 2018

Appendix B

*Air Photo of 6108 60 ST – A1 Future Urban Development District to
P1Parks and Recreation District*



6108 60 Street



A1 to P1

FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018
TO: Dayna Facca, Senior Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment - Bylaw 3357/HH-2018 - 6108 60 St
Redesignation from AI Future Urban Development District to PI Parks
and Recreation District

Reference Report:

Legislative Services, dated July 27, 2018

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave second and third reading to the following bylaw:

Bylaw 3357/HH-2018 (an amendment to the Land Use Bylaw to redesignate a portion of City owned land (6108-60 Street) from AI – Future Urban Development District to PI – Parks and Recreation District to facilitate trail development identified as part of the Riverside Meadows Trail Development Project)

Report back to Council:

No.

Comments/Further Action:

This office will amend the bylaw and distribute copies in due course.

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

Frieda McDougall
Manager

- c. Manager of Planning
Director of Planning Services
Corporate Meeting Administrator



July 30, 2018

Section 13 NW/SW Neighbourhood Area Structure Plan Amendment

Bylaw 3217/E-2018

Consideration of Second and Third Reading of the Bylaw

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, July 23, 2018 Regular City Council meeting.

Recommendation:

That Council consider second and third reading of Bylaw 3217/E-2018.

Background:

At the Monday, July 23, 2018 Council gave first reading to Bylaw 3217/E-2018 – an amendment to the Section 13 NW/SW Neighbourhood Area Structure Plan to include a conceptual commercial plan and parcel access details to the commercial properties.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on July 27 and August 3, 2018. A Public Hearing will be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Proposed Resolution:

That Bylaw 3357/W-2018 be read a second and third time.



Originally Submitted to the July
23, 2018 Council Meeting

July 23, 2018

Supplementary Report

Section 13 NW/SW NASP – Bylaw 3217/E-2018

Legislative Services

Background:

At the Monday, June 25, 2018 Council Meeting, Council passed the following tabling resolution:

Resolved that Council of The City of Red Deer hereby agrees to table consideration of Bylaw 3217/E-2018 for up to four weeks

The bylaw was tabled in order to remove the reference to roundabouts in *Figure 9(a) Proposed Commercial Development Conceptual Site Plan (Appendix A)* and *Figure 9(b) Proposed Commercial Sites Access Locations (Appendix A)* as roundabouts are pending review. There is a forthcoming engineering report on roundabouts which will influence intersection design in the future.

The attached Figures 9(a) and 9(b) (Appendix A) were updated as part of this supplementary report to remove the roundabout reference at the intersection of Ross Street and the North-South Collector Roadway as the intersection treatment is yet to be determined. The access locations as presented on Figures 9(a) and 9(b) are independent of what intersection treatment is chosen for the future intersection of Ross Street and the North-South Collector Roadway.

Proposed Resolution

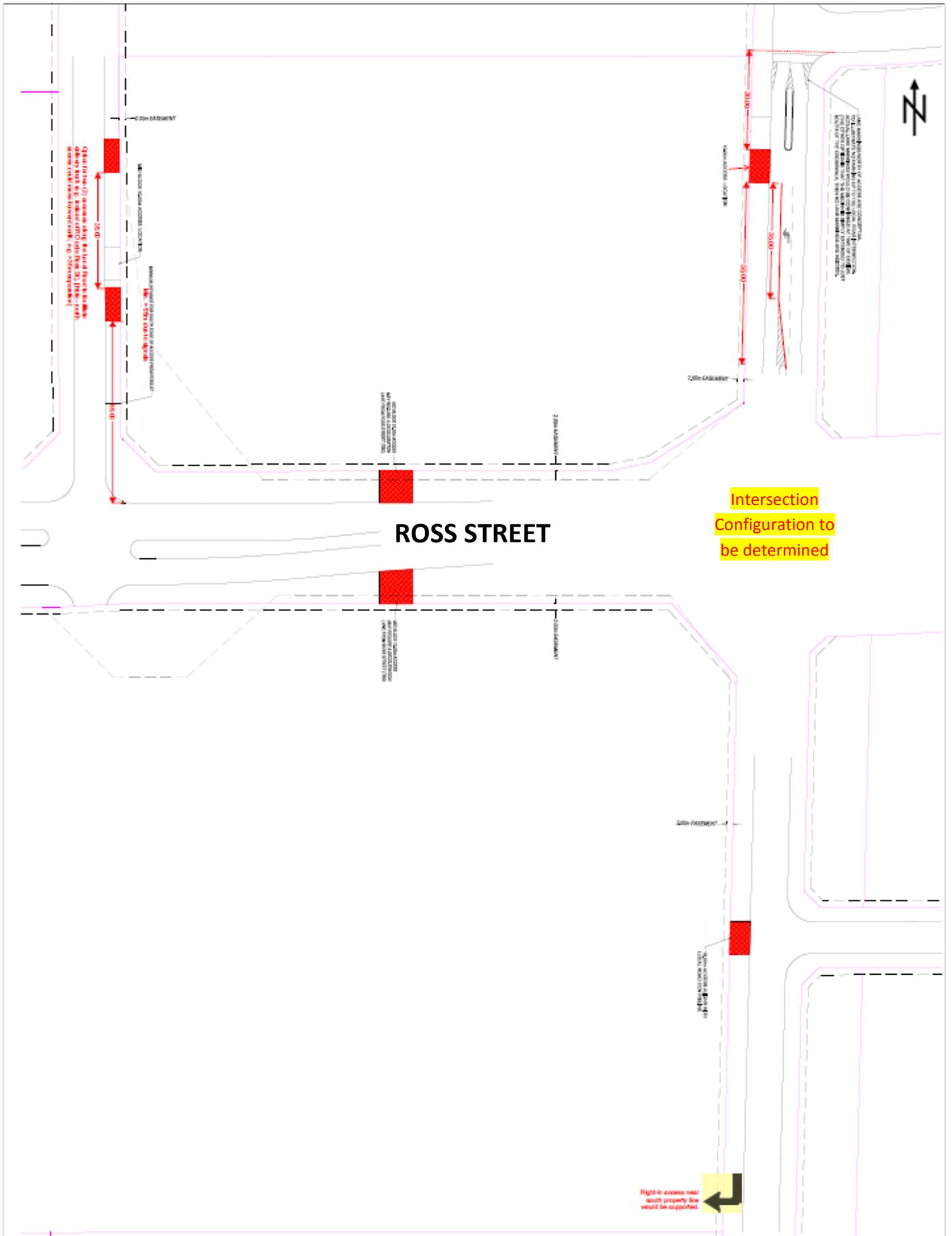
Resolved that Council of The City of Red Deer hereby agrees to lift from the table consideration of Section 13 NW/SW Neighbourhood Area Structure Plan Bylaw 3217/E-2018.

If first reading of bylaw 3217/E-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Appendix A

Section 13 NW/SW NASP Figure 9(a) and 9(b)

Figure 9(b): Proposed Commercial Sites Access Locations



Appendix B

Section 13 NW/SW Neighbourhood Area Structure Plan Amendment 3217/E-2018

BYLAW NO. 3217/E-2018

Being a Bylaw to amend Bylaw No. 3217/C-2016, the Bylaw containing The City of Red Deer Section 13 NW/SW Neighbourhood Area Structure Plan described herein

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

Bylaw No. 3217/C-2016 is hereby amended as follows:

1. Delete Section 13 NW/SW Neighbourhood Area Structure Plan title page and replace with attached Section 13 NW/SW Neighbourhood Area Structure Plan title page
2. Section 3.2 is amended by adding the attached Figures 9(a) and 9(b)
3. Section 3.2.2 is deleted and replaced with the following

The plan includes two commercial areas:

1) a larger 4 hectare (10 acre) district-serving commercial parcel on the south side of Ross Street which is intended as a shopping centre anchored by a grocery store and including a variety of smaller scale retail and commercial service outlets, restaurant uses and small professional offices (doctor, lawyer, accountant, dentist etc.); and

2) a smaller 2 hectares (5 acre) neighbourhood-serving commercial parcel that will accommodate a range of smaller commercial uses including a gas station, convenience commercial etc.

Figures 9(a) and 9(b) provide a detailed conceptual plan and proposed access points for the two commercial area. Figure 9(a) is for conceptual purposes only and changes to the design do not require an amendment to the NASP.

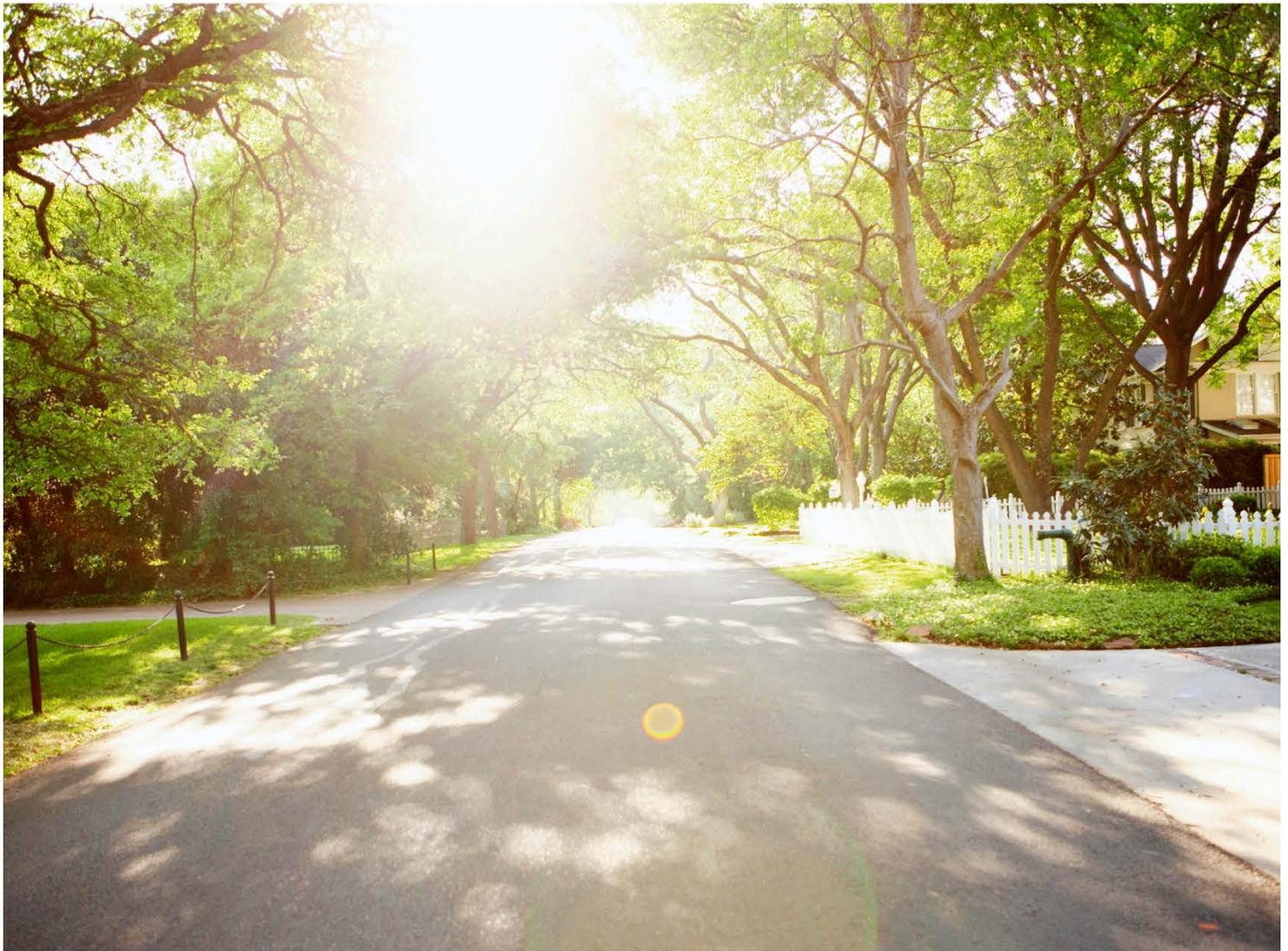
Together, these commercial uses will contribute to a complete community with a variety of uses where most of the daily needs of Section 13 NW/SW residents can be met within the neighbourhood. These commercial parcels would be zoned either C2B or C5 (City of Red Deer Land Use Bylaw) which allows for a mix of commercial uses and a shallow front-yard building setback to allow for a more walkable urban cross section along Ross Street where the buildings frame the street.



Prepared by
Modus Planning Design & Engagement Inc.
thinkmodus.ca | hello@thinkmodus.ca

and Stantec
www.stantec.com

Section 13 NW/SW NEIGHBOURHOOD AREA STRUCTURE PLAN

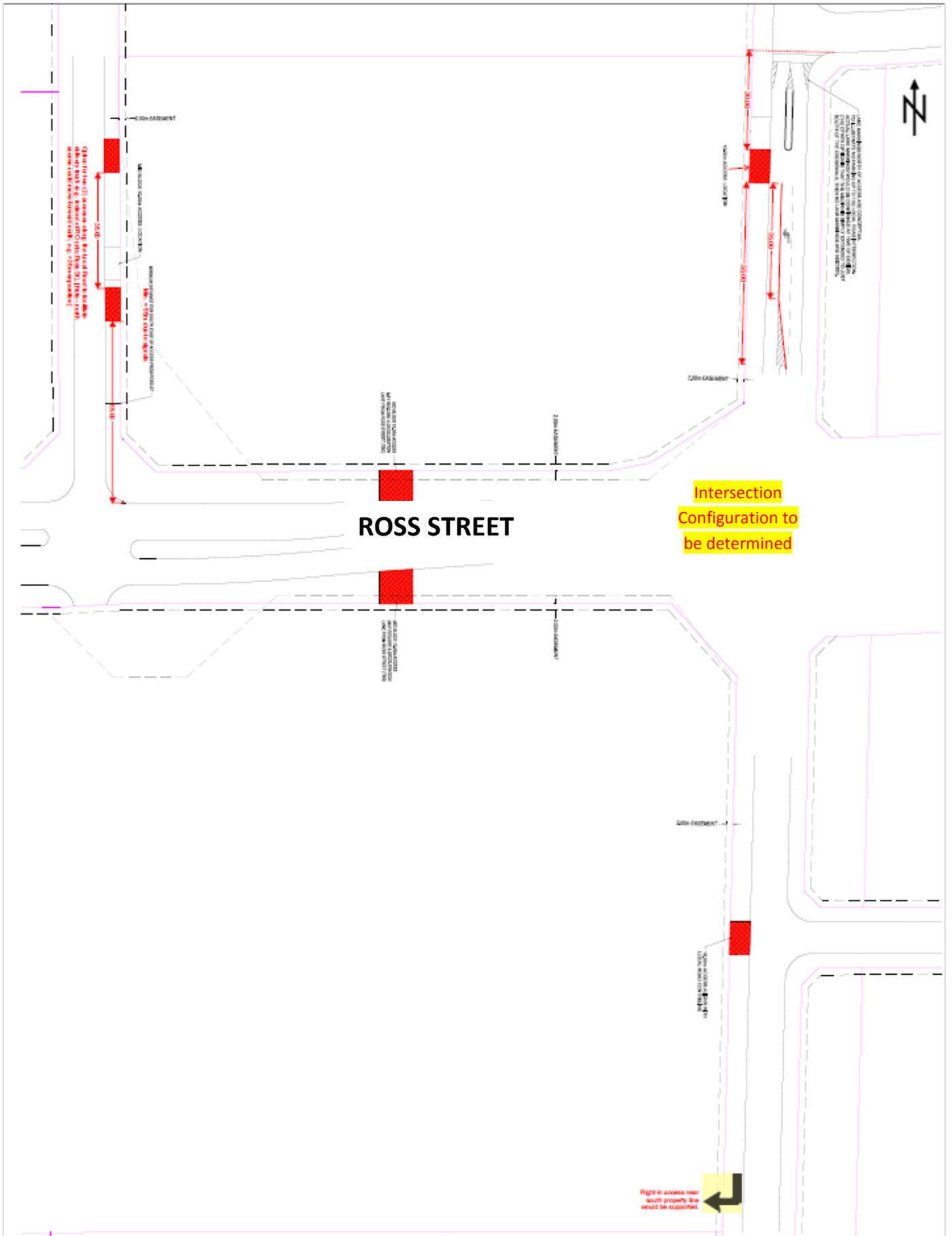


CITY OF RED DEER

BYLAW: 3217/C-2016
ADOPTED: June 20, 2016
AMENDED: July 23, 2018



Figure 9(b): Proposed Commercial Sites Access Locations





Originally Submitted to the June 25,
2018 Council Meeting

June 11, 2018

Section 13 NW/SW Neighbourhood Area Structure Plan Amendment 3217/E-2018

Planning Department

Report Summary & Recommendation

The Land and Economic Development Department has applied for an amendment to the Section 13 NW/SW Neighbourhood Area Structure Plan (Bylaw 3217/E-2018) to include a conceptual commercial plan and parcel access details to the commercial properties.

Administration recommends Council support First Reading of Neighbourhood Area Structure Plan amendment 3217/E-2018.

City Manager Comments

I support the recommendation of Administration. If first reading of Bylaw 3217/E-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, July 23, 2018 at 6:00 p.m. during Council's regular meeting.

Craig Curtis
City Manager

Proposed Resolution

That Bylaw 3217/E-2018 be read a first time.

Rationale for Recommendation

1. Compliance with City policy framework

The proposal is consistent with the land uses outlined in the East Hill Major Area Structure Plan and in the Section 13 NW/SW Neighbourhood Area Structure Plan.

2. Access locations supported by Administration

The proposed access locations have been reviewed and supported by the Engineering Services Department.

3. Conceptual plan is flexible

The detailed commercial development plan is for conceptual purposes to further illustrate design intent. Changes to the internal design of the commercial site will not trigger a NASP amendment.

Discussion

The properties are currently undeveloped. The purpose of this application is to include the access points and a conceptual development plan for the commercial sites in the Section 13 NW/SW Neighbourhood Area Structure Plan to provide additional development design guidance as requested by developers for Administration's use. The conceptual commercial plan is flexible and the layout can be changed without triggering an amendment to the Section 13 NW/SW NASP. A Development Permit will still be required. The detail in the conceptual plan is intended to communicate intent and may change at the time of the Development Permit application, or due to Land Use Bylaw regulations. Changes to the access locations have been reviewed and supported by Administration and changes to these will require a NASP amendment.

Consultation

The application was circulated to various City departments for review. There were no concerns regarding the proposed Neighbourhood Area Structure Plan amendment. As the amendment does not change the land uses outlined in the plan and simply add an additional level of detail, an external referral was not conducted.

Recommendation

Administration recommends Council support First Reading of Neighbourhood Area Structure Plan amendment 3217/E-2018.

Appendices

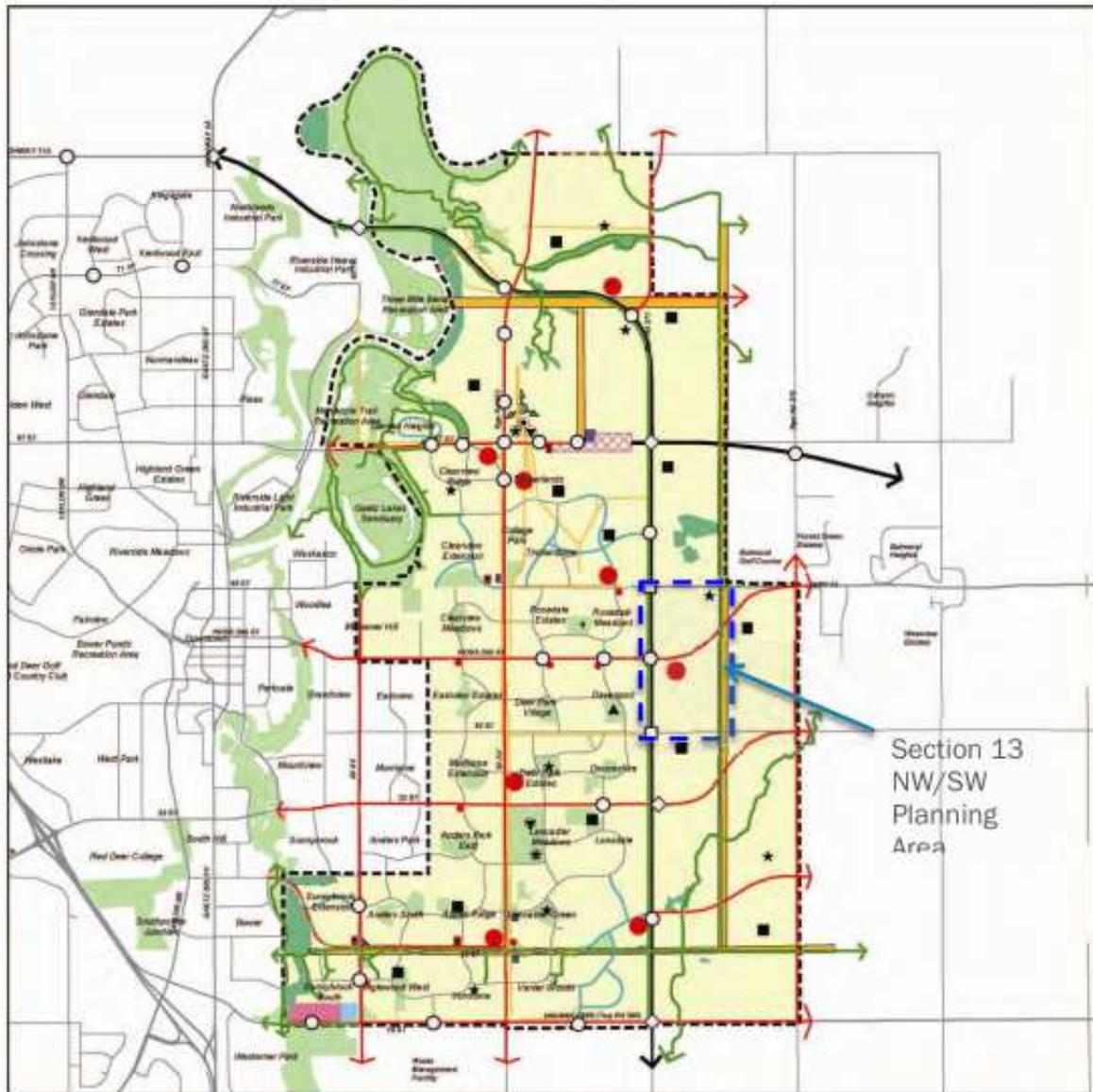
Appendix A- Section 13 NW/SW NASP Context Maps, existing Sections 3.2.2 and 8.3.1, and proposed Sections 3.2.2 and 8.3.1

Appendix B- Section 13 NW/SW Neighbourhood Area Structure Plan Amendment 3217/E-2018

Appendix A

Section 13 NW/SW NASP Context Maps and Existing Sections 3.2.2 and 8.3.1

Figure 4: East Hill Major Area Structure Plan with Planning Area Indicated



Section 13
NW/SW
Planning
Area

Figure 5: Generalized Land Use Concept - East Hill





3.2.2 COMMERCIAL USES

The plan includes two commercial areas:

- 1) a larger 4 hectare (10 acre) district-serving commercial parcel on the south side of Ross Street which is intended as a shopping centre anchored by a grocery store and including a variety of smaller scale retail and commercial service outlets, restaurant uses and small professional offices (doctor, lawyer, accountant, dentist etc.); and
- 2) a smaller 2 hectares (5 acre) neighbourhood-serving commercial parcel that will accommodate a range of smaller commercial uses including a gas station, convenience commercial etc.

Together, these commercial uses will contribute to a complete community with a variety of uses where most of the daily needs of Section 13 NW/SW residents can be met within the neighbourhood. These commercial parcels would be zoned either C2B or C5 (City of Red Deer Land Use Bylaw) which allows for a mix of commercial uses and a shallow front-yard building setback to allow for a more walkable urban cross section along Ross Street where the buildings frame the street.

8.3.1 AMENDMENTS

Once adopted, this Plan may be amended if necessary through a formal amendment process including consultation with the City of Red Deer and approval via municipal Council. Amendments will be required if major changes are made to roadway alignments or land uses. No amendments will be necessary due to servicing revisions, minor land use boundary changes, or minor adjustments to road cross-sections provided the intent of the NASP is maintained.

An amendment will not be necessary in the event that the linear park (pedestrian connection) in the NW quadrant is removed if engineering decides that mid-block crossings cannot be built to a sufficient safety standard. Consideration should be provided to realign the parcels, but if it ultimately has to be removed an amendment will not be required.

This NASP identifies two potential future land uses for the acreage parcel (Lot 1, Block 1 Plan 902 1065) located at the southern boundary of the planning area. An application to amend the zoning of this land to low residential uses (R-1) or Neighbourhood Commercial uses (C3) shall not require an amendment to this plan.

Appendix B

Section 13 NW/SW Neighbourhood Area Structure Plan Amendment 3217/E-2018

BYLAW NO. 3217/E-2018

Being a Bylaw to amend Bylaw No. 3217/C-2016, the Bylaw containing The City of Red Deer Section 13 NW/SW Neighbourhood Area Structure Plan described herein

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

Bylaw No. 3217/C-2016 is hereby amended as follows:

1. Delete Section 13 NW/SW Neighbourhood Area Structure Plan title page and replace with attached Section 13 NW/SW Neighbourhood Area Structure Plan title page
2. Section 3.2 is amended by adding the attached Figures 9(a) and 9(b)
3. Section 3.2.2 is deleted and replaced with the following

The plan includes two commercial areas:

1) a larger 4 hectare (10 acre) district-serving commercial parcel on the south side of Ross Street which is intended as a shopping centre anchored by a grocery store and including a variety of smaller scale retail and commercial service outlets, restaurant uses and small professional offices (doctor, lawyer, accountant, dentist etc.); and

2) a smaller 2 hectares (5 acre) neighbourhood-serving commercial parcel that will accommodate a range of smaller commercial uses including a gas station, convenience commercial etc.

Figures 9(a) and 9(b) provide a detailed conceptual plan and proposed access points for the two commercial area. Figure 9(a) is for conceptual purposes only and changes to the design do not require an amendment to the NASP.

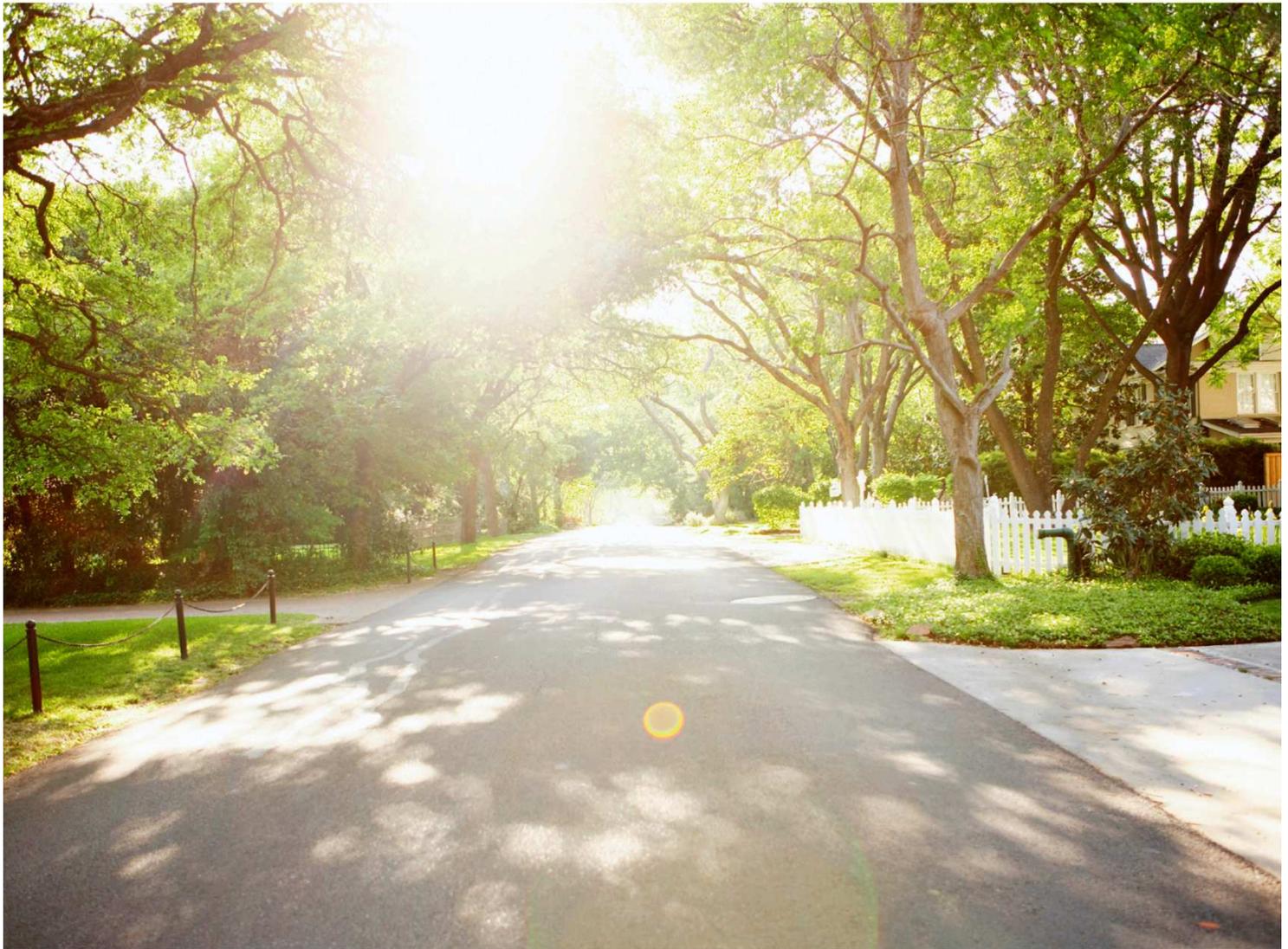
Together, these commercial uses will contribute to a complete community with a variety of uses where most of the daily needs of Section 13 NW/SW residents can be met within the neighbourhood. These commercial parcels would be zoned either C2B or C5 (City of Red Deer Land Use Bylaw) which allows for a mix of commercial uses and a shallow front-yard building setback to allow for a more walkable urban cross section along Ross Street where the buildings frame the street.



Prepared by
Modus Planning Design & Engagement Inc.
thinkmodus.ca | hello@thinkmodus.ca

and Stantec
www.stantec.com

Section 13 NW/SW NEIGHBOURHOOD AREA STRUCTURE PLAN



CITY OF RED DEER

BYLAW: 3217/C-2016
ADOPTED: June 20, 2016
AMENDED: June 25, 2018



FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018
TO: Kimberly Fils-Aime, Senior Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Section 13 NW/SW Neighbourhood Area Structure Plan Amendment
Bylaw 3217/E-2018

Reference Report:

Legislative Services, dated July 30, 2018

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave second and third reading to the following bylaw:

Bylaw 3217/E-2018 (an amendment to the Section 13 NW/SW Neighbourhood Area Structure Plan to include a conceptual commercial plan and parcel access details to the commercial properties)

Report back to Council:

No.

Comments/Further Action:

This office will amend the bylaw and distribute copies in due course.

A handwritten signature in blue ink that reads 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Manager of Planning
Director of Planning Services
Corporate Meeting Administrator



July 30, 2018

Land Use Bylaw Amendment – Mature Neighbourhood Overlay District

Bylaw 3357/II-2018

Consideration of Second and Third Reading of the Bylaw

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, July 23, 2018 Regular City Council meeting.

Recommendation:

That Council consider second and third reading of Bylaw 3357/II-2018.

Background:

At the Monday, July 23, 2018 Council gave first reading to Bylaw 3357/II-2018 – an amendment to the Land Use Bylaw to remove Accessory Buildings from the definition of Redevelopment.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on July 27 and August 3, 2018. A Public Hearing will be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Proposed Resolution:

That Bylaw 3357/II-2018 be read a second and third time.



June 19, 2018

Originally Submitted to the July 23,
2018 Council Meeting.

Land Use Bylaw Amendment – Bylaw 3357/II-2018

Mature Neighbourhood Overlay District

Administrative Report

Report Summary

On April 30, 2018, Council gave third and final reading to Bylaw 3357/C-2018, an amendment to the *Land Use Bylaw (LUB)*, which brought Redevelopment Design Standards contained in the Neighbourhood Planning and Design Standards (NPDS) into the *LUB*. Incorporating these design standards into the *LUB* provides clarity and consistency for the development community, general public, and the Development Authority.

In approving the regulations contained in Section 7.14 – Mature Neighbourhood Overlay District (Appendix A), an inadvertent change was created. Prior to the amendments an Accessory Building was a Permitted Use in most neighbourhoods. In encompassing many of Red Deer's neighbourhoods as 'mature', Accessory Buildings have now become a Discretionary Use. This change moves away from an efficient process to one which is cumbersome on both the Applicant and Administration.

Administration recommends that Accessory Buildings be removed from the definition of Redevelopment and requests Council proceed with first reading of Bylaw 3357/II-2018 (Appendix C).

City Manager Comments

This is a housekeeping amendment and I support the recommendation of Administration. If first reading of Bylaw 3357/II-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Craig Curtis
City Manager

Proposed Resolution

That Bylaw 3357/II-2018 be read a first time.

Rationale for Recommendations

1. **Does not affect the intent of the Mature Neighbourhood Overlay District.** The standards in section 7.14 are still applicable to the Redevelopment of Principal Buildings. Accessory Building regulations are contained elsewhere in the bylaw and ensure the design and character of neighbourhoods is maintained.
2. **Keeps business functions at status quo.** Inspections and Licensing has been processing Development Permits for Accessory Buildings as a Permitted Use since 2015.
3. **Ensures an efficient process for citizens.** Accessory Building applications have always been a simple process for citizens. The structures are typically pre-fabricated packages purchased from home improvement centers.

Discussion

Land Use Bylaw

The LUB requires any person(s) to obtain a Development Permit for the construction of an Accessory Building, which could be a detached garage, shed, shop, etc. Until recently a Development Permit for such was a Permitted Use provided it required no variances. With the recent changes to Section 7.14 of the LUB a Development Permit is now a Discretionary Use.

Redevelopment is defined as:

“the construction of a new Principal Building, Accessory Building(s) with a Floor Area of 22.0 m² or more, and/or structural additions to the front or side of a Principal Building that are wholly or partially visible from the Street on Sites that have existing uses and/or Buildings and includes the construction of a new Principal Building and/or Accessory Building(s) on Sites that are vacant or underutilized.”

The Redevelopment regulations are important to ensure structures in mature neighbourhoods are compatible within the existing street context. As a Discretionary Use it ensures a fair and consistent approach to Redevelopment.

Accessory Buildings should not be considered as Redevelopment. An Accessory Building in a residential district is typically a small storage shed or a detached garage. The majority of detached garages that are processed are a typical size of 45 m² or slightly larger, have a peaked roof, and are constructed to be compatible with the existing Detached Dwelling on the site. Section 3.5(5) of the LUB requires the following:

“Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.”

The above regulation ensures that an Accessory Building compliments the existing Development on the Site, which aligns with the intent of the Redevelopment regulations. The regulation was created when the Waskasoo Neighbourhood Plan was being developed and it

was deemed appropriate for the regulation to apply to Accessory Buildings in all neighbourhoods.

Administrative Process

Inspections & Licensing is a customer service focused department and strives to provide services to citizens in the most efficient way. The change for Accessory Buildings from a Permitted Use to a Discretionary Use is a step backwards from an efficient process.

As a Permitted Use, a Development Permit for an Accessory Building takes approximately one week for Administration to process and costs a citizen \$93. As a Discretionary Use, a Development Permit takes approximately 4 weeks to process and costs a citizen \$167.45.

Appendices

- Appendix A: *Land Use Bylaw Section 7.14 – Mature Neighbourhood Overlay District*
- Appendix B: *Land Use Bylaw Section 3.5 – Accessory Building Regulations*
- Appendix C: *Bylaw 3357/II-2018*

Appendix A

Land Use Bylaw Section 7.14 – Mature Neighbourhood Overlay District

7.14 ⁶⁶Mature Neighbourhood Overlay District

1. General Purpose

The general purpose of this District is to ensure Redevelopment that occurs in mature neighbourhoods is compatible with the existing Development within the Immediate Street Context.

2. Definitions

In this District:

⁶⁷**“Redevelopment”** means the construction of a new Principal Building, Accessory Building(s) with a Floor Area of 22.0 m² or more, and/or structural additions to the front or side of a Principal Building that are wholly or partially visible from the Street on Sites that have existing uses and/or Buildings and includes the construction of a new Principal Building and/or Accessory Building(s) on Sites that are vacant or underutilized.

⁶⁸**Large Scale Redevelopment** means Redevelopment on a Site or a combination of Sites that total 1,398.00 m² or more in area.

⁶⁹**Mixed-Use** means a Development that accommodates a mix of land uses within a single Site while providing a Building form that is Street oriented at Grade. It may refer to different uses combined on the same Site or within the same Building. An example would be a Building that stacks residential uses above ground floor commercial uses.

⁷⁰**Sidewalk** means a public infrastructure pedestrian walkway system that is built to The City of Red Deer Engineering construction contract specifications.

⁷¹**Walkway** means an on-site private infrastructure system of pedestrian walkways intended to provide access to and within the Site.

3. Application

- (a) ⁷²The regulations in this District apply to all Redevelopment applications located in the Mature Neighbourhood Overlay District (shown on the Land Use Constraints Maps J15, J16, J17, J19, J20, K15, K16, K17, K18, K19, K20, K21, L13, L14, L16, L17, L18, L19, L20, L21, M10, M11, M12, M13, M15, M16, M17, M18, M19, M20, N10, N11, N12,

⁶⁶ 3357/A-2016

⁶⁷ 3357/C-2018

⁶⁸ 3357/C-2018

⁶⁹ 3357/C-2018

⁷⁰ 3357/C-2018

⁷¹ 3357/C-2018

⁷² 3357/E-2018, 3357/C-2018

N13, N14, N15, N16, N17, N18, O12, O13, O14, O15, O16, O17, O18, P11, P12, P13, P14, P15, Q11, Q12, Q13, Q14, Q15, R14, R15, S15).

- (b) Character Statements are incorporated into a form part of this bylaw for the purpose of this District, and the design elements within the applicable Character Statement shall apply to all Redevelopment or subdivision within this District.
- (c) Where the regulations in the underlying District contradict or will not serve to achieve the design elements contained in the applicable Character Statement, the Character Statement design elements shall prevail.
- (d) ⁷³Where the regulations in this section contradict or will not serve to achieve the regulations contained within Section 7.7 Mature Neighbourhood Parkvale Overlay District, Section 7.7 Mature Neighbourhood Parkvale Overlay District regulations shall prevail.

4. Discretionary Use

All applications for the Redevelopment of a listed use within the underlying District shall be considered a Discretionary Use.

5. Regulations for All Redevelopment

The Development Authority shall have the authority to impose conditions that require the Redevelopment to conform to a higher standard than required by the applicable regulations, including the design elements contained within a Character Statement, for any Redevelopment.

- (a) ⁷⁴All residential and Mixed-Use Redevelopment shall be compatible with existing Principal Buildings in terms of the scale and form within the Immediate Street Context. Redevelopment must not overwhelm or overshadow Principal Buildings and is required to comply with the following considerations:
 - (i) **Building Height:** Redevelopment shall be within one (1) to two (2) storeys of existing Buildings within the Immediate Street Context.
 - (ii) **Window Placement:** Windows shall be designed to protect privacy for adjacent residential uses. Staggered windows, the use of translucent glass or glass blocks and angled bay windows are examples of sensitive window placement.
 - (iii) **Front Yard Setback:** The Front Yard setback shall be within 1.20 m of the existing Front Yard setback of adjacent Sites or within the average of the existing Front Yard setback of the Principal Buildings in the Immediate Street Context.
 - (iv) **Access:** Doors, Decks, balconies, Patios, and other similar access points that are located on the side of a Building shall be at Grade or less than 1.00 m above Grade. Where privacy may be compromised, fencing, screening, and landscaping shall be used to create privacy between uses.

⁷³ 3357/C-2018

⁷⁴ 3357/C-2018

- (v) **Rear Yard Setback:** The Rear Yard setback shall be designed to minimize overlook into the Rear Yard. Where privacy is compromised, fencing, screening and landscaping shall be used to create privacy between uses.
- (b) Where the primary entrance does not face onto the Frontage of the Site, the route from the Frontage to the primary entrance shall be clearly defined through the use of Walkways, landscaping, porch features, lighting, and/or other wayfinding designs.
- (c) To minimize Sidewalk interruptions, curb cuts shall be minimized by requiring rear vehicular access where adequate vehicle access is available from the rear lane, as determined by the Development Authority.
- (d) The continuation of Sidewalks should be maintained by minimizing curb cuts for front vehicular access.
- (e) For Large Scale Redevelopment, the following requirements apply:
 - (i) Hard surfaced Walkways shall be provided to allow for internal pedestrian movement and connectivity.
 - (ii) Walkways should be provided across the full width of all Building elevation(s) which have public entrances to improve pedestrian access to the Buildings.
 - (iii) Wheel stops shall be required for all parking spaces adjacent to a Walkway or in front of a Building and shall be setback a sufficient distance to prevent vehicles from projecting over the Walkway. This requirement is not applicable where the Walkway exceeds The City's minimum width requirement for Sidewalks and vehicle overhang would still allow for at least 1.20 m of clear width.
 - (iv) Walkways shall be free of any obstructions and/or architectural features that would impede pedestrian movements and doors providing access to Buildings and/or bays will not swing out into the Walkway.
 - (v) To provide barrier-free access, curb ramps shall be installed at the corner of any intersection which connects to an existing or planned Sidewalk or Walkway.
 - (vi) Where pedestrian crossing points are required to connect individual Walkways over a Driveway or vehicle maneuvering aisle, the width of the crossing shall be kept as narrow as possible and will be marked through painting or use of materials that are different than the material of the road surface to clearly delineate the location of the Walkway.
 - (vii) The Development Authority may exercise discretion and vary, relax or waive any or all of the requirements listed in this section if the intent of the requirements have been otherwise achieved.
- (f) Existing trees and shrubs must be marked on landscaping plans and should be maintained. Mature trees that are required to be removed to accommodate

Redevelopment should be replaced with trees that are appropriate for the location in terms of size and species.

- (g) Publically owned trees and shrubs shall not be removed to facilitate the construction of a Redevelopment project, unless approved by the Development Authority.

⁷⁵APPENDIX A: Woodlea Character Statements

The following Character Statements form part of The City of Red Deer Land Use Bylaw 3357/2006 Appendix A under Land Use Bylaw amendment 3357/E-2018. (Adopted March 19, 2018)

⁷⁵ 3357/E-2018

Appendix B

Land Use Bylaw Section 3.5 – Accessory Building Regulations

City of Red Deer Land Use Bylaw 3357/2006

3.4 DELETED

3.5 Accessory Building Regulations

- (1) An accessory building:
- (a) shall not be erected or placed on the rear yard of a site closer to the side boundary which is a common boundary with a street than the minimum side yard for the site; and
 - (b) may not be erected or placed over a gas line if the accessory building is on a permanent foundation.
- (2) ²No Accessory Building or Buildings designed or intended to be used for a workshop shall be erected on a Site in a C1 District or the Riverlands Districts if the ground floor area of such Accessory Building or Buildings exceeds 40% of the ground floor area of the Principal Building on the Site.
- (3) Where an accessory building is allowed to be located over a sewer or water line it shall be a condition of such approval that:
- (h) the owner provides at his expense an agreement registered by caveat on the title to the site, releasing The City from, and agreeing to indemnify The City for, any damage to such service lines or buildings on or adjacent to the site, and
 - (i) an accessory building shall not enclose the service valves or shut off valves of that line.
- (4) A private garage, or carport, in addition to the other provisions of this section and section 3.11 shall comply with the following:
- (a) where the vehicle entrance to the garage or carport face a lane, the building setback shall be either 6.0 m or 0.9 m from the lane, except in those cases where an easement has been placed along the rear property line, in which event the building setback shall be either 6.0 m or the width of the easement plus 0.5 m from the lane,
 - (b) where the vehicle entrance to the garage or carport face the side boundary of the site which is not a common boundary with a street, the building shall be not less than 6.0 m from the side boundary which the entrance faces. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,

¹ 3357/B-2018

² 3357/Q-2016

City of Red Deer Land Use Bylaw 3357/2006

- (c) where the vehicle entrance to the garage or carport face the side boundary of the site which is a common boundary with the street, the building shall be not less than 6.0 m from the nearest edge of the sidewalk abutting such side boundary and where there is no sidewalk, not less than 2.4 m from such side boundary of the site. If there is an easement, the building setback at its closest point shall be the width of the easement plus 0.5 m from the lane,
- (d) notwithstanding section 3.5(4)(a),(b), and (c), a garage which is within the following tolerances of the requirements therein stated shall be deemed to comply with those subsections namely: The distance: not less than 90% or more than 10% of the required distance, provided the garage does not encroach on an easement.
- (5) 'Accessory Buildings in all Residential Districts and Riverlands Districts shall be similar to, and complement, the Principal Building in exterior material, colour, and appearance.

¹ 3357/A-2016, 3357/Q-2016

DATE: August 23, 2018
TO: Beth McLachlan, Development Officer
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Land Use Bylaw Amendment - 3357/II-2018
Mature Neighbourhood Overlay District

Reference Report:

Legislative Services, dated July 30, 2018

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave second and third reading to the following bylaw:

Bylaw 3357/II-2018 (an amendment to the Land Use Bylaw to remove Accessory Buildings from the definition of Redevelopment)

Report back to Council:

No.

Comments/Further Action:

This office will amend the bylaw and distribute copies in due course.



Frieda McDougall
Manager

- c. Manager of Planning
Director of Planning Services
Corporate Meeting Administrator



July 30, 2018

Proposed Land Use Bylaw Amendment 3357/EE-2018 to update Medical Marihuana Facility term to Cannabis Production Facility (CPF)
Consideration of Second and Third Reading of the Bylaw

Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Monday, July 23, 2018 Regular City Council meeting.

Recommendation:

That Council consider second and third reading of Bylaw 3357/EE-2018.

Background:

At the Monday, July 23, 2018 Council gave first reading to Bylaw 3357/EE-2018 – an amendment to the Land Use Bylaw to replace the definition of a ‘Medical Marihuana Facility’ with the definition of a ‘Cannabis Production Facility’.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on July 27 and August 3, 2018. A Public Hearing will be held on Monday, August 20, 2018 at 6:00 p.m. during Council’s regular meeting.

Proposed Resolution:

That Bylaw 3357/EE-2018 be read a second and third time.



Originally Submitted to the July 23, 2018
Council Meeting.

July 9, 2018

Proposed Land Use Bylaw Amendment 3357/EE-2018 to update Medical Marihuana Facility term to Cannabis Production Facility (CPF)

Administration Report

Report Summary & Recommendation:

Administration is requesting an amendment to the Land Use Bylaw to update the definition of Medical Marihuana Facility to reflect Cannabis Legalization.

Administration recommends that Council replace the definition of a 'Medical Marihuana Facility' with the definition of a 'Cannabis Production Facility'.

City Manager Comments:

I support the recommendation of Administration. If first reading of Bylaw 3357/EE-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Craig Curtis
City Manager

Proposed Resolution

That Bylaw 3357/EE-2018 be read a first time.



Report Details

Rationale for Recommendation:

The following provides the planning rationale for supporting a new definition for Cannabis Production Facility:

The new definition provides clarity –Cannabis Legalization is reflected in the new definition and no longer limited to medical cannabis.

Discussion:

Administration is proposing a new definition for Cannabis to respond to the current changing Cannabis Legislation situation.

Definition Change of Medical Marihuana Facility to Cannabis Production Facility

Administration is removing the existing definition for 'Medical Marihuana Facility' and replacing with a definition for 'Cannabis Production Facility' to reflect changes in Federal legislation and updating the terminology to reflect the language used for Cannabis Retail Sales in the Land Use Bylaw, and the provincial and federal terminology of Cannabis as opposed to Marihuana. These Cannabis Production Facilities are permitted to produce product for the Medical Marihuana market as well as for the Recreational Cannabis market upon legalization.

Therefore, Cannabis Production Facility is a more appropriate term to use to identify a facility which can produce product for both markets.

Dialogue

All concerns/comments provided by departments have been reviewed and considered by the Planning Department.

Attachments

Attachment A: Bylaw 3357/EE-2018 - Definition of Cannabis Production Facility (CPF)

Attachment A:

Bylaw 3357/EE-2018

Definition of Cannabis Production Facility (CPF)

BYLAW NO. 3357/EE - 2018

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

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

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

1. Section **1.3 Definitions** is amended by **deleting** the Definition for 'Medical Marihuana Facility'.
2. Section **1.3 Definitions** is amended by **adding** the Definition for 'Cannabis Production Facility' as follows after the definition for 'campground' :

Cannabis Production Facility (CPF) means any building in which commercial activities permitted by federal legislation may be conducted, such as the growing, production, labeling, packaging, storing and transporting of cannabis, but excludes the growing of cannabis by an individual for their personal use and consumption; and excludes Cannabis Retail Sales.

READ A FIRST TIME IN OPEN COUNCIL this day of 2018.

READ A SECOND TIME IN OPEN COUNCIL this day of 2018.

READ A THIRD TIME IN OPEN COUNCIL this day of 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2018.

MAYOR

CITY CLERK

FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018
TO: Randa James, Senior Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: Proposed Land Use Bylaw Amendment 3357/EE-2018 to update Medical Marihuana Facility term to Cannabis Production Facility (CPF)

Reference Report:

Legislative Services, dated July 30, 2018

Bylaw Reading:

At the Monday, August 20, 2018 Regular Council Meeting, Council gave second and third reading to the following bylaw:

Bylaw 3357/EE-2018 (an amendment to the Land Use Bylaw to replace the definition of a 'Medical Marihuana Facility' with the definition of a 'Cannabis Production Facility')

Report back to Council:

No.

Comments/Further Action:

This office will amend the bylaw and distribute copies in due course.

A handwritten signature in blue ink that reads 'Frieda McDougall'.

Frieda McDougall
Manager

- c. Manager of Planning
Director of Planning Services
Corporate Meeting Administrator



July 30, 2018

East Hill Major Area Structure Plan Amendment to incorporate the Proposed Clover Valley Multi-Neighbourhood Plan

Bylaw 3499/A-2018

Proposed Coventry Neighbourhood Area Structure Plan

Bylaw 3217/A-2018

Consideration of Second and Third Reading of the Bylaw

Legislative Services

Report Summary & Recommendation:

Summary:

A supplementary report has been provided regarding questions that were raised about a possible cemetery. Also attached is the report being brought forward from the Monday, July 9, 2018 Regular City Council meeting.

Recommendation:

That Council amend bylaw 3217/A-2018 to include a revised Figure 13 and to add the following statement to Section 1.3 CNASP:

Although this area has been used for agricultural purposes and Alberta Culture and Tourism has issued a *Historical Resources Act* (see Appendix 3 – HRA Approval), developers are reminded that under Section 31 of the *Historical Resources Act*, “a person who discovers an historic resource in the course of making an excavation...shall forthwith notify the Minister of the Discovery.” Appendix 3 – HRA Approval contains details on the reporting process.

That Council consider second and third reading of Bylaw 3499/A-2018 and Bylaw 3217/A-2018, as amended.

Background:

At the Monday, July 9, 2018 Council gave first reading to Bylaw 3499/A-2018, an amendment to the East Hill Major Area Structure Plan to incorporate the proposed



Clover Valley Multi-Neighbourhood Plan. Council also gave first reading to Bylaw 3217/A-2018, the proposed Coventry Neighbourhood Area Structure Plan.

In accordance with Section 606 of the Municipal Government Act, this bylaw was required to be advertised for two consecutive weeks. An advertisement was placed in the Red Deer Advocate on July 13 and July 20, 2018. A Public Hearing will be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Proposed Resolution:

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3217/A-2018 by:

- Deleting Figure 13 and replacing it with the revised Figure 13
- Adding to Section 1.3 of the Coventry Neighbourhood Area Structure Plan Context, after the sentence "The CNASP and most of the surrounding land has historically been used for agricultural purposes":

Although this area has been used for agricultural purposes and Alberta Culture and Tourism has issued a *Historical Resources Act* (see Appendix 3 – HRA Approval), developers are reminded that under Section 31 of the *Historical Resources Act*, "a person who discovers an historic resource in the course of making an excavation...shall forthwith notify the Minister of the Discovery." Appendix 3 – HRA Approval contains details on the reporting process.

That Bylaw 3349/A-2018 and Bylaw 3217/A-2018 be read a second and third time.



August 9, 2018

Supplementary Report

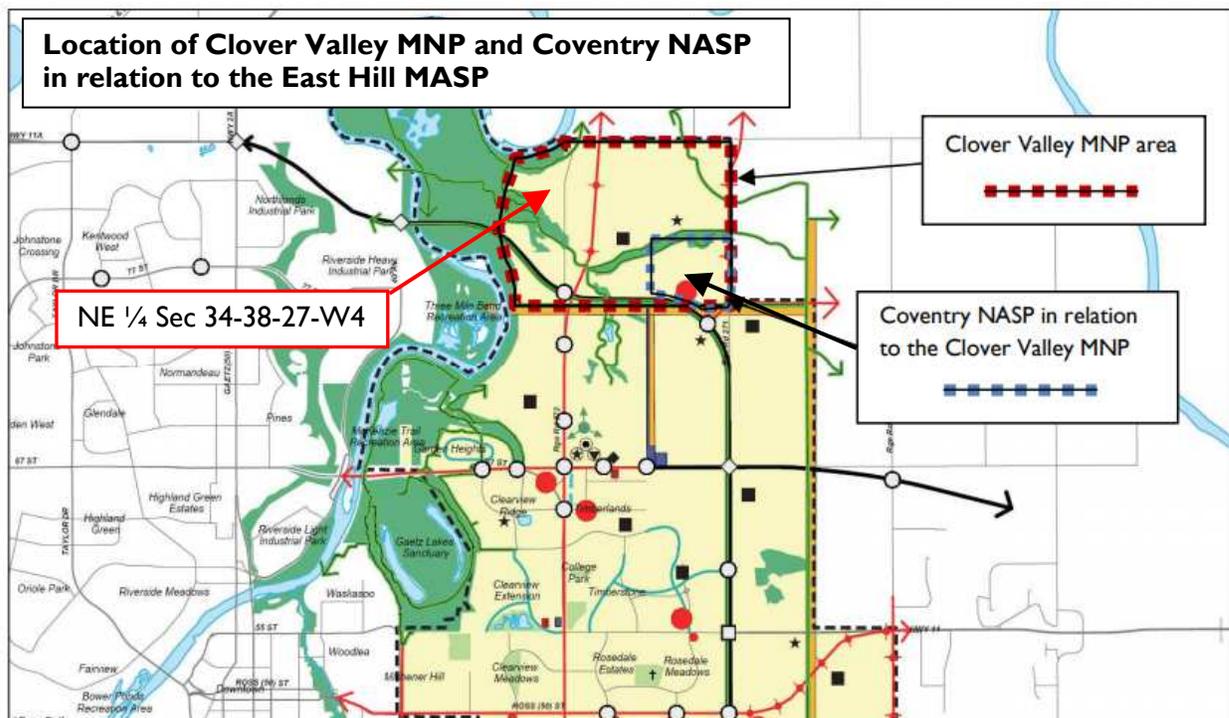
Potential Cemetery in Northeast Red Deer

Coventry NASP and Clover Valley MNP

Legislative Services

Background:

At its July 9, 2018 meeting council, in considering the Coventry NASP and Clover Valley MNP (Multi Neighbourhood Plan), raised questions about a possible cemetery, dating from the late 1800s, which may be located in the Clover Valley MNP area.



City of Red Deer Archives completed a comprehensive search of the archives collection and indicated that there are records showing a family settled in this area in the late 1800s. The records also indicate that two family members may be buried in this area, possibly in the NE 1/4 Sec 34-38-27-W4, but the precise location is unknown. The NE 1/4 Sec 34-38-27-W4 is within the broader Clover Valley MNP area, but not the Coventry NASP area.

Under provincial legislation all statutory plans must be referred to Alberta Culture and Tourism for review under the *Historical Resources Act*. The Coventry NASP was referred to Alberta Culture and Tourism and approval was granted as per the *Historical Resources Act* as shown in Appendix 3 of the

NASP. As individual NASPs are prepared for areas within the Clover Valley MNP they will also be referred to Alberta Culture and Tourism.

This same referral/approval may be required again at the subdivision stage. Subdivision applications are referred to Alberta Culture and Tourism, as per the requirements of the *Historical Resources Act*.

Further, regardless of whether provincial approval has been granted or not, section 31 of the *Historical Resources Act* requires, “a person who discovers an historic resource in the course of making an excavation ... shall forthwith notify the Minister of the discovery.”

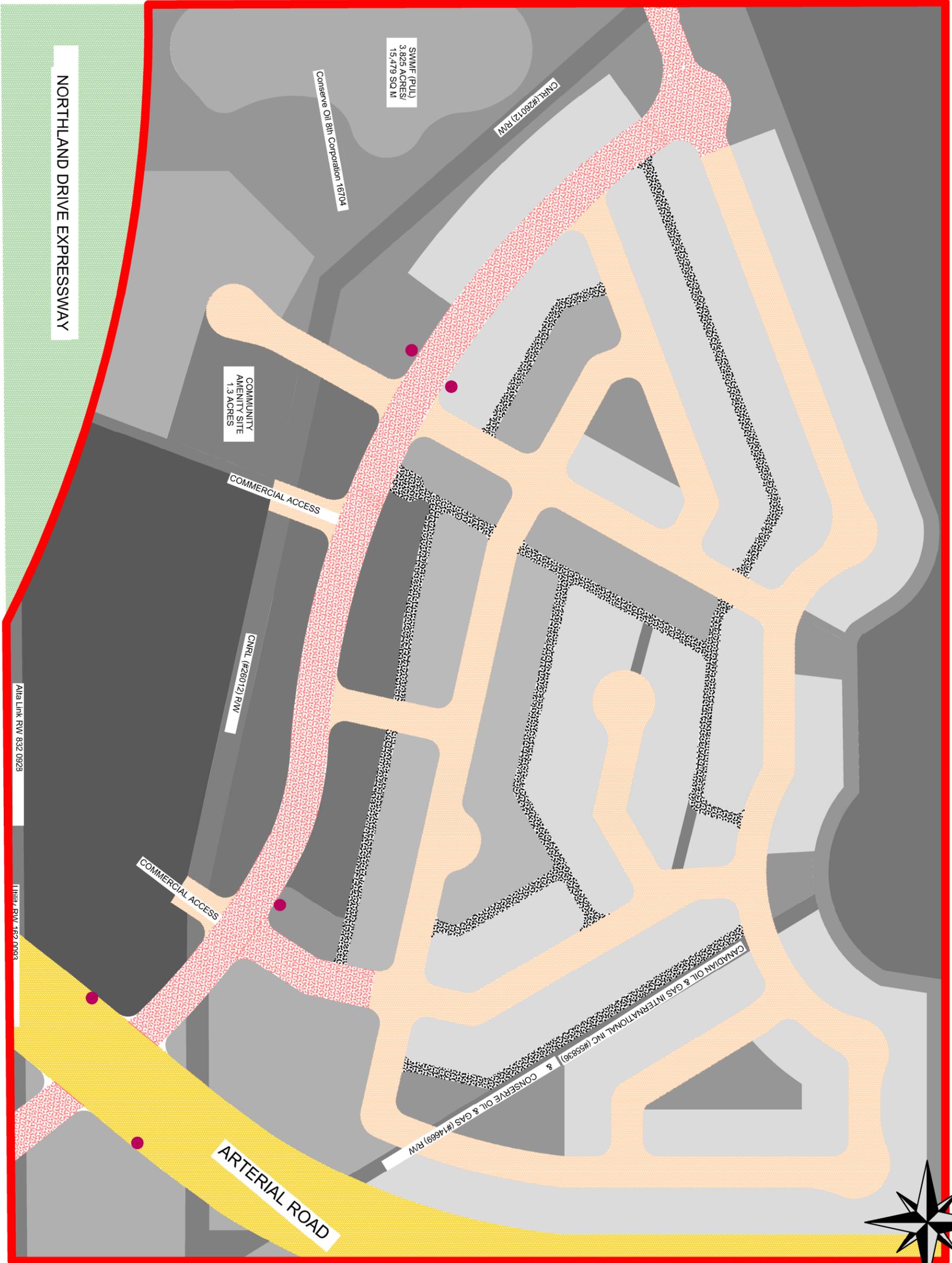
Administration welcomes any information pertaining to this subject and is willing to forward that information to Alberta Culture and Tourism.

Recommendation

In light of the above Administration recommends that prior to the Public Hearing and consideration of Second and Third Reading, Council amend Bylaw 3217/A-2018 Coventry NASP to add the following statement in Section 1.3. CNASP Context, after the sentence, “The CNASP and most of the surrounding land has historically been used for agricultural purposes.”:

Although this area has been used for agricultural purposes and Alberta Culture and Tourism has issued a *Historical Resources Act* approval (see Appendix 3 – HRA Approval), developers are reminded that under Section 31 of the *Historical Resources Act*, “a person who discovers an historic resource in the course of making an excavation ... shall forthwith notify the Minister of the discovery.” Appendix 3 – HRA Approval contains details on the reporting process.

REVISED MAP



NORTHLAND DRIVE EXPRESSWAY

COMMUNITY AMENITY SITE
1.3 ACRES

COMMERCIAL ACCESS

CNRL (#28012) R/W

COMMERCIAL ACCESS

ARTERIAL ROAD

Alta Link R/W 832 0928

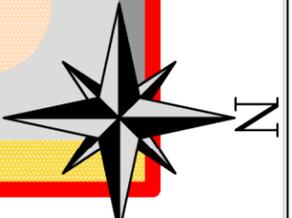
Initial R/W 462 0063

SWMF (PUL)
3,825 ACRES/
15,479 SQ. M

Conserve Oil 8th Corporation 16704

CNRL (#28012) R/W

CANADIAN OIL & GAS INTERNATIONAL INC (#58398) & CONSERVE OIL & GAS (#14669) R/W



Coventry
1625185 Alberta Ltd
PLAN SHOWING
Road Plan

AFFECTING
Ptn. of 35-38-27 W4M

SCALE: 1:2500

METRIC
ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

- Legend**
- Potential Transit Stops - ●
 - Lanes (7m) - [Pattern]
 - Local (20m) - [Pattern]
 - Collector (24m) - [Pattern]
 - Arterial (60m) - [Pattern]
 - Express Way - [Pattern]
 - Subject Property - [Pattern]

Figure 13

DRAWN BY	DATE	FILE NO.
A. WINKLER	JUN 07/18	P 531-04
CHECKED BY	DATE	
R. POTRIE	JUN 07/18	

Planning Protocol 3 Inc.
2922 3rd Ave NE
Calgary Alberta T2A 6T7
Phone: (403) 230-5522
Fax: (403) 230-0335
Email: rod@planningprotocol2.com
Url: www.planningprotocol2.com

**East Hill Major Area Structure Plan
Bylaw 3499/A-2018 and Coventry
Neighbourhood Area Structure
Plan Bylaw 3217/A-2018**

Public Comments Received

Amber Senuk

From: David Girardin
Sent: July 26, 2018 1:31 PM
To: Amber Senuk
Cc: Kaitlin Bishop
Subject: FW: Comments for Bylaw 3499/A-2018 east Hill Major Area Structure Plan
Attachments: david giardin letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Amber, we received this email and letter from Larry & Valerie Larratt about the Clover Valley MNP. Could you please include it in the Council Package for the public hearing.

Thank you,

David Girardin RPP, MCIP
 Major Projects Planner
 The City of Red Deer

403.406.8707
david.girardin@reddeer.ca

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

From: ratpack1 [<mailto:ratpack1@reddeer.ca>]
Sent: July 26, 2018 1:07 PM
To: David Girardin; Emily.damberger@reddeer.ca
Cc: MayorMailbox
Subject: Comments for Bylaw 3499/A-2018 east Hill Major Area Structure Plan

Hello David, Emily, and Mayor Veer,

I am submitting this for your consideration concerning Bylaw 3499/A-2018 East Hill Major Area Structure Plan, Clover Valley Multi-Neighborhood Plan.

I live to the N.W. corner of Evergreen, directly of above mentioned area.

On March 13, 2017, I received correspondence from the City of Red Deer, that it was re-evaluating it's Northland Drive alignments, land requirements, etc. , and was withdrawing from pursuing any land acquisition from us.

For many years this road alignment through our property has created a major cloud on our ability to do anything with our property, except holding it for the City's possible future usage. I am therefore extremely reluctant to see another City Plan go through which will further disrupt our property usage.

On July 11, 2017, I submitted comments to david.giardin@reddeer.ca (I have attached a copy of the submission) as requested for the on-line virtual open house.

I misspelled the email address, but as it was not bounced back to me, I believed it delivered. I was therefore surprised to not see my comments included in the July 9, 2018 council minutes; and council voting first reading based on incomplete information.

This was my error, please consider this fresh submission along with my attached submission to David Girardin from last year, for your August 20, 2018 council meeting for the East Hill Major Area Structure Plan.

Thank you

Larry and Valerie Larratt

TELUS

Clover Valley Multi-neighborhood Plan

From : ratpack1

Tue, Jul 11, 2017 11:21 AM

Subject : Clover Valley Multi-neighborhood Plan**To :** david giardin
<david.giardin@reddeer.ca>**Cc :**

Hello David:

My name is Larry Larratt and I live in the parcel on the . corner of Evergreen , directly of and to the Clover Valley plan.

My concerns are primarily in regards to the 30th avenue / Northland Drive approaches to the Clover valley Plan.

From the diagrams in the on-line materials, the approaches / road plan appears to go directly through the house in which myself and my family live

My questions are twofold ---

1 -- It was my understanding that this road plan was going to be modified / eliminated if the City has abandoned it's previous intent to acquire my property, but these published diagrams do not reflect any changes to the above mentioned road plans;

are they to be changed , or ??????. If the road plans change , then your on-line diagrams / plans are inaccurate / invalid. If the road plans change , we need to be informed of the changes.

2 -- If they are going to remain , will there be any efforts / discussions to eliminate negative impacts to us ???

Thank you David

Larry and Valerie Larratt

July 27/18

To whom it may concern,

I am the owner of the land. I would like to remain living here. I am a senior but I like to garden & have my pets. My land has good soil with lots of black soil. I wish it could remain farm land as long as I can live here.

Yours Truly

Bertha Lawrence



Originally Submitted to the July 9, 2018
Council Meeting.

May 29, 2018

East Hill MASP Amendment to Incorporate the Proposed Clover Valley MNP - Bylaw 3499/A-2018

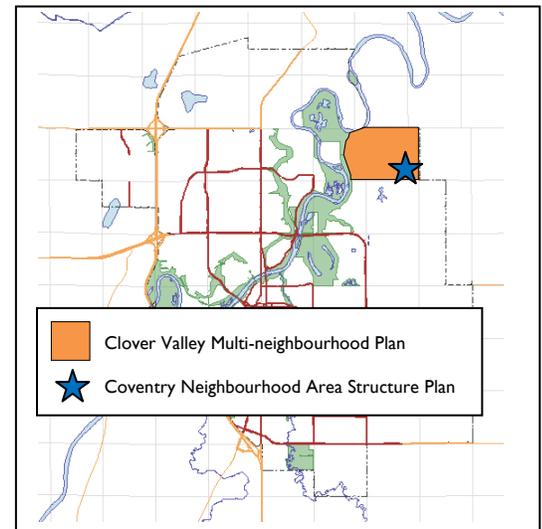
Proposed Coventry NASP - Bylaw 3217/A-2018

Planning Department

Report Summary & Recommendation:

The Planning Department has received an application for a new Neighbourhood Area Structure Plan (NASP) in the northeast of Red Deer. The applicant has worked closely with city administration to implement the *Neighbourhood Planning and Design Guidelines* and has put forward the *Coventry Neighbourhood Area Structure Plan*. The NASP is for a ±45 hectares area in the SE quarter of 35-38-27 which is located on the north side of future Northlands Drive Expressway where the road turns southward into future 20 Avenue (currently Range Road 271).

The *East Hill MASP* states that a multi-neighbourhood plan shall be adopted concurrently with the first neighbourhood area structure plan for a section of land. City administration has worked with the land owners to develop the *Clover Valley Multi-Neighbourhood Plan*. The Planning department is proposing this plan be concurrently amended into the *East Hill Major Area Structure Plan (MASP)*.



The proposed plans are consistent with The City's statutory documentation and development standards. The Planning Department recommends Council support Bylaw 3499/A-2018 to amend the *East Hill Major Area Structure Plan* to incorporate the *Clover Valley Multi-Neighbourhood Plan* and Bylaw 3217/A-2018 to adopt the *Coventry Neighbourhood Area Structure Plan*.

City Manager Comments:

I support the recommendation of Administration. If first reading of Bylaw 3499/A-2018 and Bylaw 3217/A-2018 is given, a Public Hearing would be advertised for two consecutive weeks and would be held on Monday, August 20, 2018 at 6:00 p.m. during Council's regular meeting.

Craig Curtis
City Manager



Proposed Resolution:

That Bylaw 3499/A-2018 and Bylaw 3217/A-2018 be read a first time.

Rational for Recommendation:

The following provides the planning rational for supporting the amendment to the East Hill MASP and adoption of the Coventry NASP.

1. They conform to provincial regulations and guidelines.

The proposed conform to the Area Structure Plan requirements listed in the *Municipal Government Act*.

2. They are consistent with The City's statutory documentation.

The proposed *Clover Valley Multi-neighbourhood Plan (MNP)* and the propose *Coventry Neighbourhood Area Structure Plan (NASP)* are consistent with the *Municipal Development Plan (MDP)* and the *East Hill Major Area Structure Plan (MASP)*.

3. They successfully incorporate the Neighbourhood Planning and Design Standards.

The proposed plans incorporate the nine Council approved planning principals and the associated standards as defined in the *Neighbourhood Planning and Design Standards (NPDS)*. The principles are intended to inform multi-neighbourhood plans and subsequent neighbourhood area structure plans to create communities which are sustainable, walkable, vibrant, safe, social, and livable.

The *Neighbourhood Planning Principles* are:

1. Natural Areas
2. Mixed Land Uses
3. Multi-Modal Choice and Connectivity
4. Compact Urban Form and Density
5. Integrated Parks and Community Spaces
6. Housing Opportunity and Choice
7. Resilient and Low Impact Neighbourhoods
8. Safe Neighbourhoods
9. Unique Neighbourhoods Identity

4. They conform to The City of Red Deer bylaws, standards, and planning tools.

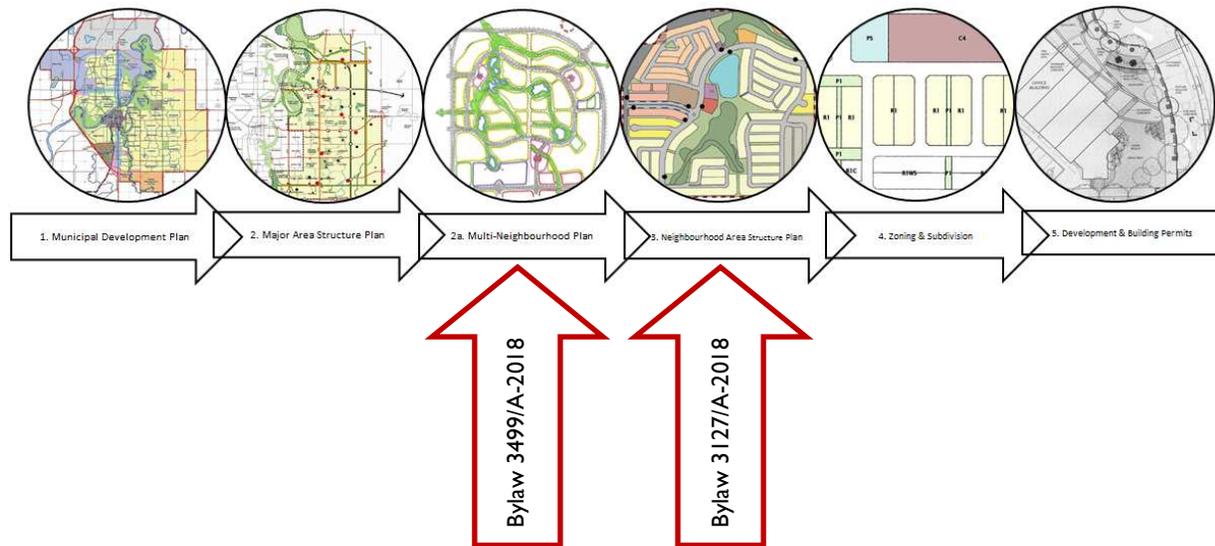
The proposed bylaws conform to *The River Valley and Tributaries Park Concept Plan*, planning tool, which outlines the preservation of the water course and associated riparian areas. The plans are also consistent with the existing *Land Use Bylaw* and the *Engineering Design Guidelines*.



Discussion:

Background

The proposed bylaws are informed by various statutory documents and planning tools, including the *Municipal Development Plan (MDP)*, the *East Hill Major Area Structure Plan (MASP)*, the proposed *Clover Valley Multi-Neighbourhood Plan (MNP)*, the *Neighbourhood Planning and Design Standards*, and *The River Valley and Tributaries Parks Concept Plan*.

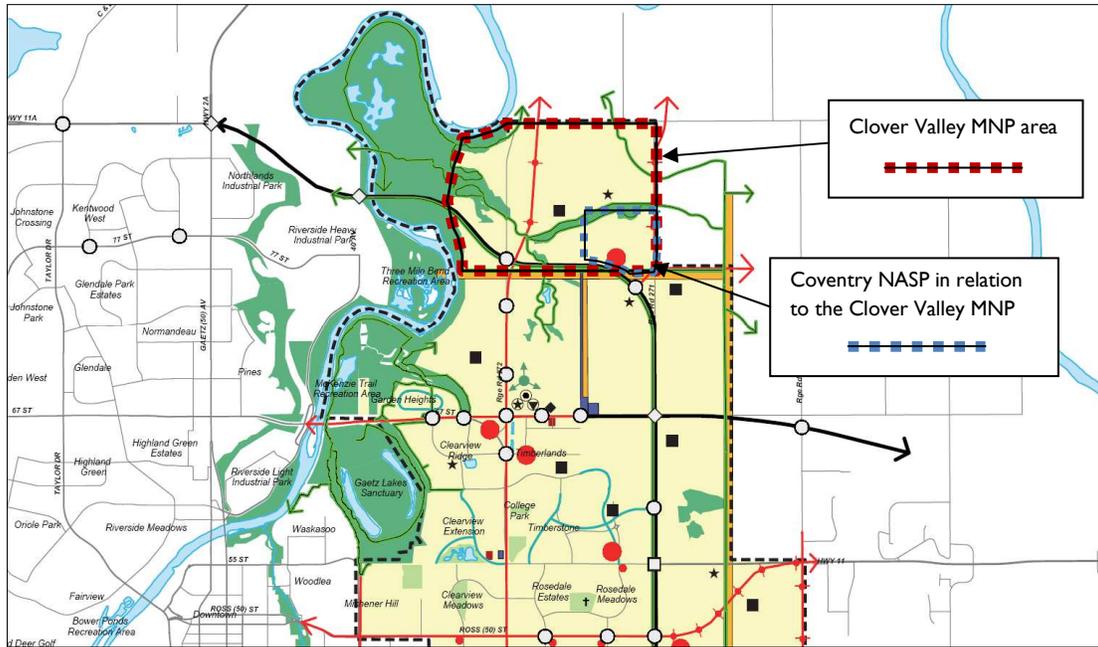


Amendment to the East Hill Major Area Structure Plan to incorporate The Clover Valley Multi-Neighbourhood Plan – Proposed Bylaw 3499/A-2018

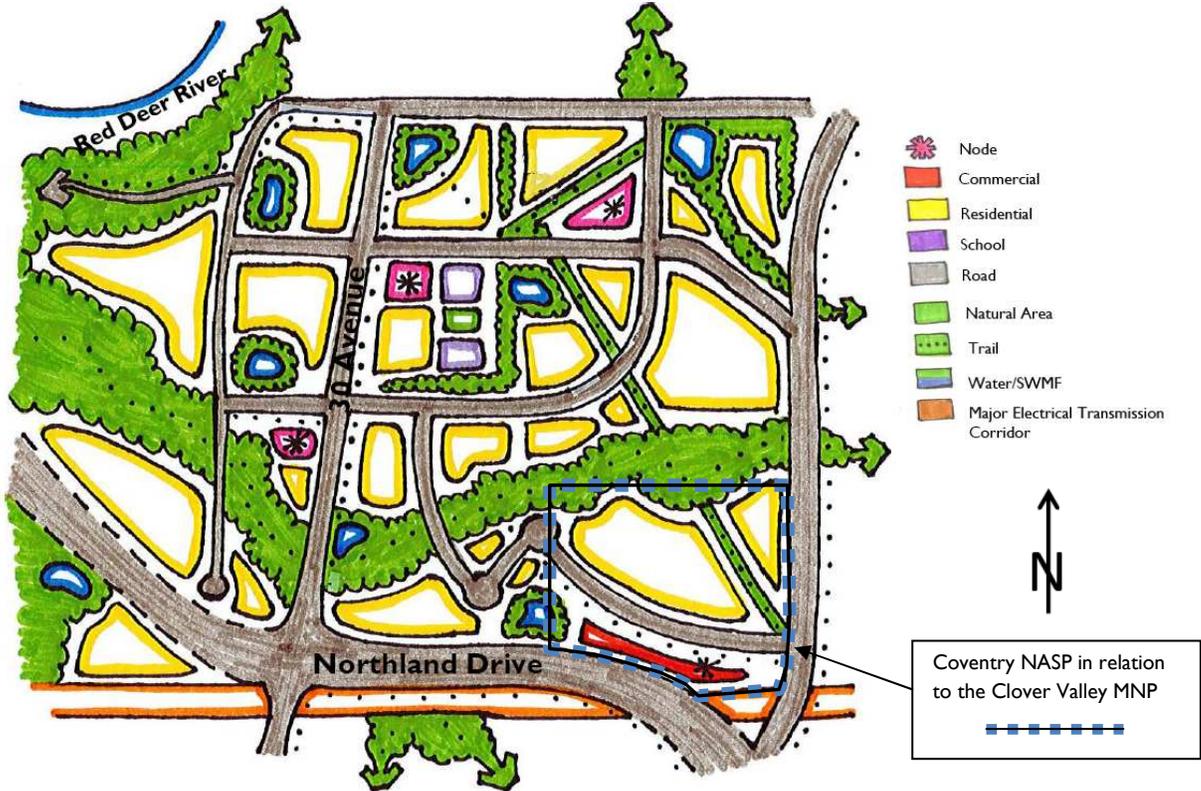
The *East Hill MASP* states that a multi-neighbourhood plan shall be adopted concurrently with the first neighbourhood area structure plan for each section of land. Along with the proposed *Coventry NASP* that is before Council, Administration is concurrently proposing a bylaw to incorporate the *Clover Valley Multi-Neighbourhood Plan* into the *East Hill MASP*.

A multi-neighbourhood plan is a high level conceptual planning document that outlines broad land uses for multiple quarter sections of land. The plan facilitates cohesion between the adjacent quarter sections as they are planned separately. The direction typically focuses on outlining the arterial and collector road patterns, the preservation of natural areas, and broad land uses.

Multi-neighbourhood plans are written to provide land owners some assurance of how the neighbouring land will develop, while maintaining flexibility for the development of NASPs. NASPs may vary in design and layout from the multi-neighbourhood plan if the intent of the overall plan is retained.



Location of the Clover Valley MNP in relation to the East Hill MASP



Clover Valley MNP – Land Use Concept

* For the full detail see Appendix C.



In 2014, landowners worked with City staff to create the *Clover Valley MNP*. The area is comprised of the lands north of the future Northlands Drive Expressway to Township Road 390 and west of Riverbend Recreation Area and the Red Deer River eastward to Range Road 271.

Following the direction of the *East Hill MASP* Generalized Land Use Concept, the *Clover Valley MNP* is predominately designated for future residential development. It also includes two school sites that have been collocated in the northern half of the plan area. The section plan identifies a District Commercial Centre along Northlands Drive that is meant to serve the immediate area and region.

The MNP area is transected by a water course and minor escarpment that will be protected. The area adjacent to the water course will serve as a linear park providing a connection to the Riverbend Recreation Area and to the larger Waskasoo Park network of trails.

The *Clover Valley MNP* outlines key considerations for neighbourhood development. Considerations which are explicitly relevant to the *Coventry NASP* include:

- Retain the ravine that runs through the southern half of the plan area.
- Transition from higher to lower densities away from the nodes.
- Roundabouts or other traffic calming measures should be considered along the collector road to reduce traffic speeds.
- Connect to: the Red Deer River Corridor in the west; to the Regional Trail network in the northeast; to communities in the south through the natural areas; and to the commercial node in the southeast.
- Development adjacent to the ravine shall incorporate appropriate setbacks to protect the existing natural area.
- Incorporate higher density housing in proximity to the defined nodes to improve accessibility to daily needs and create viable transit destinations.
- Incorporate a variety of parks and recreation areas into each neighbourhood.
- Create an interconnected network of off-street pedestrian facilities to provide a strong connection to natural areas, community amenities, and link residents with the nodes.
- Provide opportunities for a diversity of housing types and densities to accommodate a variety of family types and incomes.
- Integrate the regional trail network into the natural corridor.

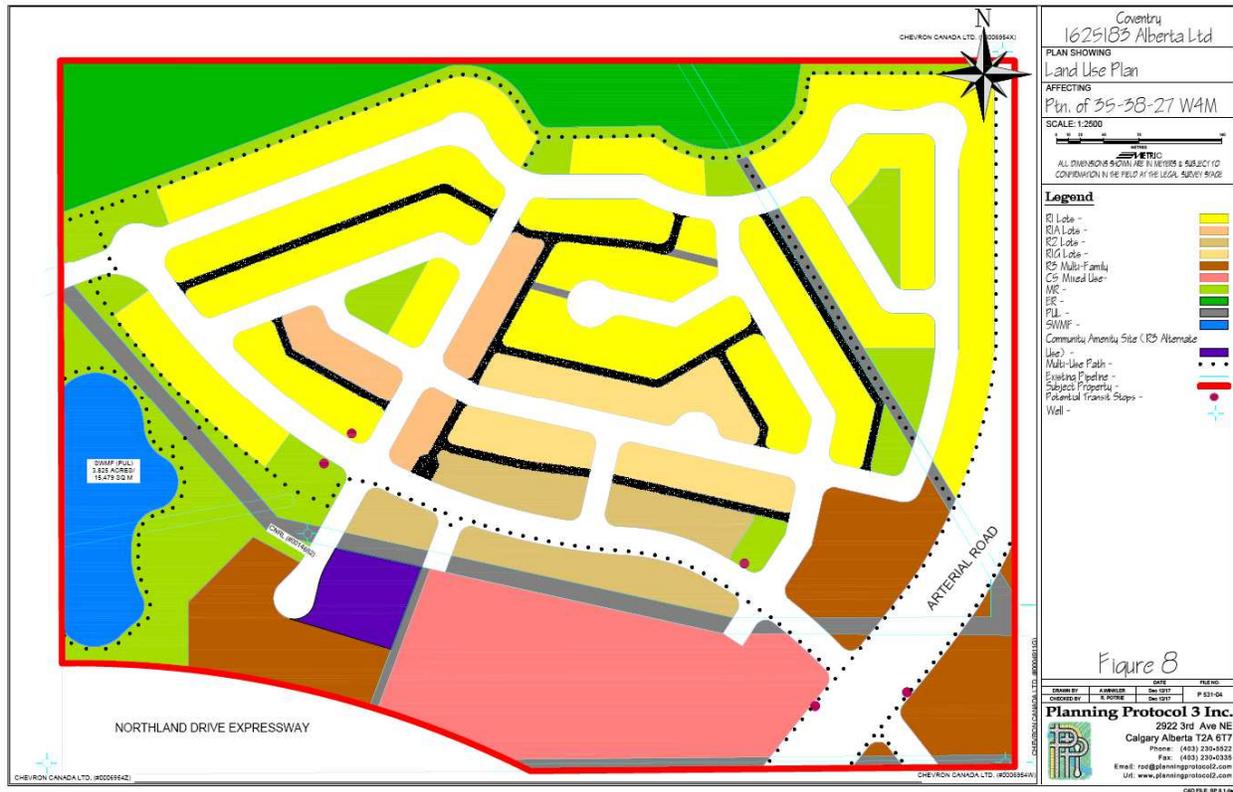
Coventry NASP – Proposed Bylaw 3217/A-2018

The proposed *Coventry NASP* provides the policy framework, land use design, and development objectives for the southern portion of the SE 35-38-27. The Plan envisions an estimated residential population of 1600 people at full build out, with approximately 24,000 m² of commercial floor space. Key highlights include:

- A compact community with a mix of densities and housing types
- A mixed use district commercial services centre
- A prominent natural park space
- An interconnected street network to promote walkability with in the neighbourhood



The plan area has historically been farmed and has also been used for oil and gas development since the late 1950s. The gas well is currently suspended and has not been in production since approximately 1994. A Phase I Environmental Site Assessment (ESA) for the plan area has been completed and has indicated that a Phase II ESA will be required for the area surrounding the wellsite. If contamination is detected, remediation will be required to ensure the land is suitable for development before development can proceed.



Coventry NASP – Land Use Plan

* For the full detail see Appendix D.

Land Use Summary

The proposed Coventry NASP is largely a residential development. The neighbourhood will have 6 different types of zoning that can accommodate residential uses. This will provide a variety of residential housing opportunities to accommodate a range of incomes, demographics, and preferences. The housing stock is made up of

- 42% single detached housing
- 15% semi-detached and medium density housing
- 43% multi-family housing



This mix will benefit the neighbourhood long-term by being more adaptable to peoples' needs as they transition through life, providing the ability to age in place. The average net density of the plan is assumed to be 19.24 du/ha, exceeding the minimum requirement outlined in the MDP of 17 du/ha.

At the heart of the neighbourhood is the mixed use district commercial centre. This area will provide local shopping opportunities within walking distance of all the homes in Coventry, while also catering to the regional commercial services needs for commuters along the future Northlands Drive Expressway. The site is proposed to be zoned C5, which will also provide additional residential opportunities in the form mixed use buildings.

The residential area immediately adjacent to the commercial node provides medium and high density housing, and also including the Community Amenity site. The Community Amenity site will be able to accommodate uses such as a temporary care or assisted living facility, adult or regular day care, or a place of worship. The alternate use for the community amenity site is R3 Residential Multiple Family. The colocation of the commercial district with multiple family housing will provide densities that are supportive of transit and also provide the critical mass to create a vibrant and active neighbourhood.

The proposed NASP has a variety of parks and open spaces, representing 22% of the gross plan area. These spaces are comprised of environmental reserve, parks, public utility lots, and utility right-of-ways. A significant feature of the park space will be the water course along the northern fringes of the plan area. As conceived in the *River Valley and Tributaries Parks Concept Plan*, the plan will accommodate trails along the natural area both eastward and westward eventually providing trail linkages to Riverbend Recreation Area and onward into the The Waskasoo Park System.

Servicing & Phasing

The proposed *Coventry NASP* will be serviced by stormwater, sanitary sewer and potable water distribution. All three systems are intended to tie into future trunk mains along 20th Avenue when they are extended to the NASP area.

The plan area is divided into five development phases. The initial phase of development is centred on the development of the district commercial centre and some of the higher density housing. The first phase also includes the largest neighbourhood parks to ensure that residents have access to park space early in the development. Development will then proceed northward into the areas with lower density housing.

Dialogue

A virtual open house for the Clover Valley MNP and Coventry NASP was hosted on the City's website from June 15, 2017 to July 12, 2017. All relevant documentation along with a discussion paper was posted on the City's website to allow the public the opportunity to review the *Clover Valley MNP* and the *Coventry NASP*. This information was accompanied by instructions on how to provide comments for Council's consideration. In the absence of a formal open house, Planning Staff also offered to meet one-on-one should anyone have additional questions or prefer to discuss their concern in person.

Notices were sent to 35 adjacent landowners (100-meter buffer) and 2 sets of comments were submitted to the planning department in writing. The comment sheets have been attached to this report and have also been summarized below with administrations responses to the inquiries. We did not receive any requests for a one-on-one meeting.



Comment from Open House

Comment	Administrative Response
1. How will access to Range Road 271 be maintained?	<p>Access to residential properties on Range Road 271 northward will remain the same until development continues northward.</p> <p>The portion of Range Road 271 southward will eventually form part of the Northlands Drive Expressway. The detailed design for this project has not yet been completed as it is more than 10 years away. In the short- and mid-term access will remain as-is. In the long term direct access to residential lots will likely occur through the adjacent lands as they develop.</p>
2. How will the residents on the east site of RR271 be impacted? Will there be noise abatement or screening for privacy?	The future Northlands Drive Expressway (currently RR 271) which passes alongside your property has integrated noise mitigation in the form of berms which will be built within the future road right of way.
3. Can you please provide details on the Oil and Gas facilities? I had thought they would be removed and cleaned up.	<p>The oil well is anticipated to be abandoned and the surrounding area can be integrated into the community once the land has been remediated.</p> <p>Some of the pipeline right-of-ways are proposed to be abandoned. These pipes should be removed from the ground prior to development. There are some pipelines that may remain in use. The anticipated ongoing active pipelines and associated constraints have been considered and planned for in the Coventry NASP.</p>
4. Please ensure the intersection alignment along northlands drive is consistent with Option 3 of the Northlands Drive Study.	Explicit text has been added to the draft NASP outlining Option 3 is the alignment was utilized.

Appendices:

- Appendix A – Proposed Bylaw 3499/A-2018 & Clover Valley Multi-neighbourhood Plan
- Appendix B – Proposed Bylaw 3217/A-2018 & Coventry Neighbourhood Area Structure Plan
- Appendix C – Comment Sheets from Open House



Appendix A

Proposed Bylaw 3499/A-2018

The following Bylaw is for an amendment to the East Hill Major Area Structure Plan to incorporate the Cover Valley (Section 35) Multi-neighbourhood Plan.

Proposed Clover Valley Multi-neighbourhood Plan

The following document is the Clover Valley (Section 35) Multi-neighbourhood Plan that is proposed to be amended into the East Hill Major Area Structure Plan.

BYLAW NO. 3499/A-2018

Being a Bylaw to amend Bylaw No. 3499/2013, the bylaw containing The City of Red Deer East Hill Major Area Structure Plan

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

Bylaw no. 3499/2013 is hereby amended as follows:

1. Part 6.11 of Bylaw No. 3499/2013 containing The City of Red Deer East Hill Major Area Structure Plan is hereby amended by adding: "6.11.2 Clover Valley Section 35 Multi-Neighbourhood Plan" attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2018.

READ A SECOND TIME IN OPEN COUNCIL this day of 2018.

READ A THIRD TIME IN OPEN COUNCIL this day of 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2018.

MAYOR

CITY CLERK

Clover Valley

SECTION 35

MULTI-NEIGHBOURHOOD PLAN

Provide opportunities for a diversity of housing types and densities to accommodate a variety of family types and incomes.

Integrate the regional trail network into the natural corridor.

Incorporate a variety of uses and community amenities within the nodes to maximize accessibility.

Retain the treed windrows.

Roundabouts or other traffic calming measures should be considered along the collector road to reduce traffic speeds.

Integrate the storm water features into the design of parks, recreation and community spaces.



Within the northern half of the plan area, integrate a focus on the central node as a community gathering place.

Create four nodes throughout the plan area.

Retain the ravine that runs through the southern half of the plan area.

Transition from higher to lower densities away from the nodes.

Incorporate a variety of parks and recreation areas into each neighbourhood.

Create an interconnected network of off-street pedestrian facilities to provide a strong connection to natural areas, community amenities, and link residents with the nodes.

Incorporate higher density housing in proximity to the defined nodes to improve accessibility to daily needs and create viable transit destinations.

Development adjacent to the ravine shall incorporate appropriate setbacks to protect the existing natural area.

Within the southern half of the plan area, integrate a focus on nature and incorporate this theme into the neighbourhood identity using a thematic design of signage and street furniture.

Connect to: the Red Deer River Corridor in the west; to the Regional Trail network in the northeast; to communities in the south through the natural areas; and to the commercial node in the southeast.

The northernmost node is a vista opportunity.

Co-locate the schools and share the sports fields so existing naturals area can be preserved.

Consider provincial legislation when designing storm water management.



- Node
- Commercial
- Residential
- School
- Road
- Natural Area
- Trail
- Water/SWMP
- Major Electrical Transmission Corridor



September 2016

The purpose of a Multi-Neighbourhood Plan is to establish a high level conceptual plan that achieves the 9 Neighbourhood Planning Principles, identifies synergies, features, and connections, and creates distinct neighbourhood character. A Multi-Neighbourhood Plan outlines broad land uses, including environmental reserve and open space, and arterial and collector road patterns. Neighbourhood area structure plans may vary in design and layout from the Section 35 Multi-Neighbourhood Plan if the intent of the overall multi-neighbourhood plan is retained. The completion of a multi-neighbourhood plan does not mean that the land is development ready. Development readiness will be determined by the sequencing of services of the lands within the overall city servicing context and approval of capital expenditures by Council.



Appendix B

Proposed Bylaw 3217/A-2018

The following Bylaw is to adopt the Coventry Neighbourhood Area Structure Plan.

Proposed Coventry Neighbourhood Area Structure Plan

The following document is the proposed Coventry Neighbourhood Area Structure Plan.

BYLAW NO. 3217/A-2018

Being a Bylaw to amend Bylaw No. 3217/98, the bylaw containing The City of Red Deer Neighbourhood Area Structure Plans.

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

Bylaw no. 3217/98 is hereby amended as follows:

1. Bylaw No. 3217/98 containing the City of Red Deer Neighbourhood Area Structure Plans is hereby amended by adding the new Coventry Neighbourhood Area Structure Plan attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2018.

READ A SECOND TIME IN OPEN COUNCIL this day of 2018.

READ A THIRD TIME IN OPEN COUNCIL this day of 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2018.

MAYOR

CITY CLERK

Coventry Neighbourhood Area Structure Plan

City of Red Deer

35-38-27-W4M

SWMP (FULL)
3.828 ACRES/
15,479 SQ M

CONNECTION ADDRESS

COMMUNITY AMENITY SITE
1.3 ACRES

CONNECTION ADDRESS

CIVIL (66017) ROW 602 210

CONNECTION ADDRESS

ARTERIAL ROAD

Bylaw No.
3217/A-2018

Date of Adoption

NORTHLAND DRIVE EXPRESSWAY

ALTALINK POWER LINE ROW



Planning Protocol 3 Inc.
P: (403)230-5522

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1. Introduction

1.1. Overview

The Coventry Neighbourhood Area Structure Plan (“CNASP”) has been prepared by Planning Protocol 3 Inc. on behalf of 1625183 Alberta Ltd. The CNASP provides a comprehensive land use rationale, based on guiding policy including but not limited to existing statutory plans, Council Policy, Neighbourhood Planning and Design Standards, East Hill Major Area Structure Plan, and the Municipal Development Plan (MDP). Section 633(2) of the MGA states that an Area Structure Plan:

(a) must describe:

- (i) the sequence of development proposed for the area,
- (ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
- (iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
- (iv) the general location of major transportation routes and public utilities, and
- (v) may contain any other matters the council considers necessary.

In 2011, CNASP was acquired by 1625183 Alberta Ltd for the purposes of residential land development. The CNASP has historically been used for agricultural cultivation with limited oil & gas industry presence in the form of underground transmission pipelines and well. The agricultural history of the CNASP will be reflected in the proposed landscaping, park amenities, infrastructure features and other urban design elements outlined in this document. The overall design of the CNASP will feature the following key highlights:

- A compact community with a mix of housing types and higher densities.
- Presence of District Commercial Services.
- Prominent natural open space and recreational features.
- An interconnected street network to promote walkability within the neighbourhood.
- Multiple opportunities for residents to live, work & play.

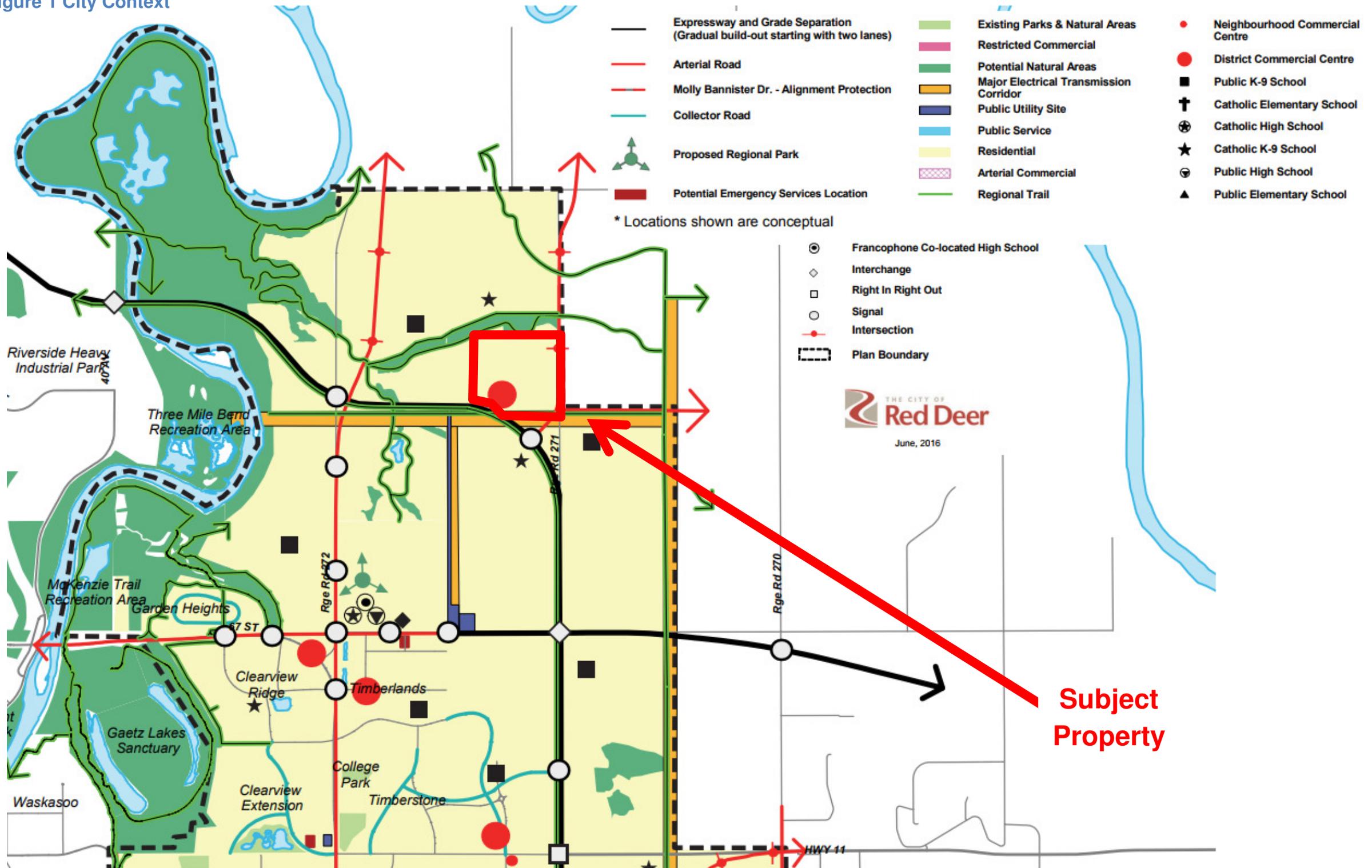
The existing natural area and intermittent seasonal water course to the north will be preserved as part of the CNASP neighbourhood. The north natural area with the seasonal stream will be protected from development impacts and be utilized as both a recreational amenity and trail corridor. Similarly, the existing oil & gas pipelines will provide part of the surface land necessary for another leg of the trail system.

The CNASP will welcome approximately 1600 new people¹ to Red Deer at full build out, with approximately 24,000 m² of commercial floor space. This commercial floor space will be introduced when servicing becomes available with development proceeding in a logical manner. The CNASP will feature several key destinations for residents including a mixed-use commercial/residential area, district commercial services, a regional natural area and parkland containing storm water management facilities (SWMF’s) that also serve as a recreational amenity. Combined with an integrated trail system, residents will have abundant opportunities to live, work & play within The CNASP.

The municipal water, sewer and service infrastructure will need to be extended to service development within the CNASP. The neighbourhood will not be developed until the City deems appropriate timing for extension of services based on the capital budget, Council’s decision for growth sequencing and the development of infrastructure through the SW 35-38-27-W4M and NE 26-38-27-W4M quarters. The CNASP will provide road access for land development that will occur within the southwest of section 35. The planning of new infrastructure will take into account impacts on the environment, particularly from a storm water management perspective.

¹ Based on average of 2.33 residents per unit (Source: City of Red Deer Economic Development Strategy, July 2013, Urbanics Consulting Ltd.) and an anticipated 686 units

Figure 1 City Context



1.2. Planning Context & Conditions

The Coventry Neighbourhood Area Structure Plan (CNASP) aligns with key municipal statutory and non-statutory policy documents affecting land within the City of Red Deer.

1.2.1. Municipal Development Plan

The City of Red Deer Municipal Development Plan (MDP) (Bylaw 3404/A-2013) provides a generalized framework for growth and development within the City over a 25 year period of time. All other statutory plans, such as Major/Neighbourhood Area Structure Plans and Area Redevelopment Plans should be consistent with the goals and policies set out by the MDP. The MDP sets out many policies but the some of the relevant policies of neighbourhood design considerations are:

- Density in new neighbourhoods shall ensure a minimum of 17.0 dwelling units per net developable hectare. (MDP Policy 10.2)
- The City shall continue to require a mix of housing types and forms in all residential neighbourhoods. (MDP Policy 10.3)

(The adoption by a council of a statutory plan does not require the municipality to undertake any of the projects referred to in it. Municipal Government Act s.637)

1.2.2. Intermunicipal Development Plan

- This CNASP will be consistent with the Intermunicipal Development Plan (IMDP) between Red Deer and the County of Red Deer.

1.2.3. East Hill Major Area Structure Plan

The East Hill MASP (Bylaw 3499/C-2016) provides a framework that describes proposed land uses, density of population, sequence of development, general location of major roadways and public utilities within the area. The East Hill MASP includes the majority of east Red Deer, identifying predominantly residential land uses with commercial uses serving the surrounding neighbourhoods. Relevant policies are as follows:

General

- The East Hill MASP shall be implemented through the preparation of neighbourhood area structure plans for all undeveloped land. (See East Hill MASP Section 6.3)

Commercial

- A “District Commercial Centre” is to be located within the CNASP and is described as a local-oriented shopping centre, generally 4-6 hectares (10-15 acres) in size anchored by a grocery store and containing a mix of retail, service, and locally-oriented office uses, and serving as a focal point for multifamily housing and civic uses. The intent is that a district commercial centre be within a ten minute walking distance from the majority of residential dwellings. (See East Hill MASP Section 4.2)

Parks

- A portion of the City regional trail system will span the northern and southern boundary of the CNASP. (See East Hill MASP Section 4.4)

Northland Drive Expressway:

- Detailed design of intersections will include investigation of roundabouts. (See East Hill MASP Section 4.5.4)
- Any construction is subject to approval in the Capital Budget by City Council. (Also see East Hill MASP Section 4.5.4)

Water & Sanitary & Storm Water Servicing:

- Trunks/mains should align with the preliminary designs included within the MASP. (See East Hill MASP Section 5.1-3)

Development Sequencing:

- The CNASP is located within the “Phase 2” area.

1.2.4. Section 35 Multi Neighbourhood Plan

The purpose of a Multi-Neighbourhood Plan (MNP) is to establish a high level conceptual plan that achieves the nine Neighbourhood Planning Principles, identifies key features and creates distinct neighbourhood character. A MNP outlines broad land uses, including environmental reserve, open space, arterial and collector road patterns.

The completion of a MNP does not mean the land is development ready. Development readiness will be determined by the overall city servicing context and approved by the capital expenditures of Council.



 SE35

1.2.5. Neighbourhood Planning & Design Standards

The “Neighbourhood Planning & Design Standards” (NPDS) is a corporate administrative policy that outlines 9 Neighbourhood Planning Principles intend to guide the creation of great neighbourhoods. Neighbourhood Area Structure Plan’s (NASPs) are evaluated against the NPDS using a “performance-based approach” so as to allow for some flexibility in how they satisfy this policy. Various design standards are outlined under each principle. A sample is reflected below:

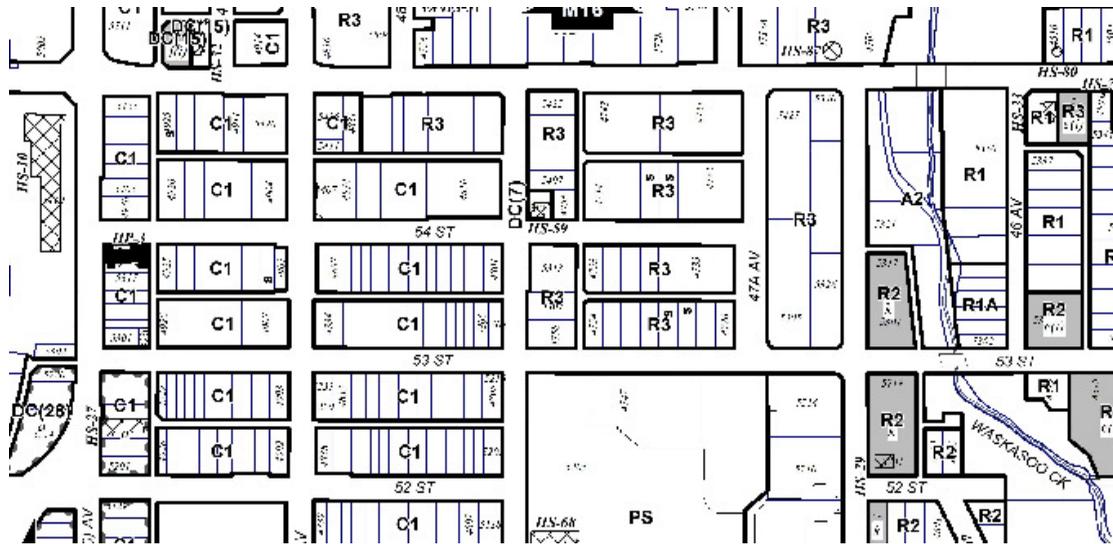
<u>NPDS Principals</u>	<u>How Principle Could Be Achieved</u>	
Natural Areas	<ul style="list-style-type: none"> • Conservation/ restoration and enhancement of natural features including environmentally sensitive and significant areas 	<ul style="list-style-type: none"> • Escarpments or floodplains or other buffer lands
Mixed Land Uses	<ul style="list-style-type: none"> • Type of land uses- mix and integration • Transition between land uses 	<ul style="list-style-type: none"> • Creating nodes of activity • Access to services
Multi Modal Choice	<ul style="list-style-type: none"> • Street & Trail network layout • Connectivity & Design of Streets & Trails 	<ul style="list-style-type: none"> • Parking & Access • Active transportation
Compact Urban Form and Density	<ul style="list-style-type: none"> • Density & Block size • Built form and development types 	<ul style="list-style-type: none"> • Scale and massing of buildings • Transition of density and form within a neighbourhood
Integrated Parks & Community Spaces	<ul style="list-style-type: none"> • Park types, mix, connectivity and integration • Parks amenities and facilities 	<ul style="list-style-type: none"> • Formal/informal social gathering spaces • Active & passive recreation needs and spaces
Housing Opportunity & Choice	<ul style="list-style-type: none"> • Housing types • Housing mix 	<ul style="list-style-type: none"> • Affordable/supported housing
Resilient & Low Impact Neighbourhoods	<ul style="list-style-type: none"> • Low impact development & Green buildings • Urban agriculture & agricultural land preservation 	<ul style="list-style-type: none"> • Storm water management • Energy efficiency
Safe & Secure Neighbourhoods	<ul style="list-style-type: none"> • CPTED (Crime Prevention Through Environmental Design) • Social and community gathering spaces and design 	<ul style="list-style-type: none"> • Traffic calming • Emergency planning • 'Eyes on the street'
Unique Neighbourhood Identity	<ul style="list-style-type: none"> • Integration of existing features & land forms • Preservation of history or heritage features • Building design and layout • Neighbourhood branding 	<ul style="list-style-type: none"> • Wayfinding (signage, banners, etc.) • Focal points, neighbourhood features (natural areas, views, etc.) • Public art

1.2.6. City of Red Deer Land Use Bylaw (3357/2006)

The City of Red Deer Land Use Bylaw (LUB) describes all of the available land use districts that can be utilized within the City and the applicable guidelines for development within these areas. The CNASP identifies the different land uses that are planned for development and conforms to the districts and regulations identified in the Bylaw.

In the event there is a conflict between the CNASP and the Land Use Bylaw, the Land Use Bylaw shall apply.

Subdivision, redesignation and development must conform to The City of Red Deer Land Use Bylaw and not conflict with applicable statutory plans in addition to the informational requirements necessary for each application. Variances are allowed pursuant to the test in the MGA being met.



1.3. CNASP Context

The Subject Property (Figure 6, page 16) is the southern portion of SE-35-38-27-W4M with an area of +- 46.4 Ha (+- 114.65 Acres), located in the City of Red Deer, Alberta. The area surrounding the subject lands is almost entirely undeveloped and bounded by:

- North: by the remaining 16.2 Ha (40 Acre) north portion of SE-35-38-27-W4M. The two portions are separated by a dense tree line.
- East: by Range Road 271 (City limits)
- South: by NE-26-38-27-W4M (Northland Expressway right of way)
- West: by SW-35-38-27-W4M

The CNASP and most of the surrounding land has historically been used for agricultural purposes. Under the guidance of the Red Deer Municipal Development Plan and the East Hill Red Deer MASP, this region is undergoing a transition towards being a primarily residential area with some district commercial uses. The recent introduction of the Timberland and Evergreen communities into the region is further supporting this transition. Located to the west of the CNASP are a number of recreational amenities including Three Mile Bend Recreation Area, River Bend Golf and Recreation Area, McKenzie Trails, Gaetz Lake Sanctuary and the Red Deer River. There are also a number of existing commercial sites nearby such as Parkland Mall, Clearview Market Square & a Commercial Area within the Community of Timberlands.

1.4. Natural Environment

A substantial treeline with a seasonal drainage course is adjacent to the northern boundary of the CNASP and has been identified as a natural area within the East Hill MASP. This riparian area will constrain the space available for development but in turn will be an important link within the regional natural park network. This riparian area will be protected by a naturalized development buffer that also acts as wildlife habitat. Portions of this area are to be dedicated as Environmental Reserve as it is undevelopable. Residents will be able to enjoy this area for years to come.

1.5. Building Environment - Oil & Gas

The CNASP contains the total of four pipelines, one gas well, one powerline and one Utility right of way (Table 2, Page 10)

- Two of these pipelines are active, containing sweet natural gas. (CNRL, #26012) and freshwater (Canadian Oil and Gas International Inc., #55836)
- The other two pipelines within the CNASP previously contained oil (Conserve Oil#14669) and (Conserve Oil #16704), they are suspended and marked to be removed.
- The well and facility (CNRL #10014662 & #26012) previously provided natural gas and has been suspended for many years. The well and facility within the lease area will be reclaimed prior to development.
- The powerline (AltaLink #832 0928) runs along the southside of the CNASP with a 100m notification area.
- The utility right of way contains sweet natural gas (Utility #162 0093)

Conserve Oil has confirmed that no development (buildings or roads) may be constructed within the pipeline right of ways and that there is no additional development setbacks required. A Phase I ESA for the suspended well site was completed by Hemisphere Land & Resource Consulting Limited in October 2016. CNRL has previously confirmed that this well is currently "suspended" (still open but not currently producing.) They have advised that it is likely this well could be abandoned since it has not been in production for many years. As such, a 5 metre permanent setback from the wellhead (100m temporary until abandoned) would be required for a development setback. CNRL has been contacted during this CNASP process and the exact location of the suspended well confirmed. This well will be abandoned & reclaimed, prior to any stripping and grading occurring within the setback area. Top soil stripping, grading, or development shall not be permitted within the CNASP, including areas outside of the 100m setback, until the well and facility's (CNRL #10014662 & #26012) contamination area has been confirmed and outlined by a Phase II ESA that has been accepted by the City.

Just outside and inside of the subject property limits in the SE and SW corners of the quarter section are test holes that have been unused since the drilling date. These were used for test purposes and were not be used for any other purposes. (Test hole locations shown on Ballast Phase I Environmental and are included in Table 2) The test hole in the SE corner of the CNASP has a 5m setback; this setback complies with Directive 79. Test holes off our site are included in the Phase I ESA and is referenced in Table 3 (pg 10)

Some of the suspended facilities contain sour gas. The Alberta Energy Regulator (AER) requires facilities containing sour gas to establish emergency response plans to assist in managing the risk to public safety associated with a potential release of sour gas to the environment. These plans are developed to assist in contacting and potentially evacuating residents living within pre-determine Emergency Planning Zones (EPZ). An EPZ is an area surround a facility, pipeline, or well where residents or other members of the public may be at risk during an uncontrolled sour gas release, explosion or fire and the area for which the operator of the facility must have a specific emergency response plan. The size of the EPZ surrounding sour gas facilities is established based on the magnitude of the maximum anticipated potential volume or rate of sour gas release in the event of an uncontrolled release. The oil and gas operator is responsible for providing information and education to the public within the EPZ regarding the correct procedures in case of an uncontrolled release. During an emergency, the oil and gas operator and the Emergency Services Department will coordinate the emergency response. Currently the CNASP falls outside of the EPZ boundary, however should the suspended sour gas facilities become active it may change the emergency planning zone boundary and development requirements within the CNASP boundary.

On the south end of the CNASP there is a 100m Notification area for the AltaLink Powerline. AltaLink Consultation/Potential Constraints Area means the area has a 100 m Notification Area from the high voltage transmission lines where any development applications shall be sent, at the discretion of the Development Officer, to AltaLink Management Limited to determine if there are any concerns from the Alberta Electrical Utility Code perspective.

No ground disturbance will be allowed within a registered pipeline right of way or the controlled area without written consent from the licensee. Similarly, no ground disturbance will be allowed within the wellhead setback area without written consent from the Licensee and any activity that may occur within or adjacent to the suspended well setback will be temporarily marked. Just as with the pipeline right of ways, development is restricted within 5m of a suspended well. For previously active wellsite(s) a 100 metre setback will need to be maintained prior to the successful completion of a phase II ESA (Figure 3, Page 11.) Prior to a subdivision or development of pipeline and well site areas the developer will be required to provided confirmation that the suspended pipe(s) and facilities have been removed, the AER database has been updated, the caveat removed from the land title, and the land has been made suitable for the intended use. These areas can only be developed once the gas well has been properly decommissioned and any soil contamination and remediation addressed by the well-site Licensee. The developer will not proceed with development until contamination has been remediated to Provincial standards and City Standards.

Table 2 Onsite Oil & Gas Facilities

Licensee	ID	Type	Containing	ROW Width	Setback from ROW (m)	Status
Canadian Natural Resources Ltd. (CNRL)	26012	Pipeline	Natural Gas (non-H2S)	15m	0	Active
Canadian Natural Resources Ltd. (CNRL)	26012	Facility	Natural Gas (non-H2S)	15m	Not known	Suspended
Canadian Natural Resources Ltd. (CNRL)	0014662	Well	Natural Gas (non-H2S)	-	100m temporary, 5m permanent	Suspended
Conserve Oil	14669	Pipeline	Oil (non-H2S)	0m (not on title)	0	Suspended – to be removed
Canadian Oil & Gas International Inc.	55836	Pipeline	Fresh Water	15m	0	Active
AltaLink R-O-W	832 0928	Powerline	Electricity	4m	0	Active
Utility R-O-W	162 0093	Utility	Sweet Gas	6m	0	Active
Conserve Oil 8 th Corporation	16704	Pipeline	Oil-Well Effluent	-NA-	0	Suspended
Chevron Canada Ltd.	0006954W	Well	Null	-	5m	Reclamation Exempt

Table 3 Offsite Oil & Gas Facilities

Licensee	ID	Type	Containing	ROW Width	Setback from ROW (m)	Status
Chevron Canada Ltd.	0006954X	Well	Null	-	5m	Reclamation Exempt
Chevron Canada Ltd.	0006954Z	Well	Null	-	5m	Reclamation Exempt
Jayhawk Resources Ltd.	48371	Pipeline	Natural Gas	10m	0	Active
Canadian Natural Resources Ltd. (CNRL)	22970	Compressor Station (Facility)	Natural Gas	-	0	Active
Canadian Oil & Gas International Inc.	0073777	Well	Null	-	0	Suspended
ATCO Gas and Pipeline Ltd.	2526-(80-81)	Pipeline	Natural Gas	-	0	Active
Canadian Oil and Gas4	0015279	Well	Null	-	-	Null
Chevron Canada Ltd.	0004911G	Well	Null	-	5m	Reclamation Exempt
Canadian Oil & Gas International Inc.	6662	Satellite (Facility)	Null	-	-	Null
Canadian Oil & Gas International Inc.	55826	Pipeline	Natural Gas	-	-	Suspended

Coventry
1625183 Alberta Ltd

PLAN SHOWING
Well and Pipeline Facilities

AFFECTING
Ptn. of 35-38-27 W4M

SCALE: 1:2500
0 10 20 40 70 140
METRES

METRIC
ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend
Subject Property - [Red outline]
5m Wellhead Setback - [Dashed purple line]
100m Wellhead Setback - [Dashed blue line]
Well - [Red circle]



Figure 3

DRAWN BY	A. WINKLER	DATE	Dec 12/17	FILE NO.
CHECKED BY	R. POTRIE		Dec 12/17	P 531-04

Planning Protocol 3 In

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Calgary Alberta T2A 6T
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Email: rod@planningprotocol2.com
Url: www.planningprotocol2.com



1.6. Environmental Site Assessment

A Phase I ESA was completed by Ballast Environmental in March 2016 for the CNASP subject site. This ESA excluded the CNRL leased wellsite. The Phase I ESA by Ballast Environmental made recommendation that the lease holder of the wellsite complete the Phase I ESA and any subsequent subsurface investigation (Phase II ESA) and/or remediation/reclamation if required.

Once a Phase II ESA has been completed at the wellsite, the client must obtain the completed report from the lease holder. The Phase II ESA must be reviewed to determine if there are impacts at the wellsite. If it is determined that there are impacts at the wellsite, further delineation will need to be completed to define the boundaries and the extent of impacts potentially on and off the wellsite. A Phase II ESA will be required prior to a Clearing and Grading Permit, being issued. Affected areas can only be developed once the gas well and facilities have been properly decommissioned and any soil contamination and remediation addressed by the well-site Licensee. The developer will not proceed with development until contamination has been remediated to Provincial standards and City Standards.

During the redevelopment of the site in the vicinity of any oil pipeline right-of-way, a qualified environmental consultant should be contacted should subsurface impacts be identified.

1.7. Slope Analysis

A Slope Stability / Geotechnical Assessment were also prepared by Soil & Environ Consultants Inc. in May 2013. The purpose of this assessment was to determine soil, groundwater conditions and slope stability related to construction of a residential subdivision including underground utility and roadway construction. For the purpose of interpreting the information below, the crest is defined as the line where there is a distinct break in the grade at the top of the slope as determined by the intersection of the slope angle with the extension of upland surface grade. This is otherwise known as top of bank.

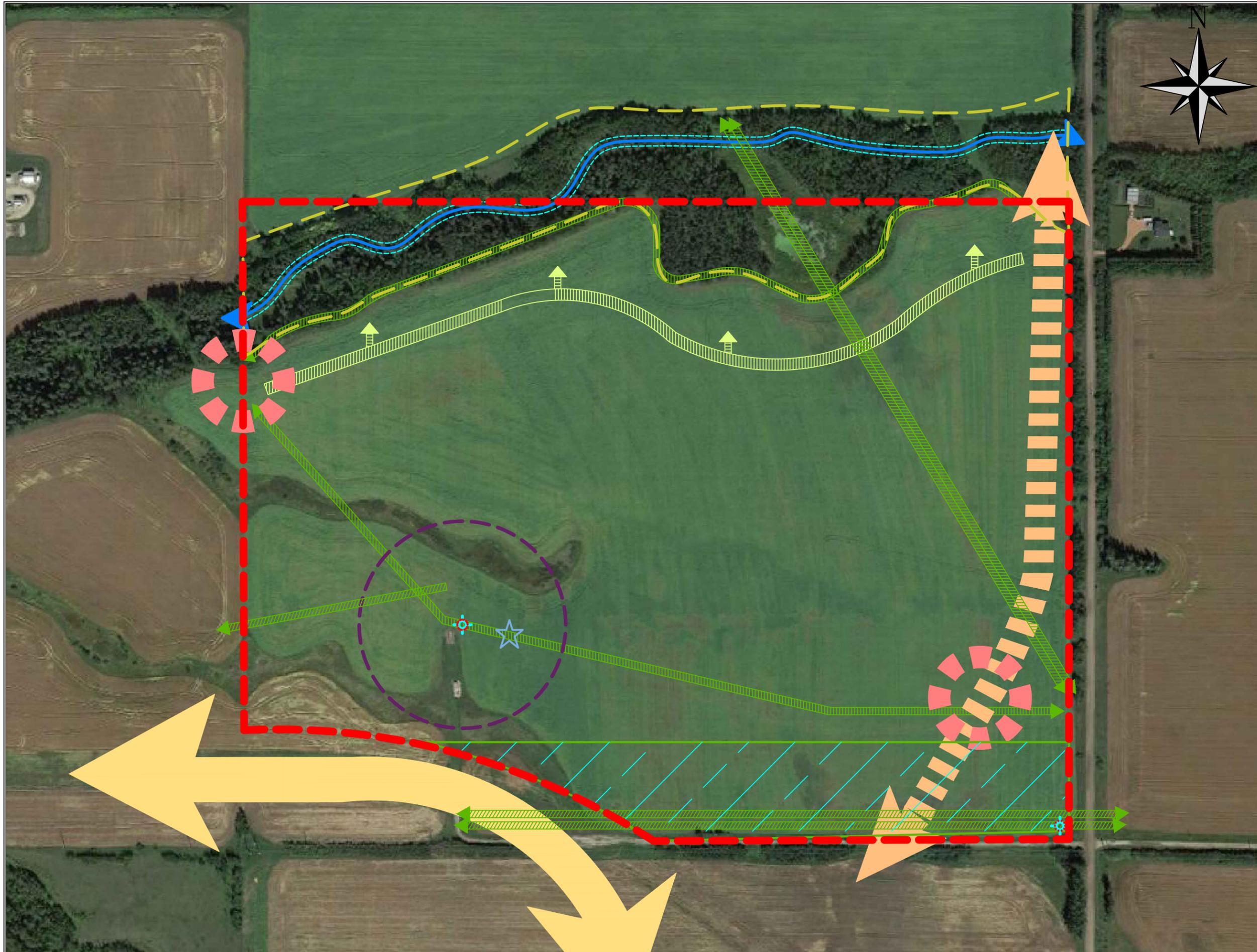
Sloped Areas - Regarding the potential for slumping and a recommended development stability setback, the report recommends:

The most likely form of failure is a shallow translation slab-type slide. To ensure a minimum factor-of-safety of 1.50, a stability line is necessary. For translational slides, a 5H:1V slope with $ru=0.1$, will have a factor of safety of over 1.50. Thus, a stability limit set back line of 5 metres was established adjacent to the top of the bank. Shown on Opportunities & Constraints Figure 4 page 13

The slopes and environmental reserve area has been buffered through the allocation of a linear strip of municipal reserve land. The municipal reserve will provide additional buffering between private lots and environmental reserve while also providing public access. A more complete and detailed geotechnical and slope stability report will be completed as part of the Development Agreement process.

1.8. Opportunities & Constraints

The CNASP is constrained by two pipeline right of ways that cannot be developed. As such, the right of ways provide an opportunity for a variety of open space connections within both the CNASP as well as to the surrounding open space network. The topographic low area within the southwest portion of the site is not ideal developable land as it may be prone to gathering surface water. This low area would provide an excellent location for Storm Water Management Facilities that will be incorporated as part of surrounding recreational amenities, provided it includes appropriate public safety measures. Edges around SWMF's could be naturalized so as to create wildlife habitats. A listing of the identified constraints and opportunities are shown in Table #3 (pg 14) and Figure 4 (page 13).



Coventry
1625183 Alberta Ltd

PLAN SHOWING
Opportunities & Constraints

AFFECTING
Ptn. of 35-38-27-W4M

SCALE: 1:3500

METRIC
ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

- Legend**
- Subject Property - [Red dashed line]
 - Future Arterial Road - [Yellow dashed line]
 - Future Expressway - [Green dashed line]
 - Right of Way - [Green hatched area]
 - Potential Pathways - [Blue line with arrows]
 - Potential Views - [Green dashed line]
 - Intermittent Seasonal Water Course - [Blue wavy line]
 - Top of Bank (5m Setback) - [Blue dashed line]
 - Potential Access - [Red dashed line]
 - Well Site - [Blue star]
 - Community Node - [Blue star]
 - 5m Wellhead Setback - [Purple dashed circle]
 - 100m Wellhead Setback - [Purple dashed circle]
 - At-risk Notification Area - [Green hatched area]

Figure 4

DRAWN BY	A. WINKLER	FILE NO.
CHECKED BY	R. POTRIE	P 531-01

Planning Protocol 3 Inc.

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Calgary Alberta T2A 6T7
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Url: www.planningprotocol2.com

Item No. 6.5. City of Red Deer City Council Regular Meeting, 2018/08/20 - Page 307

Feature	Constraint	Opportunity
Riparian area	<ul style="list-style-type: none"> • Intermittent seasonal water course 	<ul style="list-style-type: none"> • Provides natural drainage for the area • Provide wildlife corridor • Provide regional east/west regional pathway • Provides abundant open natural area across north boundary • Naturalized recreational park • Flood Mitigation • Regional Trail linkage • Attractive views for adjacent development
Active Pipeline & Electrical Transmission Right of ways	<ul style="list-style-type: none"> • Licensees will not permit buildings to be constructed within them • AltaLink Setback (see Table 2 (ID#832 0928)) • Sweet Gas Line (see Table 2 (ID#162 0093)) 	<ul style="list-style-type: none"> • Abundant, uninterrupted north/south and east/west multi-use trail connections • Additional green space
Natural Topographic Low	<ul style="list-style-type: none"> • Natural contours would need alterations to make an ideal building site 	<ul style="list-style-type: none"> • Storm water management facility (SWMF) • Open Space / Flood Mitigation • Potential shared amenity with future development west of CNASP
North Highway Connector Study	<ul style="list-style-type: none"> • Limited access points to the surrounding area 	<ul style="list-style-type: none"> • Comprehensive planning of surrounding area ensures access points are most efficient location

Table 4 Development Opportunities & Constraints



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MUNICIPALITY:
 PTN. OF 35-38-27 W4M
 RED DEER, ALBERTA

LEGEND:
 SUBJECT PROPERTY: [Red dashed line]
 SUBJECT PROPERTY: [Blue dashed line]
 SUBJECT PROPERTY: [Green shaded area]

1625183 Alberta
 Ltd.
 Coventry

EXISTING NATURAL
 AREAS & GREENSPACE

Project number: P-531-03
 Date: SEPTEMBER 14TH 2015
 Drawn by: S. FRENCH
 Checked by: RODNEY POTRIE

FIGURE 5
 Scale: NTS
 ALL DIMENSIONS SHOWN ARE APPROXIMATE & SUBJECT TO CORRECTION IN THE FIELD BY THE LOCAL SURVEY ENGINEER

Figure 5 Natural Areas & Green Space

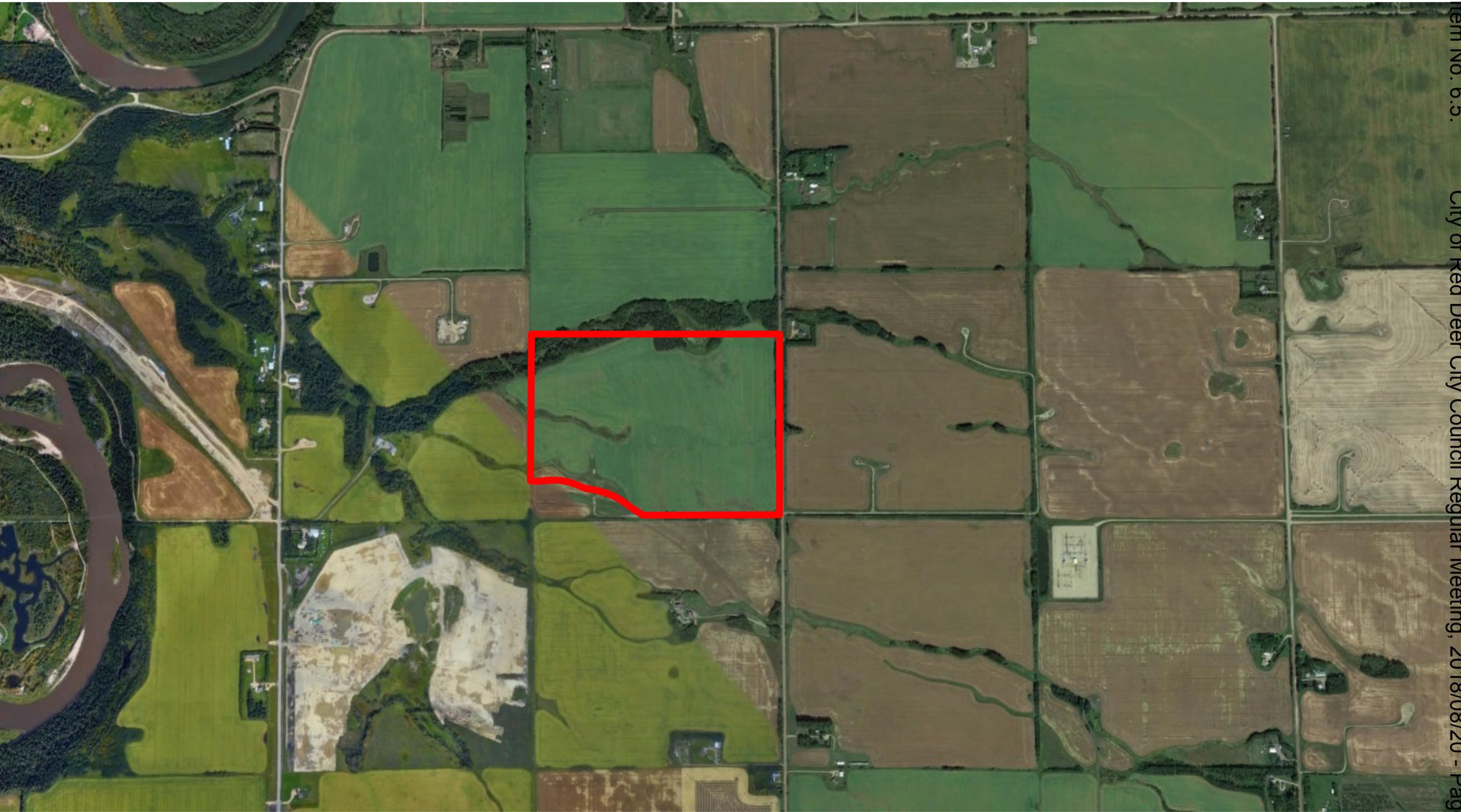


Figure 6 Aerial Photograph of Surrounding Area (Aerial Photograph taken 2015)

2. Plan Vision

2.1. Overview

The Plan envisions an estimated population of 1600 people² at full build out, with approximately 24,000 m² of commercial floor space that will be introduced when servicing becomes available. The agricultural history of the site is reflected in proposed landscaping, park amenities, infrastructure features and other urban design elements. Key highlights include:

- A compact community with a mix of densities and housing types
- District commercial services
- Prominent natural open space and recreational features
- An interconnected street network to promote walkability with in the neighbourhood



² Based on average of 2.33 residents per unit (Source: City of Red Deer Economic Development Strategy, July 2013, Urbanics Consulting Ltd.) and an anticipated 686 units

2.2. Illustrated Neighbourhood concept plan

The proposed neighbourhood plan design is focused on facilitating active transportation connections both within and adjacent to the neighbourhood. Refer to (Figure 10, Page 40.)

A district commercial area provides for the shopping & employment needs of residents, both locally and in the surrounding region.



A Mixed Use Commercial/Residential area is envisioned, allowing for ground-floor, locally orientated retail services and above-ground apartment-style residential unit. Separate freestanding residential and/or commercial buildings may also be allowed for as described in the Land Use Bylaw.



Single-family residential areas are a significant portion of the overall housing mix, allowing future opportunities for home-based businesses and secondary suites.



Preservation of existing natural areas provides a unique neighbourhood character.



Collector road will offer multi-modal connectivity for pedestrians, cyclists and automobiles.



2.3. Sustainability & Neighbourhood Planning Principles

The CNASP aligns with the overarching principles in the City of Red Deer's Neighbourhood Planning and Design Standards. The below list outlines how the CNASP is achieving these principles:



Principle 1: Natural Systems and Ecosystem Enhancement

- The proposed neighbourhood preserves a large existing natural area and the small watercourse contained within it.
- A naturalized development buffer will protect the existing natural area from the negative impacts associated with land development.



Principle 2: Mixed Land Uses

- A mixed ground-floor retail commercial / above-ground residential land use district is located in the south area of the CNASP.
- This district co-locates with a potential community amenity site and multi-family residential, alongside of commercial services.



Principle 3: Multi Modal Choice

- Multi-use trail network connecting parks, buffer areas and regional trail system.
- Residents will be within a max 5 minute walk (<400m) of key neighbourhood destinations via sidewalks and multi-purpose trails.
- Inclusion of bicycle facilities within Commercial areas will be encouraged so as to facilitate non-automobile travel choices.
- For 95% of residents, public transit stops are within 400m & community amenity sites are within 250m.



Principle 4: Compact Urban Form & Density

- Achieves an overall housing density of 19.23 dwelling units per net developable hectare or 8.0 dwelling units per net developable acre.



Principle 5: Integrated Parks & Community Spaces

- A variety of park sizes and types that are distributed throughout the neighbourhood. These parks range in size from the larger neighbourhood/community parks with amenities, to smaller parkettes that provide casual social “bumping” spaces and passive enjoyment of green space.
- Many green spaces are accessible by way of a public street on two or more sides and are integrated into the neighbourhood trail system.



Principle 6: Housing Opportunity & Choice

- A mix of single-family housing including compact to large lot , ground orientated , and multi-family options offer diversity and choice.



Principle 7: Resilient & Low Impact Neighbourhoods

- Optimized use of hard infrastructure requirements though efficient street & block design .
- Majority of lots allow for southern facing building orientation so as to utilize passive solar heating.
- Green infrastructure and building materials will be encouraged.
- Efficient use of infrastructure through exploring possibilities of shared water facilities with adjacent developments.



Principle 8: Safe & Secure Neighbourhoods

- Variety of community gathering spaces for social interaction within parks.
- Residential areas either directly or in close proximity to outdoor space via multi-use trails.
- "Eyes on the Streets" through provision of ground-orientated dwellings, multi-family balconies facing the street and well lit streets and parks.
- Emergency Services has rapid access to most destinations using inter-connected streets & minimal cul-de-sacs.



Principle 9: Unique Neighbourhoods

- The agricultural history of the site may be reflected in the street signage, interpretive signage within trails, and themed entrance features to the neighbourhood park.
- All of these elements will have a consistent theme that provides a sense of community identity and pride.

3. Land Use & Housing

3.1. Overview

The East Hill MASP identifies the land use in the CNASP as primarily residential. In addition to residential development, the neighbourhood will feature:

- A mixed use commercial/residential area,
- A district commercial area,
- A significant natural area,
- A large amount of parkland.

Commercial and higher density land use districts are organized and located adjacent to a neighbourhood node so as to encourage and facilitate increased active transportation options.



3.2. Land Use Plan

3.2.1. Residential – Low Density (R1)

DESCRIPTION

The R1 district features single detached dwellings situated on lots that vary in size, and will meet minimum requirements. Most lots will allow for either front or rear facing garages.

RATIONALE

Provides a “traditional” single-detached housing product that is a typical housing choice within the City of Red Deer. The close proximity to park spaces and commercial services provides residents with opportunities to enjoy alternative transportation choices to their local destinations or to other inter-community destinations via the regional pathway system.



3.2.2. Residential – Small Lots (R1G)

DESCRIPTION

The R1G district provides a transition between higher density housing and low density housing. The R1G district reflects low density single family development; however, it also incorporates a smaller lot size which accommodates an increased density.

RATIONALE

This land use provides an affordable alternative to those seeking the living space associated with low density, providing a greater variety of single-detached options. This will further the diversity of housing stock within the CNASP, encouraging opportunities for economically diverse lifestyles families and life phases.



3.2.3. Residential - Semi Detached (R1A)

DESCRIPTION

Accommodation for a more flexible range in housing density, consisting of single-detached or semi-detached dwellings.

RATIONALE

Provides flexible alternatives for home owners that also allows for greater control over density transition within the CNASP. Located either adjacent or within close proximity to transit stops.



3.2.4. Residential Medium Density (R2)

DESCRIPTION

This land use allows for a range of housing types, ranging from single-detached, to multi-attached and multiple family.

RATIONALE

These areas buffer the denser commercial and multi-family districts from the lower density areas. The range of housing forms that are allowed for with the R2 district will allow for greater flexibility in finding the appropriate density transition both in density and visual transition.



R2 and Commercial Interface:

A portion of the residential medium density land is adjacent to the commercial mixed use land, as such, this area will require special care during the development process. To minimize potential visual impacts of these two land uses there are a number of tools available to developers including but not limited to:

- Transition of building size and scale:
 - Development within the R2 and C5 interface should be similar in size and scale. Development within the C5 district can increase in size and scale accordingly the further it is from the R2 district.
- Enhanced Architectural Standards:
 - All R2 development backing on to commercial should have rear yard enhancements. These homes will be fronting onto the collector road as well as backing onto the public commercial area. Both front and rear yards must be held to a high architectural standard, providing elements that enhance the small town theme of the CNASP community.
 - Development within the C-5 district adjacent to the residential should also provide a frontage with enhanced architectural and landscape features.

3.2.5. Residential Multiple Family (R3)

DESCRIPTION

Accommodates multi-attached and multiple family housing types that can be anywhere from 2-4 storeys in height and average to 85 dwelling units per net developable hectare. This land use represents the highest density of housing within the CNASP area.

RATIONALE

These more intensive land uses will be located adjacent to the district commercial, mixed use commercial centers, and the residential collector roadway. The intent is to create an intensified activity node that is transit-supportive and encourages alternative modes of transportation.



3.2.6. The Mixed Use Commercial District

Mixed use commercial will be located along the south boundary of the CNASP, north of the Northland Drive Expressway. This area may be anchored by a grocery store and contain or host a mix of retail and commercial services. The area will be a popular destination for business and residence due to the:

- Visibility at the entrance to the neighbourhood,
- Surrounding higher density residential land uses,
- Proximity to transit and pedestrian pathways, and
- Adjacency to the residential collector road

In addition to larger stores, the area will also consist of smaller ground floor retail bays intended to service those living in the above-ground residential units as well as the surrounding neighbourhood. The types of commercial uses available within these bays are those that may be more appropriate within a pedestrian oriented area, including but not limited to smaller restaurants, drinking establishments, or live-work office units. Separate freestanding residential or commercial buildings may also be allowed as described in the Land Use Bylaw.

To ensure compatible and appropriate density transition between the mixed-use commercial zone and the adjacent R2 developments, design considerations outlined in section 3.2.4 should be followed. Site and building design for this area will be guided by the City of Red Deer Land Use Bylaw.



3.2.7. Open Space

DESCRIPTION

The CNASP includes a large natural riparian area that extends along the northern boundary of the CNASP and will be protected through an Environmental Reserve (ER) dedication and naturalized development setbacks. Numerous park spaces will be available through Municipal Reserve (MR) dedication, providing a range of small parkettes to large neighbourhood parks for residents to enjoy. The neighbourhood storm water management facility (SWMF) will be a wet pond featuring naturalized edges that will also serve as an additional park amenity. Regional trail linkages will be available on both sides of the arterial road as well as adjacent to Northland Drive and will be contained within the corresponding road right of ways.



RATIONALE

The natural area is a development constraint but also an opportunity to extend the regional trail system and provide a valuable recreational amenity to both the CNASP residents and the city as a whole. Similarly, the informal pathways within the active pipeline right of ways to provide safe and readily available pedestrian and cycling access to the Commercial District as well as the multiple family sites to the south.

The SWMF design will provide gradual and relatively shallow slopes. The shallow edges will also allow the bench areas to be naturalized, creating a home for wildlife and a beautiful recreational amenity for residents.



3.2.8. Community Amenity Sites

DESCRIPTION

This site will provide an opportunity for potential uses that fall into the categories of temporary care, assisted living, adult day care or day care facility, place of worship and other uses as proposed and approved by the City of Red Deer. Any potential development of the community amenity site will be guided by the City of Red Deer Land Use Bylaw.

The availability of the site shall be advertised through local print media and the City's web site (public notices) and shall be held by the developer for a minimum of one year.

RATIONALE

The site is located adjacent to the neighbourhood park and the commercial district so that it is readily accessible via walking, cycling, transit or automobiles.



4. Land Use Area Calculations

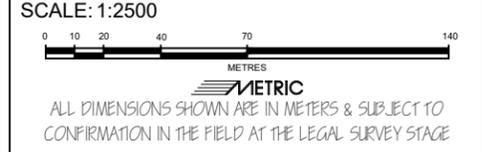
The following table provides detailed information regarding the land use composition that will make up the CNASP neighbourhood. The community amenities identified are approximate in their location and their proposed size is a part of the commercial area calculations shown. The final configuration of individual lots will be determined at the time of subdivision. The SWMF areas (public utility lot) total size is determined through the Preliminary Storm Water Management Plan provided by Civil Engineering Solutions and shown in Figure 20, 21, 22(pages 61-63). The environmental reserve area is intended to include setback distance from the seasonal intermittent water course and slopes located on the north of the site.

Land Use Category / Component	Area (Ha)	% Net Dev. Area	# of Units
Gross Plan Area	46.04	-	-
Less: Environmental Reserve	3.76	-	-
Less: SWMF	1.57	-	-
Less: Major Streets (Arterial Road)	2.46	-	-
Less: Commercial Mixed Use District	4.21	-	-
(Net) Developable Plan Area:	34.04	-	-
Residential Land Use			
Low Density (R1)	10.02	-	216
Semi-detached Dwellings (R1A)	.94	-	31
Small Lots (R1G)	1.65	-	43
Medium Density (R2)	1.78	-	62
Multiple family (R3)	3.19	-	271
Community Amenity Site	0.54	-	-
Subtotal Residential:	18.12	-	623
<i>15% for secondary suite (R-1) +32</i>			+32
<i>(If CAS reverts to R3 .54x85 unit per Ha) +45</i>			+45
Total Residential:			700
Open Space			
Municipal Reserve (MR)	4.55	10.8%	-
Public Utility Lot (PUL)	1.80	4.7%	-
Environmental Reserve (ER)	3.76	8.2%	-
Transportation			
Collector Streets	2.1		
Local Streets	6.2		
Lanes	1.2		
Roads & PUL			
	Area (Ha)	%	
Gross Plan Area	46.04	-	
Less: Environmental Reserve	3.76	-	
Net Plan Area (Gross-ER) for MGA section compliance	42.27	-	
Allowable Area for Roads & PUL	12.68	-	
Actual Area of Roads & PUL (Exclude Expressway)	11.95	-	
Density			
	(du)	Area (ha)	Density (du/ha)
Scenario 1 (Base) – Total Residential Less Mixed Use	655	34.04	19.24

Table 5 Land Use Calculations



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PLAN SHOWING
Land Use Calculations
AFFECTING
Ptn. of 35-38-27 W4M
SCALE: 1:2500



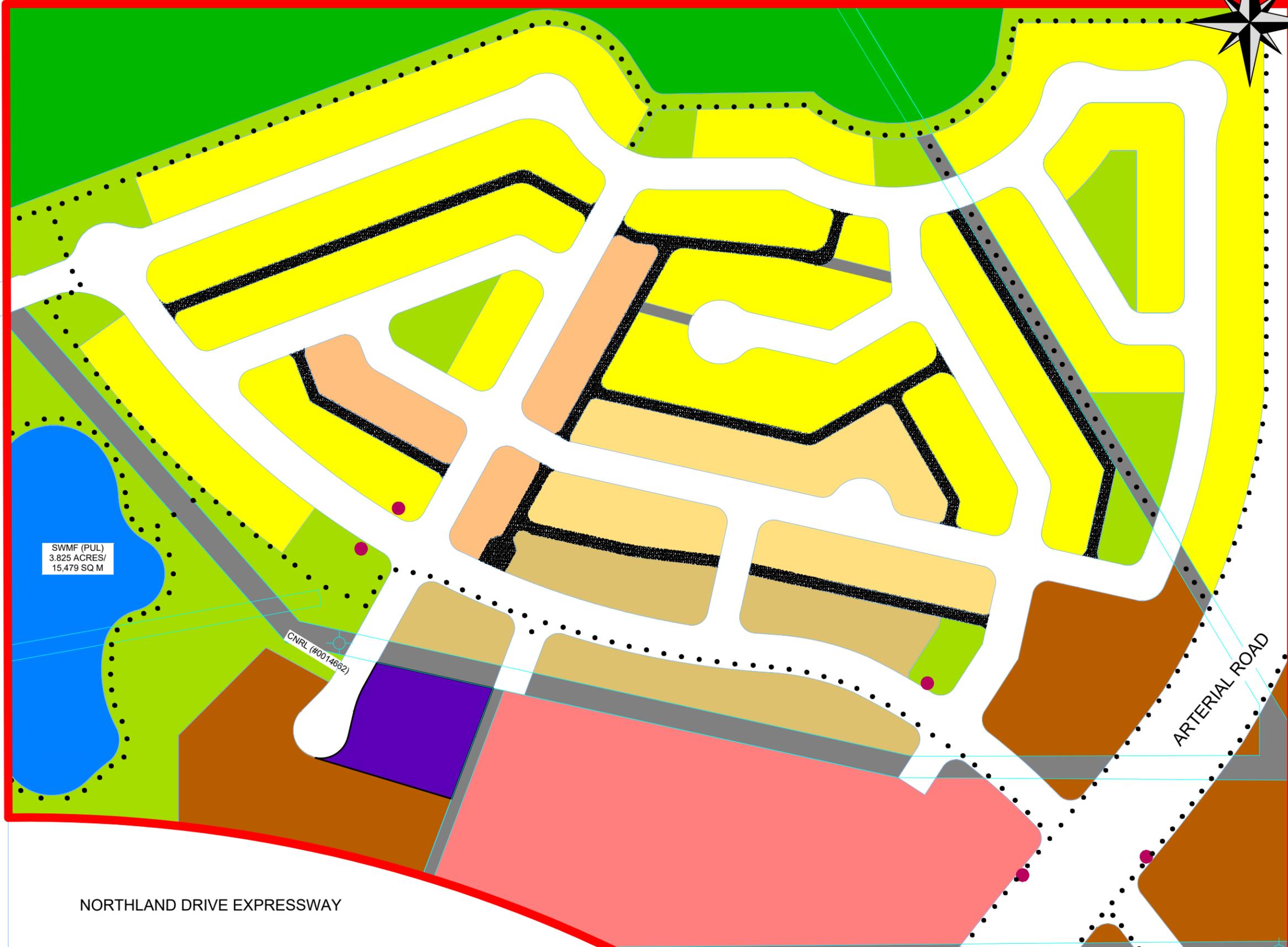
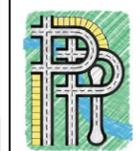
Legend
 Multi-Use Path (Waskasoo) -
 Existing Pipeline -
 Subject Property -
 Potential Transit Stops -
 Well -

Statistics				
Land Use	Ac.	Ha.	%	Units
R1	24.76	10.02	22	216
RIA	2.31	0.94	2	31
R2	4.39	1.78	4	62
CAS	1.34	0.54	1	0
RIG	4.08	1.65	4	43
R3	7.88	3.19	7	271
C5	10.40	4.21	9	0
MR	11.25	4.55	10	-
ER	9.28	3.76	8	-
PLL	4.45	1.80	4	-
SWMF	3.89	1.57	3	-
Roads	23.41	9.47	21	-
Arterial Road	6.07	2.46	5	-
Total	113.52	45.94	100	623

Figure 7

DRAWN BY	DATE	FILE NO.
A. WINKLER	Jan 05/18	P 531-04
CHECKED BY	R. POTRIE	Jan 05/18

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4.1. Housing Types & Density

The overall intent of the land use designations is to provide a range of options to residents within a neighbourhood. Residents should have access to different housing types, recreation, and commercial or institutional amenities within a neighbourhood. Land use designations also help to regulate the location of uses to ensure compatibility and appropriate transition. This CNASP ensures that future growth will create great communities as well as address key development constraints. In the event of a conflict between the CNASP and the Land Use Bylaw, the Land Use Bylaw shall apply. All development will meet building code requirements.

4.1.1. R1 Residential Low Density



These areas focus on lower density residential uses which consist primarily of single-detached dwellings. A multitude of lot configurations will promote efficient site design within each lot and minimize impermeable surfaces. Market conditions and consumer preferences at the time of development will guide the specific mix of residential housing forms.

Appropriate Housing Types:

- Housing types in this district could include bi-level, bungalow or two-storey. Design of any single family homes should consider a high level of architectural detail in particular to minimize the impact of the front garage.

Walk-Out Basements

- Homes located on slopes or along open spaces are often designed with walk-out basements. These types of homes are typically designed with a deck off the main floor, and a door to the backyard from the basement. Walk out basements appeal to a variety of residents for a variety of reasons including an increased amount of natural light in basements making the space more livable, the ability to have bedrooms in the basement with full size windows and increased air quality/reduced moisture.

Secondary Suites

- Secondary suites are self-contained dwelling units located inside single detached dwellings. These suites have a separate entrance either from a common area or outside. Secondary suites are an increasingly popular and make housing more affordable both for the renter and the home owner.
- As per the City of Red Deer Land Use Bylaw, the maximum for any neighbourhood is 15% of the total detached dwelling units. All homes with secondary suites will require additional parking as per the Land Use Bylaw.

Height: up to 2 storeys

Access: Collector road, local road and/or lane, as applicable.

Parking: As per the City of Red Deer Land Use Bylaw, a minimum of two on-lot parking spaces will be provided per home and this is likely to be accomplished by use of the garage and/or driveway. Additional parking may be available on-street



4.1.2. R1A Residential Semi-Detached



This district will accommodate either semi-detached or single-detached housing, depending on market demands. The flexibility of housing types will provide suitable options for those who either prefer a smaller dwelling or those that are seeking affordable alternatives to conventional single family homes.

Appropriate Housing Types:

- Housing types in this district could include bungalow, bi-level, or two storey semi-detached housing. These units may or may not include front garages.

Height: up to 2 storeys

Access: Collector, Local road & Lane

Parking: As per the City of Red Deer Land Use Bylaw, two on-lot parking spaces will be provided per home and this is likely to be accomplished by use of the garage and/or driveway. Additional parking may be available on-street.

Secondary Suites: As per the City of Red Deer Land Use Bylaw, secondary suites are a listed use in this district.

4.1.3. R1G Residential Small Lot



This district will provide smaller single-detached housing with mandatory front-attached garages. The intent is to provide more affordable options for those who desire a traditional single family home, which could include young families seeking “starter” homes or professionals seeking a balance between home size versus time need for upkeep.

Appropriate Housing Types:

- Housing types in this district could include Bi-Level or Two Storey.

Height: up to 2 storeys

Access: Local road & lane

Parking: As per the City of Red Deer Land Use Bylaw, two on-lot parking spaces may be provided per home and this is likely to be accomplished by use of the garage and/or driveway. Additional parking may be available on-street.

Secondary Suites: As per the City of Red Deer Land Use Bylaw, secondary suites are not permitted in these areas.

4.1.4. R2 Residential Medium Density



Appropriate Housing Types:

- Housing types in this area may include single family dwellings, semi-detached structures, multi-attached, or multiple family buildings.

Height: Ranging from 1 to 3 storeys

Access: Collector, Local Road & Lane

Parking: Requirements vary depending on the type of unit constructed. As per the City of Red Deer Land Use Bylaw, all parking must be provided on-site.

Secondary Suites: As per the City of Red Deer Land Use Bylaw, secondary suites are a listed use in this district.

Enhanced Architectural Controls: Enhanced Architectural Controls in the CNASP will be located in areas where houses back on to Municipal Reserve or commercial areas. This housing will have entrance from the public road to the house. In the rear of the house there will be improved architecture controls as the public has visual access to the rear of the home as well. This type of design is commonly used in homes where the home highlights public viewing of the area behind the house. These homes have two front facades in that both the front and rear sides face public areas and as such, both are constructed with a high standard of architectural design. Enhanced architectural controls will be located in areas where a park is adjacent to housing to encourage the use of public park space as well as extend the outdoor amenity area of each home. This style of housing appeals to a variety of residents including those who enjoy the visual access to the open space along their property.



Housing backing onto public space

4.1.5. R3 Residential Multiple Family



The R3 district provides a higher density housing type. These multi-storey units would be the most compact and potentially affordable of the housing within the CNASP. Housing units are sited and orientated to front onto the street. These higher density residential areas in conjunction with the pedestrian orientated streetscapes, and adjacent commercial services form a transit-supportive node. This will encourage the use residents active transportation options:

Appropriate Housing Types:

- Apartment Style
 - Shared entries, hallways, and often building amenities such as fitness centres or hot tubs.
- Multiplex buildings
 - Range from 4 to 18 units and share no common spaces: all units have separate entries and utilities.
- Row housing
 - Three or more attached units which do not overlap one another and have shared common walls from foundation to roofs.

Height: 2 to 4 storeys

Access: Collector, local road & lane

Parking: All parking will be determined by the types of units constructed; however, all will be located on-site as per the City of Red Deer's Land Use Bylaw. The primary access to the R3 sites will be via an internal roadway network; however, front street access will be provided for pedestrian and visitor use.

Secondary Suites: As per the City of Red Deer Land Use Bylaw, secondary suites are a discretionary use for detached dwelling units within the R3 district.

4.1.6. C5 Commercial (Mixed Use) Area



This land use will have a mix of commercial and residential uses in the context of a sustainable, healthy, and pedestrian focused neighbourhood. Ground floor retail or limited office uses are envisioned with residential uses above. Separate freestanding residential or commercial buildings may also be allowed for as described in the Land Use Bylaw. Residents will benefit from the nearby community orientated commercial uses, the pedestrian-orientated environment, and the other benefits provided by a transit-supported and active transportation-friendly node.

Access: Collector road

Height: Buildings are envisioned to be 2 to 3 stories to fit the vision of the CNASP.

Parking: Parking requirements will be determined at the development permit application stage when details about building(s) become available. Parking requirements will be subject to the Land Use Bylaw.

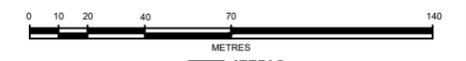


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PLAN SHOWING
Land Use Plan

AFFECTING
Ptn. of 35-38-27 W4M

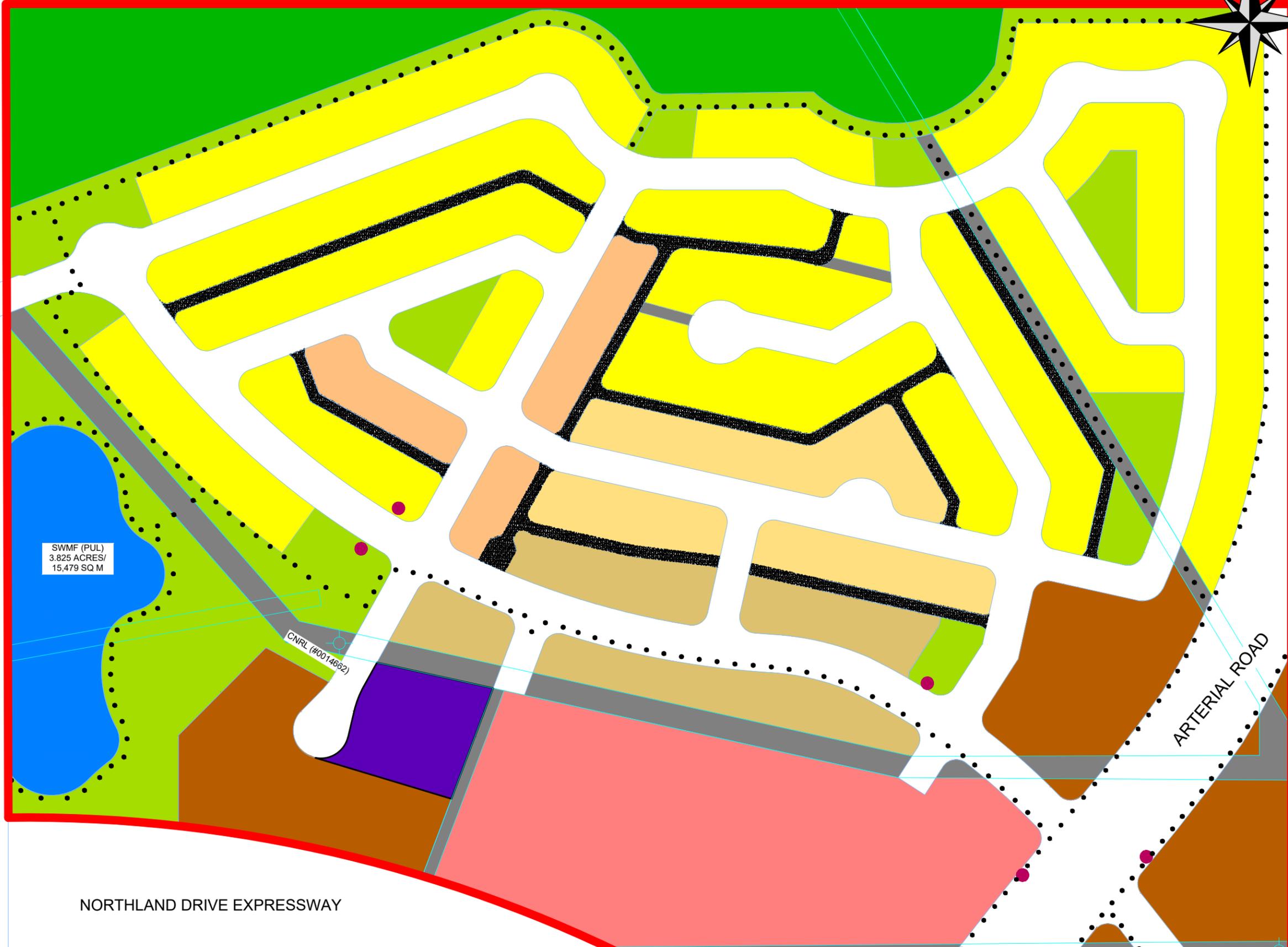
SCALE: 1:2500



ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend

- R1 Lots -
- RIA Lots -
- R2 Lots -
- R1A Lots -
- R3 Multi-Family
- C5 Mixed Use-
- MR -
- ER -
- PLU -
- SWMF -
- Community Amenity Site (R3 Alternate Use) -
- Multi-Use Path -
- Existing Pipeline -
- Subject Property -
- Potential Transit Stops -
- Well -



SWMF (PUL)
3.825 ACRES/
15,479 SQ M

CNRL (#0014662)

ARTERIAL ROAD

NORTHLAND DRIVE EXPRESSWAY

Figure 8

DRAWN BY	A. WINKLER	DATE	Dec 12/17	FILE NO.	P 531-04
CHECKED BY	R. POTRIE		Dec 12/17		

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PLAN SHOWING
Land Use (Existing Context)

AFFECTING
Ptn. of 35-38-27 W4M

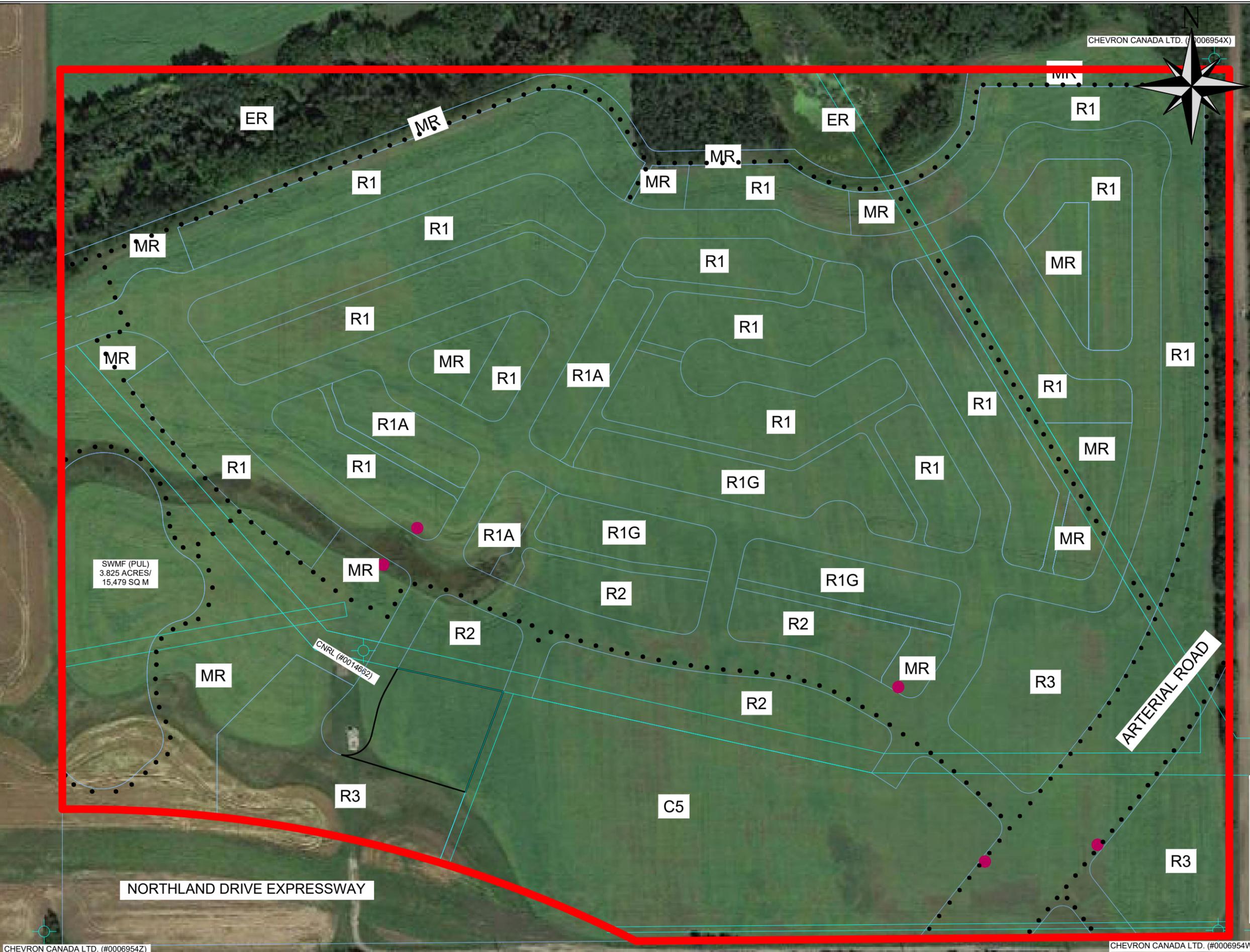
SCALE: 1:2500
0 10 20 40 70 140 METRES
METRIC
ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend
Multi-Use Path -
Existing Pipeline -
Subject Property -
Potential Transit Stops -

Figure 9

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PLAN SHOWING
Illustrated Concept Plan

AFFECTING
Ptn. of 35-38-37 W4M

SCALE: 1:2500

0 10 20 40 70 140
METRES

METRIC

ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

- Legend
- R1 Lots -
 - RIA Lots -
 - R2 Lots -
 - R3 Multi-Family -
 - Community Amenity Site -
 - C5 Mixed Use -
 - Amenity Site -
 - Tree -
 - Playground -
 - Multi-Use Path (Waskasoo) -

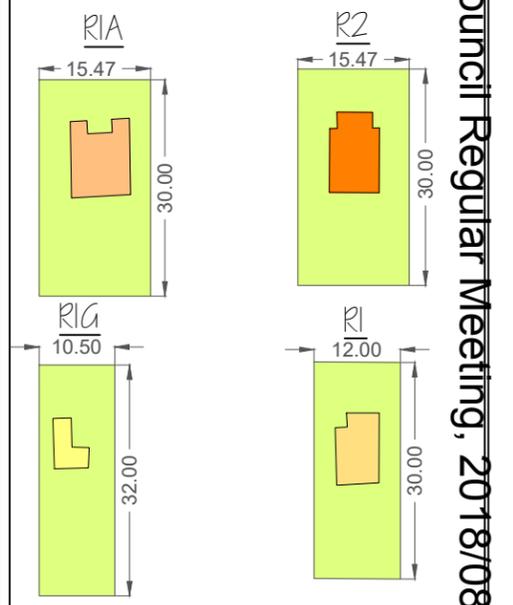


Figure 10

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This figure is conceptual and only for illustrative purposes only

Item No. 6.5. City of Red Deer City Council Regular Meeting, 2018/08/20 - Page 320

5. Green Network and Community Facilities

5.1. Overview

The CNASP will feature plentiful open space and green areas that are distributed throughout the CNASP so that they are accessible to all residents. Regional pathway connections will be provided within the natural area along the northern boundary, as well as to the pathway that is to extend along the Northland Drive south boundary. Parks and playgrounds will be designed with universal access principles in mind, ensuring that people with varying abilities can have easy access to them. (Figure 10 (page 41))

Fencing of parks, green space or gathering spaces may be utilized where it is necessary to prevent direct access to sensitive environmental areas or unsafe conditions and to prevent encroachments.

Greenspace	Total Parcels	Area (Ha)
Neighbourhood Park	1	2.16
Parkettes	6	1.15
Natural Area (ER)	1	3.76
Linear Parks	2	2.57
Total	10	9.64

**These calculations include (1.4 Ha) of PUL land ** small discrepancy due to rounding

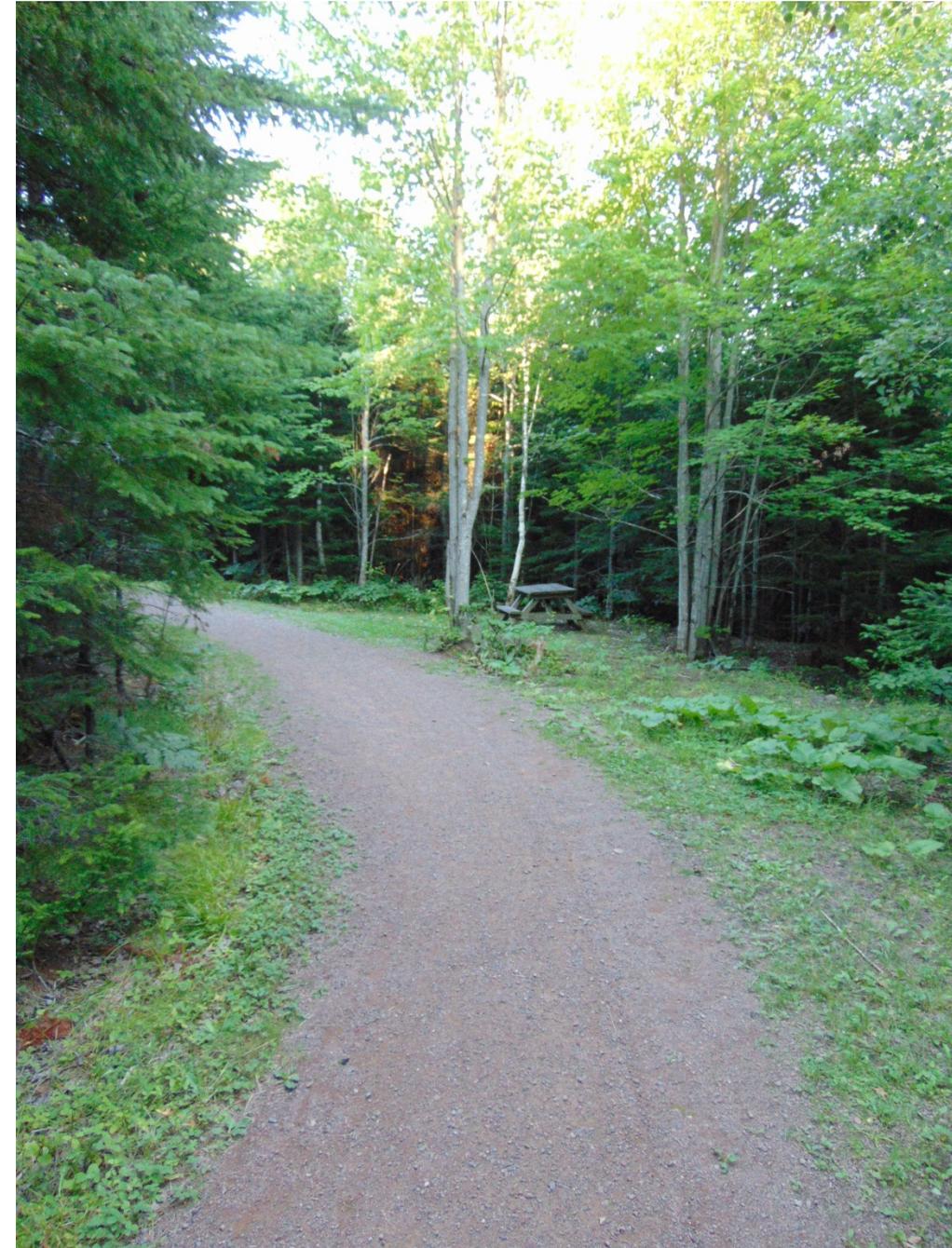
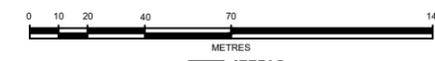


Table 6 Greenspace

PLAN SHOWING
Green Network Plan

AFFECTING
Ptn. of 35-38-27 W4M

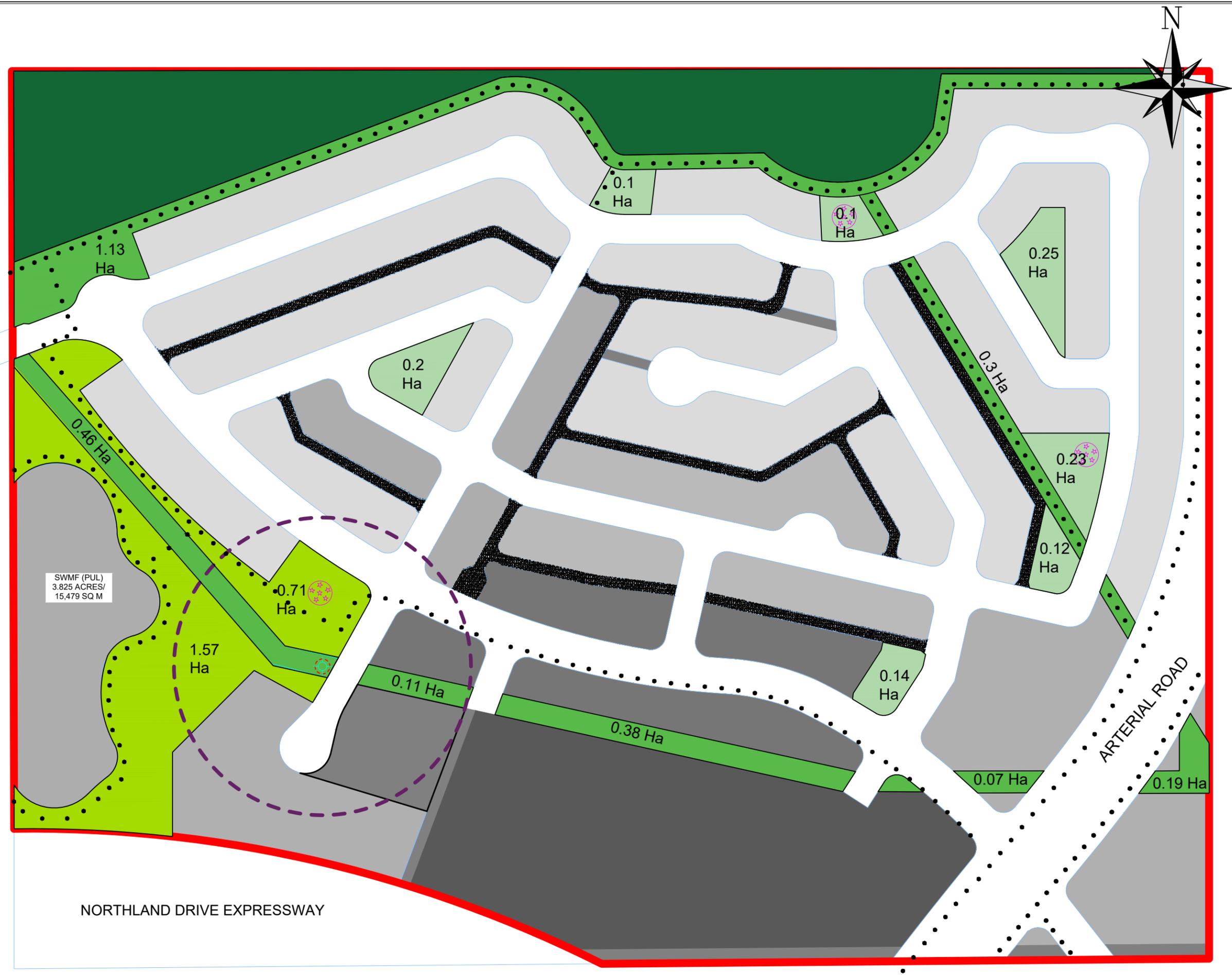
SCALE: 1:2500



ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend

- Multi-Use Path -
- Potential Playground -
- Linear Park -
- Parkette -
- Large Park -
- Environmental Reserve -
- 5m Wellhead Setback -
- 100m Wellhead Setback -
- Well -
- Subject Property -



SWMF (PUL)
3.825 ACRES/
15,479 SQ.M

NORTHLAND DRIVE EXPRESSWAY

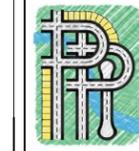
ARTERIAL ROAD

Figure 11

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CHECKED BY	R. POTRIE	DATE	Dec 12/17		

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5.2. Greenspace Types & Amenities

5.2.1. Neighbourhood Park



Definition:

- These parks are intended to provide space for both active and passive recreation. Formal recreational amenities such as sporting & play areas will be provided.

Proposed Amenities:

- Children playground, sitting areas, picnic sites and parking area. Also accommodates informal play and potential gardening site(s), where possible.

Size:

- 2.78 Hectares & (6.9 Acres.)

Location:

- The CNASP features one neighbourhood park.

5.2.2. Parkettes



Definition:

- Small green spaces that provide opportunities for 'bumping spaces' and passive enjoyment of green space.

Proposed Amenities:

- Children's playground/informal play, sitting area, community gardening site.
- Formal recreation amenities will be provided.

Size:

- 1.15 Hectares(2.8 Acres.)

Location:

- The CNASP features 6 parkettes, spread throughout so as to provide all residents with easy access to green space.

5.2.3. Linear Park



Definition:

- Green spaces integrated into street network and trail systems to increase open space and opportunities to gather, play, and recreate within neighbourhoods.
- Linear parks provide connections between large/regional parks or nodes.

Proposed Amenities:

- Paved multi-use trails and pedestrian links allow both pedestrians and recreational cyclists safe connections throughout the park system.

Size:

- The CNASP will contain 1.71 Hectares (4.2 Acres) of linear park.

Location:

- Found in the northern and eastern section of the CNASP.

5.2.4. Natural Environment Area



Definition:

- Green spaces provide conservation of habitat and visual appeal.

Proposed Amenities:

- Trails, benches, & garbage cans.
- Paved multi-use trail allow both pedestrians and recreational cyclists safe connections to the surrounding regional and local trail system. The trail will be built according to the Waskasoo Trail standards.
- Trail amenities may include trail paving, benches or way finding signage. Any amenities within natural area will be designed and constructed so as to minimize disturbance of existing wildlife habitat and sensitive areas.

Size:

- 3.8 Hectares (9.3 Acres)

Location:

- Along the northern boundary of the CNASP.

6. Mobility & Connectivity

6.1. Overview

Transportation within the CNASP is organized around a network of local and lane roadways that connect to tree-lined residential collector roadway. The residential collector roadway provides access to Range Road 271, which the City of Red Deer intends to upgrade to an urban arterial road standard in the future. All destinations within the CNASP are accessible by way of either residential collector, local or lane roadways, including all neighbourhood and pocket parks as well as the commercial areas and community amenity sites.

The transportation network and interconnected streets are intended to encourage non-automobile modes of travel and provide passive recreational opportunities throughout the neighbourhood. With a primary focus on walking and bicycling modes, the Road Plan (Figure 13, Page 50) outlines how such active modes of transport would utilize both on and off street facilities (sidewalks, pedestrian links, multi-use trails and parks) to reach neighbourhood destinations. This plan also includes consideration for other modes of transportation that are more recreational in nature, which might include jogging, in-line skating, skateboarding, cross-county skiing and/or snowshoeing, by utilizing the network of trails and parks. (Figure 12, Page 49) This plan is consistent with the Mobility Playbook of the City of Red Deer.

The Arterial Roadway intersection alignment with Northland Drive is consistent with Option 3 of the North Highway Connector Study (2013). See Appendix 2

6.2. Pedestrian

As part of a broader travel system, walking as a form of travel is important as a way to get around on its own, but it is also an important part of transit use as well. Walking is encouraged through a combination of comfortable sidewalks with street trees and multi-use trails which will provide visual appeal as well as a sense of safety.



6.3. Bicycle

The bicycle is an important part of the neighbourhood transportation system. Cyclists will appreciate the grid-like street pattern that allows them to get to their destination faster. The regional multi-use trail system will provide cyclists not only with another recreational amenity but also the ability to commute over larger distances to city-wide destinations, encouraging a reduction of automobile dependency.

6.4. Transit

As Red Deer's population continues to grow, the CNASP residents will demand motorized transportation options to reach City-wide destinations. Transit is a strong option for those who are unable or would prefer not to drive an automobile. Future potential transit routes could be located along the main collector and arterial roads. The proposed transit stops will provide residents with a comfortable 5 minute walk (< 400m) to catch a bus. (See Figure 12, Page 49.) The Community Amenity Site is located near a potential bus stop. Street lighting will ensure that pedestrians and vehicle drivers can stay safe by easily seeing each other. This comfortable access to transit will encourage more usage and build ridership in the CNASP.



6.5. Automobile

The arterial, collector, local and lane roadways provide connectivity for automobile travel within and outside of the CNASP neighbourhood. Use of automobiles will likely dominate commuter travel to city-wide destinations. In addition to city-wide destinations, residents may also use automobiles for shopping trips to the commercial area given the need to transport potentially large goods back home. Safety on public roads may be increased through various methods to reduce driving speed, such as the use of roundabouts, streets trees, street lighting and pedestrian-traffic signals.



6.6. Traffic Calming

Calming traffic is an important part of a safe, accessible community. The provision of on-street parking along the collector road and placement of street trees will create the perception of a more-narrow road and drivers will react by reducing their speed accordingly. The predominantly short block lengths will create frequent roadway intersections which will also calm traffic. Traffic calming features within the CNASP may include:

- Pedestrian-activated traffic signals could be considered where the multi-use trail intersects with a road.
- “Street trees” to enclose roadways & encourage slower automobile traffic.
- “Bump outs” serve to facilitate street crossing for those with mobility impairments and benefit all residents by increasing neighbourhood walkability.
- Posted speed limit reductions could be considered.
- Appropriate measures to minimize and/or eliminate traffic using local roads to circumvent calming strategies.

Specific traffic calming needs and provisions will be further accessed within subsequent detailed designs.

6.7. Access Restrictions

Residential lots that are adjacent to the collector roundabout (located in the northwest corner of the CNASP) may be restricted from having front access to the road. If a lot is located within this restricted area, a rear laneway would be required to provide the necessary access. Final determination of which lots are within this restricted area will be subject to a detailed design of the roundabout.

Properties that back onto northeast side of the Conserve Pipeline right of way (in the plans NE) may not have access to the lane.

Table 6 Transportation Typologies

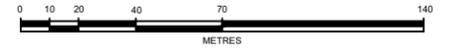
Typology	Location	User Experience	Accessibility & Integration	Safety
Pedestrian	Sidewalks, trail, pedestrian links	Local destinations, recreational	Connected with primary destinations and adjacent neighbourhoods & trail systems	Traffic calming measures, crosswalks, street trees
Bicycle	Regional multi-use trails, bike/automobile lanes on collector & local roads	Local destination, commuter, recreational	Connected with primary destinations and adjacent neighbourhoods & trail systems	Multi-use trail system
Transit	Stops located along collector road near important locations	Destinations outside the neighbourhood, commuter	To major transportation exchanges	Stops within short proximity to key neighbourhood amenities, lighting, accessibility
Vehicle	Arterials, collectors, local and lanes	Commuter	To arterials and city-wide destinations	Narrow local & collector roads, pedestrian traffic-signalling, street lights

Coventry
1625183 Alberta Ltd

PLAN SHOWING
Road Plan

AFFECTING
Ptn. of 35-38-27 W4M

SCALE: 1:2500



METRIC
ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend

- Potential Transit Stops -
- Lanes (7m) -
- Local (20m) -
- Collector (24m) -
- Arterial (60m) -
- Express Way -
- Subject Property -

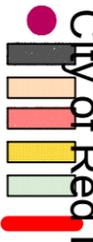


Figure 13

DRAWN BY	A. WINKLER	DATE	May 28/18	FILE NO.	P 531-04
CHECKED BY	R. POTRIE	DATE	May 28/18		

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 2922 3rd Ave NE
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 Fax: (403) 230-0333
 Email: rod@planningprotocol2.com
 Url: www.planningprotocol2.com



6.8. Divided Arterial

Intent:

Carry large volumes of all types of traffic moving at medium to high speeds. These roadways serve the major traffic flows between the principle areas of traffic generation and connect to rural highways and collectors. The urban arterial facilitates connections to city wide destinations.

City of Red Deer Standard design featuring:

<ul style="list-style-type: none"> • 60m Right of Way • 5m Raised Centre Median 	<ul style="list-style-type: none"> • 8.4m Carriageway • 3m Sidewalk 	<ul style="list-style-type: none"> • Berm and Trees on both sides (berms not required adjacent to commercial district) • Street lights on both sides
---	---	--

6.9. Berms

Berms will be built on either side of the Northland Drive and the unnamed Arterial roadways to minimize visual and acoustic impact of traffic from adjacent developments. These berms will be consistent to that found elsewhere along main arterials. Berms may not be required adjacent to non-residential areas.

6.10. Undivided Residential Collector

Intent:

Provide vehicle, transit and pedestrian access to residential areas, as well as collect incoming and outgoing traffic from the surrounding local roads, channelling it to specific access points along the arterial road network. All collector roads allow parking lanes and sidewalks available on both sides of the street. Street trees enhance pedestrian comfort and safety.

City of Red Deer Standard design featuring:

<ul style="list-style-type: none"> • 24m Right of Way • 12m Carriageway 	<ul style="list-style-type: none"> • Sidewalks on both sides (2.5m & 1.5m, respectively) • Street trees within boulevards on both sides 	<ul style="list-style-type: none"> • Street light on one side only
---	---	---

6.11. 10m Residential Undivided Local

Intent:

Provide vehicle, transit and pedestrian access to residential blocks that are not located alongside a collector road. Local road traffic, both incoming and outgoing, is funneled onto collector roads, which provide access to the surrounding transportation network.

City of Red Deer Standard design featuring:

<ul style="list-style-type: none"> • 20m Right of Way • 10m Carriageway 	<ul style="list-style-type: none"> • 1.5m Sidewalks (both sides) 	<ul style="list-style-type: none"> • Street trees within boulevards on both sides • Street light on one side only
---	---	---

6.12. Lanes

Intent:

Facilitate rear yard servicing without disrupting the sub-surface ground conditions where roadways will be located. Lanes also provide alternative access for residential lots. Lanes are intended to service automobile traffic but, subject to Land Use Bylaw requirements, could also act as the primary access for residential lots if secondary suites were to be introduced in the future.

City of Red Deer Standard design featuring:

<ul style="list-style-type: none"> • 7m Right of Way • 6.6m Carriageway • 0.2m Separation between Carriageway and Property Line 	
--	--

6.13. Waskasoo Trails

The Multi-Use Trail system shown in (Figure 11 (pg 42)) will be constructed to the Waskasoo trail design standard, outlined within the City of Red Deer Trails Master Plan. The Red Deer regional trail system will extend through the CNASP, namely:

- Along the south side of the environmental reserve.

(See Figure 14)

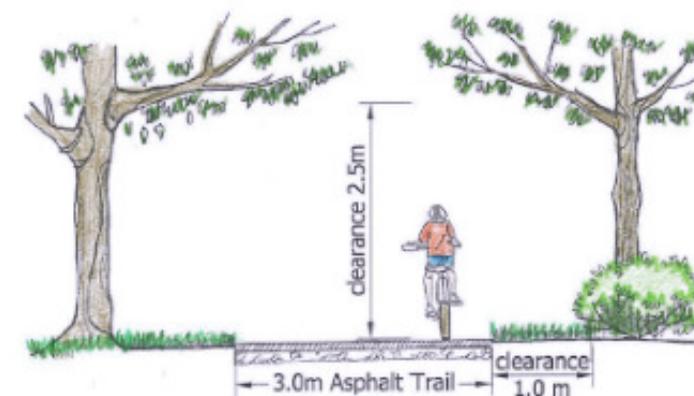


Figure 14 Waskasoo Trail Design Standards

6.14. Neighbourhood Trail

In conjunction with the regional trail system, the internal trails within the CNASP provide many pedestrian and cycling opportunities. The internal trail system extends through the neighbourhood park and provides several options for north/south connectivity. As described in the City of Red Deer Trails Master Plan, the internal trail system will be constructed to the neighbourhood trail design standard.

(See Figure 15)

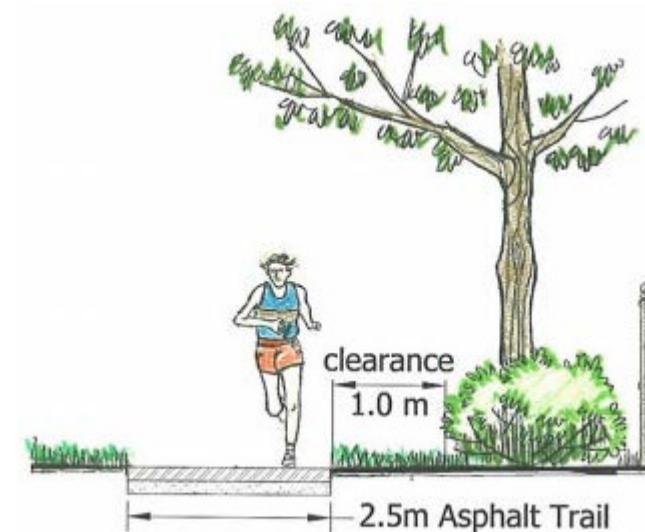


Figure 15 Neighbourhood Cross Trail

7.0. Neighbourhood Design & Character

7.1 Overview

The CNASP's overall character is a result of the combination of the existing natural area to the north and the area's rich agricultural history. The heart of the neighbourhood is located around the neighbourhood node comprised of the district commercial, mixed use commercial, high density residential and park space near the entrances to the CNASP.

To balance the intensity of development densities in the neighbourhood, land uses have been located to provide an appropriate transition from higher to lower densities. Starting with the highest density area near the entrance to the neighbourhood, there is a transition to lower densities associated with medium and semi-detached residential, ending with the lowest densities associated with small lot and low density residential.

The CNASP will feature an "Old Small Town Meets New" theme. The theme's aesthetic is accomplished through the use of brickwork, cornices and other design choices that capture a feeling of being in a small historic rural town but are otherwise surrounded by more contemporary design features. Use of recycled brick and other building materials in the construction of the more "historic" features will further bolster this theme. Similar patterns, colors and finishes will be used consistently throughout the neighbourhood, providing the connection between the "old" and "new" features, including street signage, interpretive signage along trails, and themed entrance gates to neighbourhood parks. All of these elements will provide a distinct sense of community identity and pride amongst residents.



7.2 Built Form & Public Realm

“The District” –District Commercial

This area is envisioned as a locally orientate, mixed use commercial and residential area with an emphasis on providing attractive, welcoming, pedestrian streetscapes. Buildings will have a “small town” aesthetic, utilizing brickwork, window awnings and cornices to set the scale for the street whenever appropriate. The District will be pedestrian-accessible and be within a maximum of 5 minute walking distance from all residential dwellings within the CNASP.

Developers will be encouraged to have the retail and medical office units that front and open up onto the public street through the use of large windows and/or utilize sidewalk patios. Building height will be an important consideration in creating a great pedestrian experience but are ultimately subject to the requirements of the Land Use Bylaw (Figure 16)

Larger stores with adjacent broad parking areas will feature landscaped walkways that allow pedestrians a clear path in which to cross from one end of the development to the other with as little interaction with vehicle traffic as possible (Figure 18.) Development within this area will be visually appealing and encourage pedestrians to enjoy the journey rather than wish they’d brought their car on the shopping trip. Areas for pedestrian circulation will be clearly marked using different paving, concrete curbs, landscaping, and lighting.



Figure 16 Encourage smaller retail and office outlets to front directly onto their parking stalls



Figure 17 Appealing street scape with wider sidewalks so as to make the pedestrian experience a



Figure 18 Pedestrian walkway islands ensure safety & comfort throughout larger parking areas

7.3 General Building Design

To create good street definition and a sense of enclosure, all residential buildings (except commercial dual exposure homes) will be located so that the front of the building faces the street, and entrance is accessible directly from the public sidewalk. Buildings with enhanced height, massing, building projections, architectural elements and/or public space will be integrated at corner lots or key intersections. Residential buildings will incorporate a range of architectural features and design details.

7.4 Entrance features to Natural Area / Regional Trail

All entries into the natural park will have an entrance feature that provides information such as a trail map and any amenities that may be available. The entrance feature will adhere to the Waskasoo Park: Signage Identity Standards (2010). The entrance feature may be decorated and landscaped in such a way to reflect the native environment using landscaping material such as prairie tall grasses, native grasses, trees, and shrubs. Such a prominent entry feature also provides a clear sense of place to the user, differentiating the natural park from the smaller park spaces.

7.5 Neighbourhood Parks & Parkettes

The smaller scale of the neighbourhood parks is reflected in the simplicity of the entry feature signage. Signage that is constructed of wood or painted stone with vibrant colors conveys functional information while also providing a small town aesthetic for the users. A uniform signage design should be consistently used through the CNASP.

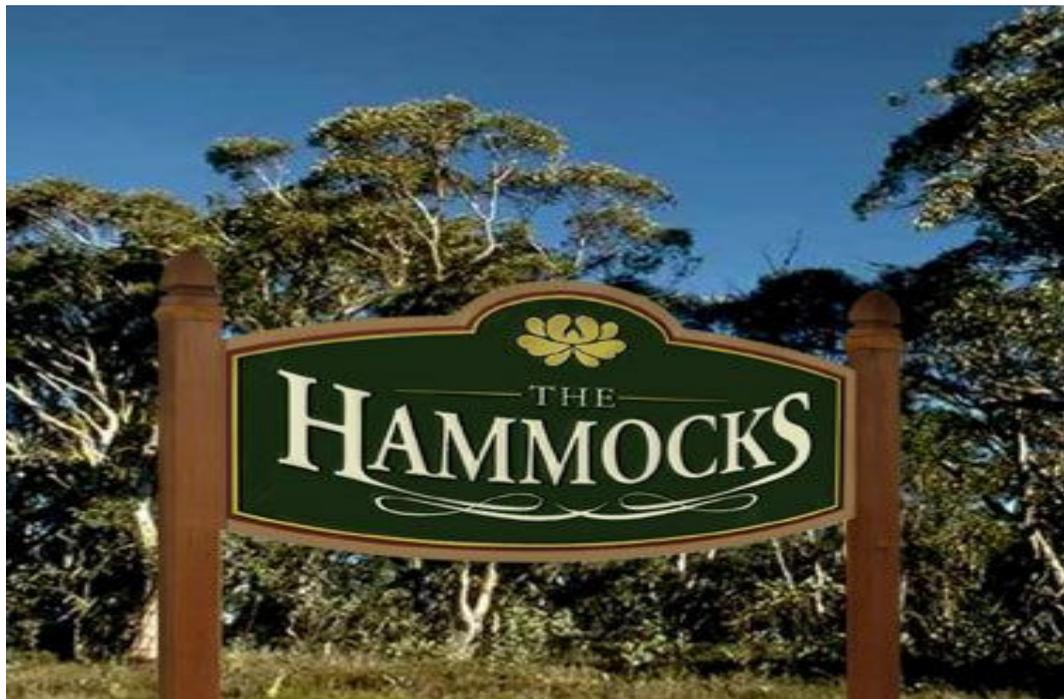


Figure 19 Suggested Entrance Feature into Neighbourhood Parks

8.0 Infrastructure & Servicing

8.1 Overview

The City's servicing infrastructure will need to be extended into the CNASP. This servicing is expected to come from trunks that are adjacent to the Northland Drive Expressway. The planning of new infrastructure will also take into account impacts on the environment, particularly from a storm water management perspective. The CNASP will also provide road access to land southwest of Section 35. The CNASP will comply with the recommendations listed in the City of Red Deer's Environmental Master Plan (EMP) goals (pages 3-4).

8.2 Water

Water servicing will be provided from the rear of most of the lots that have a rear lane or back onto open space. Lots that do not have a lane or rear-adjacent open space will be serviced from the front side, from the collector or local right of ways. This distribution system will tie into the main trunk line that will be located along the arterial road along the eastern boundary of the CNASP area. All water facilities will be designed in accordance with the City of Red Deer Engineering Design Guidelines and will become the responsibility of the City to maintain after the maintenance period. A preliminary design of the water distribution system needed to service the CNASP is shown in Figure 20 (pg 61). The overall goal of the water servicing plan will be in line with the City of Red Deer's EMP (Environmental Master Plan) to improve the quality of water resources and decrease water consumption (page 15 of EMP.)

8.3 Sanitary Sewer

The sanitary sewer collection system will be provided by way of underground pipeline laid primarily at the rear of all lots. The collection system will tie into the main trunk lines that will be located along Northland Drive. All sanitary facilities will be designed in accordance with the City of Red Deer Engineering Design Guidelines and will become the responsibility of the City to maintain after the maintenance period. A preliminary design of the sanitary collection system needed to service the CNASP is shown in Figure 21 (pg 62).



8.4 Storm Water Management Facility

This plan will accommodate future land development within the southwest of Section 35 through a shared storm water management facility (SWMF). The SWMF will manage storm water from both a major and minor drainage system. The minor drainage system will consist of a conventional piped drainage system designed with a gravity capacity for flows. The major system will consist of roadways, natural and man-made channels as well as property line easements designed to safely convey runoff accumulated from a 1:100 year event to the municipal storm water system via a wet pond located in the south west corner of the CNASP area. The CNASP's drainage plan will align with the East Hill Master Drainage Plan.

The aforementioned wet pond will be approximately 2.10 Ha (5.2 Acres) in size for 23,600 m³ of storage and would be designed in accordance with the City of Red Deer Engineering Design Guidelines. Inlets to the pond are located along the north and east sides of the pond. The pond outlet is on the north side of the storm pond and overflows are released directly in to the intermittent stream in the north of the CNASP.

Prior to release, water quality is improved within the pond by settling suspended solids prior to the water entering the intermittent stream or city storm water system. The pond will be designed with an aquatic shelf, which is a shallow-water zone around the pond edges that will be planted with wetland vegetation. These shelves flood during storms. The aquatic shelf will be shallow to prevent the need for safety fencing as well as create an attractive visual amenity for park users. Combined the NASPs for the CNASP and future development within the southwest of Section 35 will need to provide a pond that is at least 1.05 Ha (2.59 Acres) in size. The SWMF, will become the responsibility of the City to maintain after the maintenance period. The shared SWMF servicing plan will be required during the detailed design stages. The SWMF servicing concept is shown in Figure 22(pg 63). The SWMFs purpose will be in line with the City of Red Deer's EMP to protect and enhance the terrestrial and aquatic health of the natural heritage system (page 15 of EMP.)



8.5 Shallow Utilities

Shallow utility services will be provided by the following companies:

- City of Red Deer Electric, Light and Power Department (Electricity and Streetlights)
- ATCO Gas (Natural Gas)
- TELUS Communications (Telephone)
- Shaw Cable (Cable Television)

Each lot will be serviced by an easement that will allow for various shallow utility servicing connections. The shallow utility alignments will be established by way of the detailed design that will be undertaken as part of the Development Agreement. The CNASP is presently within the Fortis Alberta Service Territory. The City of Red Deer Electric Light & Power will apply to have this service territory transferred to the City prior to new development starting. Power for the CNASP will be distributed underground from future City power lines proposed within the Northland Drive and 20 Avenue right of ways. Underground power distribution is expected to be predominately rear lane. Front street power servicing will be utilized for lots that lack a rear lane or where rear access is otherwise restricted. This servicing will be in line with the City of Red Deer’s EMP to create vital compact communities that minimalize negative environmental impacts (page 15 of EMP.)

8.6 Emergency Services

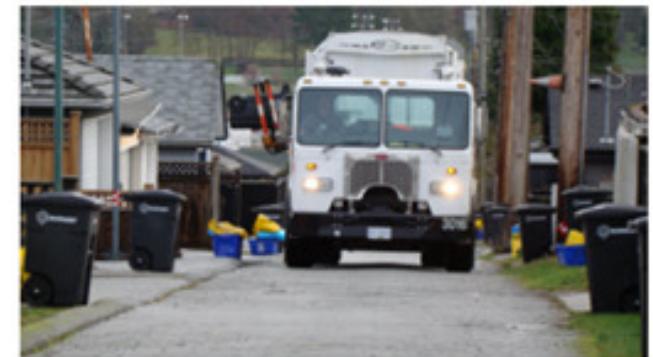
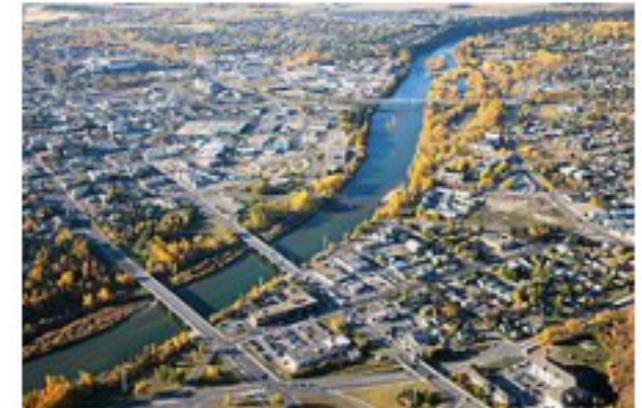
The City of Red Deer has relocated Emergency Services Station #4 to a new location within the Timberlands Neighbourhood to improve response times for residents in the Northeast. The station became operational in January 2017. Being located 4.7 kilometres from the CNASP the estimated response time is 7 minutes.

8.7 Waste

All waste services will be consistent with the City of Red Deer’s Waste Management Master Plan. Commercial sites, multifamily sites, and the community amenity site will have waste collected by private contractors. All waste will be picked up from lanes except where lots are not serviced by a lane in which case front lot waste disposal will be provided. The overall goal of waste services will be in line with the City of Red Deer’s EMP to decrease the amount of waste going to the landfill and increase waste diversion opportunities (page 15 of EMP.)

8.8 Energy Efficient Design Principles

Developers will be encouraged wherever possible to incorporate energy efficient designs such as; Water efficient faucets and toilets, solar panels, energy efficient lighting, energy efficient heating and cooling systems etc. These principles will be in line with the City of Red Deer’s EMP to reduce energy use and move towards using renewable energy sources (page 15 of EMP.)



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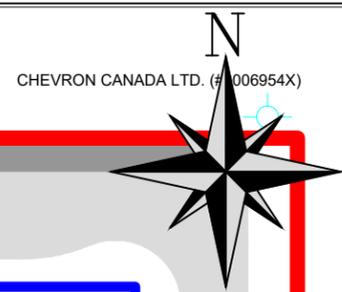
PLAN SHOWING
Water Servicing

AFFECTING
Ptn. of 35-38-27 W4M

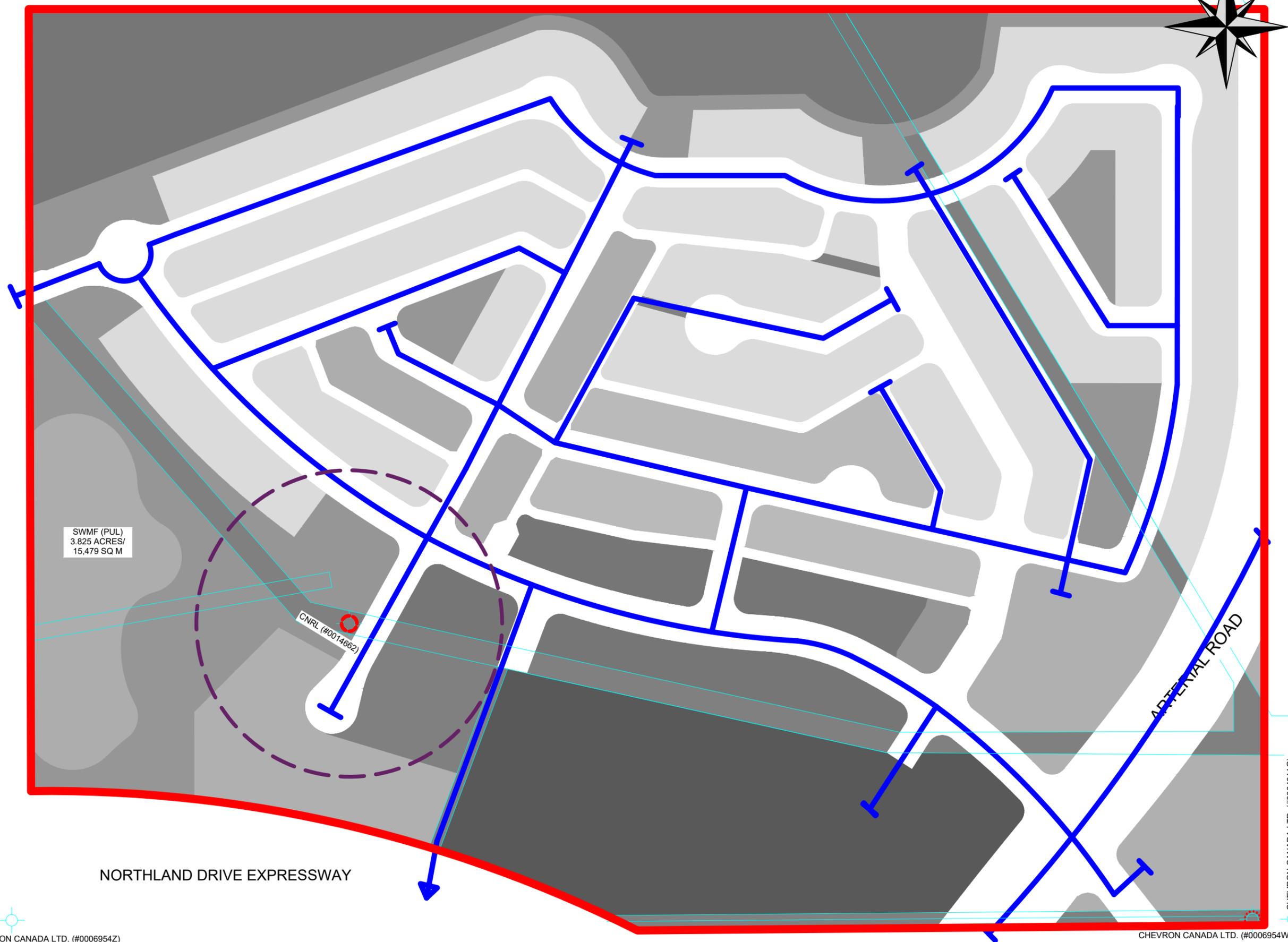
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0 10 20 40 70 140
METRES

ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

- Legend**
- Water Servicing -
 - Outfall (or Intake) -
 - End of Pipe -
 - 5m Radius from Well Head
 - 100m Radius from Well Head
 - Well Head
 - Subject Property -



CHEVRON CANADA LTD. (#006954X)



SWMF (PUL)
3.825 ACRES/
15,479 SQ.M

CNRL (#0014662)

ARTERIAL ROAD

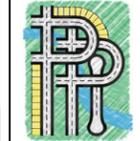
NORTHLAND DRIVE EXPRESSWAY

Figure 20

DRAWN BY	A. WINKLER	DATE	Dec 12/17	FILE NO.	P 531-04
CHECKED BY	R. POTRIE	DATE	Dec 12/17		

Planning Protocol 3 Inc

2922 3rd Ave N
Calgary Alberta T2A 6T
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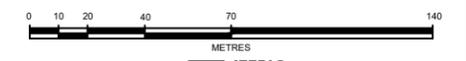


Coventry
1625183 Alberta Ltd

PLAN SHOWING
Sewer Servicing

AFFECTING
Ptn. of 35-38-27 W4M

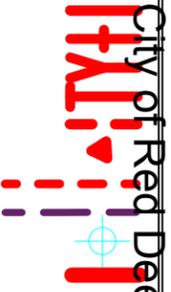
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ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO
CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend

- Sewer Servicing -
- Pipe Drains Both Ways -
- Outfall -
- End of Pipe (or Intake) -
- Potential Sewer Servicing -
- Flow Direction -
- 5m Radius from Well Head
- 100m Radius from Well Head
- Well Head
- Subject Property -



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SWMF (PUL)
3.825 ACRES/
15,479 SQ.M

CNRL (#0014662)

ARTEPIAL ROAD

NORTHLAND DRIVE EXPRESSWAY

Figure 21

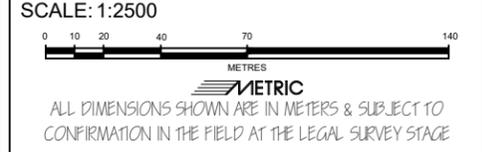
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CHECKED BY	R. POTRIE		Dec 12/17		

Planning Protocol 3 Inc

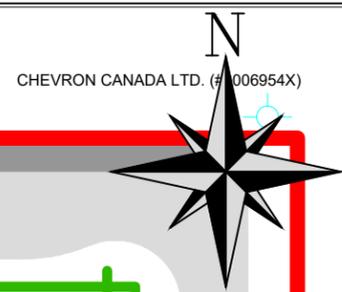
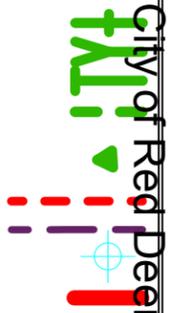


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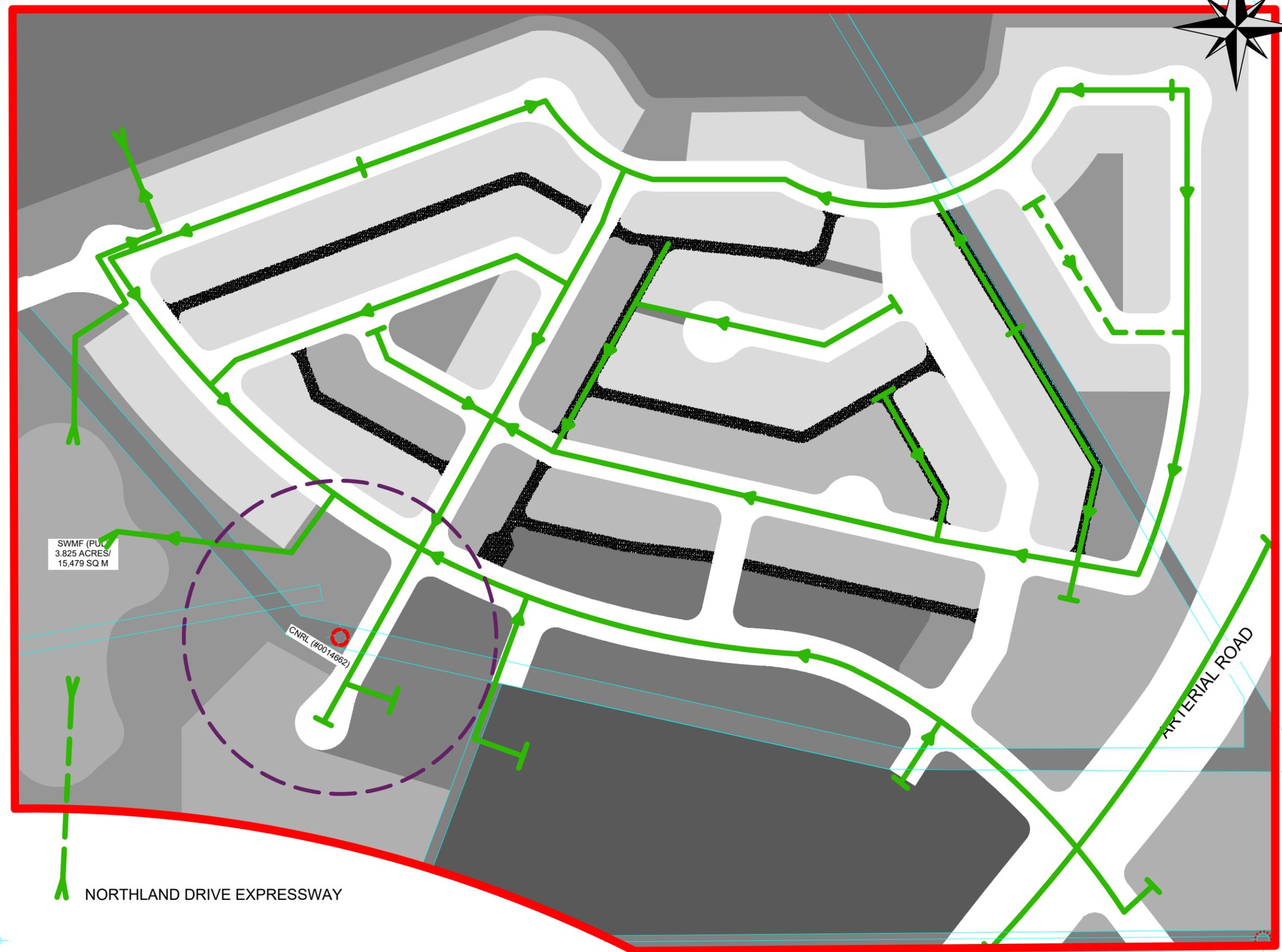
Coventry
1625183 Alberta Ltd
PLAN SHOWING
Storm Drainage
AFFECTING
Ptn. of 35-38-27 W4M



- Legend**
- Storm Drainage -
 - Pipe Drains Both Ways -
 - Outfall (or Intake) -
 - End of Pipe -
 - Potential Sewer Servicing -
 - Flow Direction -
 - 5m Radius from Well Head
 - 100m Radius from Well Head
 - Well Head
 - Subject Property -



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SWMF (PUL)
3.825 ACRES/
15,479 SQ.M

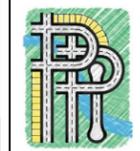
CNRL (#0014662)

Figure 22

DRAWN BY	DATE	FILE NO.
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CHECKED BY	DATE	
R. POTRIE	Dec 12/17	

Planning Protocol 3 In

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9.0 Development & Phasing

9.1 Phasing

Infrastructure servicing will be extended into the CNASP from the southern portion of the CNASP, excluding the commercial area and multifamily. The CNASP will be divided into five phases of development and will be implemented as follows:

- Phase 1 starts in the south section of the CNASP. It will introduce a variety of housing, such as R2-Medium Density and R1A Semi Detached housing and R3, commercial, as well as the neighbourhood park and naturalized storm water management facility. The arterial road upgrade and any relevant portions of the regional trail system will also be included as part of Phase 1.
- Phase 2 will include the introduction of R1-Low Density and R1G-Semi Detached lots.
- Phase 3 features predominantly R1-Low Density lots and some R1A.
- Phase 4 provides the remaining R1-Low Density lands and Parkettes, including the community garden space.
- Phase 5 will see R1 primarily and the multi-use trail features. All of the Natural Area along the northern boundary of the site will be included in this phase.
- Phase 6 features predominantly R1-Low Density lots and some R1A.

See Figure 23, Page 66

9.2 Redistricting and Subdividing

Redistricting and subdivision on applications will be undertaken as necessary so as to conform to the land use designations described in this CNASP. Applications must also align with the City of Red Deer MDP, the East Hill MASP, the Section 35 Multi-Neighbourhood Plan and the CNASP, redistricting and subdivision applications to The City of Red Deer Land Use Bylaw and other necessary informational requirements.

Plan Amendments

An amendment to this CNASP is required for any significant changes to the plan, including:

- Major shift in the location of community facilities
- Major shift between general land use categories (i.e. Residential to Commercial.)
- Major shift in infrastructure design or layout (i.e. roads, sanitary, storm and water services)
- Significant changes in other documents affecting planning and land use within the CNASP, such as a major amendment to the Section 35 Multi-Neighbourhood Plan or East Hill MASP

Exceptions

- Provided that the intent of the CNASP is maintained, a minor adjustment to proposed land use boundaries or roadway alignments may be made where necessary without an amendment. This will include the addition or deletion of lands, including public utility lots, which have been reviewed and deemed appropriate by the City.
- No amendments to the servicing concepts are required to reflect changes determined as a result of more detailed design work & servicing.
- No amendments to the overall development sequence are required as long as the overall intent is maintained.
- Minor adjustments to the road cross sections will not require an amendment.
- No amendments will be required to reflect minor changes to the MR & ER parcels.
- No amendment will be required for the changes to intersection design from roundabout to conventional intersection or vice versa.

9.3 Site Design

The site design for all parcels within this CNASP area shall be reviewed and in compliance with the policies of this plan.

10.0 Plan Interpretation

This plan guides development within the CNASP area. Development applications will be required to align with applicable statutory plans and adhere to The City of Red Deer's Land Use Bylaw and the informational requirements necessary for such applications. Images shown in the CNASP have been incorporated for visioning purposes and are conceptual only and should not be used to identify exact locations or be considered an indication of what will be constructed.

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N



Coventry
1625183 Alberta Ltd

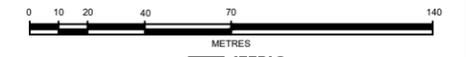
PLAN SHOWING

Phasing Plan

AFFECTING

Ptn. of 35-38-27 W4M

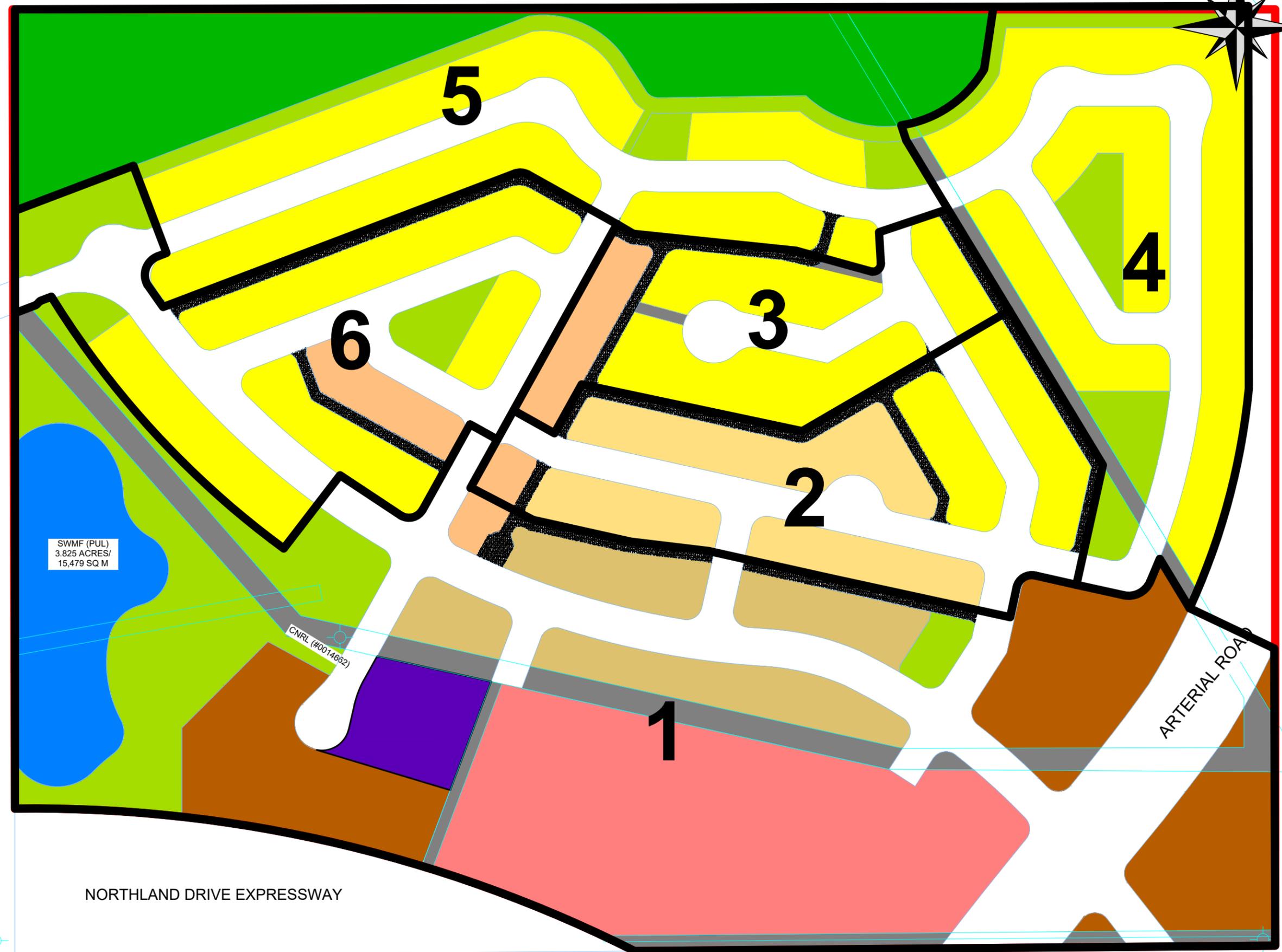
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ALL DIMENSIONS SHOWN ARE IN METERS & SUBJECT TO CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

Legend

- RI Lots -
- RIA Lots -
- R2 Lots -
- RI6 Lots -
- R3 Multi-Family -
- C5 Mixed Use -
- MR -
- ER -
- PUL -
- SWMF -
- Community Amenity Site (R3-Alternate Use) -
- Community Node -
- Existing Pipeline -
- Phasing Borders -
- Subject Property -



SWMF (PUL)
3.825 ACRES/
15,479 SQ M

CNRL (#0014692)

ARTERIAL ROAD

NORTHLAND DRIVE EXPRESSWAY

Figure 23

DRAWN BY	A. WINKLER	DATE	Dec 12/17	FILE NO.	P 531-04
CHECKED BY	R. POTRIE		Dec 12/17		

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CHEVRON CANADA LTD. (#0006954W)

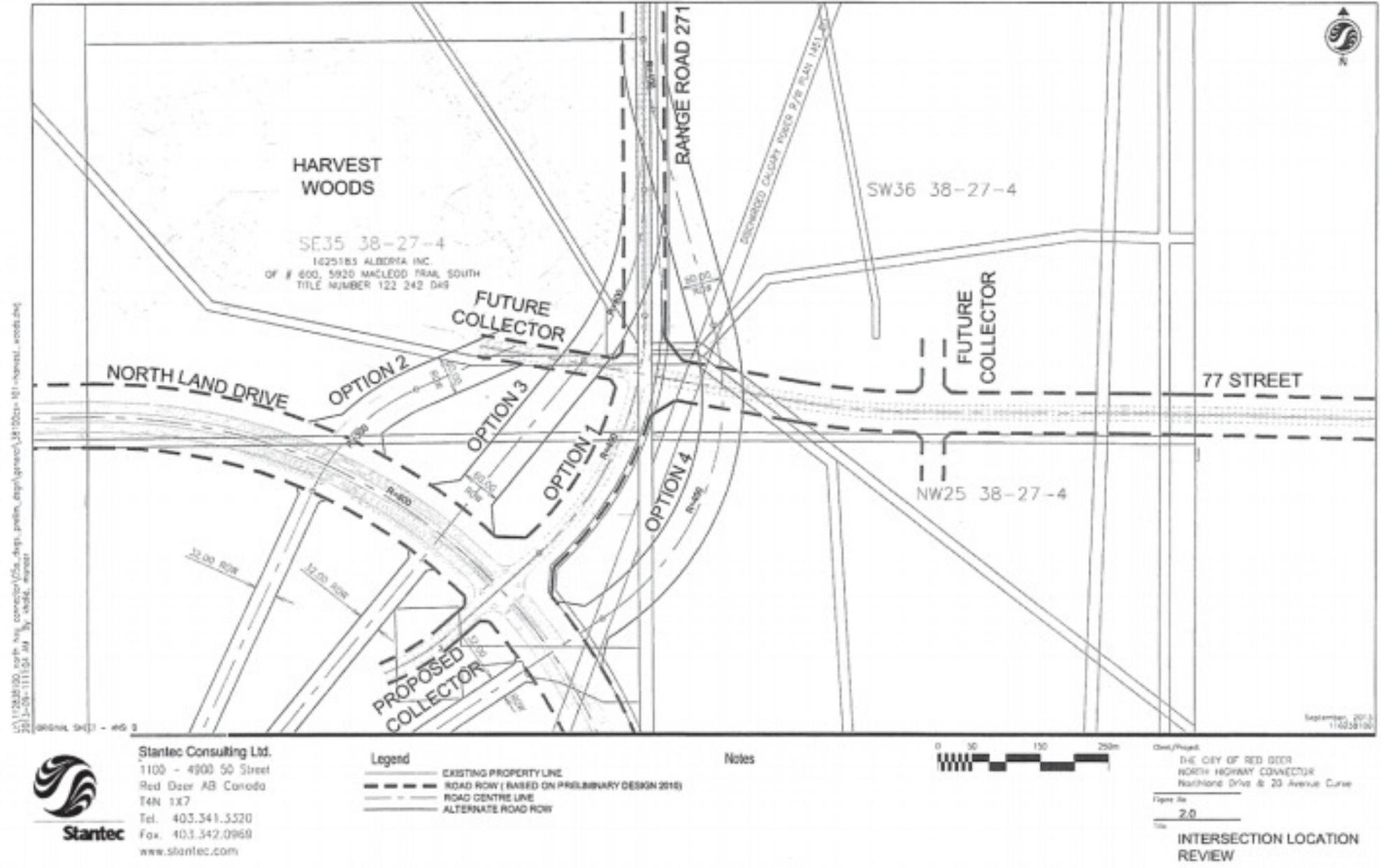
Item No. 6.5. City of Red Deer City Council Regular Meeting, 2018/08/20 - Page 255

Appendix 1 – Section 35 Multi-Neighbourhood Design

The purpose of multi-neighbourhood planning is to explore synergies within a large land mass while providing an overall framework for how an area could develop in the future. Specific topics discussed include: Connectivity and road patterns, natural features for preservation, and the general location of land uses



Appendix 2 - North Highway Connector Study, Intersection Location Review (Stantec, September 2013)



Stantec Consulting Ltd.
 1100 - 4900 50 Street
 Red Deer AB Canada
 T4N 1X7
 Tel. 403.341.3520
 Fax. 403.342.0969
 www.stantec.com

- Legend**
- EXISTING PROPERTY LINE
 - - - ROAD ROW (BASED ON PRELIMINARY DESIGN 2010)
 - · - · ROAD CENTRE LINE
 - - - ALTERNATE ROAD ROW

Notes



Client/Project:
 THE CITY OF RED DEER
 NORTH HIGHWAY CONNECTOR
 Northland Drive & 20 Avenue Curve

Figure No:
 2.0

Title:
INTERSECTION LOCATION REVIEW

Appendix 3 – HRA Approval

	HRA Number: 4835-13-0030-002 August 30, 2017
---	---

Historical Resources Act Approval

Proponent: 1625183 Alberta Ltd.
 2922 3rd Ave NE, Calgary, AB T2A 6T7

Contact: Ms. Rodney Potrie

Agent: Planning Protocol 3 Inc.

Contact: Angelina Winkler

Project Name: Coventry ASP

Project Components: Residential Subdivision
 Area Structure Plan / Outline Plan

Application Purpose: Notification of Change within Previously Approved Footprint
 Update to Project Name and/or Ownership

Historical Resources Act approval is granted for the activities described in this application and its attached plan(s)/sketch(es) subject to Section 31, "a person who discovers an historic resource in the course of making an excavation for a purpose other than for the purpose of seeking historic resources shall forthwith notify the Minister of the discovery." The chance discovery of historical resources is to be reported to the contacts identified within [Standard Requirements under the Historical Resources Act: Reporting the Discovery of Historic Resources](#).



Rebecca Traquair
 Regulatory Approvals Coordinator

Lands Affected: No New Lands

Proposed Development Area:

MER	RGE	TWP	SEC	LSD List
4	27	38	35	1,2,7,8

Documents Attached:

Document Name	Document Type
Land Use Plan	Illustrative Material

**STANDARD REQUIREMENTS UNDER THE HISTORICAL RESOURCES ACT:
REPORTING THE DISCOVERY OF HISTORIC RESOURCES**

If development proponents and/or their agents become aware of historic resources during the course of development activities, they are required, under Section 31 of the *Historical Resources Act*, to report these discoveries to the Heritage Division of Alberta Culture and Tourism. This requirement applies to all activities in the Province of Alberta.

1.0 REPORTING THE DISCOVERY OF ARCHAEOLOGICAL RESOURCES

The discovery of archaeological resources is to be reported to Eric Damkjar, Head, Archaeology, at 780-431-2346 (toll-free by first dialing 310-0000) or eric.damkjar@gov.ab.ca.

2.0 REPORTING THE DISCOVERY OF PALAEOLOGICAL RESOURCES

The discovery of palaeontological resources is to be reported to Dan Spivak, Head, Resource Management, Royal Tyrrell Museum of Palaeontology, at 403-820-6210 (toll-free by first dialing 310-0000) or dan.spivak@gov.ab.ca.

3.0 REPORTING THE DISCOVERY OF HISTORIC PERIOD SITES

The discovery of historic structures to be reported to Ronald Kelland, Acting Manager, Historic Places Research and Designation Program, at 780-431-2334 (toll-free by first dialing 310-0000) or ronald.kelland@gov.ab.ca. Please note that some historic structure sites may also be considered Aboriginal traditional use sites.

4.0 REPORTING THE DISCOVERY OF ABORIGINAL TRADITIONAL USE SITES

The discovery of any Aboriginal traditional use site that is of a type listed below is to be reported to Valerie Knaga, Director, Aboriginal Heritage Section, at 780-431-2371 (toll-free by first dialing 310-0000) or valerie.knaga@gov.ab.ca.

Aboriginal Traditional Use sites considered by Alberta Culture and Tourism to be historic resources under the *Historical Resources Act* include:

Historic cabin remains;
Historic cabins (unoccupied);
Cultural or historical community camp sites;

**STANDARD REQUIREMENTS UNDER THE HISTORICAL RESOURCES ACT:
REPORTING THE DISCOVERY OF HISTORIC RESOURCES**

Ceremonial sites/Spiritual sites;
Gravesites;
Historic settlements/Homesteads;
Historic sites;
Oral history sites;
Ceremonial plant or mineral gathering sites;
Historical Trail Features; and,
Sweat/Thirst/Fasting Lodge sites

5.0 FURTHER SALVAGE, PRESERVATIVE OR PROTECTIVE MEASURES

If previously unrecorded historic resources are discovered, proponents may be ordered to undertake further salvage, preservative or protective measures or take any other actions that the Minister of Alberta Culture and Tourism considers necessary.

Development Checklist

General Purpose

The purpose of the Development Checklist is to highlight conditions associated with future stages of development. The checklist is an internal administrative tool created to assist City Administration when reviewing the various applications within the subject property. The checklist does not form part of the bylaw for the approved area structure plan.

Servicing Study and Detailed Design

- A more complete and detailed geotechnical and slope stability report will be completed as part of the Development Agreement process.
- Residential lots that are adjacent to the collector roundabout may be restricted from having front access to the road. If a lot is located within this restricted area, a rear laneway would be required to provide the necessary access.
- Properties that back onto the Conserve Pipeline right of way may not have access to the lane.
- The shared SWMF servicing plan will be required during the detailed design stages.
- The shallow utility alignments will be established by way of the detailed design that will be undertaken as part of the Development Agreement.
- The PUL in the west of the commercial area for the deep utility connections will likely be aligned with the centre of the roadway. This adjustment does not require an amendment.
- The CNASP is presently within the Fortis Alberta Service Territory. The City of Red Deer Electric Light & Power will apply to have this service territory transferred to the City prior to new development starting.
- Ensure road access is provided for future road connections in the South East corner leaving the plan area eastward.
- Ensure temporary access is provided through the SE of the plan to the triangular remnants of NE26-38-27 of that is bisected by Northlands Drive.
- Top soil stripping, grading, or development shall not be permitted within the CNASP, including areas outside of the 100m setback, until all wells and facilities (including reclamation exempt) contamination areas have been confirmed and outlined by a Phase II ESA that has been accepted by the City. Please contact the Environmental Report Review Team for more information.
- The requirements outlined in 1.5 Building Environment – Oil & Gas for pipelines and well site areas also applies to the reclamation exempt test located within and adjacent to the CNASP boundary. These areas can only be developed once the gas well has been properly decommissioned and any soil contamination and remediation addressed by the well-site Licensee. The developer will not proceed with development until contamination has been remediated to Provincial standards and City Standards. It is the developer's responsibility to contact the licensee and evidence of notification will have to be provided to The City. A Phase 1 ESA conducted by CNRL for their facilities has been previously received by The City. Phase 1 ESAs from the licensee will be required for all other well sites, including those that are reclamation exempt.
- Ensure the sour gas pipelines have been abandoned, removed, and reclaimed and that the EPZ does not apply to the plan area. Take the appropriate actions if any sour gas facilities return to an active status.

Top Soil Stripping and Grading

- The well and facility (CNRL #10014662 & #26012) will need to be abandoned and reclaimed (if required), prior to any stripping and grading occurring within the setback area.
- The exact location of the well site will need to be confirmed prior to any stripping and grading occurring within the setback area.
- No ground disturbance will be allowed within a registered pipeline right of way or the wellhead setback without written consent from the licensee.
- Any activity that may occur within or adjacent to the suspended well will be temporarily marked.
- Residential lots that are adjacent to the collector roundabout may be restricted from having front access to the road. If a lot is located within this restricted area, a rear laneway would be required to provide the necessary access.
- Top soil stripping, grading, or development shall not be permitted within the CNASP, including areas outside of the 100m setback, until all wells and facilities (including reclamation exempt) contamination areas have been confirmed and outlined by a Phase II ESA that has been accepted by the City. Please contact the Environmental Report Review Team for more information.
- The requirements outlined in 1.5 Building Environment – Oil & Gas for pipelines and well site areas also applies to the reclamation exempt test located within and adjacent to the CNASP boundary. These areas can only be developed once the gas well has been properly decommissioned and any soil contamination and remediation addressed by the well-site Licensee. The developer will not proceed with development until contamination has been remediated to Provincial standards and City Standards. It is the developer's responsibility to contact the licensee and evidence of notification will have to be provided to The City. A Phase 1 ESA conducted by CNRL for their facilities has been previously received by The City. Phase 1 ESAs from the licensee will be required for all other well sites, including those that are reclamation exempt.
- Ensure the sour gas pipelines have been abandoned, removed, and reclaimed and that the EPZ does not apply to the plan area. Take the appropriate actions if any sour gas facilities return to an active status.

Development

- Any activity that may occur within or adjacent to the suspended well will be temporarily marked.
- Prior to the issuance of a development permit, confirmation is required that the suspended pipe(s) have been removed, the AER database has been updated, and the caveat removed from the land title.
- Development within the R2 and C5 interface should be similar in size and scale.
- Development within the C5 district can increase in size and scale accordingly the further it is from the R2 district.
- All R2 development backing on to commercial should have rear yard enhancements. These homes will be fronting onto the collector road as well as backing onto the public commercial area. Both front and rear yards must be held to a high architectural standard, providing elements that enhance the small town theme of the CNASP community.

- Development within the C-5 district adjacent to the residential should also provide a frontage with enhanced architectural and landscape features.
- Enhanced architectural controls (implemented by the developer) will be located in areas where a park is adjacent to housing.
- R3 housing units are sited and orientated to front onto the street.
- Residential lots that are adjacent to the collector roundabout may be restricted from having front access to the road. If a lot is located within this restricted area, a rear laneway would be required to provide the necessary access.
- Properties that back onto the Conserve Pipeline right of way may not have access to the lane.
- The CNASP will feature an “Old Small Town Meets New” theme. The theme’s aesthetic is accomplished through the use of brickwork, cornices and other design choices that capture a feeling of being in a small historic rural town but are otherwise surrounded by more contemporary design features.
- District commercial design policies outlined on page 54.
- Top soil stripping, grading, or development shall not be permitted within the CNASP, including areas outside of the 100m setback, until all wells and facilities (including reclamation exempt) contamination areas have been confirmed and outlined by a Phase II ESA that has been accepted by the City. Please contact the Environmental Report Review Team for more information.
- The requirements outlined in 1.5 Building Environment – Oil & Gas for pipelines and well site areas also applies to the reclamation exempt test located within and adjacent to the CNASP boundary. These areas can only be developed once the gas well has been properly decommissioned and any soil contamination and remediation addressed by the well-site Licensee. The developer will not proceed with development until contamination has been remediated to Provincial standards and City Standards. It is the developer’s responsibility to contact the licensee and evidence of notification will have to be provided to The City. A Phase 1 ESA conducted by CNRL for their facilities has been previously received by The City. Phase 1 ESAs from the licensee will be required for all other well sites, including those that are reclamation exempt.
- Ensure the sour gas pipelines have been abandoned, removed, and reclaimed and that the EPZ does not apply to the plan area. Take the appropriate actions if any sour gas facilities return to an active status.
- At the time that a Civil Engineering Consultant is retained by the Developer (e.g. At the time the Servicing Study is completed), the Developer will provide The City of Red Deer’s Engineering Services Department with a Conceptual Design of a roundabout of the intersection of the East-West Collector Roadway and the East Commercial Access for their consideration. At that time it will be determined what the most appropriate configuration is for that intersection.



Appendix C

Comment Sheets from Open House

The following appendix provides copies of all public comment submissions and administrative responses. Public comments were received as the result of a mailed circulation and virtual open house.



Comment Sheet

We invite you to provide feedback regarding the proposed plan amendment/subdivision application. Your feedback are very important to us. Please be sure to specify which application you are responding to by checking the appropriate box and addressing application address & name of the planner.

Collection & Release of Your Information: *The City is collecting your information as part of the referral process that is described in Section 2.19(5) of The City of Red Deer Land Use Bylaw. The personal information on this form is collected under the authority of the Municipal Government Act Section 3 and is protected under the provisions of the Freedom of Information & Protection of Privacy (FOIP) Act. The City will seek to balance the dual objectives of open government and protection of privacy. If you have questions about the collection and use of this information, please contact the Manager of Planning at The City of Red Deer, 4914-48 Ave, Red Deer, AB 403-406-8700.*

Please check the box below which applies:

- Land Use Bylaw Amendment
- Subdivision Application
- Plan Amendment
- Other

Amendment/Subdivision Address:

35-38-37 – Clover Valley Multi-Neighbourhood Plan
SE35-38-27 – Coventry Neighbourhood Area Structure Plan

Name of Planner (Working on the Application):

David Girardin, Senior Planner
403-406-8707

Contact Information

Your contact information allows administration to respond as needed.

Name: Bob Ireland

Mailing Address:

Postal Code:

Phone #:

E-mail Address:

General Comments

Thank you for mailing me the comment sheet. Please take note of my updated address and update your records for future communications.

In reviewing the planning details related to the Coventry Neighbourhood Area Structure Plan, I only have a couple of comments at this time. The first is related to the future Arterial Road on the east edge of the subdivision which will tie into Range Road 271 in some way shape or form by the looks of it. My concern is how this will tie into the existing road and how the surrounding land and residences on the east side of the road will be impacted by the changes and traffic flows in the area. Additionally I would be interested to understand what the plans are for noise abatement and maintaining privacy of the existing residences in the area. I realize this plan is a ways off in the future but I would like to be kept informed as plans develop further.



My second comment is related to the existing wells and pipeline right of ways on this parcel of land. It appears as though the development plan is incorporating these existing facilities into the neighbourhood design. I thought that these facilities would be abandoned (cleaned up and removed) and lands reclaimed prior to any form of residential development taking place. Can you provide any additional comments on the plans for well sights and underground right of ways?

Thank you

Comment sheet may be submitted using the following options:

- Return, by mail to: City of Red Deer Planning Department, Box 5008, Red Deer, Alberta, T4N 3T4; or
- Drop off at the Planning Department counter on the 3rd floor of City Hall at 4914 – 48 Avenue; or
- Fax to the Planning Department at 403.342.8200; or
- Email to david.girardin@reddeer.ca

Thank you for your input!

David Girardin

From: David Girardin
Sent: July 10, 2017 11:40 AM
To: 'Bob Ireland'
Subject: RE: Coventry NASP Comments

Hi Bob, thank you for your comments. They will be included in the Council agenda when the item is presented to Council later this year. As an adjacent land owner you will be notified by the city of a public hearing in Council before the plan can be adopted.

Please note that your mailing address that was used is the one on file with the City. Information on updating your address is available on the City's website <http://www.reddeer.ca/contact-us/change-your-address-with-the-city/>

Range Road 271 (south)

The development of the Coventry NASP is mostly reliant on the construction of Northlands Drive/20 Ave. The portion of Range Road 271 which passes along the west of your property will eventually be developed as 20 Ave/Northland Drive. The construction of this portion of the roadway is largely based on the rate of development in Red Deer, but is curty outside of the 10 year capital budget. The current forecast indicates the constructed will likely be beyond +2027.

To the best of my knowledge the Northlands Drive/20 Ave project has integrated noise mitigation in the form of berms which will be built within the future road right of way.

Range Road 271 (North)

The development of Coventry should have minimal impact on the traffic moving northward along Range Road 271 as majority of vehicles will likely travel south and west along future Northlands Drive/20 Ave. The arterial road would likely only be developed to the entrance of the neighbourhood at first, and in the long term as development moves north or east, RR271 to the north would be upgraded to an arterial road way. I couldn't even fathom a guess as it's beyond our 10 year capital projects list and is largely dependent on the rate of growth.

The best comparison I could provide is Rage Road 272 north of 67 Street. For many years the road remained as a rural road and was only recently upgraded to a two lane paved road as development has started to move north. It will likely be upgraded to a 4 lane arterial roadway (extension of 30 Ave) when traffic volume begin to approach the roads available capacity when development of the adjacent lands intensifies.

Noise mitigation for arterial roadways is based on the anticipated volume/speed/type of traffic. Mitigation for the lands to the east will first be considered when to roadway is upgraded or more than likely when a Neighbourhood Area Structure Plan is developed for the land immediately east. It is unknown when a NASP might be developed for these lands as it is located in Red Deer County's jurisdiction. An annexation would have to occur before they could be considered for a NASP and subsequent City development. (Please note there isn't an anticipated timing for annexation).

Oil & Gas

The oil well has been abandoned and the surrounding area will be integrated into the community once the land has been remediated (as per regulations). There are regulation that require minimum distances from abandoned wellheads (typically 5-metres) that cannot be developed. The abandoned wellhead is usually integrated into community green spaces, as has been done with this plan.

Some of the pipeline right-of-ways will be abandoned and developed after the pipes have been removed from the ground. There are some pipelines right-of-ways that will remain in use and the community has been planned around them. This is not unlike many of the existing neighbourhoods in east Red Deer. In some instances these right-of-way become linear trails, providing walking connections though the neighbourhood.

I hope you found the information helpful. I wish I could provide more information as it related to the roadway, but it would be purely speculative as it's development is still some time away. If you have further questions or would like to discuss the information I have provided, please do not hesitate to call or email me.

Regards,

David Girardin
Senior Planner
The City of Red Deer

403.406.8707
david.girardin@reddeer.ca

From: Bob Ireland [<mailto:>]
Sent: July 09, 2017 3:43 PM
To: David Girardin
Subject: Coventry NASP Comments

<<...>>

David Girardin

From: Wade Martens
Sent: July 11, 2017 9:59 AM
To: David Girardin
Cc: John Sennema
Subject: July 11 2017 LED Coventry Neighbourhood ASP Comments
Attachments: DOC071117.pdf

Good morning David, as discussed yesterday the one comment LED has is with regards to our Eastbend Village NASP and having access to the area that I circled on both our and Coventry's plan and that Option 3 was used for the NHC alignment. If there can be some text added to the body of the NASP or Development Checklist stating that access is to be provided to our lands.

Thanks
Wade

WADE MARTENS | Land Coordinator
Land & Economic Development
The City of Red Deer
Phone:403.356.8891

FILE COPY



Council Decision – August 20, 2018

DATE: August 23, 2018

TO: David Girardin, Major Projects Planner

FROM: Frieda McDougall, Legislative Services Manager

SUBJECT: 3499/A-2018 - Amendment to the East Hill Major Area Structure Plan (MASP) to include the Clover Valley Multi-Neighbourhood Plan (MNP)

3217/A-2018 – Bylaw to adopt the Coventry Neighbourhood Area Structure Plan (NASP)

Reference Report:

Legislative Services, dated July 30, 2018

Resolution:

At the Monday, August 20, 2018 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer hereby agrees to amend Bylaw 3217/A-2018 by:

- Deleting Figure 13 and replacing it with the revised Figure 13
- Adding to Section 1.3 of the Coventry Neighbourhood Area Structure Plan Context, after the sentence “The CNASP and most of the surrounding land has historically been used for agricultural purposes”:

Although this area has been used for agricultural purposes and Alberta Culture and Tourism has issued a Historical Resources Act (see Appendix 3 – HRA Approval), developers are reminded that under Section 31 of the Historical Resources Act, “a person who discovers an historic resource in the course of making an excavation...shall forthwith notify the Minister of the Discovery.” Appendix 3 – HRA Approval contains details on the reporting process.

Resolved that Council of The City of Red Deer having considered the report from Planning Services dated August 9, 2018 re: 3499/A-2018 – Amendment to the East Hill Major Area Structure Plan (MASP) to include the Clover Valley Multi-Neighbourhood Plan (MNP) and Bylaw 3217/A-2018 – Bylaw to adopt the Coventry Neighbourhood Area Structure Plan (NASP) hereby agrees to table Bylaw 3499/A-2018 and Bylaw 3217/A-2018 for up to 4 weeks to allow administration time to follow up on the matters heard at the public hearing and bring back supplementary information, if required.

Report back to Council:

Yes.

Comments/Further Action:

These bylaws will come back to Council in up to 4 weeks to allow administration time to follow up on matters heard at the public hearing and bring back supplementary information, if required.



Frieda McDougall
Manager

- c. Manager of Planning
 Director of Planning Services
 Corporate Meeting Administrator

DATE: August 23, 2018
TO: David Girardin, Major Projects Planner
FROM: Frieda McDougall, Legislative Services Manager
SUBJECT: In-Camera Item

Resolution:

At the Monday, August 20, 2018 Regular Council Meeting, Council passed the following Resolutions:

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation 1.1.1A and 1.1.1B as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation 1.1.2 as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation 1.1.3A as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation 1.1.3B as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation 1.1.3C as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Resolved that Council of The City of Red Deer having considered an item as discussed In Camera hereby endorses recommendation I.1.4 as submitted to the In Camera meeting on August 20, 2018 and agrees that the contents of the report will remain confidential as protected by the Freedom of Information and Protection of Privacy Act Section 23(1)(a).

Report back to Council:

No.

Comments/Further Action:

None.



Frieda McDougall
Manager

- c. Manager of Planning
 Director of Planning Services