



City Council Meeting Agenda

Tuesday, August 24, 2021 – Via Video Conference

Call to Order: 1:30 PM
Recess: 5:00 PM to 6:00 PM
Public Hearing(s): 6:00 PM

1. In Camera Meeting (to last approximately 1.5 hours)

1.1. Motion to In Camera

1.1.a. Motivating Investment Using City Land - FOIP Sections 24(l)(a) Advice from officials and 23(l)(a) Local public body confidences

1.1.b. CHAB Recommendation - Allocation of Additional Reaching Home - Designated Funding - FOIP Section 24(l)(a) Advice from Officials

1.2. Motion to Revert to Open Meeting

2. Minutes

2.1. Confirmation of the Minutes of the July 19, 2021 Regular Council Meeting
(Pages 3 – 13)

2.2. Confirmation of the Minutes of the July 20, 2021 Regular Council Meeting
(Pages 14 – 21)

2.3. Confirmation of the Minutes of the July 26, 2021 Regular Council Meeting
(Pages 22 – 30)

3. Points of Interest

4. Reports

4.1. 2021 Canadian Finals Rodeo & 2023 Men's AAA National Championship Requests
(Pages 31 – 50)

5. Bylaws

- 5.1. Request to Table: Land Use Bylaw Amendment 3357/I-2021. Create PSI – Post-Secondary Institution District and Apply to Red Deer Polytechnic Lands
(Page 51)
- 5.2. Business Licence Bylaw 3609/B-2021 - Crime and Community Safety Tools
(Pages 52 – 205)
 - 5.2.a. Consideration of First Reading of Bylaw 3609/B-2021
- 5.3. Evergreen Neighbourhood Area Structure Plan Amendment Bylaw 3217/D-2021 and Land Use Bylaw Amendment Bylaw 3357/O-2021
(Pages 206 – 301)
 - 5.3.a. Consideration of First Reading of Bylaw 3217/D-2021
 - 5.3.b. Consideration of First Reading of Bylaw 3357/O-2021

6. Public Hearings

- 6.1. Land Use Bylaw Amendment 3357/F- 2021. Rezoning 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District
(Pages 302 – 336)
 - 6.1.a. Consideration of Second Reading of Bylaw 3357/F-2021
 - 6.1.b. Consideration of Third Reading of Bylaw 3357/F-2021

7. Adjournment



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Monday, July 19, 2021
commenced at 1:31 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

Acting City Manager, Tara Lodewyk
General Manager Corporate & Employee Services, Lisa Perkins
Acting General Manager Community Services, George Penny
Acting General Manager Development & Protective Services, Ken McMullan
Chief Financial Officer, Ray McIntosh
Legal & Legislative Services Manager, Michelle Baer
City Growth & Planning Manager, Emily Damberger
Engineering Services Manager, Konrad Dunbar
Transportation Engineer, Russ Watts
Senior Planner, Christi Fidek

Present: City Clerk, Samantha Rodwell
Appeals Coordinator, Jackie Kurylo
Corporate Meeting Administrator, Jennifer Hankey
Corporate Meeting Support, Kristen Waddle



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Frank Wong, seconded by Councillor Vesna Higham

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Monday, July 19, 2021 at 1:32 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 the following:

- Legal Matter – FOIP 24(1)(a) Advice from officials

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

MOTION CARRIED

I.1.a. Legal Matter – FOIP 24(1)(a) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

Acting City Manager Tara Lodewyk, General Manager Corporate & Employee Services Lisa Perkins, Acting General Manager Development & Protective Services Ken McMullen, Acting General Manager Community Services George Penny, Legal & Legislative Services Manager Michelle Baer, City Planning & Growth Manager Emily Damberger, Senior Planner Christi Fidek, City Clerk Samantha Rodwell, Appeals Coordinator Jackie Kurylo, Corporate Meeting Administrator Jennifer Hankey, Corporate Meeting Support Kristen Waddle

I.2. Motion to Revert to Open Meeting



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 open meeting of Council on Monday, July 19, 2021 at 2:35 p.m.

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

MOTION CARRIED

Council recessed at 2:36 p.m. and reconvened at 2:42 p.m.

2. MINUTES

2.1. Confirmation of the Minutes of the July 5, 2021 Regular Council Meeting

Moved by Councillor Michael Dawe, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby approves the Minutes of the Monday, July 5, 2021 Regular Council Meeting as transcribed.

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

MOTION CARRIED

3. REPORTS

3.1. Highway 11A Twinning Project, Land Acquisitions - Expropriation

Moved by Councillor Lawrence Lee, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer having considered the report from Land & Economic Development dated July 19, 2021 re: Highway 11A Twinning Project, Land Acquisitions – Expropriation hereby agrees to approve the resolution as recommended on pages 21-23 of the agenda:



REGARDING EXPROPRIATION FOR THE PURPOSE OF ACQUIRING FEE SIMPLE INTERESTS OVER CERTAIN LANDS LOCATED WITHIN THE CITY OF RED DEER WHEREAS the CITY OF RED DEER is desirous of acquiring a fee simple interest over those portions of the lands legally described below as shown in the sketch plans attached as Schedule "A" to this Certificate, for the construction and operation of public roadway infrastructure and related improvements that, in the opinion of Council, are necessary or desirable for all or a part of the City:

Short Legal
4;27;39;3;SW

Title Number
812 037 401

ALL THAT PORTION OF THE SOUTH WEST QUARTER OF SECTION THREE (3) TOWNSHIP THIRTY NINE (39) RANGE TWENTY SEVEN (27) WEST OF THE FOURTH MERIDIAN, WHICH LIES TO THE WEST OF ROAD PLAN 8021061; NORTH AND WEST OF ROAD PLAN 3564JY; AND SOUTH AND EAST OF THE RIGHT OF WAY OF RAILWAY PLAN C & E NO. 1; CONTAINING 21.31 HECTARES (52.66 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS AND THE RIGHT TO WORK THE SAME

- and-

Short Legal
4;27;38;32;NE

Title Number
062 292 197

MERIDIAN 4 RANGE 27 TOWNSHIP 38 SECTION 32
ALL THAT PORTION OF THE NORTH EAST QUARTER BOUNDED AS FOLLOWS: ON THE EAST BY THE WEST BOUNDARY OF THE LAND SUBDIVIDED UNDER PLAN 2122HW ON THE SOUTH BY THE PRODUCTION WESTERLY OF THE SOUTH BOUNDARY OF BLOCK 3 AS SHOWN ON THE SAID SUBDIVISION PLAN 2122HW ON THE WEST BY THE WEST BOUNDARY OF THE SAID QUARTER SECTION ON THE NORTH WEST BY THE SOUTH EAST LIMIT OF THE CANADIAN PACIFIC RAILWAY RIGHT OF WAY



AS SHOWN ON RAILWAY PLAN C & E NO. 1 AND ON THE NORTH BY THE SOUTH LIMIT OF THE ROAD AS SHOWN ON ROAD PLAN 3564JY CONTAINING 18.96 HECTARES (46.93 ACRES) MORE OR LESS EXCEPTING THEREOUT ALL MINES AND MINERALS

(such lands to be the subject of the taking hereinafter referred to as the "Road Lands").

AND WHEREAS pursuant to the provisions of the Municipal Government Act, R.S.A. 2000, c. M-26, as amended, the CITY OF RED DEER has the authority to acquire the Road Lands by expropriation; AND WHEREAS a Notice of Intention to Expropriate was filed with the Land Titles Office of the Alberta Land Registration District and due notice has been served upon all persons having an interest in the Road Lands and due notice has been published in a newspaper having general circulation in the CITY OF RED DEER all in accordance with the Expropriation Act, R.S.A. 2000, c. E-13, as amended (the "Expropriation Act"); AND WHEREAS the CITY OF RED DEER has not been served with a Notice of Objection from any person with an interest in the Road Lands; AND WHEREAS the Council of the CITY OF RED DEER has had regard to the circumstances that appeared to it to be relevant to the proposed expropriation, including that which Council considered to be in the public interest and good, and including whether or not the proposed expropriation is fair, sound or reasonably necessary in the achievements of the objectives of the City;

NOW THEREFORE BE IT RESOLVED:

1. THAT Certificates of Approval be issued to effect the expropriation of the Road Lands.
2. THAT the expropriation of the Road Lands is approved for the construction and operation of public roadway infrastructure and related improvements that, in the opinion of Council, is necessary or desirable for all or a part of the City.
3. THAT the proper Officers of the CITY OF RED DEER are hereby authorized and empowered to sign and seal the Certificates of Approval, and its Officers and Solicitors are further authorized and empowered to sign and seal all other documents and plans and to carry out all necessary acts required by the Expropriation Act or otherwise in order to complete this expropriation.
4. THAT the proper Officers of the CITY OF RED DEER and its Solicitors are hereby authorized and empowered to arrange the necessary appraisals of the Road Lands and to make a proposed payment pursuant to the provisions of the Expropriation Act to each owner or such compensation as may be ascertained and determined by the Land and Property Rights Tribunal, or as may be agreed upon between the CITY OF RED DEER and each owner.
5. THAT the proper Officers of the CITY OF RED DEER are hereby authorized and



directed to do all things necessary to obtain possession of the Road Lands.

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

MOTION CARRIED

4. BYLAWS

4.1. Municipal Development Plan Amendment Bylaw 3404/A-2021. East Hill Major Area Structure Plan Amendment Bylaw 3499/B-2021. Piper Creek Crossing

Mayor Tara Veer declared a potential conflict of interest and left the meeting at 3:05 p.m. Deputy Mayor Tanya Handley assumed the chair.

Council recessed at 3:10 p.m. and reconvened at 3:17 p.m.

4.1.a. Consideration of First Reading of Bylaw 3404/A-2021

Moved by Councillor Vesna Higham, seconded by Councillor Ken Johnston

FIRST READING: That Bylaw 3404/A-2021 (an amendment to the Municipal Development Plan to add crossing options to the existing Molly Banister Drive) be read a first time.

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

OPPOSED: Councillor Buck Buchanan, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer

MOTION CARRIED

4.1.b. Consideration of First Reading of Bylaw 3499/B-2021

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston



FIRST READING: That Bylaw 3499/B-2021 (an amendment to the East Hill Major Area Structure Plan for the addition of crossing options to the existing Molly Banister Drive) be read a first time.

Council recessed at 4:52 p.m. and reconvened at 5:00 p.m.

Prior to consideration of the motion, the following motion to amend was introduced:

Moved by Councillor Vesna Higham, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution as follows:

- Section 2 by deleting the last sentence and replacing it with:

“The Neighbourhood Area Structure Plan for NE ¼ Section 4 will include space for one four lane collector roadway that would be extended to connect to one of the Piper Creek crossing options, if it is deemed required for transportation connections in the future.”

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

OPPOSED: Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Frank Wong

ABSENT: Mayor Tara Veer

MOTION TO AMEND CARRIED

The original bylaws, as amended, was then on the floor.

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

OPPOSED: Councillor Buck Buchanan, Councillor Frank Wong, Councillor Dianne Wyntjes

ABSENT: Mayor Tara Veer

MOTION CARRIED



Council recessed at 5:13 p.m. and reconvened at 6:00 p.m.

Mayor Tara Veer returned to the meeting at 6:00 p.m. and assumed the chair.

5. Public Hearing

5.1. Land Use Bylaw Amendment 3357/N-2021. Site Exception to accommodate an outdoor patio in C3 Commercial (Neighbourhood Convenience) District at 6017 – 54 Avenue

Mayor Tara Veer declared open the Public Hearing for Land Use Bylaw Amendment 3357/N-2021, a site exception to accommodate an outdoor patio in C3 Commercial (Neighbourhood Convenience) District at 6017 – 54 Avenue.

Councillor Buck Buchanan left the meeting at 6:03 p.m.

A letter from Chad Krahn was read into the record.

Mayor Veer declared the public hearing closed at 6:08 p.m.

Councillor Buck Buchanan returned to the meeting at 6:08 p.m.

5.1.a. Consideration of Second Reading of Bylaw 3357/N-2021

Moved by Councillor Dianne Wyntjes, seconded by Councillor Vesna Higham

SECOND READING: That Bylaw 3357/N-2021 (an amendment to the land use bylaw for a site exception to accommodate an outdoor patio in C3 Commercial (Neighbourhood Convenience) District at 6017-54 Avenue) be read a second time.

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

ABSTAINED: Councillor Buck Buchanan

MOTION CARRIED

5.1.b. Consideration of Third Reading of Bylaw 3357/N-2021

Moved by Councillor Dianne Wyntjes, seconded by Councillor Vesna Higham



THIRD READING: That Bylaw 3357/N-2021 be read a third time.

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

ABSTAINED: Councillor Buck Buchanan

MOTION CARRIED

6. IN CAMERA MEETING

6.1. Motion to In Camera

Moved by Councillor Buck Buchanan, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Monday, July 19, 2021 at 6:11 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 the following:

- Human Resource Matter - FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials

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

MOTION CARRIED

6.1.a. Human Resource Matter - FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials

The following people were in attendance:



Mayor Tara Veer, Deputy Mayor Vesna Higham, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

Acting City Manager Tara Lodewyk, General Manager Corporate & Employee Services, Lisa Perkins, Legal & Legislative Services Manager Michelle Baer

Guest: Shari-Anne Doolaage, Sage Analytics

Mayor Tara Veer called Deputy Mayor Vesna Higham to assume the Chair.

Councillor Buck Buchanan declared a Conflict of Interest due to his involvement in the matter and left the meeting at 8:51 p.m.

6.2. Motion to Revert to Open Meeting

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, July 19, 2021 at 10:14 p.m.

IN FAVOUR: Mayor Tara Veer, 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

7. ADJOURNMENT

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 19, 2021 Regular Council Meeting of Red Deer City Council at 10:17 p.m.

IN FAVOUR: Mayor Tara Veer, 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



City Council Regular Meeting Minutes
UNAPPROVED - Monday, July 19, 2021

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Tuesday, July 20, 2021
commenced at 1:32 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

Acting City Manager, Tara Lodewyk
General Manager Corporate & Employee Services, Lisa Perkins
Acting General Manager Community Services, George Penny
Acting General Manager Development & Protective Services, Emily Damberger
Legal & Legislative Services Manager, Michelle Baer
Safe & Healthy Communities Manager, Kristin Walsh
Safe & Healthy Communities Supervisor, Ryan Veldkamp
Senior Planner, Christi Fidek

Present: City Clerk, Samantha Rodwell
Appeals Coordinator, Jackie Kurylo
Corporate Meeting Administrator, Jennifer Hankey
Corporate Meeting Support, Kristen Waddle



I. IN CAMERA MEETING

I.1. Motion to In Camera

Moved by Councillor Michael Dawe, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Tuesday, July 20, 2021 at 1:33 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 the following:

- Human Resource Matters- FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials

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

MOTION CARRIED

I.1.a. Human Resource Matter - FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

City Clerk Samantha Rodwell, Appeals Coordinator Jackie Kurylo

I.2. Motion to Revert to Open Meeting

Moved by Councillor Tanya Handley, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby agrees to enter into an open



meeting of Council on Tuesday, July 20, 2021 at 2:01 p.m.

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

MOTION CARRIED

Council recessed at 2:01 p.m. and reconvened at 2:08 p.m.

2. BYLAWS

2.1. Land Use Bylaw Amendment 3357/F-2021. Rezoning 2803 50 Avenue from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District

2.1.a. Consideration of First Reading of Bylaw 3357/F-2021

Moved by Councillor Dianne Wyntjes, seconded by Councillor Lawrence Lee

FIRST READING: That Bylaw 3357/F-2021 (an amendment to the Land Use Bylaw to rezone 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District) be read a first time.

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

MOTION CARRIED

3. REPORTS

3.1. Appointment of Interim City Manager

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of the City of Red Deer, having considered the report dated July 20, 2021 from the City Manager Recruitment Committee, hereby endorses the recommendation of the Committee to begin recruitment immediately and retain the recruitment firm as discussed In Camera and protected under the Freedom of Information and Protection of Privacy Act Section 24(1)(c) Advice from officials



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

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer, having considered the report dated July 20, 2021 from the City Manager Recruitment Committee, hereby appoints Deputy City Manager Tara Lodewyk as the Interim City Manager effective July 21, 2021 up to March 1, 2022, and Council endorses the terms of her contract as discussed In Camera and as protected under the Freedom of Information and Protection and Privacy Act Section 23(1)(a) Local public body confidences.

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

MOTION CARRIED

Council recessed at 2:56 p.m. and reconvened at 3:07 p.m.

4. BYLAWS - Continued

4.1. Land Use Bylaw Amendment 3357/R-2021. Site Exception for Temporary Care Facility - 5239 53 Avenue

4.1.a. Consideration of First Reading of Bylaw 3357/R-2021

Moved by Councillor Frank Wong , seconded by Councillor Ken Johnston

FIRST READING: That Bylaw 3357/R-2021 (an amendment to the Land Use Bylaw for a site exception at 5239 53 Avenue for ongoing shelter services until a permanent shelter is available) be read a first time.

IN FAVOUR: Mayor Tara Veer, Councillor Michael Dawe, Councillor Ken Johnston

OPPOSED Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Lawrence Lee,



Councillor Frank Wong, Councillor Dianne Wyntjes

MOTION DEFEATED

5. ADD TO AGENDA

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to add consideration of an In Camera Human Resource Matter to the July 20, 2021 Council Agenda.

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

MOTION CARRIED

Council recessed at 4:40 p.m. and reconvened at 5:30 p.m.

Councillor Michael Dawe left the meeting at 5:33 p.m. and did not return.

Moved by Councillor Buck Buchanan , seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to add “Request to change time of public hearing for Bylaw 3404/A-2021 (amendment to the Municipal Development Plan) and Bylaw 3499/B-2021 (amendment to the East Hill Major Area Structure Plan) to the July 20, 2021 Council Agenda.

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

ABSENT: Councillor Michael Dawe

MOTION CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby agrees to hold the Public Hearing for Bylaw 3404/A-2021(amendment to the Municipal Development Plan) and Bylaw



3499/B-2021 (amendment to the East Hill Major Area Structure Plan) on August 30, 2021 starting at 4:00 p.m.

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

ABSENT: Councillor Michael Dawe

MOTION CARRIED

6. IN CAMERA MEETING - Continued

6.1. Motion to In Camera

Moved by Councillor Lawrence Lee, seconded by Councillor Tanya Handley

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Tuesday, July 20, 2021 at 5:36 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 the following:

- Human Resource Matters- FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials

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

ABSENT: Councillor Michael Dawe

MOTION CARRIED

6.1.a. Human Resource Matter - FOIP Section 17(4) Disclosure harmful to personal privacy and 24(1)(a) Advice from officials



The following people were in attendance:

Mayor Tara Veer, Deputy Mayor Vesna Higham, Councillor Buck Buchanan, Councillor Tanya Handley, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

Acting City Manager Tara Lodewyk, General Manager Corporate & Employee Services, Lisa Perkins, Legal & Legislative Services Manager Michelle Baer

Mayor Tara Veer called Deputy Mayor Vesna Higham to assume the chair.

Councillor Buck Buchanan declared a Conflict of Interest due to his involvement in the matter and left the meeting at 5:31 p.m.

Council recessed at 7:31 p.m. and reconvened at 7:49 p.m.

6.2. Motion to Revert to Open Meeting

Moved by Councillor Ken Johnston, seconded by Councillor Frank Wong

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Tuesday, July 20, 2021 at 8:09 p.m.

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

ABSENT: Councillor Buck Buchanan, Councillor Michael Dawe

MOTION CARRIED

7. MOTION TO TABLE

Moved by Councillor Dianne Wyntjes, seconded by Councillor Ken Johnston

Resolved that Council of The City of Red Deer hereby agrees to table consideration of an In Camera Human Resource Matter to the Monday, July 26, 2021 Council Meeting.

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



ABSENT: Councillor Buck Buchanan, Councillor Michael Dawe

MOTION TO TABLE CARRIED

8. ADJOURNMENT

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Tuesday, July 20, 2021 Regular Council Meeting of Red Deer City Council at 8:12 p.m.

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

ABSENT: Councillor Buck Buchanan, Councillor Michael Dawe

MOTION CARRIED

MAYOR

CITY CLERK



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting
held on, Monday, July 26, 2021
commenced at 1:32 PM**

Present (via teleconference):

Mayor Tara Veer
Councillor Buck Buchanan
Councillor Michael Dawe
Councillor Tanya Handley
Councillor Vesna Higham
Councillor Ken Johnston
Councillor Lawrence Lee
Councillor Frank Wong
Councillor Dianne Wyntjes

Interim City Manager, Tara Lodewyk
Legal & Legislative Services Manager, Michelle Baer
Engineering Services Manager, Konrad Dunbar

Present: City Clerk, Samantha Rodwell
Corporate Meeting Administrator, Jennifer Hankey



I. BYLAWS

I.1. Borrowing Bylaw 3675/2021. Red Deer Therapeutic Community – Request for Support

I.1.a. Consideration of Second Reading of Bylaw 3675/-2021

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

SECOND READING: That Bylaw 3675/2021 (a borrowing bylaw authorizing the Council of the Municipality to borrow monies by the issuance of debenture(s) in the amount of \$1,500,000 for the purpose of financing the Hwy 2A Water Truck Servicing Phase #1 project) be read a second time.

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

MOTION CARRIED

I.1.b. Consideration of Third Reading of Bylaw 3675/2021

Moved by Councillor Tanya Handley, seconded by Councillor Dianne Wyntjes

THIRD READING: That Bylaw 3675/2021 be read a third time.

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

MOTION CARRIED

2. ADD TO AGENDA

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to add consideration of City Manager Recruitment – FOIP Section 24(1)(c) Advice from officials to the July 26, 2021 Council Agenda.



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

MOTION CARRIED

3. IN CAMERA MEETING

3.1. Motion to In Camera

Moved by Councillor Frank Wong, seconded by Councillor Buck Buchanan

Resolved that Council of The City of Red Deer hereby agrees to enter into an In Camera meeting of Council on Monday, July 26, 2021 at 1:32 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 the following:

- City Manager Recruitment – FOIP 24(1)(c) Advice from officials
- Human Resource Matter – Code of Conduct C-01-2021 – FOIP 17(4) Disclosure harmful to personal privacy and 24(1)(c) Advice from officials

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

MOTION CARRIED

3.1.a. City Manager Recruitment – FOIP 24(1)(c) Advice from officials

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes



City Clerk Samantha Rodwell

Council recessed at 2:13 p.m. and reconvened at 2:18 p.m.

**3.1.b. Human Resource Matter – Code of Conduct C-01-2021 – FOIP
17(4) Disclosure harmful to personal privacy and 24(1)(c) Advice
from officials**

Deputy Mayor Vesna Higham assumed the Chair at 2:18 p.m.

The following people were in attendance:

Mayor Tara Veer, Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong, Councillor Dianne Wyntjes

Interim City Manager Tara Lodewyk, Legal and Legislative Services Manager Michelle Baer

3.2. Motion to Revert to Open Meeting

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to enter into an open meeting of Council on Monday, July 26, 2021 at 2:40 p.m.

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

MOTION CARRIED

Council recessed at 2:40 p.m. and reconvened at 2:45 p.m.

Mayor Tara Veer assumed the Chair.

4. BUSINESS ARISING FROM IN CAMERA

Moved by Councillor Tanya Handley, seconded by Councillor Lawrence Lee



Resolved that Council of The City of Red Deer hereby agrees to reconsider the following resolution passed on July 20, 2021:

Resolved that Council of the City of Red Deer, having considered the report dated July 20, 2021 from the City Manager Recruitment Committee, hereby endorses the recommendation of the Committee to begin recruitment immediately and retain the recruitment firm as discussed In Camera and protected under the Freedom of Information and Protection of Privacy Act Section 24(1)(c) Advice from officials.

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

MOTION TO RECONSIDER CARRIED

Original motion was back on the floor.

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of the City of Red Deer, having considered the report dated July 20, 2021 from the City Manager Recruitment Committee, hereby endorses the recommendation of the Committee to begin recruitment immediately and retain the recruitment firm as discussed In Camera and protected under the Freedom of Information and Protection of Privacy Act Section 24(1)(c) Advice from officials.

Prior to voting on the motion Councillor Vesna Higham and Councillor Michael Dawe agreed to withdraw the motion.

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of the City of Red Deer, having considered the report dated July 20, 2021 from the City Manager Recruitment Committee, hereby endorses the recommendation of the Committee to begin recruitment immediately and retain the recruitment firm as discussed In Camera and protected under the Freedom of Information and Protection of Privacy Act Section 24(1)(c) Advice from officials.

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

MOTION CARRIED



5. REPORTS

Deputy Mayor Vesna Higham assumed the Chair.

5.1. Code of Conduct Matter C-01-2021

Moved by Councillor Ken Johnston , seconded by Councillor Lawrence Lee

Resolved that Council of the City of Red Deer accepts the SAGE Investigation Report C-01-2021 regarding the code of conduct complaint involving Councillor Buck Buchanan.

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

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

MOTION CARRIED

Moved by Councillor Frank Wong , seconded by Councillor Dianne Wyntjes

Resolved that Council of the City of Red Deer directs Administration to release the full report for C-01-2021 to the public after appropriate redactions are made.

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

MOTION CARRIED

Moved by Councillor Tanya Handley , seconded by Councillor Dianne Wyntjes

Resolved that Council of the City of Red Deer imposes the following sanctions on Councillor Buchanan in accordance with the Code of Conduct Bylaw No. 3608/2018 section 20.4 for breaching section 4.1(d), section 7.1 and section 7.2:

- a. That Councillor Buchanan be required to provide a public apology to residents, businesses, staff, and Council for his actions and social media post on January 27, 2021 which caused increased confusion and division in the community during a time of crisis; and that this apology be provided to the satisfaction of Council, during a public portion of a Council meeting (Apology I).



City Council Regular Meeting Minutes
UNAPPROVED - Monday, July 26, 2021

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

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

MOTION CARRIED

Moved by Councillor Frank Wong, seconded by Councillor Michael Dawe

Resolved that Council of the City of Red Deer imposes the following sanctions on Councillor Buchanan in accordance with the Code of Conduct Bylaw No. 3608/2018 section 20.4 for breaching section 4.1(d), section 7.1 and section 7.2:

- b. That Councillor Buchanan be required to arrange an in-person meeting with the AHS Central Zone Medical Director, or designate, to offer a personal apology to Alberta Health Services for any harm caused by his public comments during the pandemic response (Apology 2).

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

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

MOTION CARRIED

Moved by Councillor Lawrence Lee, seconded by Councillor Ken Johnston

Resolved that Council of the City of Red Deer imposes the following sanctions on Councillor Buchanan in accordance with the Code of Conduct Bylaw No. 3608/2018 section 20.4 for breaching section 4.1(d), section 7.1 and section 7.2:

- c. That Councillor Buchanan be suspended from all Council committees and all Deputy Mayor rotation duties until sincere apologies are provided.

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

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

MOTION CARRIED



Moved by Councillor Dianne Wyntjes, seconded by Councillor Tanya Handley

Resolved that Council of the City of Red Deer imposes the following sanctions on Councillor Buchanan in accordance with the Code of Conduct Bylaw No. 3608/2018 section 20.4 for breaching section 4.1(d), section 7.1 and section 7.2:

- d. That Councillor Buchanan be required to complete social media training hired and paid for by The City of Red Deer that aligns with typical media training for City staff.

Council recessed at 4:25 p.m. and reconvened at 4:35 p.m.

Prior to voting on the motion, the following amendment was introduced:

Moved by Councillor Michael Dawe, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to amend the resolution by adding the following:

- “This requirement shall expire on October 18, 2021” at the end of the resolution.

IN FAVOUR: Councillor Buck Buchanan, Councillor Michael Dawe, Councillor Dianne Wyntjes

OPPOSED: Mayor Tara Veer, Councillor Tanya Handley, Councillor Vesna Higham, Councillor Ken Johnston, Councillor Lawrence Lee, Councillor Frank Wong

MOTION TO AMEND DEFEATED

The original motion was back on the floor

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

MOTION CARRIED

6. ADJOURNMENT

Moved by Councillor Frank Wong , seconded by Councillor Michael Dawe



City Council Regular Meeting Minutes
UNAPPROVED - Monday, July 26, 2021

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 26, 2021 Regular Council Meeting of Red Deer City Council at 4:51 p.m.

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

MOTION CARRIED

MAYOR

CITY CLERK



August 24, 2021

2021 Canadian Finals Rodeo & 2023 Men's AAA National Championship Requests

Prepared by: Bre Fitzpatrick, Economic Development Officer

Department: Land and Economic Development

Report Summary & Recommendation

Council has two requests for support or funding extension for upcoming events:

1. In May 2021, the Red Deer Riggers were informed that their hosting date for the Men's AAA National Championship had been reassigned to a date on August 23-27, 2023. This was following the cancellation of the event, originally scheduled for August 2021. The City of Red Deer had committed \$25,000 in funding on September 14, 2021. The groups is requesting the funding to be extended to the revised 2023 date.

2. In July 2021, Westerner Park requested The City of Red Deer consider being the Co-Presenting Sponsor of the 47th Canadian Finals Rodeo (CFR) happening in Red Deer on November 3-7, 2021. The requested amount is \$50,000.

City Council approved in 2020 budget a total of \$425,000 for Event Hosting & Outgoing Sponsorship funding; \$325,000 of this funds sponsorship requests and event hosting specific to larger-scale opportunities. Requests to use these funds must come to Council for consideration. An additional \$100,000 was approved to fulfill sponsorship agreements and activate event opportunities.

To date, the funds used from this budget are \$30,000 for the Pickleball Canada National Championship in August 2021. If approved, the funds for the two presented events would come from the carried forward \$295,000 operating budget amount.

Please note, in the case that either event is unable to proceed, funds would not be provided.

Administration recommends Council re-confirm \$25,000 to the Red Deer Riggers to support the 2023 Men's AAA National Championship, and provide \$50,000 to be the Co-Presenting Sponsor of the Opening Ceremonies at the 2021 47th Canadian Finals Rodeo.

Proposed Resolution

Resolved that Council of the City of Red Deer having considered the report from Land & Economic Development Department dated August 30, 2021 re: 2021 Canadian Finals Rodeo & 2023 Men's AAA National Championship Requests hereby agrees to provide \$50,000 from the

Event Hosting & Outgoing Sponsorship Fund to be a Co-Presenting Sponsor of the Opening Ceremonies at the 2021 47th Canadian Finals Rodeo.

Resolved that Council of the City of Red Deer having considered the report from Land & Economic Development Department dated August 30, 2021 re: 2021 Canadian Finals Rodeo & 2023 Men's AAA National Championship Requests hereby agrees to reconfirm funding of \$25,000 from the Event Hosting & Outgoing Sponsorship Fund to the Red Deer Riggers Men's AAA National Championship scheduled for August 23-27, 2023.

Rationale for Recommendation

1. **Alignment to the Major Event Strategy and Destination Development Framework.** Council approved the new Red Deer Major Event Strategy and Destination Development Framework in April 2021 to support further positioning Red Deer as a premier tourism and event destination in Canada. A key goal in the Major Event Strategy was to build on the city's momentum and record of accomplishment for hosting major sporting events. In a global recovery environment, this also serves to highlight The City of Red Deer, through major events, as a leader in offering local and national celebration opportunities.
2. **Supports economic activity.** Both events serve to spur positive economic activity with national exposure within The City of Red Deer. This will support highly vulnerable sectors, such as accommodations, food services, retail services and outdoor experiences moving into a recovery environment. In addition, it encourages local tourism activities featuring external visitors and potential future tourists.
3. **Profiles The City of Red Deer on a national-scale and will develop future opportunities/community capacity.** These events serve to encourage future major event activity and offer high-profile, positive, community experience opportunities in Red Deer. They also support volunteer development and community leadership opportunities that can further prepare local citizens for engaging in major event experiences, acquisitions and activations.

Discussion

Each event provides unique assets and opportunities as outlined below:

2023 Men's National Championship

- Each game draws historically between 500-1000 spectators for 24 games, the opening ceremony and the Home Run Derby throughout the tournament. There is approximately 250 participants, plus officials, resulting in over 500 room night stays over the 6 days alone. Additional revenue is contributed with meals, entertainment, supplies, and transportation from participants and spectators. Based on past National Championships or similar scale Baseball Canada events, the economic impact of this event is around \$170,000. For

example, in Regina for the 2019 Baseball Canada Cup, hotels alone reported making over \$90,000.

- This event is the pinnacle of men's baseball in Canada and Red Deer has a longstanding relationship with events connected to Baseball Canada dating back to 1987.
- Red Deer has strong local support and membership in minor baseball.
- This activates a centrally located outdoor area Red Deer has deliberately invested in to host events of this nature.

Return on investment

- Brand exposure and funding recognition
 - In both ball diamonds and all around the tournament venues
 - During in game announcements throughout tournament
- Speaking opportunities
 - Welcome message from the City officials during opening ceremonies
- Digital Assets
 - Recognition on the official tournament website with a community profile
 - Utilize event Red Deer Riggers social media channels (Facebook and Twitter) to engage fans; some Baseball Canada social media channels will be included
- Printed Assets
 - All printed documentation, such as event programs, all announcements, and posters/banners in the field

2021 Canadian Finals Rodeo 47

- This 5/6-day event consistently attracts the best contestants and stock. It boasts over 43,000 attendees and contributes approximately \$37 million dollars in economic impact.
- Activates an authentic western sport and culture experience that is central to Red Deer's community history through the finals events and the surrounding events such as music and art connected to the CFR.
- Offers an annual event to celebrate, build community, and connect for Red Deerians or guests to the community.
- Builds on additional high-profile events in a similar category, like Agri-Trade, that are large-scale, high-return events for Red Deer.
- Creates additional national exposure opportunities for a key infrastructure asset in Red Deer.

Return on Investment

- On-Site Signage
 - One (1) flag bearing the City of Red Deer logo to be included in the Sponsor Parade during each CFR performance
 - Included on all CFR Corporate Partner Thank-You signage
 - One (1) banner in the arena
- Publications/Marketing Collateral/Interactive Media
 - Two (2) static advertisements that will be displayed a minimum of three (3) times on the base of the score clock or at the East end, at each CFR performance

- One (1) x :30 second commercial to be aired prior to each of seven CFR performances
 - Logo inclusion on the Official CFR website specific to the Corporate Partner Thank-You page, with web-link
 - Logo recognition on the 19th Street LED Sign to play during the week of CFR
 - One (1) rodeo announcer mentions per performance
 - One (1) half page ad in the rodeo program
 - Logo and name recognition on Media Kit where applicable
 - Logo and name mention in three (3) social media posts on Canadian Finals Rodeo social media platforms
 - Opportunity to offer welcome
- Suggested Hospitality Opportunities *
 - *Flexibility available
 - Invitation and speaking opportunity for behind the chutes tour for 10 people prior to one performance
 - Invitation to the Westerner Park private suite for 4 guests for one CFR performance
 - Invitation and speaking opportunity at a CFR Media Event
 - Invitation and speaking opportunity at one Buckle Presentation
 - General
 - Use of the Canadian Finals Rodeo brand within upcoming promotions as a sponsor

Appendix

Appendix A- Letters of Support; Nationals

Appendix B- Proposed Budget (2021), Nationals

Appendix C- Business Plan (2021), Nationals

Appendix D- Request for Support, CFR



Support Letter -
Baseball Alberta.pdf



Red Deer Riggers
2021 Nationals- BusirDeer



Support letter- Red
Minor baseball.d



Proposed Budget
2021.pdf



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APPENDIX A

Letters of Support



To whom it may concern,

The Red Deer Riggers Baseball Organization has the full support of Red Deer Minor Baseball Association in their bid to host the 2021 Men's National Championship. To make an event of this prestige successful, an impressive location, event support and extensive amenities are all needed. We believe the city of Red Deer has all of those things.

Red Deer's Great Chief Park is an amazing facility for hosting such a Championship, this was confirmed this season when we hosted the 18U AAA Tier I Western Canada Championship and were told it rivaled any National event the Westerns representative had attended to date. Red Deer Minor Baseball Association will support the Red Deer Riggers in any possible should they be awarded this honor. The city of Red Deer also has many amenities for the families attending including Bower Ponds, which is adjacent to the baseball diamonds, many hotels, restaurants and shopping to choose from.

Red Deer Minor Baseball Association is made up of nearly 900 registrants with players that look up to, attend the games of and strive to play in the Riggers Organization one day. Awarding the Red Deer Riggers, the 2021 Men's National Championship would be rewarding for our entire community.

Should you require anything further, please don't hesitate to contact me.

Renae Clark
General Manager
RDMBA
gm@reddeerminorbaseball.com
403-358-9713

APPENDIX B

Proposed Budget (2021)

2021 Senior AAA National Invitational Tournament

Financial Statement

EXPENSES

Host Fee	\$ 1000
Officials Rooms	\$ 3237.5
Officials Meals	\$ 3250
Team Rooms	\$ 48 000
(8 rooms x 6 nights x 10 teams x \$100/night)	
Bussing	\$ 20 000
Banquet	\$ 1948.80
Great Chief Park	\$ 2693.31
North Star Sports	\$ 835
Red Deer SportsWorld	\$ 450
Koodo	\$ 50
Announcer	\$ 400
Draw Boards	\$ 210
Printing	\$ 285
Volunteer Supplies	\$ 600
Photographer	\$ 200
Fuel/Travel	\$ 150
Chairman Merchandise	\$ 75
	<hr/>
TOTAL	\$ 83,384.61

APPENDIX C

Business Plan (2021)

2021 Baseball Canada Men's National Tournament Red Deer, Alberta

The Host Organization

The Red Deer Riggers are a non-profit organization that was incorporated on August 8, 1986.

Dwayne Lalor (Tournament Director) - Dwayne played for the Riggers for 29 years. He was also the team president for over 10 years. He has been a part of many national championships and most recently was part of the host committee for the 2016 Women's National Championship in Red Deer.

Joel Peterman - Joel has been a player and coach for the Riggers for the past 12 years. He has attended seven national championships and understands what needs to make this tournament successful.

Kathy Lalor - Kathy has been an integral part of the Riggers for the past 12 years. She has run many aspects behind the scenes for the team including, but not limited to, being a huge part of the annual Red Deer Riggers Tournament.

Greg Tisdale - Greg brings huge experience to this organizing committee. He works for a successful business in Red Deer and this expertise will be relied on to bring in sponsorship and develop a solid foundation.

Joanne Daines - Joanne is another key part of this committee. A hard worker who keeps the Riggers finances in order and works alongside Kathy Lalor to make every Riggers home game a big success.

Outline the organization's past hosting experience

- 2019 Midget AAA Westerns- this was the most recent Baseball Canada event that was held in Red Deer and was a success. Red Deer provided ample lodging for all the players, staff, family and friends. This event highlighted Red Deer's amenities with an abundance of restaurants and shopping centres.
- 2016 Women's Nationals. 1987 and 1994 Men's Nationals
- Midget AAA Nationals for numerous years in the 1990's

The Host City and hosting experience

- Red Deer, Alberta
- 2019 Canada Winter games in February 2019. We will be contacting many of the representatives from the Canada Games committee including Lyn

Radford. We hope to learn great insight for ways that they made the city's travel, lodging, and food successful!

- 2016 Mastercard Memorial Cup
- 2016 Women's Baseball nationals
- Canadian Finals Rodeo hosted in Red Deer for 10 years and started in November 2018.

Detail reasons for success experienced by past events

- Financially all previous events showed a profit
- Great support by the city and people of the community
- Businesses fully backed and supported each of these events

Demographics for the local baseball community and how the bid will benefit this community

- The Red Deer Riggers have been integral to the success of baseball in this community by hosting free camps and clinics to youth of all ages and skill levels. Participating in minor baseball events and practices and having a NO COST ADMISSION for every player of the RDMBA. As a result, Red Deer has the highest number of registered minor baseball players in the province of Alberta. We now sit at 883 players in 2018 which has grown substantially from 536 in 2013.
- Our goal is to continue this relationship with the RDMBA and to continue to grow the sport in our city. We can do this by having a batboy/batgirl for every team at every game. We would also love to raise money for the association throughout the week and to help fund any new projects that the RDMBA is looking at completing in the upcoming years.
- We have constantly been one of the strongest baseball communities in the province. Producing multiple provincial winners as well as a strong place to play for the central Alberta communities.
- This will only help grow the sport by highlighting some of the best amateur baseball in the country.
- With the growing social media following we have this will only help boost our support with radio, TV, and newspapers following live and sharing this tournament.



-
- **Other benefits, social, economic or otherwise, will be experienced by the host city as a result of the proposed Baseball Canada tournament and/or event**
 - Each team will be supporting local hotels, restaurants, and bars. This will provide local businesses with a rare opportunity to showcase their business to every province in the country during one week. This will hopefully give people a great taste of Red Deer making people want to come back for years to come.

Other Hosting Partners

- Cash Casino
- Apollo Landscaping
- Palliser Chevrolet
- The Dome Sports
- Innisfail Auction Market
- Bo's Bar and Stage

Fundraising/Marketing

- **Detail revenue generation (use of bingo, casino, etc.)**
 - Sponsorship package has been put together and will be sent out to prospective businesses
 - Valentine's Day Fundraiser in February 2020
 - Riggers Poker Night in May 2020 and Golf Tournament June 2020 (Both have since been cancelled due to COVID-19)

- Raising money for Red Deer minor baseball through donation items and part of our tournament proceeds to help build future projects by the RDMBA
- **Indicate sponsors sales targets, pricing, and benefit packages**
 - Palliser Chevrolet
 - Pumps and Pressure
 - Vellner Leisure Products
 - Northstar Sports
 - Prairie Bus Services
 - Sheraton Hotel and Suites

Facilities

- **Identify number and specifications of ball diamonds (dimensions, lighting, and field materials, dugouts, scoreboard, fixed and portable signage, bullpens, fence heights)**
 - Great Chief Park is Red Deer's premier outdoor sports park. It contains two baseball diamonds, two fastball diamonds, a combined soccer/football field, the Kiwanis Picnic Site, a 10-hole pitch n' putt, horseshoe pits, as well as various support facilities and park amenities. The site contains trails that connect the park to the city trail network and the rest of the Waskasoo Park system.

Enhancements have been completed at Great Chief Park and they constructed a new synthetic sports field, 400m speed skating oval, and pavilion. The oval will be a host venue for speed skating during the 2019 Canada Winter Games.
 - Baseball Diamond 1 is: 340 Left 385 centre 340 left.
 - Distance from home plate to the backstop is 60 feet.
 - This field has full LED lights, newly sodded (Fall 2017) outfield and grass/shale infield (photos below). The dugouts are slightly underground and cemented in. The scoreboard is fully functioning and perfect for fans. Bullpens are down each line for both teams. The fence is a 6-foot chain link that is protected on the top with a protective plastic. A beautiful ring of caragana bushes line the entire contour of the fence line. Sponsorship signage has been attached to the fence to display sponsor banners.



- **Detail the availability of practice fields, secondary fields**
 - The secondary field is located right behind our main field with almost identical specifications and facilities (bullpens etc..). This field does not have lights and its dugouts are above ground.
 - Dimensions: 335 Left 390 centre 340 left. Distance from home plate to the backstop is 60 feet.
 - This field's location will be perfect for teams and fans with both fields located in close proximity.
 - There is a batting cage located between the two main fields at Great Chief Park.
 - Edgar industrial park as well as Hunting Hills high school fields could be used as possible practice facilities.

- **Describe availability of ancillary services (team rooms, showers, water supply, press box, phone/fax services, public address system)**
 - Two fully operating press boxes with electricity for the scoreboard. Both are also equipped with functioning PA systems. We would purchase a mobile hotspot for the event. This would provide WIFI access to both fields and therefore, scores would be shared
 - There are ten dressing rooms available for use. Each with full showers and bathrooms. Easily accessible from both fields.
 - There is a city facility with running water for both fields.

- **Spectator facilities (seating capacity, shelter, washrooms, parking, concession stands)**

- Washrooms located inside diamond one. Accessible from anywhere at Great Chief park.
 - There is currently bleacher seating for approximately 600 people at diamond 1 with plenty of room for standing room. The bleacher capacity is 300 at diamond 2 with plenty standing areas around the entire field.
 - With the expansion of the beer gardens this will make seating possible for 1500 at diamond one.
 - Extra bleachers or scaffolding can be added to diamond 2 making it possible for 500 extra people to spectate.
 - There is a parking lot located on the grounds as well as overflow parking available at bower ponds and the Red Deer Golf and Country Club.
 - Diamond 1 is equipped with a permanent concession and beer gardens. Food trucks and beverage stands will be added to the site as well to provide a variety of local food and beverages for everyone to enjoy.
- **Emergency medical facilities (on-site and offsite)**
 - The Red Deer regional hospital is located minutes away from Great Chief Park.
 - Medical Staff will be located on site.

Budget

[2021 Proposed budget of expenses](#)

Event Staff

- Red Deer Minor Baseball Association (running 50/50 and ticket sales)
- Red Deer Twilight League Baseball (working the Beer gardens and security)
- Great Chief is fully staffed with workers present for field maintenance and clean up.
- A professional photographer will be hired for the event and they will provide action shots throughout the national tournament.
- A french immersion school (Ecole Camille J Lerouge) has been approached and they will provide bilingual announcers throughout the event.
- Volunteers will also help organize the opening ceremonies and home run derby. The fans will be invited to attend these two events free of charge. However, we will be asking for donations to the mental health non-profit

organization “Smiles Thru Lindsey”. We hope to raise money for this amazing foundation in our community and raise awareness for mental health.

Food/Accommodations

- Ramada by Wyndham Red Deer Hotel & Suites as our Host Hotel. It is a six minute drive to the ballpark. This is a great location for athletes as it is a quick drive to the ballpark and there are many high quality restaurants in the area. The hotel is a perfect hotel for meetings as it is also a conference centre. A room would be booked for the pre-tournament meeting with teams, baseball canada reps, and officials.
 - Car Rental options will be provided by both enterprise locations in Red Deer, Calgary, and Edmonton locations.
 - Rooms range from \$120-150 per night. We would apply for a reduced rate for the teams. Many hotels are a quick 10 min (max) drive from the park. We would approach these hotels and secure reduced rates for friends and family.
- **Meal arrangements**
 - As stated above, Great Chief Park is equipped with a permanent concession and beer gardens. Food trucks and beverage stands will be added to the site as well to provide a variety of local food and beverages for everyone to enjoy.
 - There are also several restaurants located within a one kilometer range of most hotels. These include Boston Pizza, Bo’s Bar and Stage, Denny’s, Moxies, Earls, as well as a wide variety of fast food restaurants in the vicinity.

Transportation

- Prairie Busses will be approached to provide coach bus transportation to and from the airport for all athletes, staff, and umpires. Our goal is for them to provide school busses to pick up and drop off to and from the games for our teams. Teams playing each will not be sharing busses.
- There are city busses that can take visitors and spectators to Great Chief Park and bower ponds. The city also has several taxi companies and Uber drivers.
- Great Chief Park’s parking lot was repaved and updated in Fall of 2017.
- Teams would fly into Calgary International Airport and there, they would be met by members of the host committee. This group would help teams

find their transportation to Red Deer and give them their needed accreditation and team information package.

Letters of Support

- [Letter from Baseball Alberta](#)
- [Support letter from Red Deer Minor Baseball Association](#)

APPENDIX D

Request for Support, CFR



Westerner Park

July 9, 2021

City of Red Deer

As we approach the 47th Canadian Finals Rodeo, we wanted to connect with the City of Red Deer to continue our partnership for this event. We are proud to be hosting this prestigious national event at Westerner Park.

I have reviewed the past partnerships that the City of Red Deer has done during this event and listed below what it had looked like in 2019. If there are other options that you would like to see, please let me know and we can see what might work.

From 2019 CFR

On-Site Signage – all signage included in your package will be produced by the Canadian Finals Rodeo with your prior approval. Proofs will be sent to you by October 5.

Publications/Marketing Collateral/Interactive Media

- Two (2) static advertisements that will be displayed a minimum of three (3) times on the base of the score clock or at the East end, at each CFR performance. (Presentation ready advertisement to be sent by October 5 in AVI Uncompressed format, dimensions to be provided.)
- One (1) x :30 second commercial to be aired prior to each of seven CFR performances (Presentation ready advertisement to be sent by October 5 in 29.97fps – 1920 x 1080 Quick .MOV or MP4 file format.)
- Logo inclusion on the Official CFR website specific to the Corporate Partner Thank-You page, with web-link (Logo to be sent by August 31 in eps and jpeg format.)
- Logo recognition on the 19th Street LED Sign to play during the week of CFR
- One (1) rodeo announcer mentions per performance (1 paragraph description of company to be sent by September 1.)
- One (1) half page ad in the rodeo program (Advertisement ready layout to be sent by September 1, see attached document.)
- Logo and name recognition on Media Kit where applicable. (Logo to be sent by August 31 in eps and jpeg format.)
- Logo and name mention in three (3) social media posts on Canadian Finals Rodeo social media platforms. (Social media handles to be sent by August 31.)
- Opportunity to offer welcome

Hospitality

- Invitation and speaking opportunity for behind the chutes tour for 10 people prior to one performance
- Invitation to the Westerner Park private suite for 4 guests for one CFR performance
- Invitation and speaking opportunity at a CFR Media Event



Westerner Park

- Invitation and speaking opportunity at one Buckle Presentation

As a sponsor of the Canadian Finals Rodeo, you are able to use the Canadian Finals Rodeo brand within your upcoming promotions.

We are happy to have the community come together during the Canadian Finals Rodeo. If you would like to host an offsite event, volunteer during the event, take part in the tradeshow, purchase merchandise or provide swag for the competitors, please let me know.

We look forward to working with you and if you have any questions please do not hesitate contacting me.

Sincerely,

Westerner Park

Trevor Thomas

Director, Development

4847A 19 Street

Red Deer, AB T4R 2N7

T 403.309-0204 C 403.348-9443

westernerpark.ca



August 24, 2021

Request to Table: Land Use Bylaw Amendment 3357/I-2021. Create PSI – Post-Secondary Institution District and Apply to Red Deer Polytechnic Lands

Prepared by: Kristen Waddle, Corporate Meeting Support
Department: Legal & Legislative Services

Report Summary & Recommendation

Administration recommends to table consideration of first reading of Land Use Bylaw Amendment 3357/I-2021 until the November 15, 2021 Regular Council Meeting due to scheduling conflicts and research considerations.

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the report from Legal & Legislative Services dated August 24, 2021 hereby agrees to table consideration of first reading of Land Use Bylaw Amendment 3357/I-2021 until the Q4 2021.

Background

At the June 15, 2021 Council Meeting the following resolution was passed:

Resolved that Council of The City of Red Deer hereby agrees to table consideration of first reading of Land Use Bylaw Amendment 3357/I-2021 up to 2 months.



August 24, 2021

Business Licence Bylaw – Crime and Community Safety Tools

Prepared by: Amy Fengstad, Parking & Licensing Supervisor
Department: Inspections & Licensing

Report Summary & Recommendation

Crime and community safety has been a priority for The City and an actionable area for Administration under the *Business Licence Bylaw* to support solutions by partnering with the business community to reduce crime.

In addition, the years following the adoption of the new bylaw have identified a number of administrative amendments necessary to provide clarity and support business processes.

The proposed amended *Business Licence Bylaw* includes the addition of schedules for Auto Wrecker/Salvage Yard/Scrap Metal Dealers, amended schedules for Pawn Shops, Pawn Brokers and Second Hand Dealers, amended schedules for Mobile Business Units, and administrative amendments.

The revised *Business Licence Bylaw* No. 3609/B-2021 is presented to Council for consideration of first reading (Appendix A).

Proposed Resolution

That Bylaw 3609/B-2021 be read a first time.

If first reading is given, this bylaw will come back for consideration of second and third reading at the Tuesday, September 13, 2021 Council Meeting.

Rationale for Recommendation

- 1) **The existing bylaw is a tool to support the Crime and Community Safety initiatives.** The *Business Licence Bylaw* assists in limiting avenues where crime can happen by working with Regulated Businesses to close those avenues. As a result, new provisions for Auto Wreckers, Scrap Metal Dealers and Salvage Yards have been included, and modifications made to the requirements for Pawn Brokers, Pawn Shops and Second Hand Dealers.
- 2) **Administrative updates were required after four years of use.** Following the adoption of any new bylaw, there are areas identified for improvement. The changes outside of the Crime and Community Safety initiatives relate to providing clarification for staff and citizens.



Background

The current version of the *Business Licence Bylaw* came into effect in September 2018. It created a simpler, more concise bylaw, providing fairness and consistency for all types of business in the city, as well as ensuring clear regulations that were up to date and allow for more flexibility. This allows The City to obtain up-to-date business data, and provides a mechanism to place terms and conditions on a business, if necessary.

In 2019, The City hosted public meetings on community safety. From those meetings, the top five issues identified were property crime, justice and enforcement, addictions and substance abuse, personal and community safety, and economic/business impact. Crime and community safety was noted as the number one priority for The City, and one of the actions Administration has pursued to accomplish this is through amendments under the *Business Licence Bylaw* to support solutions by partnering with the business community to create barriers for crime.

Analysis

Amendments for the proposed *Business Licence Bylaw* can be broken down into two general categories, amendments related to a Regulated Business, and administrative updates.

Regulated Businesses

Regulated Businesses include those with regulations specific to that category of business, and are included as a separate Schedule in the bylaw. Changes specific to Regulated Businesses include amendments to those already in existence, such as Pawn Shops and Second Hand Dealers, as well as the addition of new schedules for Auto Wreckers/Salvage Yard/Scrap Metal Dealers.

Auto Wreckers, Salvage Yard, Scrap Metal Dealers

This industry is currently regulated provincially in terms of what is required when purchasing materials. As a high-level summary, the Province outlines that no Scrap Metal Dealer, Auto Wrecker or Salvage Yard shall purchase or receive scrap metal from a person who fails to provide proof of identity and information respecting the transaction.

The proposed bylaw reiterates those requirements as the Province only does spot audits for these records and those audits occur minimally. By adding the schedule to the *Business Licence Bylaw*, The City is able to require the same data already collected to be used and/or reported to RCMP or Municipal Policing to aid in efforts to reduce crime, and allow for enforcement should the business not follow regulations.

Pawn Shops, Pawn Brokers and Second Hand Dealers

This industry had some inequities between Pawn Brokers/Pawn Shops and Second Hand Dealers, although many of the same concerns and challenges exist related to stolen goods. Administration balanced the regulations, making them consistent between the two business



types and also clarified the needs for reporting. The reporting needs are not new for this industry and are currently what happens.

Provisions were also added to allow both business types to be able to purchase new inventory for sale at their business and not have to rely solely on Pawned Goods that are not recovered or second hand purchases.

Mobile Business Units and Food Services

With the growing popularity and demand for Mobile Business Units, there were areas of clarity needed in the bylaw to guide business operations for Mobile Business Units. Following the last couple years of working with the *Business Licence Bylaw* and the questions Administration received from owners and operators, the revised schedule addresses those common questions and provides the needed clarity. The changes included adding regulations on where the mobile units can park to operate and what is required to park on street at parking meters, on City lands or private property. Clarity was added to distinguish between Mobile Business Units that have a secondary heat source and those only providing food services through a pushcart or bike system. Lastly, clarification and details related to Mobile Business Units offering Food Services were added.

Short Term Rentals

Short Term Rentals were initially included in the Crime and Community Safety initiatives. This area requires further time and review to evaluate and provide detailed public consultation. Administration anticipates this work to be complete in 2022.

Shopping Carts

Shopping carts were part of the consultation and review under Crime and Community Safety. Following consultation and reviewing feedback, this was determined to be better suited for the *Community Standards Bylaw* as an enforcement tool for the removal of shopping carts. From the consultation feedback, the businesses felt that the proposed provisions under the *Business Licence Bylaw* were penalizing them as a business who has to have shopping carts as opposed to the individuals stealing their carts, which does not change the behavior or curb the criminal actions.

Administrative Changes

Several administrative changes are included in the proposed bylaw. It is typical for administrative amendments to be identified, following the adoption of a brand new bylaw. These changes are to improve clarity, provide further regulations, grammatical edits and include regulations that addressed shortcomings.

Home Occupations

The definition of a Home Occupation was added as this area was causing confusion for customers around what was considered a Home Occupation and when that applied to their business operations. Administration added clarification on the criteria in which a Home Occupation would be approved and a development approval may be required depending on the



business functionality at that residential location. This reflects the current practice and there are no changes at this time related to process.

Resident and Non-Resident Businesses

These definitions were a challenge to interpret and resulted in varying outcomes. To ensure consistency, these are updated to provide that clarity. If a Business Carries On from a Premise within the city, the Business is a Resident Business. Any other operations, would be considered a Non-Resident Business.

Provisions were included for further clarity on what constitutes multiple locations and that a business licence is required for each location. This ensures each location has been reviewed and is an approved use for that location. This is also important data in terms of where and what services are offered within the city of Red Deer.

Business Licence Directory

In the initial bylaw adoption, the business licence directory was an optional item for applicants. Through system development, it was identified that there is not an avenue to opt out applicants. All trade data related to the business itself is part of public record and is available in open data. Therefore, Administration has removed the option to opt out of the directory and modified the webpages to reflect only the open data for the Business. In the case of Home Occupations, only the business name and contact number are provided to protect home addresses.

Short Term Licences

The bylaw allows for four month, short term licences for Businesses operating in Red Deer for a short period of time. These licences can also span across two calendar years to accommodate these specific needs. This has helped with red tape reduction and allowed the City to be responsive to unique needs in our business community.

Administrative Fees

To account for the changes to the bylaw, four additional fees are required to account for processing time on these changes. These are:

- Account Reactivation Fee - Several businesses will let their accounts lapse or expire without any notification and then come back part way through the year to reactivate their account. This does create extra work for Administration related to the initial closure of the account and is intended to discourage businesses from this action. The annual licence fee would also be applied to the account as the business is still in full operations.
- Late Renewal Fee - This fee is added to accounts that do not pay their renewals in the timeframe required. This covers the time required to follow up to see if the business is still in operations and if so, to process the renewal.



- Directory listing for exempt businesses - This fee is for businesses that are exempt from requiring a licence under this bylaw and would like to take advantage of the benefits of the online business directory for licensed businesses in the city. This fee covers the time required to add those businesses into the directory.
- Administrative Fee - This fee is to account for administrative needs to modify or refund accounts where errors have been made and the processing time to complete those tasks. For example, we will often receive applications where the business is operating outside of city limits but have completed the applications. Those require refunds to be processed and this fee compensates for the required time to complete refunds from those errors.

Public Consultation Process

Between November 2019 and January 2020, more than 400 people contributed thousands of ideas, in person and online, for reducing crime and improving community safety in Red Deer. Actions related to the *Business Licence Bylaw* spanned common themes: Personal and Community Safety, Property Crime, Justice and Enforcement, and Downtown.

The feedback received through the above public participation was married up with the technical information from Administration to produce the bylaw that met the needs of the community and Administration. These activities and outcomes lead to the bylaw changes for the Pawnshop, Pawn Broker, Second Hand Dealer and Shopping Carts projects.

For a second level of consultation, targeted public participation was completed for Pawn Shops, Second Hand Shops, Scrap Metal Dealers, Auto Wreckers, Mobile Cooking Operations and Businesses with over 50 shopping carts. Correspondence was sent out that explained the proposed changes for their business type and provided a link to an online survey. The survey was active May 5, 2021 to May 26, 2021. The results of that survey are in your Council Package under Appendix D and a copy of the communication notices are in Appendix E. These results were considered as part of the amending bylaw that is presented to you today.

Summary

If Council should proceed with first reading of *Bylaw 3609/B-2021*, consideration of second and third readings of the bylaw would occur on September 13, 2021. Unlike a municipality's land use bylaw, which requires a legislated public hearing, a licensing related bylaw does not require a public hearing.

In summary, Administration recommends Council adopt the amended *Business Licence Bylaw 3606/B-2021*. The proposed bylaw implements tools proposed under the Crime and Community Safety initiatives, specific to stolen property, Pawned and Second Hand Goods, as well as Scrap Metal Dealers.



Appendices

- Appendix A: Clean Version of proposed *Business Licence Bylaw No. 3609/B-2021*
- Appendix B: Amending Business Licence Bylaw No. 3609/B-2021
- Appendix C: Strikethrough bylaw to outline changes
- Appendix D: Survey Results from May 2021
- Appendix E: Sample of the Survey letters sent out to targeted businesses

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) **“Account Reactivation Fee”** means the fee charged to a business licence account when a Licensee requests that a business licence account be reactivated:
 - i. after the Licensee cancels the account because the Business is closed; or
 - ii. the Business Licensee account was closed because the Licensee failed to provide required documentation; or
 - iii. the annual fee for the business license was not paid;
 - (b) **“Administration Fee”** means the fee charged to an applicant when a business licence is cancelled pursuant to section 38(a) or (b);
 - (c) **“Auto Wrecker”, “Salvage Yard” and “Scrap Metal Dealers”** means a Business where scrap metal, material from demolished buildings or structures, recyclable material, scrapped or demolished motor vehicles, junk or salvage of any type is purchased, received, processed, stored or dismantled prior to being resold or disposed of;
 - (d) **“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;
 - (e) **“Business Licence Fee”** means the annual fee charged to a business licence account for a business licence;
 - (f) **“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;

- (g) **“Cannabis Production Facility”** means any building in which an activity authorized by the *Cannabis Act* (Canada) 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;
- (h) **“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;
- (i) **“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;
- (j) **“Change Fee”** means the fee charged to a business licence account when a Licensee:
- i. changes the physical address of the Business Premises;
 - ii. changes any names on a licence; or
 - iii. makes any other change that necessitates a physical change to the business licence provided to the Licensee;
- (k) **“City”** means the City of Red Deer;
- (l) **“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 *Consumer Protection 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;
- (m) **“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. 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;
- (n) **“Electric Scooters (E-Scooters)”** means a vehicle that:
- i. has been granted a permit to operate by the province of Alberta;
 - ii. has steering handlebars;
 - iii. consists of a footboard mount on two or three wheels; and

- iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors;
- (o) **“Food Services”** means a Mobile Business Unit that has a secondary heat source (whether gas, propane, or electric) and is used to produce, cook, sell or distribute food;
- (p) **“Home Occupation”** means a Business Carried On by a Person, who is an occupant of a residential building, as a use secondary to the residential use of that building;
- (q) **“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 patrons 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;
- (r) **“Late Renewal Charge”** means the monthly fee charged to a business licence account when a Licensee fails to pay the annual business licence fee by the deadline set out on the renewal notice;
- (s) **“Licensee”** means the Person to whom a business licence has been granted;
- (t) **“Market”** means the Business of providing for rent, stalls, tables, spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (u) **“Mobile Business Unit”** means a motor vehicle, push cart or temporary structure or display, or stand from which a Business is Carried On for the purpose of offering for sale, products including food, which does not contain or include customer seating and is capable of being moved from location to location;
- (v) **“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*;

- (w) **“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;
- (x) **“Not for Profit Organization”** means a:
 - i. society established under the *Societies Act*, R.S.A. 1980, c. S-18;
 - ii. registered charity established under the *Income Tax Act*; R.S.A. 1985, c.1;
 - iii. company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;
 - iv. company incorporated under the Canada Not-for-Profit Corporations Act, S.C. 2009, c. C-23; or
 - v. society, charity, or company established under successor or replacement legislation to any of the Acts referred to above;
- (y) **“Non Resident Business”** means a Business that Carries On operations in the City that is not a Resident Business;
- (z) **“Pawn”** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;
- (aa) **“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;
- (bb) **“Pawnd Goods”** means any item that is pawned but does not include real property;
- (cc) **“Pawn Shop”** means a place of Business, which is not a residence, where a Person may Pawn Goods;
- (dd) **“Peace Officer”** means a Peace Officer as defined in the *Provincial Offences Procedure Act*, S.A. 1988, c P-21.5;
- (ee) **“Permanent Supervised Consumption Site”** means a Business operated within a standalone location, 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;

- (ff) **“Person”** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;
- (gg) **“Premises”** means land, buildings, or structures;
- (hh) **“Regulated Business”** means a Business that is identified in a Schedule to this bylaw, excluding Schedule “A” and Schedule “K”;
- (ii) **“Resident Business”** means a Business that Carries On operations in the City that either:
 - i. carries On a Business from Premises in the City which the Person owns or rents; or
 - ii. in the case of a Business Carried On by a corporation, the corporation has a registered office in the City; or
 - iii. in the case of a Business carried on by one or more individuals, at least one of the individuals involved in the operation of the Business, permanently resides in the City;
- (jj) **“Salvage Yard”** see Auto Wrecker;
- (kk) **“Scrap Metal Dealer”** see Auto Wrecker;
- (ll) **“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 Wrecker, Salvage Yard, Scrap Metal Dealer or recycling depots;
- (mm) **“Second Hand Goods”** means any item that is being transferred to a second or later end user but does not include real property;
- (nn) **“Short Term Licence”** means a licence that is valid for not more than four (4) consecutive months; and
- (oo) **“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 produce or authorize the production of a publicly accessible directory of Businesses Carrying on Business in the City.
5. The directory may contain any information provided, to the City, by an applicant or Licensee under this bylaw.
6. When an applicant or Licensee provides information under this bylaw, the Business information provided, including the address where the Business is Carried On, phone number and email, will be included in the directory. The address where a Home Occupation is Carried On will not be provided in the directory.
7. The City Manager may establish terms and conditions under which a directory is produced or information included in it.

8. The City Manager may also include information in the directory in relation to a Person who Carries on Business in the City but 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 the City must hold a valid business licence authorizing the Person to Carry On that Business.
 - 9.1 A Person that Carries On a Business in the City from more than one location in the City must hold a separate, valid business licence authorizing the Person to Carry On that Business for each location. For the purposes of this bylaw, any advertising and signage for a Business, trade or occupation shall be deemed to be proof of the fact that Person is Carrying On such Business, trade or occupation at the location identified by the advertising or signage.
10. Section 9 applies whether a Person Carries On a Business as a principal or as an agent.
 - 10.1 A business licence is required for the following:
 - (a) each location that a Business operates out of; and
 - (b) each separate Business operating out of a shared location where the Businesses are independent of each other.

Home Occupation

- 10.2 No business licence for a Home Occupation shall be granted until the applicant has first obtained the necessary development approval under the applicable land use regulations of the City and provided proof of that approval as part of the application for a business licence.

Exclusions from the Requirement for a Business Licence

11. The following Persons may Carry On a Business in the City 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 solely within Market hours;
 - (b) Mobile Business Units that are operating only as part of a special event approved by the City;
 - (c) a Business that is operating as a vendor at a Trade Show.
 - (d) a Not for Profit Organization that qualifies under the following:
 - i. has no employees; and
 - ii. operates from a residential location within the City.
 - (e) Residential offices in apartment complexes where the office is used solely to receive rental payments. The main office from which the rental Business operates requires a business licence.
- 12.1 Businesses not required to obtain a business licence may apply to the City Manager to be included in the business directory.
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 issuance or renewal of a business licence, a Person must submit to the City Manager:
- (a) an application;
 - (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 the application 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(es) of the Business;
 - (e) the proper name of the owner(s) of the Business, including names of directors and shareholders if the applicant is a corporate entity;
 - (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 Licensee 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 Licensee 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 or any other fees or charges on the account are 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 Licensee to Carry On the Business described in the business licence, and a business licence for a Regulated Business allows the Licensee to Carry On the Regulated Business described in the business licence provided that the Licensee 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 Licensee 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 a Licensee may not sell, transfer, assign, lease or otherwise dispose of or deal in a business 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 sections 39, 40, or 41 of this bylaw; or
 - (b) it was issued as a Short Term Licence.

Obligations of Business Licensee

- 34. The Licensee must ensure that the Business Carried On under a business licence complies with:
 - (a) this bylaw;
 - (b) any conditions imposed on the business licence; and
 - (c) the statutes and regulations of Alberta and Canada applicable to the Business.
- 35. The Licensee 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 Mobile Business Unit 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 Licensee 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 Licensee

37. A Licensee may cancel a business licence by providing written notice to the City Manager.
38. If a licence is cancelled under sections 37, 39, 40 or 41, the business licence fee is not refundable, unless the license is cancelled because:
- (a) the licence is second or duplicate of a licence already issued for which the business licence fee has been paid; or
 - (b) it is determined that the Business, for which the licence was issued, is not and does not intend to Carry On Business in the City at the time of the cancellation.

If the cancellation occurs pursuant to the Section 38(a) or (b) the Business Licence Fee, less an Administration Fee, will be refunded to the applicant.

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.
- 41.1 A person may not appeal a refusal to issue a licence if the reason for the refusal is the failure to pay any fee, fine or to provide any required information under this bylaw.
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 sections 39, 40 or 41 is effective:
 - (a) 24 hours after delivery if the written notice is delivered personally to the Licensee or the registered office of a corporate Licensee;
 - (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 Licensee 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. ¹Deleted

the applicant or Licensee 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*, 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 Licensee that the Business complies with the requirements of any other bylaw or enactment and the Licensee is responsible to ensure that the Licensee-complies with all applicable bylaws and enactments.

Enforcement

53. A Person is guilty of an offence if that Person:

¹ 3609/A-2019

- a. Carries On a Business in the City without a business licence as required under this bylaw, unless an exemption under section 11 applies;
 - b. Carries On a Business in the City 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. ¹A 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 L.
57. ²A 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 L, pay a penalty of not less than \$250 for each day that the breach continues.
58. A Person who has not submitted payment of their licence fee by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing. The late fee may be charged every month until the account is paid in full.
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.
- 59.1 All fines and penalties must be paid in full before a licence will be released from suspension or a revocation.

¹ Bylaw 3609/A-2021

² Bylaw 3609/A-2021

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:
 - a. specifying the fine amount established by this bylaw; or
 - b. requiring an appearance in court without the option of making a voluntary payment.
- 63. Where a violation ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Effective Date

- 64. *License Bylaw, No. 3159/96, Late Night Clubs Bylaw, No. 3275/2001 and Drinking Establishment Licensing Bylaw No. 3332/2004* are hereby repealed.
- 65. This bylaw shall come into force and take effect upon third reading.

READ A FIRST TIME IN OPEN COUNCIL this 20 day of August 2018.
 READ A SECOND TIME IN OPEN COUNCIL this 4 day of September 2018.
 READ A THIRD TIME IN OPEN COUNCIL this 4 day of September 2018.
 AND SIGNED BY THE MAYOR AND CITY CLERK this 4 day of September 2018.

“Mayor Tara Veer”

 MAYOR

“Frieda McDougall”

 CITY CLERK

**Schedule “A”
Fee Schedule**

1. The following fees and charges apply:

(a)	Resident Business	\$111.60
(b)	Non-Resident Business	\$433.90
(c)	Short Term	
	i. Resident	\$51.70
	ii. Non-Resident	\$180.80
(d)	Account Reactivation Fee	\$25.80
(e)	Change Fee	\$25.80
(f)	Late Renewal Charge	\$25.80
(g)	Administrative Fee	\$50.00
(h)	Directory Listing for exempt businesses	\$25.80

2. The business licence fee for the first year of Business operations for Resident and Non-Resident Businesses shall be pro-rated on monthly basis from the date the licence is first issued until December 31, of that year. The pro-rated business licence fee shall not be less than \$35.00.
3. Commencing with fees for 2022, business licence fees and all other fees listed in Schedule “A” shall be increased on an annual basis by multiplying the current fee by the Consumer Price Index (CPI) for Alberta. Fees will be rounded to the nearest \$0.05. If the CPI is negative for any given year, the business licence fees shall remain unchanged from the then current fees. The business licence fees for the next calendar year shall be determined, by the City Manager in accordance with this section, prior to renewal notices being sent to Businesses.

¹Schedule "B"
Pawn Shops and Pawnbrokers

1. A Pawnbroker shall not also Carry On the Business of a Second Hand Dealer from the same Premises as the Pawn Shop or Pawnbroker Business.
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 the information identified in section 2, a Pawnbroker must also 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; and
 - (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 of the Person.
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.

¹ Bylaw 3609/A-2018

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 3 relative to the Person who has redeemed the Pawned Goods; and
 - (c) ensure the information recorded in sections 2 and 3 is kept in accordance with section 14.
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 7, 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 3; 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 2 or section 3; or
 - (b) direct or allow any Person to erase or alter any information recorded under section 2 or section 3.

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 book, record or computer program required herein and any personal property in the Pawn Shop 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.

13. On any day 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 Pawns 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 2 and 3 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.

15. A Pawnbroker may acquire new inventory for sale in the Premise, which is not used inventory or part of an agreement held as security for an advance of money. The Pawnbroker must immediately, upon request by the City Manager, provide sales/purchase receipts from the vendor of the new inventory to confirm that the inventory was purchased for resale and not the subject of an agreement held as security for an advance of money. All new inventory for sale must be kept:
 - (a) separate from any goods received and held as security for an advance of money; and
 - (b) in new or original packaging, where applicable.

¹Schedule "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 recorded at the time of each transaction of the following information, 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 the information identified section 3, a Second Hand Dealer must also 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) 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 Second Hand Goods, that confirm the name and address of the Person.

¹ Bylaw 3609/A-2018

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. 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) on the Premises of the Second Hand Dealer Business; and
 - (d) for a period of one (1) year from the date the goods were acquired by the Second Hand Dealer.
- 7.1 No Second Hand Dealer shall:
 - (a) sell, dispose of or undertake the repair of any Second Hand Goods until at least 45 days have elapsed from the time the goods acquired;
 - (b) keep all acquired goods in the location where they were acquired until 45 days have elapsed from the time the goods were acquired.
8. Each Second Hand Dealer shall keep separate and apart from his other goods those goods required to be held under section 7.1, until the time set forth in that section has elapsed.
- 8.1 On any day the Second Hand Dealer is open for Business, each Second Hand Dealer shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Second Hand Goods received during the preceding 24 hour period (from 10:00 am that day to 10:00 am of the previous day on which the shop was last open for business), including the:
 - (a) date and time of day when each property was received;
 - (b) serial or folio number in the Second Hand Dealer's book or record; and
 - (c) name, address and a detailed description of the Person or Persons from whom the Second Hand Goods were received, including the description of the clothing and any other distinguishing features.

9. Sections 3 to 8.1 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) auctioneers;
 - (c) thrift shops and clothing banks operated by any church or charitable organization; or
 - (d) Businesses dealing with any of the following goods:
 - i. books, magazines, comic books or other similar publications;
 - ii. furniture;
 - iii. rugs or carpets;
 - iv. clothing;
 - v. sports trading cards;
 - vi. building supplies such as windows, doors, flooring, fixtures or other similar items;
 - vii. antiques;
 - viii. household goods such as cutlery, dishes, glassware, lamps or other similar items; and
 - ix. any other good declared exempt by the City Manager.
10. A Second Hand Dealer may acquire new inventory for sale in the Premise which is not part of the acquisition of used inventory. The Second Hand Dealer must immediately, upon request by the City Manager, provide sale/purchase receipts from the vendor of the new inventory to confirm the new inventory was purchased specifically for immediate resale and not purchased from Persons through the operation of the Second Hand Business. All new inventory for sale must be kept:
- (a) separate from any goods received purchased through the operation of the Second Hand Business; and
 - (b) in new or original packing, where applicable.

Schedule “D”
Mobile Business Units and Food Services

Mobile Business Units

1. All Mobile Business Units shall comply with the following rules:
 - (a) Mobile Business Units may not Carry On Business from a parking stall with a parking meter located around City Hall Block, including in front of City Hall on 48 Avenue, along Ross Street between 48 Avenue and 49 Avenue.
 - (b) A Mobile Business unit shall not Carry On Business from any landscaped, grass or turf area without the consent of the owner of the landscaped, grass or turf area.
 - (c) A Mobile Business shall not Carry On Business while on private property without obtaining the prior written consent of the property owner and occupier. A Licensee shall, upon request, immediately show such written permission to the City Manager.
 - (d) A Mobile Business Unit shall obtain a Use of Streets Permit from the City if the Mobile Business Unit intends to Carry On Business while parked on a City roadway. The Licensee of the Mobile Business Unit shall provide proof of a valid business licence when applying for a Use of Streets Permit. Payment for a Use of Streets Permit does not constitute blanket approval for use of all City streets. It is the responsibility of the Mobile Business Unit to follow the required criteria set out under the Use of Streets Permit or this bylaw.
 - (e) A Mobile Business Unit shall obtain approval from the department or operator responsible for the parking lot if the Mobile Business intends to Carry On Business while parked on a City owned parking lot.
 - (f) In the case of a landscaped, grass or turf area owned by the City, a Mobile Business Unit shall obtain approval from the department or operator responsible for the landscaped, grass or turf area if the Mobile Business intends to Carry On Business while parked on the City owned landscaped, grass or turf area.

Food Services

2. Mobile Business Units Carrying On Business as Food Services shall comply with the following additional rules:
 - (a) A Food Services Business shall not Carry On Business from any residential neighbourhood.
 - (b) Notwithstanding the foregoing, Food Services Businesses can Carry On Business at a park or green spaces within a residential neighbourhood with consent of the City or a parking lot operator. Where there is a green space

or park area, the Food Services Business may, with approval from The City of Red Deer - Recreation, Parks and Culture, park curbside to the park area, and where there is a parking lot, the Mobile Business unit can park curbside or in the parking lot, with approval from the contracted operator.

- (c) A Food Services Business shall not Carry On Business within 50m of either a permanent food service establishment or a primary or secondary school.
- (d) Customers shall not be allowed to order or consume food and/or beverages within the Food Services Business.

Waste and recycling receptacles must be provided for customers while the Food Services Business is Carrying On Business.

**¹Schedule E”
Direct Sellers**

1. 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.
2. A Direct Seller may not Carry On Business between the hours of 8:00 PM and 8:00 AM.
3. 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.

¹ Bylaw 3609/A-2018

Schedule "F"

Drinking Establishments

Mandatory Requirements

1. The Licensee 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 but not limited to, any or all of 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 and operate 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 with the City acknowledging 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.

¹Schedule “G”**Mobile and Permanent Supervised Consumption Services****Application Requirements**

1. In addition to any other requirements of this Bylaw, before the issuance or renewal of a business licence for a Mobile or Permanent Supervised Consumption Services, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) Mobile Supervised Consumption Services Units
 - i. A signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;
 - ii. A proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - iii. A detailed description of the proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces;
 - iv. Photographs of the interior and exterior of the vehicle;
 - v. A proposed security plan, including the number and qualifications of security personnel;
 - vi. Confirmation the applicant has provided with the written notice required by section 3; and
 - vii. Copies of any comments received by the applicant in response to the written notice.
 - (b) Permanent Supervised Consumption Services
 - i. A signed landowner consent for the location of the Permanent Supervised Consumption Services;
 - ii. A proposed security plan, including the number and qualifications of security personnel;
 - iii. Confirmation the applicant has provided the written notice required by section 3; and
 - iv. Copies of any comments received by the applicant in response to the written notice.

¹ Bylaw 3609/A-2018

2. No licence for a Mobile or Permanent 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 business licence application for a Mobile or Permanent Supervised Consumption Service, the applicant must provide written notice of their intent to apply for a business licence to each owner and occupant of land located within a 100 metre radius of the location(s) where the applicant is proposing to operate and ask that the owners or occupants provide any comments that the owner or occupant might have to the applicant within a time specified in the notice.
4. Applications for the issuance or renewal of a business licence for Mobile or Permanent Supervised Consumption Services may be circulated to Health Canada, Alberta Health Services and the RCMP for referral and consultation.

General 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. In addition to conditions which may be listed as mandatory, the City Manager may impose terms and conditions on a licence for Mobile or Permanent Supervised Consumption Services if, in of 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*.

Mobile Supervised Consumption Services Unit Licence Conditions

8. The following shall be mandatory conditions for business licences for Mobile Supervised Consumption Services:
 - (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; and

- (d) A licence for a Mobile Supervised Consumption Service Unit may only be issued for the following locations within the City:
- i. 3942 50A Avenue; and
 - ii. 5246 53 Avenue

Permanent Supervised Consumption Services Licence Conditions

9. The following shall be mandatory conditions for business licences for Permanent Supervised Consumption Services:
- (a) The Licensee must maintain in place a plan to address emergency, medical and security concerns;
 - (b) ¹The Licensee must install, maintain and operate a monitored and professionally installed system of video camera surveillance;
 - (c) ²Licensee must maintain and execute a plan for daily outside inspections and twice daily clean up including needle pick up within a 150m radius of the Permanent Supervised Consumption Services during and after hours of operation;
 - (d) ³The Licensee must designate one individual to serve as a liaison with the City and the public to address any emerging issues related to community concerns; and
 - (e) Such additional conditions as, in the opinion of the City Manager, are reasonably necessary to protect the safety, health, welfare, and property of the attendees of the Permanent Supervised Consumption Service and its employees, and the public.

¹ Bylaw 3609/A-2018

² Bylaw 3609/A-2018

³ Bylaw 3609/A-2018

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 Licensee 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 the 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 the 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 Licensee 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 or the City Manager;
 - (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:
- (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; and
 - (c) in the case of a Business 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 Licensee 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.

**¹Schedule “J”
Electric Scooters (E-Scooters)**

Application for a Licence

1. In addition to any other requirements of this bylaw, a Person wishing to obtain a licence for an Electric Scooter (E-Scooter) business must submit to the City Manager, in a form or with such supporting documentation acceptable to the City Manager:
 - (a) Evidence the Person obtained provincial approval to operate E-Scooters;
 - (b) Evidence the Person obtained commercial general liability insurance, property insurance and automobile third party liability insurance in respect of the E-Scooter business;
 - (c) A security deposit, calculated as \$25.00 for each E-Scooter the business will deploy in the city but not less than \$5000 or more than \$15,000;
 - (d) A fee of \$15.00 per E-Scooter the business will deploy in the city, but not more than \$5000 in total, for the City to offset expenses arising from educating the public about E-Scooter operations and managing the E-Scooter program; and
 - (e) Such other documentation as the City Manager may require to verify the Person’s agreement to fulfill the obligations set out in this schedule.

2. The Licensee for an Electric Scooter Business must:
 - (a) Notify the City immediately in writing if provincial approval for the operation of e-scooters is not renewed or is withdrawn;
 - (b) Report to the City if an E-Scooter is involved in an accident, crime or acts of vandalism;
 - (c) Provide such other information the City Manager may require to effectively monitor and evaluate E-scooter presence in Red Deer;
 - (d) Pick up e-scooters abandoned in non-approved zones daily;
 - (e) Respond to complaints within three (3) hours;
 - (f) Remove E-scooters from the City between November 1 and March 15 each year;
 - (g) Disclose to the City the transmission frequency, geographic accuracy, and margin for error of the global positioning system (GPS) tracking capability each E-Scooter requires under section 3 of this Schedule; and
 - (h) Not rent an E-scooter to a rider less than eighteen (18) years of age.

3. If an E-Scooter business fails to comply with the requirements of section 2 of this schedule, the City Manager may immediately revoke the business license of that E-Scooter business.

4. All E-Scooters must be equipped with the following:

¹ Bylaw 3609/A-2021

- (a) Hardware to enable tracking of E-Scooters via the global positioning system (GPS);
 - (b) A kickstand, bell and lights;
 - (c) A speed-limiting system restricting maximum speeds to twenty (20) kilometers per hour in any area of the city and fifteen (15) kilometers per hour in zones designated by the City Manager pursuant to section 5 of this schedule.”
 - (d) Visible individual markings or unit numbers,
 - (e) E-Scooters must be the dockless type for the pilot program; and
 - (f) An internal electronic lock operable wirelessly by mobile phone application.
5. With written notice provided not less than seven (7) days in advance, the City Manager may establish or alter prohibited and approved locations for the operation or parking of E-Scooters, or geographic zones where maximum speed limits must be reduced to fifteen (15) kilometers per hour.
6. The security deposit required under section 1 (c) of this schedule shall be forfeited to the City, in whole or in part:
 - (a) If the operation of an E-Scooter results in damage to public or third-party property or injury to the E-Scooter rider or any other Person; or
 - (b) If the City incurs costs to retrieve, relocate or store E-Scooters because of an E-Scooter business’s noncompliance with this or any other City bylaw.
7. Successful applicants will enter into a licensing agreement with the City of Red Deer.

**Schedule “K”
Auto Wrecker, Salvage Yard,
Scrap Metal Dealers**

1. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer 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, in relation to each transaction of buying items or materials:
 - (a) the date and time at which the materials were received;
 - (b) an accurate description of the materials including, if available, 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 paid for the materials; and
 - (d) the full name of the employee who accepted the materials.
2. In addition to section 1, the Business must record a complete and accurate description of the Person selling the materials, including the Person’s:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number;
 - (d) physical description which shall include the following specifics: eye color, hair color, weight, and any other distinguishing features; and
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the materials that confirm the name and address given.
3. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer must not accept 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 2; or
 - iii. appears to be intoxicated.
4. 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.
5. The book, record or computer program required herein and any personal property in the Auto Wrecker, Salvage Yard or Scrap Metal 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.
6. The information required to be kept in sections 1 and 2 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) on the Premises of the Auto Wrecker, Salvage Yard or Scrap Metal Dealer;
and
 - (d) for a period of two (2) years from the date the goods were acquired.
7. Immediately upon request, an Auto Wrecker, Salvage Yard or Scrap Metal Dealer must make available to the City Manager or Peace Office an accurate copy of the information kept under sections 1 and 2.
8. On any day the Auto Wrecker, Salvage Yard or Scrap Metal Dealer is open for Business, each Business shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all items and materials received during the preceding 24 hour period, including the:
 - (a) date and time of day when each item or material was received;
 - (b) serial or folio number in the businesses book or record; and
 - (c) name, address and detailed description of the Person or Persons for whom the items or materials were received, including the description of the clothing or any other distinguishing features.

**Schedule “L”
Specified Penalties**

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1st Offence	2nd Offence	3rd Offence
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 licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
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” 1	Pawnbroker Carrying on Business as a Second- Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B” 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule “B” 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500

Schedule "B" 12	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 Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7.1	Disposing or repairing of goods before the specified time frame 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	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000

Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule "G" 9(c)	Failure to maintain and/or execute a plan for outside inspections and regular clean up	\$1,000	\$5,000	\$10,000
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
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 a 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
Schedule "H" 3(a)(i)	Failure to keep proof of valid and 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	Carrying on Business 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
Applicable to E-Scooters				

Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500
Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500
Applicable to Auto Wrecker, Scrap Metal Dealer, Salvage Yard				
Schedule "K" 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "K" 4	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
Schedule "K" 7	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500

Bylaw 3609/B-2021

Being a bylaw to amend Bylaw 3609/2018, Business Licence Bylaw.

COUNCIL OF THE CITY OF RED DEER, IN THE PROVINCE OF ALBERTA, AMENDS BYLAW 3609/2018 AS FOLLOWS:

I Section 2 is deleted and replaced with the following:

2. In this bylaw:

- (a) “**Account Reactivation Fee**” means the fee charged to a business licence account when a Licensee requests that a business licence account be reactivated:
 - i. after the Licensee cancels the account because the Business is closed; or
 - ii. the Business Licensee account was closed because the Licensee failed to provide required documentation; or
 - iii. the annual fee for the business license was not paid;
- (b) “**Administration Fee**” means the fee charged to an applicant when a business licence is cancelled pursuant to section 38(a) or (b);
- (c) “**Auto Wrecker**”, “**Salvage Yard**” and “**Scrap Metal Dealers**” means a Business where scrap metal, material from demolished buildings or structures, recyclable material, scrapped or demolished motor vehicles, junk or salvage of any type is purchased, received, processed, stored or dismantled prior to being resold or disposed of;
- (d) “**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;
- (e) “**Business Licence Fee**” means the annual fee charged to a business licence account for a business licence;
- (f) “**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;

- (g) “**Cannabis Production Facility**” means any building in which an activity authorized by the *Cannabis Act* (Canada) 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;
- (h) “**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;
- (i) “**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;
- (j) “**Change Fee**” means the fee charged to a business licence account when a Licensee:
- i. changes the physical address of the Business Premises;
 - ii. changes any names on a licence; or
 - iii. makes any other change that necessitates a physical change to the business licence provided to the Licensee;
- (k) “**City**” means the City of Red Deer;
- (l) “**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 *Consumer Protection 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;
- (m) “**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. 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;
- (n) “**Electric Scooters (E-Scooters)**” means a vehicle that:
- i. has been granted a permit to operate by the province of Alberta;
 - ii. has steering handlebars;
 - iii. consists of a footboard mount on two or three wheels; and
 - iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors;

- (o) **“Food Services”** means a Mobile Business Unit that has a secondary heat source (whether gas, propane, or electric) and is used to produce, cook, sell or distribute food;
- (p) **“Home Occupation”** means a Business Carried On by a Person, who is an occupant of a residential building, as a use secondary to the residential use of that building;
- (q) **“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 patrons 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;
- (r) **“Late Renewal Charge”** means the monthly fee charged to a business licence account when a Licensee fails to pay the annual business licence fee by the deadline set out on the renewal notice;
- (s) **“Licensee”** means the Person to whom a business licence has been granted;
- (t) **“Market”** means the Business of providing for rent, stalls, tables, spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (u) **“Mobile Business Unit”** means a motor vehicle, push cart or temporary structure or display, or stand from which a Business is Carried On for the purpose of offering for sale, products including food, which does not contain or include customer seating and is capable of being moved from location to location;
- (v) **“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*;
- (w) **“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;

- (x) **“Not for Profit Organization”** means a:
 - i. society established under the *Societies Act*, R.S.A. 1980, c. S-18;
 - ii. registered charity established under the *Income Tax Act*; R.S.A. 1985, c.1;
 - iii. company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;
 - iv. company incorporated under the *Canada Not-for-Profit Corporations Act*, S.C. 2009, c. C-23; or
 - v. society, charity, or company established under successor or replacement legislation to any of the Acts referred to above;

- (y) **“Non Resident Business”** means a Business that Carries On operations in the City that is not a Resident Business;

- (z) **“Pawn”** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;

- (aa) **“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;

- (bb) **“Pawnd Goods”** means any item that is pawned but does not include real property;

- (cc) **“Pawn Shop”** means a place of Business, which is not a residence, where a Person may Pawn Goods;

- (dd) **“Peace Officer”** means a Peace Officer as defined in the *Provincial Offences Procedure Act*, S.A. 1988, c P-21.5;

- (ee) **“Permanent Supervised Consumption Site”** means a Business operated within a standalone location, 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*;

- (ff) **“Person”** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;

- (gg) **“Premises”** means land, buildings, or structures;

- (hh) **“Regulated Business”** means a Business that is identified in a Schedule to this bylaw, excluding Schedule “A” and Schedule “K”;

- (ii) **“Resident Business”** means a Business that Carries On operations in the City that either:

- i. carries On a Business from Premises in the City which the Person owns or rents; or
 - ii. in the case of a Business Carried On by a corporation, the corporation has a registered office in the City; or
 - iii. in the case of a Business carried on by one or more individuals, at least one of the individuals involved in the operation of the Business, permanently resides in the City;
- (jj) **“Salvage Yard”** see Auto Wrecker;
- (kk) **“Scrap Metal Dealer”** see Auto Wrecker;
- (ll) **“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 Wrecker, Salvage Yard, Scrap Metal Dealer or recycling depots;
- (mm) **“Second Hand Goods”** means any item that is being transferred to a second or later end user but does not include real property;
- (nn) **“Short Term Licence”** means a licence that is valid for not more than four (4) consecutive months; and
- (oo) **“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.
- 2** Section 4 is deleted and replaced with the following:
- 4. The City Manager may produce or authorize the production of a publicly accessible directory of Businesses Carrying on Business in the City.
- 3** Section 5 is deleted and replaced with the following:
- 5. The directory may contain any information provided, to the City, by an applicant or Licensee under this bylaw.
- 4** Section 6 is deleted and replaced with the following:
- 6. When an applicant or Licensee provides information under this bylaw, the Business information provided, including the address where the Business is Carried On, phone number and email, will be included in the directory. The address where a Home Occupation is Carried On will not be provided in the directory.
- 5** Section 7 is amended by replacing the word “published” with the word “produced”.

- 6 Section 8 is amended by adding the words “Carries on Business in the City but” after “a Person who”.
- 7 Section 9 is amended by replacing the words “Red Deer” with the words “the City”.
- 8 After Section 9, insert a new Section 9.1 as follows:
 - 9.1 A Person that Carries On a Business in the City from more than one location in the City must hold a separate, valid business licence authorizing the Person to Carry On that Business for each location. For the purposes of this bylaw, any advertising and signage for a Business, trade or occupation shall be deemed to be proof of the fact that Person is Carrying On such Business, trade or occupation at the location identified by the advertising or signage.
- 9 After Section 10 insert new Sections 10.1 and 10.2 as follows:
 - 10.1 A business licence is required for the following:
 - (a) each location that a Business operates out of; and
 - (b) each separate Business operating out of a shared location where the Businesses are independent of each other.

Home Occupation

- 10.2 No business licence for a Home Occupation shall be granted until the applicant has first obtained the necessary development approval under the applicable land use regulations of the City and provided proof of that approval as part of the application for a business licence.
- 10 Section 11 is amended by replacing the words “Red Deer” with the words “the City”.
- 11 Section 12(a) is amended by adding the word “solely” after “Carries On”.
- 12 Section 12(b) is deleted and replaced with the following:
 - (b) Mobile Business Units that are operating only as part of a special event approved by the City;
- 13 Section 12(d) is deleted and replaced with the following:
 - (d) a Not for Profit Organization that qualifies under the following:
 - i. has no employees; and
 - ii. operates from a residential location within the City.

- 14** Section 12(e) is deleted and replaced with the following:
- (e) Residential offices in apartment complexes where the office is used solely to receive rental payments. The main office from which the rental Business operates requires a business licence.
- 15** After Section 12 insert a new Section 12.1 as follows:
- 12.1 Businesses not required to obtain a business licence may apply to the City Manager to be included in the business directory.
- 16** Section 16 is amended by replacing the word “issue” with “issuance”.
- 17** Section 16(a) is amended by deleting the words “in a form established by the City Manager”.
- 18** Section 17 is amended by adding the words “the application” after “sign/authorize”.
- 19** Section 18(d) is amended by replacing the word “address” with “address(es)”.
- 20** Section 18(e) is deleted and replaced with the following:
- (e) the proper name of the owner(s) of the Business, including names of directors and shareholders if the applicant is a corporate entity;
- 21** Section 18(h) is amended by replacing the words “Development Permit” with “development permit”.
- 22** Section 20 is amended by replacing the words “licence holder” with “Licensee”.
- 23** Section 26(a) is amended by replacing the words “licence holder(s)” with “Licensee”.
- 24** Section 27 is amended by adding the words “or any other fees or charges on the account are” after “business licence”.
- 25** Section 29 is amended by replacing the words “licence holder” with “Licensee” in three places.
- 26** Section 31 is amended by replacing the words “licence holder” with “Licensee”.
- 27** Section 32 is deleted and replaced with the following:
32. A business licence does not confer any property right and a Licensee may not sell, transfer, assign, lease or otherwise dispose of or deal in a business licence.
- 28** Section 33 is amended by replacing the words “section 39” with the words “sections 39, 40, or 41”.

- 29** The heading following Section 33 is amended by replacing the words “Licence Holder” with “Licensee”.
- 30** Section 34 is deleted and replaced with the following:
34. The Licensee must ensure that the Business Carried On under a business licence complies with:
- (a) this bylaw;
 - (b) any conditions imposed on the business licence; and
 - (c) the statutes and regulations of Alberta and Canada applicable to the Business.
- 31** Section 35 is amended by replacing the words “A license holder” with “The Licensee”.
- 32** Section 35(b) is amended by replacing the word “apparatus” with “Mobile Business Unit”.
- 33** Section 36 is amended by replacing the words “licence holder” with “Licensee”.
- 34** The heading following Section 36 is amended by replacing the words “Licence Holder” with “Licensee”.
- 35** Section 37 is amended by replacing the words “licence holder” with Licensee”.
- 36** Section 38 is deleted and replaced with the following:
38. If a licence is cancelled under sections 37, 39, 40 or 41, the business licence fee is not refundable, unless the license is cancelled because:
- (a) the licence is second or duplicate of a licence already issued for which the business licence fee has been paid; or
 - (b) it is determined that the Business, for which the licence was issued, is not and does not intend to Carry On Business in the City at the time of the cancellation.
- If the cancellation occurs pursuant to the Section 38(a) or (b) the Business Licence Fee, less an Administration Fee, will be refunded to the applicant.
- 37** After Section 41 insert a new Section 41.1 as follows:
- 41.1 A person may not appeal a refusal to issue a licence if the reason for the refusal is the failure to pay any fee, fine or to provide any required information under this bylaw.
- 38** Section 43 is amended by replacing the words “section 39” with the words “sections 39, 40 or 41”.

- 39** Section 43(a) is amended by replacing the words “licence holder” with “Licensee” in both places where the words appear.
- 40** Section 46 is amended by replacing the words “licence holder” with “Licensee”.
- 41** Section 48 is amended by replacing the words “licence holder” with “Licensee” and adding the word “Bylaw” before the words “No. 3487/2012”.
- 42** Section 52 is amended by replacing the words “licence holder” with “Licensee” in three places where the words appear.
- 43** Section 53(a) is amended by replacing the words “Red Deer” with “the City” and replacing the word “exclusion” with “exemption”.
- 44** Section 53(b) is amended by replacing the words “Red Deer” with “the City”.
- 45** Sections 56 and 57 are amended by replacing the words “Schedule K” with “Schedule L”.
- 46** Section 58 is deleted and replaced with the following:
58. A Person who has not submitted payment of their licence fee by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing. The late fee may be charged every month until the account is paid in full.
- 47** After Section 59 insert a new Section 59.1 as follows:
- 59.1 All fines and penalties must be paid in full before a licence will be released from suspension or a revocation.
- 48** Schedule “A” is deleted and replaced by the new Schedule “A” attached to this bylaw.
- 49** Schedule “B” is amended as follows:
- (a) Section 1 is amended by:
- i. replacing the word “must” with the word “shall”;
- ii. replacing the word “on” with the word “from”; and
- iii. adding the words “as the Pawn Shop or Pawnbroker Business” after the word “Premises”.
- (b) Section 3 is amended by:
- i. adding the words “the information identified in” following the words “addition to”; and
- ii. adding the word “also” after the words “Pawnbroker must”.

- (c) Section 3(d) is amended by changing the period to a semi-colon and adding word “and” following the semi-colon.
- (d) Section 3(e) is amended by changing the word “given” to the words “of the Person”.
- (e) Sections 6(a) and (b) are amended by deleting the word “Record” from each section.
- (f) Section 12 is deleted and replaced by the following:
 - 12. The book, record or computer program required herein and any personal property in the Pawn Shop 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.
- (g) After Section 14, insert a new Section 15 as follows:
 - 15. A Pawnbroker may acquire new inventory for sale in the Premise, which is not used inventory or part of an agreement held as security for an advance of money. The Pawnbroker must immediately, upon request by the City Manager, provide sales/purchase receipts from the vendor of the new inventory to confirm that the inventory was purchased for resale and not the subject of an agreement held as security for an advance of money. All new inventory for sale must be kept:
 - (a) separate from any goods received and held as security for an advance of money; and
 - (b) in new or original packaging, where applicable.

50 Schedule “C” is amended as follows:

- (a) Section 3 is amended by replacing the words “in English” with the words “recorded at the time of each transaction of the following information,”.
- (b) Section 4 is amended by adding the:
 - i. words “the information identified” after the words “addition to” and
 - ii. word “also” after the word “Dealer must”.
- (c) Section 4(c) is amended by replacing the word “residential” with the word “current”.
- (d) Section 4 is amended by adding a new Section 4(e) as follows:

- (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the Second Hand Goods, that confirm the name and address of the Person.
- (e) Section 7 is deleted and replaced with the following:
 - 7 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) on the Premises of the Second Hand Dealer Business; and
 - (d) for a period of one (1) year from the date the goods were acquired by the Second Hand Dealer.
- (f) After Section 7 insert a new Section 7.1 as follows:
 - 7.1 No Second Hand Dealer shall:
 - (a) sell, dispose of or undertake the repair of any Second Hand Goods until at least 45 days have elapsed from the time the goods acquired;
 - (b) keep all acquired goods in the location where they were acquired until 45 days have elapsed from the time the goods were acquired.
- (g) Section 8 is amended by replacing the words “Section 7” with the words “Section 7.1”.
- (h) After Section 8 insert a new Section 8.1 as follows:
 - 8.1 On any day the Second Hand Dealer is open for Business, each Second Hand Dealer shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Second Hand Goods received during the preceding 24 hour period (from 10:00 am that day to 10:00 am of the previous day on which the shop was last open for business), including the:
 - (a) date and time of day when each property was received;
 - (b) serial or folio number in the Second Hand Dealer's book or record; and
 - (c) name, address and a detailed description of the Person or Persons from whom the Second Hand Goods were received, including the description of the clothing and any other distinguishing features.
- (i) Section 9 is deleted and replaced with the following:

9. Sections 3 to 8.I 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) auctioneers;
 - (c) thrift shops and clothing banks operated by any church or charitable organization; or
 - (d) Businesses dealing with any of the following goods:
 - i. books, magazines, comic books or other similar publications;
 - ii. furniture;
 - iii. rugs or carpets;
 - iv. clothing;
 - v. sports trading cards;
 - vi. building supplies such as windows, doors, flooring, fixtures or other similar items;
 - vii. antiques;
 - viii. household goods such as cutlery, dishes, glassware, lamps or other similar items; and
 - ix. any other good declared exempt by the City Manager.

- (j) After Section 9 insert a new Section 10 as follows:

10. A Second Hand Dealer may acquire new inventory for sale in the Premise which is not part of the acquisition of used inventory. The Second Hand Dealer must immediately, upon request by the City Manager, provide sale/purchase receipts from the vendor of the new inventory to confirm the new inventory was purchased specifically for immediate resale and not purchased from Persons through the operation of the Second Hand Business. All new inventory for sale must be kept:

- (a) separate from any goods received purchased through the operation of the Second Hand Business; and
- (b) in new or original packing, where applicable.

51 Schedule "D" is deleted and replaced with the new Schedule "D" attached to this bylaw.

52 Schedule "F" is amended as follows:

- (a) Section 1 is amended by replacing the words “licence holder” with the word “Licensee”.
- (b) Section 2 is amended by adding the words “but not limited to, any or all of” after the words “conditions respecting”.
- (c) Section 2(d) is amended by adding the words “and operate” after the word “maintain”.
- (d) Section 2(f) is amended by replacing the word “specifying” with the words “with the City acknowledging”.

53 Schedule “G” is amended as follows:

- (a) Subsection 1(a)(v) is amended by deleting the word “and”.
- (b) Subsection 1(a)(vi) is amended by adding the word “and” after the words “required by Section 3”.
- (c) Adding a new Subsection 1(a)(vii) as follows:
 - vii. Copies of any comments received by the applicant in response to the written notice.
- (d) Subsection 1(b)(ii) is amended by deleting the word “and”.
- (e) Subsection 1(b)(iii) amended by adding the word “and” after the words “by section 3;”.
- (f) Adding a new Subsection 1(b)(iv) as follows:
 - iv. Copies of any comments received by the applicant in response to the written notice.
- (g) Section 3 is deleted and replaced with the following:
 - 3 Prior to submitting a business licence application for a Mobile or Permanent Supervised Consumption Service, the applicant must provide written notice of their intent to apply for a business licence to each owner and occupant of land located within a 100 metre radius of the location(s) where the applicant is proposing to operate and ask that the owners or occupants provide any comments that the owner or occupant might have to the applicant within a time specified in the notice.
- (h) Section 8(d) is amended by deleting the words “of Red Deer”.

- (i) Sections 9(a), 9(b), 9(c) and 9(d) are amended by replacing the words “licence holder” with the word “Licensee”.
- (j) Section 9(b) is amended by replacing the words “installs and maintains” with the words “must install, maintain and operate”.
- (k) Section 9(e) is amended by adding the words “as, in the opinion of the City Manager, are” after the words “additional conditions.”

54 Schedule “H” is amended as follows:

- (a) Section 2 is amended by replacing the words “licence holder” with the word “Licensee”.
- (b) Section 2(b) is amended by adding the word “the” after the words “Officer or”.
- (c) Section 2(c) is amended by replacing the words “unless any” with the words “unless the”.
- (d) Section 3 is amended by replacing the word “licence” with the word “Licensee”.
- (e) Section 3(b) is amended by adding the words “or the City Manager” after the words “Peace Officer”.

55 Schedule “I” is amended as follows:

- (a) Section 4 is amended by deleting the words “meet the following requirements”.
- (b) Section 6(b) is amended by adding the word “and” after the words “under this bylaw;”.
- (c) Section 6(c) is amended by replacing the word “facility” with the word “Business”.
- (d) Section 7 is amended by replacing the words “licence holder” with the word “Licensee”.

56 Schedule “J” is amended as follows:

- (a) Sections 1(c) and 1(d) are amended by deleting the words “of Red Deer”.
- (b) Section 2 is amended by replacing the words “licence holder” with the word “Licensee”.

57 Schedule “K” is deleted and replaced with the new Schedule “K” attached to this bylaw.

58 A new Schedule “L”, which is attached to this bylaw is added.

Schedule "A" Fee Schedule

I. The following fees and charges apply:

(a)	Resident Business	\$111.60
(b)	Non-Resident Business	\$433.90
(c)	Short Term	
	i. Resident	\$51.70
	ii. Non-Resident	\$180.80
(d)	Account Reactivation Fee	\$25.80
(e)	Change Fee	\$25.80
(f)	Late Renewal Charge	\$25.80
(g)	Administrative Fee	\$50.00
(h)	Directory Listing for exempt businesses	\$25.80

2. The business licence fee for the first year of Business operations for Resident and Non-Resident Businesses shall be pro-rated on monthly basis from the date the licence is first issued until December 31, of that year. The pro-rated business licence fee shall not be less than \$35.00.

3. Commencing with fees for 2022, business licence fees and all other fees listed in Schedule "A" shall be increased on an annual basis by multiplying the current fee by the Consumer Price Index (CPI) for Alberta. Fees will be rounded to the nearest \$0.05. If the CPI is negative for any given year, the business licence fees shall remain unchanged from the then current fees. The business licence fees for the next calendar year shall be determined, by the City Manager in accordance with this section, prior to renewal notices being sent to Businesses.

Schedule “D”
Mobile Business Units and Food Services

Mobile Business Units

- I. All Mobile Business Units shall comply with the following rules:
 - (a) Mobile Business Units may not Carry On Business from a parking stall with a parking meter located around City Hall Block, including in front of City Hall on 48 Avenue, along Ross Street between 48 Avenue and 49 Avenue.
 - (b) A Mobile Business unit shall not Carry On Business from any landscaped, grass or turf area without the consent of the owner of the landscaped, grass or turf area.
 - (c) A Mobile Business shall not Carry On Business while on private property without obtaining the prior written consent of the property owner and occupier. A Licensee shall, upon request, immediately show such written permission to the City Manager.
 - (d) A Mobile Business Unit shall obtain a Use of Streets Permit from the City if the Mobile Business Unit intends to Carry On Business while parked on a City roadway. The Licensee of the Mobile Business Unit shall provide proof of a valid business licence when applying for a Use of Streets Permit. Payment for a Use of Streets Permit does not constitute blanket approval for use of all City streets. It is the responsibility of the Mobile Business Unit to follow the required criteria set out under the Use of Streets Permit or this bylaw.
 - (e) A Mobile Business Unit shall obtain approval from the department or operator responsible for the parking lot if the Mobile Business intends to Carry On Business while parked on a City owned parking lot.
 - (f) In the case of a landscaped, grass or turf area owned by the City, a Mobile Business Unit shall obtain approval from the department or operator responsible for the landscaped, grass or turf area if the Mobile Business intends to Carry On Business while parked on the City owned landscaped, grass or turf area.

Food Services

2. Mobile Business Units Carrying On Business as Food Services shall comply with the following additional rules:
 - (a) A Food Services Business shall not Carry On Business from any residential neighbourhood.
 - (b) Notwithstanding the foregoing, Food Services Businesses can Carry On Business at a park or green spaces within a residential neighbourhood with consent of the City or a parking lot operator. Where there is a green space or park area, the Food Services Business may, with approval from The City of Red Deer - Recreation, Parks and

Culture, park curbside to the park area, and where there is a parking lot, the Mobile Business unit can park curbside or in the parking lot, with approval from the contracted operator.

- (c) A Food Services Business shall not Carry On Business within 50m of either a permanent food service establishment or a primary or secondary school.
- (d) Customers shall not be allowed to order or consume food and/or beverages within the Food Services Business.
- (e) Waste and recycling receptacles must be provided for customers while the Food Services Business is Carrying On Business.

**Schedule “K”
Auto Wrecker, Salvage Yard,**

Scrap Metal Dealers

- I. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer 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, in relation to each transaction of buying items or materials:
 - (a) the date and time at which the materials were received;
 - (b) an accurate description of the materials including, if available, 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 paid for the materials; and
 - (d) the full name of the employee who accepted the materials.
2. In addition to section I, the Business must record a complete and accurate description of the Person selling the materials, including the Person’s:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number;
 - (d) physical description which shall include the following specifics: eye color, hair color, weight, and any other distinguishing features; and
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the materials that confirm the name and address given.
3. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer must not accept 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 2; or
 - iii. appears to be intoxicated.
4. 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.
5. The book, record or computer program required herein and any personal property in the Auto Wrecker, Salvage Yard or Scrap Metal 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.
6. The information required to be kept in sections 1 and 2 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) on the Premises of the Auto Wrecker, Salvage Yard or Scrap Metal Dealer; and
 - (d) for a period of two (2) years from the date the goods were acquired.
7. Immediately upon request, an Auto Wrecker, Salvage Yard or Scrap Metal Dealer must make available to the City Manager or Peace Office an accurate copy of the information kept under sections 1 and 2.
8. On any day the Auto Wrecker, Salvage Yard or Scrap Metal Dealer is open for Business, each Business shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all items and materials received during the preceding 24 hour period, including the:
 - (a) date and time of day when each item or material was received;
 - (b) serial or folio number in the businesses book or record; and
 - (c) name, address and detailed description of the Person or Persons for whom the items or materials were received, including the description of the clothing or any other distinguishing features.

Schedule “L” Specified Penalties

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1st Offence	2nd Offence	3rd Offence
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 licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
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” 1	Pawnbroker Carrying on Business as a Second- Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B” 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule “B” 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500

Schedule "B" 12	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 Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7.1	Disposing or repairing of goods before the specified time frame 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	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000

Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000
Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule "G" 9(c)	Failure to maintain and/or execute a plan for outside inspections and regular clean up	\$1,000	\$5,000	\$10,000
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
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 a 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
Schedule "H" 3(a)(i)	Failure to keep proof of valid and 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	Carrying on Business 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

Applicable to E-Scooters				
Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500
Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500
Applicable to Auto Wrecker, Scrap Metal Dealer, Salvage Yard				
Schedule "K" 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "K" 4	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
Schedule "K" 7	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500

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) **“Account Reactivation Fee”** means the fee charged to a business licence account when a Licensee requests that a business licence account be reactivated:
 - i. after the Licensee cancels the account because the Business is closed; or
 - ii. the Business Licensee account was closed because the Licensee failed to provide required documentation; or
 - iii. the annual fee for the business license was not paid;
 - (b) **“Administration Fee”** means the fee charged to an applicant when a business licence is cancelled pursuant to section 38(a) or (b);
 - (c) **“Auto Wrecker”, “Salvage Yard” and “Scrap Metal Dealers”** means a Business where scrap metal, material from demolished buildings or structures, recyclable material, scrapped or demolished motor vehicles, junk or salvage of any type is purchased, received, processed, stored or dismantled prior to being resold or disposed of;
 - (d) **“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;
 - (e) **“Business Licence Fee”** means the annual fee charged to a business licence account for a business licence;
 - (f) **“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;

- (g) **“Cannabis Production Facility”** means any building in which an activity authorized by the *Cannabis Act* (Canada) 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;
- (h) **“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;
- (i) **“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;
- (j) **“Change Fee”** means the fee charged to a business licence account when a Licensee:
- i. changes the physical address of the Business Premises;
 - ii. changes any names on a licence; or
 - iii. makes any other change that necessitates a physical change to the business licence provided to the Licensee;
- (k) **“City”** means the City of Red Deer;
- (l) **“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 *Consumer Protection 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;
- (m) **“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. 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;
- (n) **“Electric Scooters (E-Scooters)”** means a vehicle that:
- i. has been granted a permit to operate by the province of Alberta;
 - ii. has steering handlebars;
 - iii. consists of a footboard mount on two or three wheels; and

- iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors;
- (o) **“Food Services”** means a Mobile Business Unit that has a secondary heat source (whether gas, propane, or electric) and is used to produce, cook, sell or distribute food;
- (p) **“Home Occupation”** means a Business Carried On by a Person, who is an occupant of a residential building, as a use secondary to the residential use of that building;
- (q) **“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 patrons 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;
- (r) **“Late Renewal Charge”** means the monthly fee charged to a business licence account when a Licensee fails to pay the annual business licence fee by the deadline set out on the renewal notice;
- (s) **“Licensee”** means the Person to whom a business licence has been granted;
- (t) **“Market”** means the Business of providing for rent, stalls, tables, spaces to merchants displaying for sale, offering for sale and selling goods to the public;
- (u) **“Mobile Business Unit”** means a motor vehicle, push cart or temporary structure or display, or stand from which a Business is Carried On for the purpose of offering for sale, products including food, which does not contain or include customer seating and is capable of being moved from location to location;
- (v) **“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*;

- (w) **"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;
- (x) **"Not for Profit Organization"** means a:
 - i. society established under the *Societies Act*, R.S.A. 1980, c. S-18;
 - ii. registered charity established under the *Income Tax Act*; R.S.A. 1985, c.1;
 - iii. company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;
 - iv. company incorporated under the Canada Not-for-Profit Corporations Act, S.C. 2009, c. C-23; or
 - v. society, charity, or company established under successor or replacement legislation to any of the Acts referred to above;
- (y) **"Non Resident Business"** means a Business that Carries On operations in the City that is not a Resident Business;
- (z) **"Pawn"** means to give as a deposit anything in pledge or as security for the payment of a loan or debt;
- (aa) **"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;
- (bb) **"Pawnd Goods"** means any item that is pawned but does not include real property;
- (cc) **"Pawn Shop"** means a place of Business, which is not a residence, where a Person may Pawn Goods;
- (dd) **"Peace Officer"** means a Peace Officer as defined in the *Provincial Offences Procedure Act*, S.A. 1988, c P-21.5;
- (ee) **"Permanent Supervised Consumption Site"** means a Business operated within a standalone location, 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;

- (ff) **“Person”** includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;
- (gg) **“Premises”** means land, buildings, or structures;
- (hh) **“Regulated Business”** means a Business that is identified in a Schedule to this bylaw, excluding Schedule “A” and Schedule “K”;
- (ii) **“Resident Business”** means a Business that Carries On operations in the City that either:
 - i. carries On a Business from Premises in the City which the Person owns or rents; or
 - ii. in the case of a Business Carried On by a corporation, the corporation has a registered office in the City; or
 - iii. in the case of a Business carried on by one or more individuals, at least one of the individuals involved in the operation of the Business, permanently resides in the City;
- (jj) **“Salvage Yard”** see Auto Wrecker;
- (kk) **“Scrap Metal Dealer”** see Auto Wrecker;
- (ll) **“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 Wrecker, Salvage Yard, Scrap Metal Dealer or recycling depots;
- (mm) **“Second Hand Goods”** means any item that is being transferred to a second or later end user but does not include real property;
- (nn) **“Short Term Licence”** means a licence that is valid for not more than four (4) consecutive months; and
- (oo) **“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.
- (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) ~~1~~**“Electric Scooters (E-Scooters)”** means a motor vehicle that:
- i. has been granted a permit to operate by the province of Alberta;
 - ii. has steering handlebars;
 - iii. consists of a footboard mounted on two or three wheels;
 - iv. while capable of being propelled by muscular power, may be propelled by one or more electric motors.
- (j) **“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;
- (k) **“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;
- (l) **“Mobile Business Unit”** means a motor vehicle, temporary structure or display, or stand from which a Business is Carried On;
- (m) **“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*;
- (n) **“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;
- (o) ~~2~~**“Not for Profit Organization”** means

¹ Bylaw 3609/A-2021

² Bylaw 3609/A-2019

- ~~1. a society established under the *Societies Act*, R.S.A. 1980, c. S-18;~~
- ~~2. a registered charity established under the *Income Tax Act*, R.S.A. 1985, c.1~~
- ~~3. a company incorporated under Part 9 of the *Companies Act*, R.S.A. 1980, c. C-20;~~
- ~~4. a company incorporated under Part II of the *Canada Corporations Act*, R.S.C. 1985, c. C-32; or~~
- ~~5. a society, charity, or company established under successor or replacement legislation to any of the Acts referred to above.~~

- ~~(o) — “**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.~~
- ~~(p) “**Pawn**” means to give as a deposit anything in pledge or as security for the payment of a loan or debt;~~
- ~~(q) “**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;~~
- ~~(r) “**Pawned Goods**” means any item that is pawned but does not include real property;~~
- ~~(s) “**Pawn Shop**” means a place of Business, which is not a residence, where a Person may Pawn Goods.~~
- ~~(t) “**Peace Officer**” means a Peace Officer as defined in the *Provincial Offences Procedure Act*, S.A. 1988, c P-21.5;~~
- ~~(u) ¹“**Permanent Supervised Consumption Site**” means a Business operated within a standalone location, 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*;~~
- ~~(v) “**Person**” includes an individual, sole proprietorship, corporation, partnership, joint venture, co-operative or society;~~

¹ Bylaw 3609/A-2018

- (w) ~~“Premises” means land, buildings, or structures;~~
- (x) ~~“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.~~
- (y) ~~“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;~~
- (z) ~~¹“Second Hand Goods” means any item that is being transferred to a second or later end user but does not include real property;~~
- (aa) ~~“Short Term Licence” means a licence that is valid for not more than four (4) consecutive months in a calendar year;~~
- ~~¹“Regulated Business” means a Business that is identified in a Schedule to this Bylaw, excluding Schedule “A” and Schedule “K”, in relation to which Council may adopt regulations in addition to those set out in the body of this Bylaw; and~~
- (bb) ~~“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;

¹ Bylaw 3609/A-2018

¹ Bylaw 3609/A-2021

- (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 produce or authorize the production of a publicly accessible directory of Businesses Carrying on Business in the City. 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, to the City, by an applicant or Licensee under this bylaw. The directory may contain any information provided by an applicant or licence holder under this bylaw.~~
6. ~~When an applicant or Licensee provides information under this bylaw, the Business information provided, including the address where the Business is Carried On, phone number and email, will be included in the directory. The address where a Home Occupation is Carried On will not be provided in the directory. 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 ~~produced~~ **published** or information included in it.
8. The City Manager may also include information in the directory in relation to a Person who **Carries on Business in the City** but 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 ~~the City Red Deer~~ must hold a valid business licence authorizing the Person to Carry On that Business.
- 9.1 A Person that Carries On a Business in the City from more than one location in the City must hold a separate, valid business licence authorizing the Person to Carry On that Business for each location. For the purposes of this bylaw, any advertising and signage for a Business, trade or occupation shall be deemed to be proof of the fact that Person is Carrying On such Business, trade or occupation at the location identified by the advertising or signage.
10. Section 9 applies whether a Person Carries On a Business as a principal or as an agent.
- 10.1 A business licence is required for the following:
- (a) each location that a Business operates out of; and
 - (b) each separate Business operating out of a shared location where the Businesses are independent of each other.

Home Occupation

- 10.2 No business licence for a Home Occupation shall be granted until the applicant has first obtained the necessary development approval under the applicable land use regulations of the City and provided proof of that approval as part of the application for a business licence.

Exclusions from the Requirement for a Business Licence

11. The following Persons may Carry On a Business in ~~the City 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 ~~solely~~ within Market hours;

- (b) ~~Mobile Business Units that are operating only as part of a special event approved by the City; 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.
 - ~~(d) ¹a Not for Profit Organization that has no employees; or~~
 - (d) a Not for Profit Organization that qualifies under the following:
 - i. has no employees; and
 - ii. operates from a residential location within the City.
 - ~~(e) ²a Not for Profit Organization that does not Carry On operations from a non-residential Premises located within the City of Red Deer.~~
 - (e) Residential offices in apartment complexes where the office is used solely to receive rental payments. The main office from which the rental Business operates requires a business licence.
- 12.1 ~~Businesses not required to obtain a business licence may apply to the City Manager to be included in the business directory.~~
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 ~~issuance~~ ~~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.

¹ Bylaw 3609/A-2019

² Bylaw 3609/A-2019

17. An applicant must be at least 18 years old or have an agent at least 18 years old sign/authorize **the application** 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(es) of the Business;
 - (e) **the proper name of the owner(s) of the Business, including names of directors and shareholders if the applicant is a corporate entity; 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 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 **Licensee 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 **Licensee 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 **or any other fees or charges on the account are** 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 **Licensee licence-holder** to Carry On the Business described in the business licence, and a business licence for a Regulated Business allows the **Licensee licence-holder** to Carry On the Regulated Business described in the business licence provided that the **Licensee 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 **Licensee 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 a Licensee may not sell, transfer, assign, lease or otherwise dispose of or deal in a business licence. 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 **sections 39, 40, or 41 section-39** of this bylaw;
or
- (b) it was issued as a Short Term Licence.

Obligations of Business ~~Licensee Licence-Holder~~

34. **The Licensee must ensure that the Business Carried On under a business licence complies with:**
- (a) **this bylaw;**
- (b) **any conditions imposed on the business licence; and**
- (c) **the statutes and regulations of Alberta and Canada applicable to the**

Business.

- ~~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. ~~The Licensee~~ **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 **Mobile Business Unit 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 **Licensee 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 Licensee Licence Holder

37. A **Licensee 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.~~
38. If a licence is cancelled under sections 37, 39, 40 or 41, the business licence fee is not refundable, unless the license is cancelled because:
- (a) the licence is second or duplicate of a licence already issued for which the business licence fee has been paid; or
 - (b) it is determined that the Business, for which the licence was issued, is not and does not intend to Carry On Business in the City at the time of the cancellation.

If the cancellation occurs pursuant to the Section 38(a) or (b) the Business Licence Fee, less an Administration Fee, will be refunded to the applicant.

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.
- 41.1 A person may not appeal a refusal to issue a licence if the reason for the refusal is the failure to pay any fee, fine or to provide any required information under this bylaw.
- 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 sections 39, 40 or 41 ~~section 39~~ is effective:
 - (a) 24 hours after delivery if the written notice is delivered personally to the ~~Licensee licence holder~~ or the registered office of a corporate ~~Licensee 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 ~~Licensee 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) ¹Deleted

the applicant or ~~Licensee 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*, ~~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.

¹ 3609/A-2019

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 ~~Licensee licence holder~~ that the Business complies with the requirements of any other bylaw or enactment and the ~~Licensee licence holder~~ is responsible to ensure that the ~~Licensee 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 ~~the City Red Deer~~ without a business licence as required under this bylaw, unless an ~~exemption exclusion~~ under section 11 applies;
 - (b) Carries On a Business in ~~the City 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. ¹A 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 ~~L K~~.

¹ Bylaw 3609/A-2021

57. ¹A 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 L K, pay a penalty of not less than \$250 for each day that the breach continues.
58. ~~A Person who has not submitted payment of their licence fee by December 31 of that year may be subject to a \$25.00 late fee that will form part of the total fee owing. The late fee may be charged every month until the account is paid in full. 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.
- 59.1 ~~All fines and penalties must be paid in full before a licence will be released from suspension or a revocation.~~

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:
- (a) specifying the fine amount established by this bylaw; or
 - (b) requiring an appearance in court without the option of making a voluntary payment.
63. Where a violation ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

Effective Date

64. *License Bylaw, No. 3159/96, Late Night Clubs Bylaw, No. 3275/2001 and Drinking Establishment Licensing Bylaw No. 3332/2004* are hereby repealed.
65. This bylaw shall come into force and take effect upon third reading.

¹ Bylaw 3609/A-2021

READ A FIRST TIME IN OPEN COUNCIL this 20 day of August 2018.

READ A SECOND TIME IN OPEN COUNCIL this 4 day of September 2018.

READ A THIRD TIME IN OPEN COUNCIL this 4 day of September 2018.

AND SIGNED BY THE MAYOR AND CITY CLERK this 4 day of September 2018.

“Mayor Tara Veer”

“Frieda McDougall”

MAYOR

CITY CLERK

**Schedule "A"
Fee Schedule**

1. The following fees and charges apply:

(a)	Resident Business	\$111.60
(b)	Non-Resident Business	\$433.90
(c)	Short Term	
	i. Resident	\$51.70
	ii. Non-Resident	\$180.80
(d)	Account Reactivation Fee	\$25.80
(e)	Change Fee	\$25.80
(f)	Late Renewal Charge	\$25.80
(g)	Administrative Fee	\$50.00
(h)	Directory Listing for exempt businesses	\$25.80

2. The business licence fee for the first year of Business operations for Resident and Non-Resident Businesses shall be pro-rated on monthly basis from the date the licence is first issued until December 31, of that year. The pro-rated business licence fee shall not be less than \$35.00.
3. Commencing with fees for 2022, business licence fees and all other fees listed in Schedule "A" shall be increased on an annual basis by multiplying the current fee by the Consumer Price Index (CPI) for Alberta. Fees will be rounded to the nearest \$0.05. If the CPI is negative for any given year, the business licence fees shall remain unchanged from the then current fees. The business licence fees for the next calendar year shall be determined, by the City Manager in accordance with this section, prior to renewal notices being sent to Businesses.

**Schedule "A"
Fee Schedule**

GST EXEMPT

1. ~~The fees for licences are:~~
 - (a) ~~Resident Business~~ _____ ~~\$108.00~~
 - (b) ~~Non Resident Business~~ _____ ~~\$420.00~~
 - (c) ~~Resident Short Term~~ _____ ~~\$50.00~~
 - (d) ~~Non-Resident Short Term~~ _____ ~~\$175.00~~
 - (e) ~~Change Fee~~ _____ ~~\$25.00~~
 - (f) ~~Late Fee~~ _____ ~~\$25.00~~
 - (g) ~~¹Electric Scooter Business~~ _____ ~~\$600.00~~

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.~~

¹ Bylaw 3609/A-2021

¹Schedule "B"
Pawn Shops and Pawnbrokers

1. A Pawnbroker ~~shall~~ **must** not also Carry On the Business of a Second Hand Dealer ~~from on~~ the same Premises **as the Pawn Shop or Pawnbroker Business.**
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 **the information identified in** section 2, a Pawnbroker must **also** 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- **;and**
 - (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 **of the Person 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.

¹ Bylaw 3609/A-2018

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) **Record** the Pawnbroker's own name and the date the pawned goods were redeemed;
 - (b) **Record** the same information required under section 3 relative to the Person who has redeemed the Pawned Goods; and
 - (c) ensure the information recorded in sections 2 and 3 is kept in accordance with section 14.
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 7, 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 3; 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 2 or section 3; or
 - (b) direct or allow any Person to erase or alter any information recorded under section 2 or section 3.
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 book, record or computer program required herein and any personal property in the Pawn Shop 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. 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 day 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 Pawns 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 2 and 3 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 Pawns.

15. A Pawnbroker may acquire new inventory for sale in the Premise, which is not used inventory or part of an agreement held as security for an advance of money. The Pawnbroker must immediately, upon request by the City Manager, provide sales/purchase receipts from the vendor of the new inventory to confirm that the inventory was purchased for resale and not the subject of an agreement held as security for an advance of money. All new inventory for sale must be kept:
 - (a) separate from any goods received and held as security for an advance of money; and
 - (b) in new or original packaging, where applicable.

**¹Schedule "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 **recorded at the time of each transaction of the following information, 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 **the information identified** section 3, a Second Hand Dealer must **also** 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) **current 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.
 - (e) **two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the Second Hand Goods, that confirm the name and address of the Person.**

¹ Bylaw 3609/A-2018

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. 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) on the Premises of the Second Hand Dealer Business; and
 - (d) for a period of one (1) year from the date the goods were acquired by the Second Hand Dealer.
- ~~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.~~
- 7.1 No Second Hand Dealer shall:
 - (a) sell, dispose of or undertake the repair of any Second Hand Goods until at least 45 days have elapsed from the time the goods acquired;
 - (b) keep all acquired goods in the location where they were acquired until 45 days have elapsed from the time the goods were acquired.
8. Each Second Hand Dealer shall keep separate and apart from his other goods those goods required to be held under section 7.1, until the time set forth in that section has elapsed.
- 8.1 On any day the Second Hand Dealer is open for Business, each Second Hand Dealer shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all Second Hand Goods received during the preceding 24 hour period (from 10:00 am that day to 10:00 am of the previous day on which the shop was last open for business), including the:
 - (a) date and time of day when each property was received;
 - (b) serial or folio number in the Second Hand Dealer's book or record; and

- (c) name, address and a detailed description of the Person or Persons from whom the Second Hand Goods were received, including the description of the clothing and any other distinguishing features.

9. Sections 3 to 8.1 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) auctioneers;
- (c) thrift shops and clothing banks operated by any church or charitable organization; or
- (d) Businesses dealing with any of the following goods:
 - i. books, magazines, comic books or other similar publications;
 - ii. furniture;
 - iii. rugs or carpets;
 - iv. clothing;
 - v. sports trading cards;
 - vi. building supplies such as windows, doors, flooring, fixtures or other similar items;
 - vii. antiques;
 - viii. household goods such as cutlery, dishes, glassware, lamps or other similar items; and
 - ix. any other good declared exempt by the City Manager.

~~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.~~

10. A Second Hand Dealer may acquire new inventory for sale in the Premise which is not part of the acquisition of used inventory. The Second Hand Dealer must immediately, upon request by the City Manager, provide sale/purchase receipts from the vendor of the new inventory to confirm the new inventory was purchased specifically for immediate resale and not purchased from Persons

through the operation of the Second Hand Business. All new inventory for sale must be kept:

- (a) separate from any goods received purchased through the operation of the Second Hand Business; and
- (b) in new or original packing, where applicable.

Schedule "D"
Mobile Business Units and Food Services

Mobile Business Units

1. All Mobile Business Units shall comply with the following rules:
 - (a) Mobile Business Units may not Carry On Business from a parking stall with a parking meter located around City Hall Block, including in front of City Hall on 48 Avenue, along Ross Street between 48 Avenue and 49 Avenue.
 - (b) A Mobile Business unit shall not Carry On Business from any landscaped, grass or turf area without the consent of the owner of the landscaped, grass or turf area.
 - (c) A Mobile Business shall not Carry On Business while on private property without obtaining the prior written consent of the property owner and occupier. A Licensee shall, upon request, immediately show such written permission to the City Manager.

- (d) A Mobile Business Unit shall obtain a Use of Streets Permit from the City if the Mobile Business Unit intends to Carry On Business while parked on a City roadway. The Licensee of the Mobile Business Unit shall provide proof of a valid business licence when applying for a Use of Streets Permit. Payment for a Use of Streets Permit does not constitute blanket approval for use of all City streets. It is the responsibility of the Mobile Business Unit to follow the required criteria set out under the Use of Streets Permit or this bylaw.
- (e) A Mobile Business Unit shall obtain approval from the department or operator responsible for the parking lot if the Mobile Business intends to Carry On Business while parked on a City owned parking lot.
- (f) In the case of a landscaped, grass or turf area owned by the City, a Mobile Business Unit shall obtain approval from the department or operator responsible for the landscaped, grass or turf area if the Mobile Business intends to Carry On Business while parked on the City owned landscaped, grass or turf area.

Food Services

- 2. Mobile Business Units Carrying On Business as Food Services shall comply with the following additional rules:
 - (a) A Food Services Business shall not Carry On Business from any residential neighbourhood.
 - (b) Notwithstanding the foregoing, Food Services Businesses can Carry On Business at a park or green spaces within a residential neighbourhood with consent of the City or a parking lot operator. Where there is a green space or park area, the Food Services Business may, with approval from The City of Red Deer - Recreation, Parks and Culture, park curbside to the park area, and where there is a parking lot, the Mobile Business unit can park curbside or in the parking lot, with approval from the contracted operator.
 - (c) A Food Services Business shall not Carry On Business within 50m of either a permanent food service establishment or a primary or secondary school.
 - (d) Customers shall not be allowed to order or consume food and/or beverages within the Food Services Business.

Waste and recycling receptacles must be provided for customers while the Food Services Business is Carrying On Business.

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).~~

**¹Schedule E”
Direct Sellers**

1. 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.
2. A Direct Seller may not Carry On Business between the hours of 8:00 PM and 8:00 AM.
3. 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.

¹ Bylaw 3609/A-2018

Schedule "F" Drinking Establishments

Mandatory Requirements

1. The ~~Licensee 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 ~~but not limited to, any or all of~~ 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 ~~and operate~~ 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 **with the City acknowledging 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.

¹Schedule "G"**Mobile and Permanent Supervised Consumption Services****Application Requirements**

1. In addition to any other requirements of this Bylaw, before the issuance or renewal of a business licence for a Mobile or Permanent Supervised Consumption Services, an applicant must submit the following to the City Manager in a form and with supporting documentation acceptable to the City Manager:
 - (a) Mobile Supervised Consumption Services Units
 - i. A signed landowner consent for each location where Mobile Supervised Consumption Services are proposed to be offered;
 - ii. A proposed schedule of the days of the week, times and location(s) where Mobile Supervised Consumption Services will be offered;
 - iii. A detailed description of the proposed Mobile Supervised Consumption Services Unit, including the layout of the booths and recovery spaces;
 - iv. Photographs of the interior and exterior of the vehicle;
 - v. A proposed security plan, including the number and qualifications of security personnel; **and**
 - vi. Confirmation the applicant has provided ~~with~~ the written notice required by section 3- **;and**
 - vii. **Copies of any comments received by the applicant in response to the written notice.**
 - (b) Permanent Supervised Consumption Services
 - i. A signed landowner consent for the location of the Permanent Supervised Consumption Services;
 - ii. A proposed security plan, including the number and qualifications of security personnel; **and**
 - iii. Confirmation the applicant has provided the written notice required by section 3- **;and**
 - iv. **Copies of any comments received by the applicant in response to the written notice.**

¹ Bylaw 3609/A-2018

2. No licence for a Mobile or Permanent 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 business licence application for a Mobile or Permanent Supervised Consumption Service, the applicant must provide written notice of their intent to apply for a business licence to each owner and occupant of land located within a 100 metre radius of the location(s) where the applicant is proposing to operate and ask that the owners or occupants provide any comments that the owner or occupant might have to the applicant within a time specified in the notice. 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 the location(s) where the applicant is proposing to operate.~~
4. Applications for the issuance or renewal of a business licence for Mobile or Permanent Supervised Consumption Services may be circulated to Health Canada, Alberta Health Services and the RCMP for referral and consultation.

General 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. In addition to conditions which may be listed as mandatory, the City Manager may impose terms and conditions on a licence for Mobile or Permanent Supervised Consumption Services if, in of 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*.

Mobile Supervised Consumption Services Unit Licence Conditions

8. The following shall be mandatory conditions for business licences for Mobile Supervised Consumption Services:
 - (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; and
- (d) A licence for a Mobile Supervised Consumption Service Unit may only be issued for the following locations within the City ~~of Red Deer~~:
 - i. 3942 50A Avenue; and
 - ii. 5246 53 Avenue

Permanent Supervised Consumption Services Licence Conditions

9. The following shall be mandatory conditions for business licences for Permanent Supervised Consumption Services:
 - (a) The ~~Licensee licence holder~~ must maintain in place a plan to address emergency, medical and security concerns;
 - (b) ¹The ~~Licensee licence holder installs and maintains~~ must install, maintain and operate a monitored and professionally installed system of video camera surveillance;
 - (c) ²~~License holder Licensee~~ must maintain and execute a plan for daily outside inspections and twice daily clean up including needle pick up within a 150m radius of the Permanent Supervised Consumption Services during and after hours of operation;
 - (d) ³The ~~Licensee licence holder~~ must designate one individual to serve as a liaison with the City and the public to address any emerging issues related to community concerns; and
 - (e) Such additional conditions ~~as, in the opinion of the City Manager, are~~ reasonably necessary to protect the safety, health, welfare, and property of the attendees of the Permanent Supervised Consumption Service and its employees, and the public.

¹ Bylaw 3609/A-2018

² Bylaw 3609/A-2018

³ Bylaw 3609/A-2018

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 ~~Licensee 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 ~~the~~ 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 ~~the 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 **Licensee 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 **or the City Manager**;
- (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; **and**
 - (c) in the case of a **Business 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 **Licensee 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.

¹Schedule “J”
Electric Scooters (E-Scooters)

Application for a Licence

1. In addition to any other requirements of this bylaw, a Person wishing to obtain a licence for an Electric Scooter (E-Scooter) business must submit to the City Manager, in a form or with such supporting documentation acceptable to the City Manager:
 - (a) Evidence the Person obtained provincial approval to operate E-Scooters;
 - (b) Evidence the Person obtained commercial general liability insurance, property insurance and automobile third party liability insurance in respect of the E-Scooter business;
 - (c) A security deposit, calculated as \$25.00 for each E-Scooter the business will deploy in the city of Red Deer but not less than \$5000 or more than \$15,000;
 - (d) A fee of \$15.00 per E-Scooter the business will deploy in the city of Red Deer, but not more than \$5000 in total, for the City to offset expenses arising from educating the public about E-Scooter operations and managing the E-Scooter program; and
 - (e) Such other documentation as the City Manager may require to verify the Person's agreement to fulfill the obligations set out in this schedule.

2. The ~~Licensee licence holder~~ for an Electric Scooter Business must:
 - (a) Notify the City immediately in writing if provincial approval for the operation of e-scooters is not renewed or is withdrawn;
 - (b) Report to the City if an E-Scooter is involved in an accident, crime or acts of vandalism;
 - (c) Provide such other information the City Manager may require to effectively monitor and evaluate E-scooter presence in Red Deer;
 - (d) Pick up e-scooters abandoned in non-approved zones daily;
 - (e) Respond to complaints within three (3) hours;
 - (f) Remove E-scooters from the City between November 1 and March 15 each year;
 - (g) Disclose to the City the transmission frequency, geographic accuracy, and margin for error of the global positioning system (GPS) tracking capability each E-Scooter requires under section 3 of this Schedule; and
 - (h) Not rent an E-scooter to a rider less than eighteen (18) years of age.

3. If an E-Scooter business fails to comply with the requirements of section 2 of this schedule, the City Manager may immediately revoke the business license of that E-Scooter business.

4. All E-Scooters must be equipped with the following:

¹ Bylaw 3609/A-2021

- (a) Hardware to enable tracking of E-Scooters via the global positioning system (GPS);
 - (b) A kickstand, bell and lights;
 - (c) A speed-limiting system restricting maximum speeds to twenty (20) kilometers per hour in any area of the city and fifteen (15) kilometers per hour in zones designated by the City Manager pursuant to section 5 of this schedule.”
 - (d) Visible individual markings or unit numbers,
 - (e) E-Scooters must be the dockless type for the pilot program; and
 - (f) An internal electronic lock operable wirelessly by mobile phone application.
5. With written notice provided not less than seven (7) days in advance, the City Manager may establish or alter prohibited and approved locations for the operation or parking of E-Scooters, or geographic zones where maximum speed limits must be reduced to fifteen (15) kilometers per hour.
6. The security deposit required under section 1 (c) of this schedule shall be forfeited to the City, in whole or in part:
 - (a) If the operation of an E-Scooter results in damage to public or third-party property or injury to the E-Scooter rider or any other Person; or
 - (b) If the City incurs costs to retrieve, relocate or store E-Scooters because of an E-Scooter business’s noncompliance with this or any other City bylaw.
7. Successful applicants will enter into a licensing agreement with the City of Red Deer.

**Schedule “K”
Auto Wrecker, Salvage Yard,
Scrap Metal Dealers**

1. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer 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, in relation to each transaction of buying items or materials:
 - (a) the date and time at which the materials were received;
 - (b) an accurate description of the materials including, if available, 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 paid for the materials; and
 - (d) the full name of the employee who accepted the materials.
2. In addition to section 1, the Business must record a complete and accurate description of the Person selling the materials, including the Person’s:
 - (a) full name;
 - (b) date of birth;
 - (c) current address and telephone number;
 - (d) physical description which shall include the following specifics: eye color, hair color, weight, and any other distinguishing features; and
 - (e) two pieces of numbered identification, one being government issued and containing a picture of the Person tendering the materials that confirm the name and address given.
3. An Auto Wrecker, Salvage Yard or Scrap Metal Dealer must not accept 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 2; or
 - iii. appears to be intoxicated.
4. 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.
5. The book, record or computer program required herein and any personal property in the Auto Wrecker, Salvage Yard or Scrap Metal 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.
6. The information required to be kept in sections 1 and 2 must be kept:
 - (a) in electronic form with automated reporting capabilities;
 - (b) in English;
 - (c) on the Premises of the Auto Wrecker, Salvage Yard or Scrap Metal Dealer; and
 - (d) for a period of two (2) years from the date the goods were acquired.
7. Immediately upon request, an Auto Wrecker, Salvage Yard or Scrap Metal Dealer must make available to the City Manager or Peace Office an accurate copy of the information kept under sections 1 and 2.
8. On any day the Auto Wrecker, Salvage Yard or Scrap Metal Dealer is open for Business, each Business shall deliver to the City Detachment of the RCMP, a detailed and accurate description of all items and materials received during the preceding 24 hour period, including the:
 - (a) date and time of day when each item or material was received;
 - (b) serial or folio number in the businesses book or record; and
 - (c) name, address and detailed description of the Person or Persons for whom the items or materials were received, including the description of the clothing or any other distinguishing features.

**¹Schedule “K”
Specified Penalties**

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
Applicable to all Licence Types		1st Offence	2nd Offence	3rd Offence
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
36(c)	Failing to produce a licence upon request	\$250	\$500	\$1,000
36	Failing to give access to the Premises on the licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
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” 1	Pawnbroker Carrying on Business as a Second-Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule “B” 2 & 3	Fail to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule “B” 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule “B” 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule “B” 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500

¹ Bylaw 3609/A-2018, Bylaw 3609/A-2021

12	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" 4	Second Hand Dealer Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7	Disposing or repairing of goods before the specified time frame 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	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000

Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule "G" 9(c)	Failure to maintain and/or execute a plan for outside inspections and regular clean up	\$1,000	\$5,000	\$10,000
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
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 a 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
Schedule "H" 3(a)(i)	Failure to keep proof of valid and 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
¹Applicable to Late Night Clubs				
Schedule "I" 5	Carrying on Business 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
Applicable to Electric Scooters				
Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000

¹ Bylaw 3609/A-2021

Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick-up of E-Scooters	\$500	\$1,000	\$2,500
Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500

Schedule "L"
Specified Penalties

BYLAW SECTION	DESCRIPTION OF CONTRAVENTION	SPECIFIED PENALTY		
		1st Offence	2nd Offence	3rd Offence
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 licence	\$250	\$500	\$1,000
40	Providing false, inaccurate or misleading information on a licence application	\$250	\$500	\$1000
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" 1	Pawnbroker Carrying on Business as a Second- Hand Dealer on the same Premises	\$500	\$1,000	\$2,500
Schedule "B" 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "B" 7	Failure to retain items for the specified time frame	\$500	\$1,000	\$2,500
Schedule "B" 9	Accepting goods from an unauthorized Person	\$500	\$1,000	\$2,500
Schedule "B" 10	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500

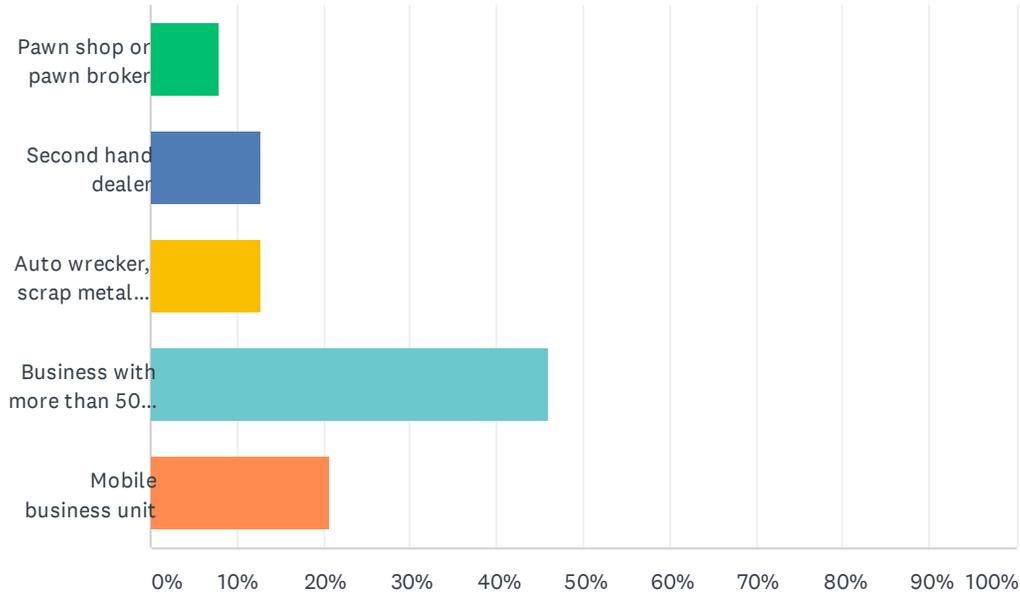
Schedule "B" 12	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Applicable to Second Hand Dealers				
Schedule "C" 1	Second Hand Dealer Carrying On Business of a Pawnbroker on the same Premises	\$500	\$1,000	\$2,500
Schedule "C" 3 & 4	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "C" 5	Erase, deface, remove or alter any portion of a record	\$500	\$1,000	\$2,500
Schedule "C" 6	Failure or refusal to allow inspections of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500
Schedule "C" 7.1	Disposing or repairing of goods before the specified time frame 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	Failure or refusal to allow Peace Officer or City Manager on the Premises	\$500	\$1,000	\$2,500
Applicable to Supervised Consumption Services				
Schedule "G" 8(a)	Outdoor storage of goods in connection with operations of the business	\$1,000	\$5,000	\$10,000
Schedule "G" 8(b)	Unit on site outside of approved days and hours	\$1,000	\$5,000	\$10,000
Schedule "G" 8(c)	Failure to maintain site condition after Business operation	\$1,000	\$5,000	\$10,000
Schedule "G" 8(d)	Operating in an unapproved location	\$1,000	\$5,000	\$10,000
Schedule "G" 9(a)	Failure to maintain and/or execute a plan to address emergency, medical and security concerns	\$1,000	\$5,000	\$10,000

Schedule "G" 9(b)	Failure to install and/or maintain a system of video camera surveillance	\$1,000	\$5,000	\$10,000
Schedule "G" 9(c)	Failure to maintain and/or execute a plan for outside inspections and regular clean up	\$1,000	\$5,000	\$10,000
Schedule "G" 9(d)	Failure to inform City of any emerging issues related to community concerns	\$1,000	\$5,000	\$10,000
Applicable to Cannabis Retail Sales and Cannabis Production Facility				
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 a 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
Schedule "H" 3(a)(i)	Failure to keep proof of valid and 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	Carrying on Business 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
Applicable to E-Scooters				

Schedule "J" 1(a)	Failure to obtain and keep Provincial Approval while operating in Red Deer	\$1,000	\$5,000	\$10,000
Schedule "J" 1(b)	Failure to provide data and records for E-Scooter involved in an accident, crime, vandalism	\$500	\$1,000	\$2,500
Schedule "J" 2(d)	Failure to complete daily pick up of E-Scooters	\$500	\$1,000	\$2,500
Schedule "J" 2(e)	Failure to respond to complaints within 3 hours for E-Scooters dropped in non-approved zones	\$500	\$1,000	\$2,500
Schedule "J" 2(f)	Failure to remove E-Scooters between November 1 and March 15	\$500	\$1,000	\$2,500
Applicable to Auto Wrecker, Scrap Metal Dealer, Salvage Yard				
Schedule "K" 2 & 3	Failure to keep satisfactory records	\$500	\$1,000	\$2,500
Schedule "K" 4	Erasing, defacing, or altering records	\$500	\$1,000	\$2,500
Schedule "K" 7	Failure or refusal to allow inspection of records by Peace Officer or City Manager	\$500	\$1,000	\$2,500

Q1 Please choose your business type:

Answered: 63 Skipped: 0



ANSWER CHOICES	RESPONSES	
Pawn shop or pawn broker	7.94%	5
Second hand dealer	12.70%	8
Auto wrecker, scrap metal dealer or salvage yard	12.70%	8
Business with more than 50 shopping carts for customer use	46.03%	29
Mobile business unit	20.63%	13
TOTAL		63

Q2 What do you like or what benefits do you see with these proposed changes?

Answered: 5 Skipped: 58

#	RESPONSES	DATE
1	The exemption for clothing, household items, furniture, and books. Value Village does not accept any items from the general public. The public donate items to the charity partner; VVS buys those goods from the charity under a purchase agreement.	5/18/2021 1:56 PM
2	Easier tracking with items, less stolen items being sold to shops	5/18/2021 7:48 AM
3	Aligns with my current record keeping system and process, with one exception.	5/5/2021 6:11 PM
4	We do not take consignment items or purchase new for resale, so these changes would not effect us.	5/5/2021 5:23 PM
5	-Why Is BWI no apart of Pawn Shops and Second Hand Dealer? -How come second hand dealers do not have to require ID, how do you know the person is not giving a fake name or fake information? - with only having to hold the item for 3 days, how are the RCMP suppose to catch stolen goods, they could be sold and out the shop by the time its even reported to the RCMP.	5/5/2021 2:07 PM

Q3 What would be the challenges for your business if these changes are implemented?

Answered: 4 Skipped: 59

#	RESPONSES	DATE
1	It doesn't really affect me as I am a Consignment Shop. I take items on consignment, meaning I don't pay for a clothing item or accessories before they are sold in a 3 month period	5/18/2021 7:48 AM
2	Having my store associates profile a customer's physical (description) features does not align with our customer engagement parameters.	5/5/2021 6:11 PM
3	To comment on how it will effect those businesses that do fall under those conditions, I can see it being very time consuming to businesses that are already running skeleton crews and cannot afford that kind of time stealing.	5/5/2021 5:23 PM
4	The challenges is second hand dealers and even pawn shops are buying and are only having to hold the item for 3 days and by the time the RCMP can react to the reported stolen items it has already been sold to someone. -It is not fair that second hand dealers do not require ID and only have to hold items for 3 days.	5/5/2021 2:07 PM

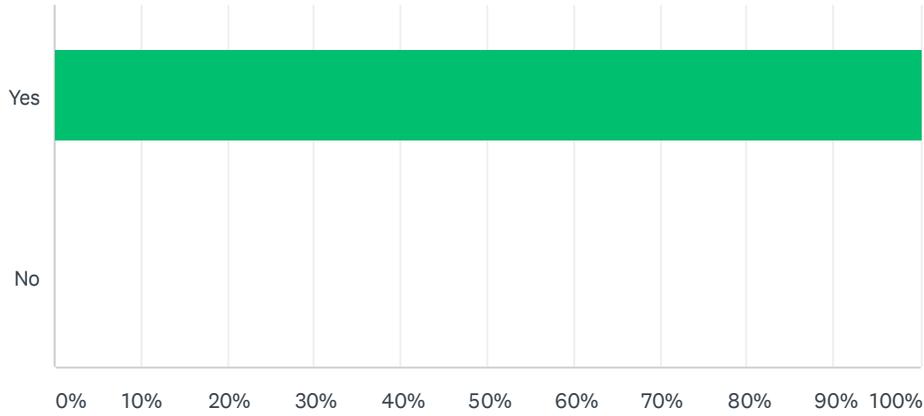
Q4 Is there any other information you wish to provide?

Answered: 3 Skipped: 60

#	RESPONSES	DATE
1	No	5/18/2021 7:48 AM
2	Not at this time.	5/5/2021 5:23 PM
3	- Second hand dealers need to be monitored more. Pawn Shops and Second Hand Dealers should have similar bylaws when it comes to ID requirements and how long an item should be held for.	5/5/2021 2:07 PM

Q5 Do you wish to receive updates on this project?

Answered: 5 Skipped: 58



ANSWER CHOICES	RESPONSES	
Yes	100.00%	5
No	0.00%	0
TOTAL		5

Item No. 5.2.a.

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Q7 What do you like or what benefits do you see with these proposed changes?

Answered: 3 Skipped: 60

#	RESPONSES	DATE
1	It aligns with the provincial requirements for buying certain items. This has been a deterrent for theft. I think this will help bring down stolen items brought in.	5/25/2021 3:47 PM
2	N/a	5/18/2021 7:50 AM
3	It will help prevent thieves to sell stolen items	5/5/2021 5:06 PM

Q8 What would be the challenges for your business if these changes are implemented?

Answered: 3 Skipped: 60

#	RESPONSES	DATE
1	It will be hard to record other distinguishing marks for any vehicles purchased. It will also be hard to collect 2 pieces of ID from our clients	5/25/2021 3:47 PM
2	N/a	5/18/2021 7:50 AM
3	It may cause a bit of problem for us road buyers that drive around Canada to purchase scrap items to different companies.	5/5/2021 5:06 PM

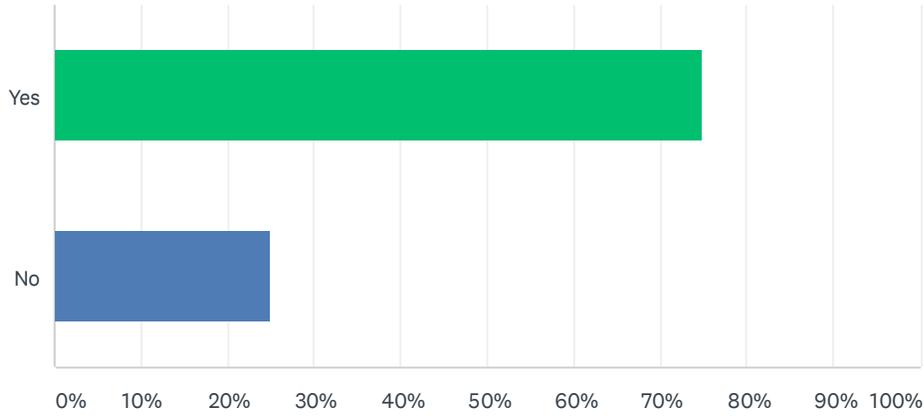
Q9 Is there any other information you wish to provide?

Answered: 3 Skipped: 60

#	RESPONSES	DATE
1	I think the municipal regulations should align closer to the province. This goes beyond what the province has implemented	5/25/2021 3:47 PM
2	N/a	5/18/2021 7:50 AM
3	No	5/5/2021 5:06 PM

Q10 Do you wish to receive updates on this project?

Answered: 4 Skipped: 59



ANSWER CHOICES	RESPONSES	
Yes	75.00%	3
No	25.00%	1
TOTAL		4

Q12 What do you like or what benefits do you see with these proposed changes?

Answered: 11 Skipped: 52

#	RESPONSES	DATE
1	Not seeing the benefits in the draft, we currently spent 30-40hrs across 4-6 associates a day to collect carts and bring them inside but attempting to keep them from leaving the parking lot is both monument-us but dangerous. Homeless people and others who do not drive have put up significant resistance to having them return to the store. RCMP do not have the time to support the stores when a customer insists on remove them from the property. We have tried to use coin systems or locking wheel which come at a expense but they are both easily deactivated	5/24/2021 5:02 PM
2	None	5/17/2021 3:52 PM
3	If bylaw is able to ticket people who have removed carts from parking lots that would be great. No mention of this in the bylaw though.	5/13/2021 3:33 PM
4	I have spent \$35000 on a cart containment system through gate keeper. The cart lock up and stay in my sobeys North location.	5/12/2021 2:11 PM
5	need bylaw to fine people that are using shopping carts off of stores property.	5/11/2021 9:29 AM
6	Being a retail, we try to avoid theft of our carts but it can be a challenge. Not sure of the benefits yet.	5/11/2021 9:14 AM
7	None	5/10/2021 1:23 PM
8	None	5/10/2021 12:34 PM
9	There is nothing positive for the businesses in this proposal. Removing a shopping cart from a business's property is theft and if you think retailers want more theft than they already have from your horrific management of criminals then you need to find a new line of work. You are downloading your problems onto retailers instead of dealing with them yourselves.	5/10/2021 12:21 PM
10	We can't control if someone removes a cart from the cart corral located in the parking lot	5/10/2021 11:09 AM
11	Convenient	5/5/2021 5:08 PM

Q13 What would be the challenges for your business if these changes are implemented?

Answered: 11 Skipped: 52

#	RESPONSES	DATE
1	Lack of police support Lack of bylaw support Lack of city support	5/24/2021 5:02 PM
2	enforcement about people taking carts out of parking lot	5/17/2021 3:52 PM
3	It could be costly to implement a system to keep carts within our parking lot ie. locking wheels	5/13/2021 3:33 PM
4	I can foresee challenges with people taking cart to the bus stop or to their apartment/dwellings. How can we stop them. At least my carts lock up so they stay in my premise.	5/12/2021 2:11 PM
5	need to put name on all the carts. hard to say what the city means by reasonable measures. everyone has different views. too vague.	5/11/2021 9:29 AM
6	It depends on a few things. The labeling of the carts right now are company name. Would it require more specifics like address? Also, what action plan is required for the city?	5/11/2021 9:14 AM
7	Funding	5/10/2021 1:23 PM
8	Enforcing people to keep our carts on our legal boundaries	5/10/2021 12:34 PM
9	Absolutely no retailer wants their cart to leave their property. Absolutely none. Creating a bylaw to fine a retailer for someone stealing from them is ludicrous and a money grab from the businesses that pay an exorbitant amount of property taxes already. Shopping carts cost hundreds of dollars and my 14,000 sqft store paid over \$90,000 in taxes last year. How much more do you want from me? That's literally more than my business profited last year. Yes, you make more from my business than I do and now you want more.	5/10/2021 12:21 PM
10	None	5/10/2021 11:09 AM
11	Nothing	5/5/2021 5:08 PM

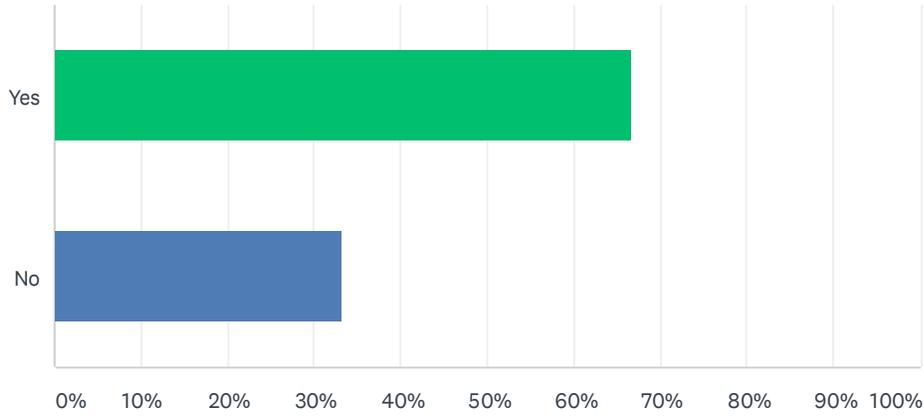
Q14 Is there any other information you wish to provide?

Answered: 7 Skipped: 56

#	RESPONSES	DATE
1	no	5/17/2021 3:52 PM
2	I love the fact that we should have a provider that actually collects them I use Mr Otto currently for the past 6 years. He charges \$4. Per cart to retrieve and deliver back to my store.	5/12/2021 2:11 PM
3	As above	5/11/2021 9:14 AM
4	No	5/10/2021 1:23 PM
5	None at this time	5/10/2021 12:34 PM
6	Make it illegal to possess a shopping cart outside of the property of it's rightful owner's business. Hold these criminals accountable for their actions. Call it theft and use your police to enforce it. Having a retailer police your bylaws for you makes no sense at all and shows how out of touch from the state of your city that you actually are.	5/10/2021 12:21 PM
7	No	5/5/2021 5:08 PM

Q15 Do you wish to receive updates on this project?

Answered: 12 Skipped: 51



ANSWER CHOICES	RESPONSES	
Yes	66.67%	8
No	33.33%	4
TOTAL		12

Q17 What do you like or what benefits do you see with these proposed changes?

Answered: 2 Skipped: 61

#	RESPONSES	DATE
1	It will clean up all the shopping carts around town and thrown in the river	5/12/2021 2:16 PM
2	None	5/10/2021 1:25 PM

Q18 What would be the challenges for your business if these changes are implemented?

Answered: 1 Skipped: 62

#	RESPONSES	DATE
1	I have made the changes 6 years ago so for me I have adapted my customers to them	5/12/2021 2:16 PM

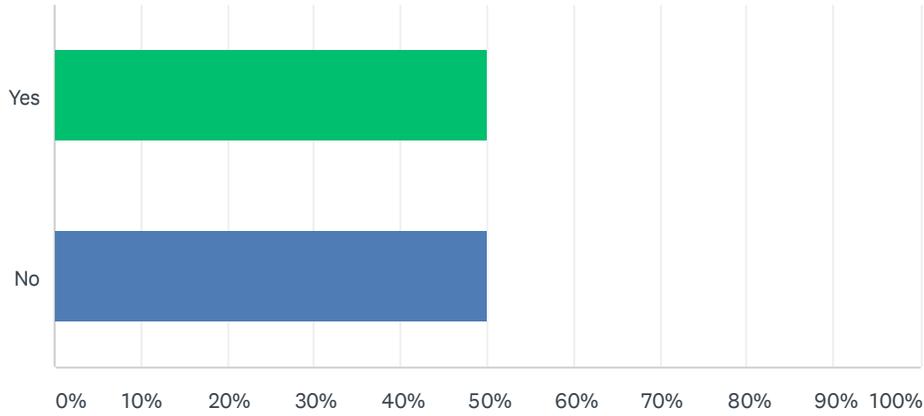
Q19 Is there any other information you wish to provide?

Answered: 1 Skipped: 62

#	RESPONSES	DATE
1	I think that the city needs to enforce the cart retrieval program. As I have I do t have my carts all over the place. It's wonderful	5/12/2021 2:16 PM

Q20 Do you wish to receive updates on this project?

Answered: 2 Skipped: 61



ANSWER CHOICES	RESPONSES
Yes	50.00% 1
No	50.00% 1
TOTAL	2

To:

- Auto wrecker, salvage yard and scrap metal dealers
- Pawn Shops, Pawn Brokers and Second Hand Dealers
- Businesses with 50 or more shopping carts
- Mobile Business Units

May 5, 2021

Subject: Business License Bylaw changes

Dear business owner,

The City of Red Deer is making changes to the Business License Bylaw in certain areas. Many of the changes will align with objectives outlined in the Crime and Community Safety community consultation, and priorities for The City of Red Deer.

The following business types are invited to review the proposed changes and provide feedback before they are implemented. We're also asking you to outline any limitations you may have in complying with the new regulations.

- Auto wrecker, salvage yard and scrap metal dealers
- Pawn shops, pawn brokers and second hand dealers
- Businesses with 50 or more shopping carts
- Mobile Business Units

To review the changes and provide your feedback, [click here](#).

The deadline for involvement is Wednesday, May 26, 2021.

Thank you,

Amy Fengstad
The City of Red Deer
licensing@reddeer.ca



August 24, 2021

Evergreen Neighbourhood Area Structure Plan Amendment and Land Use Bylaw Amendment

Bylaw 3217/D-2021 & Bylaw 3357/O-2021 – R3 site to R2T and RIA

Prepared by: Dayna Facca, Senior Planner
Department: City Planning and Growth

Report Summary & Recommendation

Administration has received an application to amend the Evergreen Neighbourhood Area Structure Plan (NASP) and the Land Use Bylaw. The amendment to the Evergreen NASP proposes to:

- rezone the existing R3 – Residential (Multiple Family) site, located at 202 Emerald Drive, to RIA – Residential (Semi-Attached) and R2T – Residential (Townhomes);
- add a public lane;
- convert identification of the Community Amenity Sites to their previously zoned alternate land use; and
- update various sections of the Evergreen NASP to align with the proposed changes.

The amendment to the Land Use Bylaw proposes to rezone the existing R3 site, located at 202 Emerald Drive, to RIA and R2T in alignment with the proposed Evergreen NASP amendment.

Administration recommends Council proceed with first reading of Bylaw 3217/D-2021 (an amendment to the Evergreen NASP) and Bylaw 3357/O-2021 (an amendment to the Land Use Bylaw).

Proposed Resolution

That Bylaws 3217/D-2021 and 3357/O-2021 be read a first time.

If first reading is given, this bylaw will be advertised with a public hearing to be held on Tuesday, September 13, 2021.

Rationale for Recommendation

I. Conforms to City Plans



The proposed amendments are in conformance with the Municipal Development Plan (MDP), the East Hill Major Area Structure Plan (MASP), the Section 26 Multi-Neighbourhood Plan, and the Neighbourhood Planning and Design Standards (NPDS).

2. Compatible and Complementary to Surrounding Uses

The revision from an apartment (R3) to townhomes (R2T) allows the continuation of townhomes along the entrance road (Evergreen Way). The addition of duplexes (RIA) fits with the medium density of the area.

3. Upholds Density Standards

The MDP required density standard is 17.0 dwelling units per net developable hectare. The proposed amendment to the Evergreen NASP will provide a density of 17.5 du/net dev. hectare.

Discussion and Analysis

Background

The Evergreen NASP was adopted in September 2014. Since then, development has commenced in phases one and two i.e. northwest and southwest of the plan area. These phases, and the central park space, have been zoned to the corresponding land use outlined in the NASP.

The existing site R3 site, located at 202 Emerald Drive, is undeveloped. Residential development is underway to the west and north of the site. The central park site, located to the east of the site, is completed. The future commercial site, southeast of the R3 site, is yet to be developed. (See Appendix A)

Evergreen NASP Amendment Bylaw 3217/D-2021

The amendment proposes to rezone the existing vacant R3 – Residential (Multiple Family) site, located at 202 Emerald Drive, to RIA – Residential (Semi-Attached) and R2T – Residential (Townhomes) and add a public lane. Refer to Appendix A for a depiction of the changes to the land use concept.

The R3 site was originally envisioned as a multi-storey apartment building but due to shifting housing trends, the Developer is proposing an alternate design to meet market needs. It is proposed to be converted to medium density residential i.e. duplexes and townhomes. Due to site design and access changes, a 7.0 m lane is proposed between the proposed townhomes and duplexes.

The conversion of the R3 site impacts the number of dwelling units within the Evergreen neighbourhood. The current NASP assumes 925 dwelling units. With the proposed amendment, the total number of dwelling units decreases to 902. The density will shift from 17.9 du/net developable hectare to 17.5 du/net developable hectare. The proposed density



meets the required density for new neighbourhoods as per the Neighbourhood Planning Design Standards.

In addition, changes are proposed to the identified Community Amenity Sites. Evergreen originally proposed two Community Amenity sites. Both sites had alternate land uses in the event that they were not purchased and developed for community amenities. Both sites were advertised according to The City of Red Deer's guidelines, and due to a lack of interest, both sites were rezoned to their alternate land uses on May 1, 2017. The Land Use Concept has been updated to reflect the change to improve clarity of proposed land uses for future residents.

Other applicable sections of the Evergreen NASP will be updated to reflect the proposed changes to the R3 site and the Community Amenity Site; namely page ii - Amendment 2021, page 18 - Table 1, page 23 - R1A Semi-Detached, page 28 - Table 2 and 3, page 30 - Community Amenity Sites, and Appendix A.

A comparison of the changes to the land use calculations and overall the land use concept are included in Appendix A and B.

Land Use Bylaw Amendment Bylaw 3357/O-2021

The proposed Land Use Bylaw amendment will rezone the existing R3 – Residential (Multiple Family) site to R1A – Residential (Semi-Attached) and R2T – Residential (Townhomes), as well as add a public lane, in accordance with the proposed NASP amendment.

Dialogue

The application was referred to City administration and no objections were received.

The application was sent to 25 landowners within 100 m of 202 Emerald Drive and no comments were received.

Appendices

Appendix A - Current and Proposed Land Use Map

Appendix B - Current and Proposed Land Use Calculations

Appendix C - Bylaw 3217/D-2021

Appendix D - Bylaw 3357/O-2021

Appendix E - Alignment to City Plans and Policies

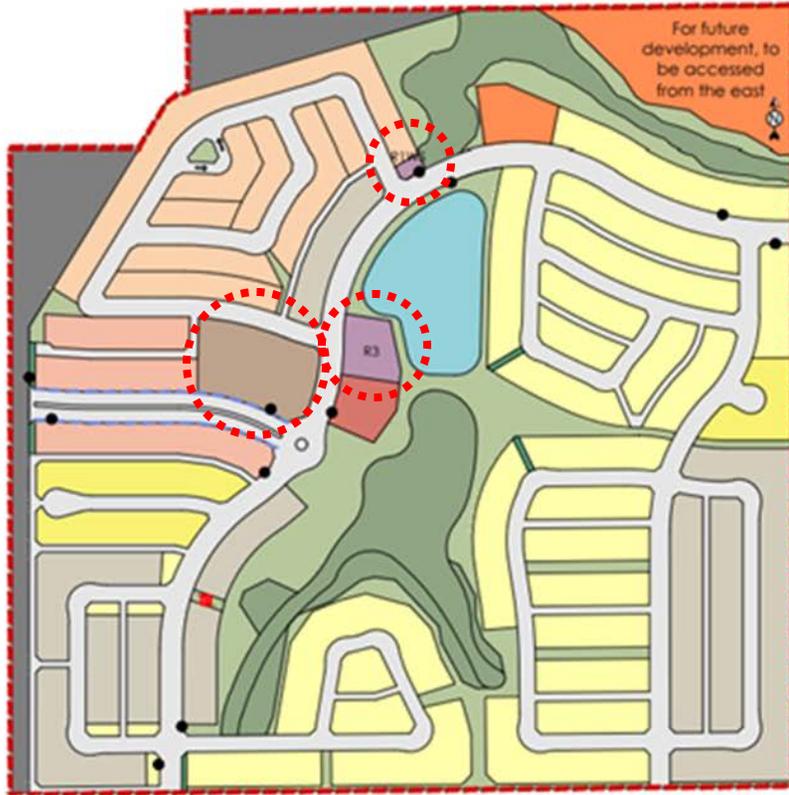


Appendix A
Current and Proposed Land Use Map



Current and Proposed Land Use Map

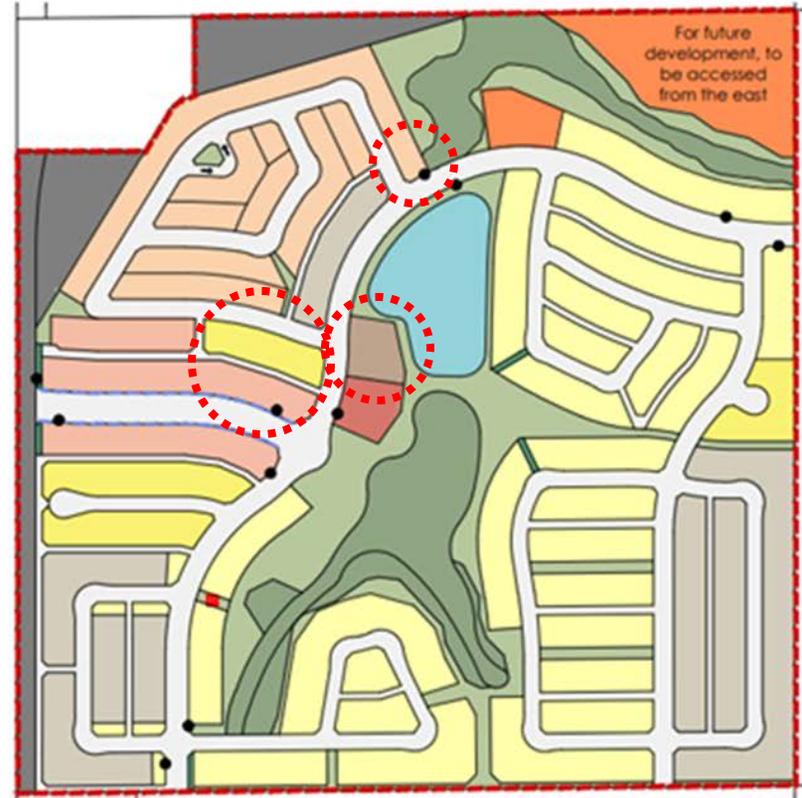
Dashed circle denotes proposed changes



Legend

- | | | |
|--------------------|------------------------------|------------------------|
| R1 Low Density | Community Amenity Sites | Potential Transit Stop |
| R1WS Wide Shallow | C3 Neighbourhood Convenience | Protected Parking Area |
| R1G Small Lot | Municipal Reserve (MR) | Road Widening |
| R1A Semi-Detached | Environmental Reserve (ER) | NASP Boundary |
| R2T Town House | Public Utility Lot (PUL) | |
| R2 Medium Density | Stormwater Management (PUL) | |
| R3 Multiple Family | Well Site | |

Current



Legend

- | | | |
|--------------------|------------------------------|------------------------|
| R1 Low Density | C3 Neighbourhood Convenience | Protected Parking Area |
| R1WS Wide Shallow | Municipal Reserve (MR) | Road Widening |
| R1G Small Lot | Environmental Reserve (ER) | NASP Boundary |
| R1A Semi-Detached | Public Utility Lot (PUL) | |
| R2T Town House | Stormwater Management (PUL) | |
| R2 Medium Density | Well Site | |
| R3 Multiple Family | Potential Transit Stop | |

Proposed



Appendix B

Current and Proposed Land Use Calculations



Table 4 - Land Use Calculations

Land Use Category	Hectares	Acres	% of Developable Area	# of Dwelling Units
Gross Plan Area	62.25	153.83		
Environmental Reserve	5.06	12.50		
Major Streets (Expressway)	2.59	6.41		
Major Streets (30th Ave)	0.94	2.32		
Commercial	0.35	0.86		
Stormwater Management Facility SWMF (PUL)	1.69	4.17		
Developable Plan Area	51.63	127.57	100.00%	
Residential	31.28	77.29	60.6%	925
R1 Residential (Low Density) District	12.80	31.64	24.8%	294
R1 Secondary Suites (15% of R1 units)	0.00	0.00	0.0%	44
R1G Residential (Small Lot) District	7.00	17.29	13.6%	177
R1WS Residential (Wide/Shallow Lot) District	4.02	9.93	7.8%	110
R1A Residential (Semi-Detached Dwelling)	1.81	4.48	3.5%	52
R2 Residential (Medium Density) District	2.79	6.89	5.4%	101
R2T Residential (Town House) District	1.89	4.67	3.7%	66
R3 Residential (Multiple Family) District	0.96	2.38	1.9%	81
Other	20.35	18.11	39.4%	
Community Amenity Sites	0.39	0.96	0.8%	
Community Amenity Site (R1WS)	0.04	0.11	0.1%	
Community Amenity Site (R3)	0.34	0.85	0.7%	
Open Space	6.55	16.18	12.7%	
Municipal Reserve (MR)	6.44	15.90	11.3%	
Public Utility Lot Excluding SWMF (PUL)	0.11	0.28	0.2%	
Transportation	13.41	33.14	26.0%	
Collector Roadways	3.61	8.93	7.0%	
Local Roadways	7.85	19.40	15.2%	
Lanes	1.95	4.81	3.8%	
Other Uses	0.00	0.00	0.0%	
Emergency Services Site	0.00	0.00	0.0%	
Institutional Service Facility	0.00	0.00	0.0%	

Roads and Utilities	Hectares	Acres	% of Net Plan Area
Gross Plan Area	62.25	153.83	
Environmental Reserve	5.06	12.50	
Net Plan Area	57.20	141.33	100.0%
Allowable Area for Roads & Utilities	17.16	42.40	30.0%
Actual Area of Roads & Utilities	18.75	46.32	32.8%
Municipal Improvements	3.53	8.73	6.2%
Northland Drive Expressway	2.59	6.41	4.5%
30th Avenue Arterial	0.94	2.32	1.6%
Evergreen Roadways and Utilities	15.21	37.59	26.6%
Collector Roadways	3.61	8.93	6.3%
Local Roadways	7.85	19.40	13.7%
Lanes	1.95	4.81	3.4%
Public Utility Lots	1.80	4.45	3.1%
Over Dedication	1.59	3.92	2.8%

Table 4 - Land Use Calculations

Land Use Category	Hectares	Acres	% of Developable Area	# of Dwelling Units
Gross Plan Area	62.25	153.83		
Environmental Reserve	5.06	12.50		
Major Streets (Expressway)	2.59	6.41		
Major Streets (30th Ave)	0.94	2.32		
Commercial	0.35	0.86		
Stormwater Management Facility SWMF (PUL)	1.69	4.17		
Developable Plan Area	51.63	127.57	100.00%	
Residential	31.58	78.03	61.2%	902
R1 Residential (Low Density) District	12.80	31.64	24.8%	294
R1 Secondary Suites (15% of R1 units)	0.00	0.00	0.0%	44
R1G Residential (Small Lot) District	7.00	17.29	13.6%	177
R1WS Residential (Wide/Shallow Lot) District	4.06	10.04	7.9%	112
R1A Residential (Semi-Detached Dwelling)	2.27	5.61	4.4%	65
R2 Residential (Medium Density) District	2.79	6.89	5.4%	101
R2T Residential (Town House) District	2.31	5.70	4.5%	80
R3 Residential (Multiple Family) District	0.34	0.85	0.7%	29
Other	20.05	17.89	38.8%	
Open Space	6.55	16.18	12.7%	
Municipal Reserve (MR)	6.44	15.90	11.3%	
Public Utility Lot Excluding SWMF (PUL)	0.11	0.28	0.2%	
Transportation	13.50	33.36	26.2%	
Collector Roadways	3.61	8.93	7.0%	
Local Roadways	7.85	19.40	15.2%	
Lanes	2.04	5.03	3.9%	
Other Uses	0.00	0.00	0.0%	
Emergency Services Site	0.00	0.00	0.0%	
Institutional Service Facility	0.00	0.00	0.0%	

Roads and Utilities	Hectares	Acres	% of Net Plan Area
Gross Plan Area	62.25	153.83	
Environmental Reserve	5.06	12.50	
Net Plan Area	57.20	141.33	100.0%
Allowable Area for Roads & Utilities	17.16	42.40	30.0%
Actual Area of Roads & Utilities	18.84	46.54	32.9%
Municipal Improvements	3.53	8.73	6.2%
Northland Drive Expressway	2.59	6.41	4.5%
30th Avenue Arterial	0.94	2.32	1.6%
Evergreen Roadways and Utilities	15.21	37.59	26.6%
Collector Roadways	3.61	8.93	6.3%
Local Roadways	7.85	19.40	13.7%
Lanes	2.04	5.03	3.6%
Public Utility Lots	1.80	4.45	3.1%
Over Dedication	1.68	4.14	2.9%



Appendix C

Bylaw 3217/D-2021



BYLAW NO. 3217/D-2021

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:

- I. By deleting the current Evergreen Neighbourhood Area Structure Plan (2014) in its entirety and replacing it with the revised Evergreen Neighbourhood Area Structure Plan (2021) attached as Schedule "A" to this bylaw.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this _____ day of 2021.

AND SIGNED BY THE MAYOR AND CITY CLERK this _____ day of 2021.

MAYOR

CITY CLERK



Appendix D

Bylaw 3357/O-2021



BYLAW NO. 3357/O-2021

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 cross hatched land shown in the sketch attached as Schedule A to this Bylaw is redesignated from R3 – Residential (Multiple Family) District to R1A – Residential (Semi-Attached) District.
2. The horizontally lined land shown in the sketch attached as Schedule A to this Bylaw is redesignated from R3 – Residential (Multiple Family) District to R2T – Residential (Townhomes) District.
3. The vertically lined land shown in the sketch attached as Schedule A to this Bylaw is redesignated from R3 – Residential (Multiple Family) District to public road.
4. The “Land Use District Map Q19” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 12/2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this _____ day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this _____ day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this _____ day of 2021.

AND SIGNED BY THE MAYOR AND CITY CLERK this _____ day of 2021.

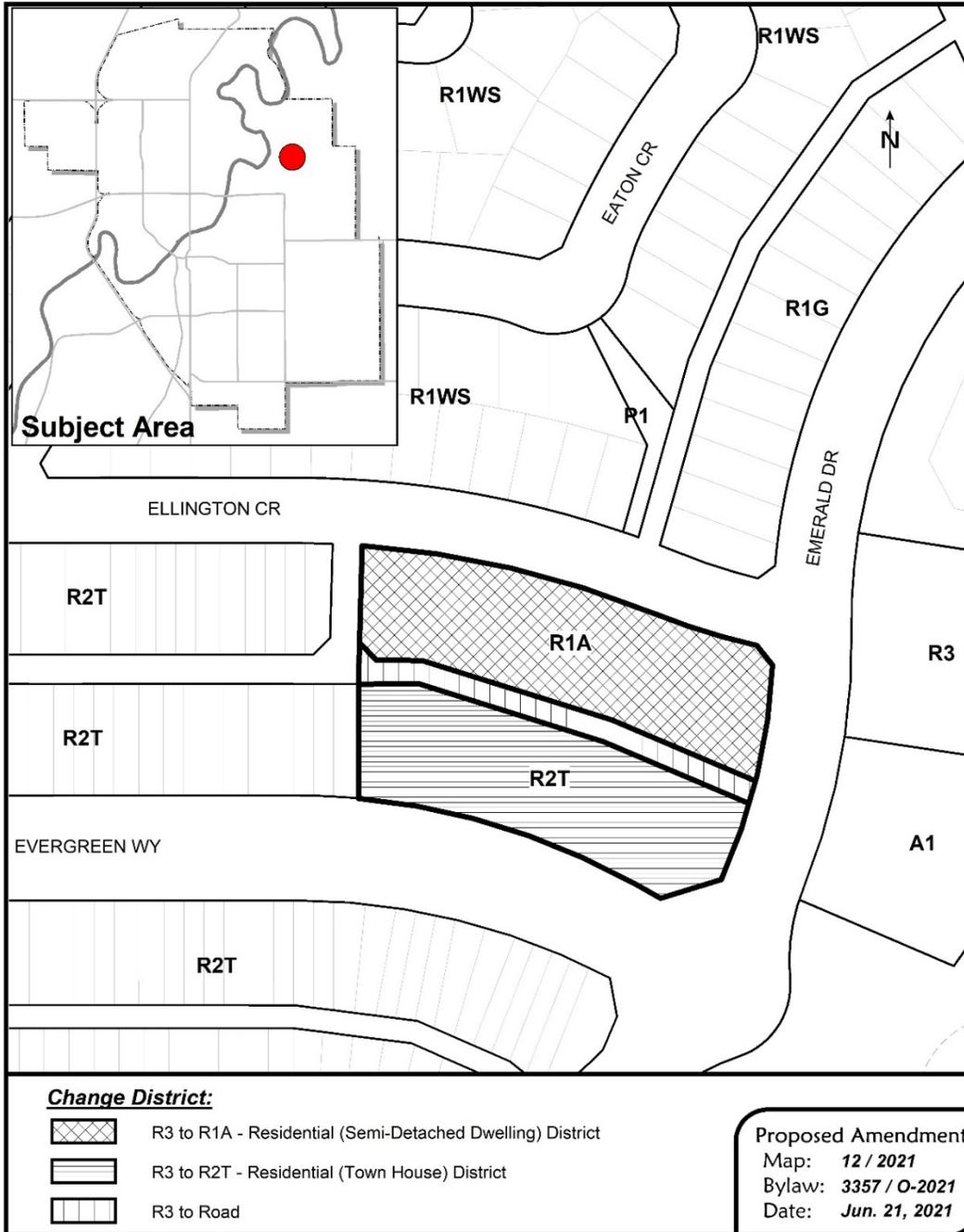
MAYOR

CITY CLERK



Schedule "A"

 **Red Deer** Proposed Amendment to Land Use Bylaw 3357/2006





Appendix E

Alignment to City Plans and Policies



Municipal Development Plan (MDP) – The Generalized Land Use Concept identifies the site as residential. The MDP requires that residential density for new neighbourhoods shall be a minimum of 17.0 dwelling units per net developable hectare. This density shall be accommodated a mix of housing types and forms in all residential neighbourhoods. The proposed amendment continues to meet these requirements by providing a density of 17.5 du/net developable hectare and implementing two medium density housing types.

East Hill Major Area Structure Plan (MASP) – The East Hill MASP identifies the site as residential. Neighbourhoods are to provide liveable and appropriate housing choices with more examples of acceptable higher density areas. The proposed amendment continues to meet these by maintaining the site as residential and implementing two medium density housing types.

Section 26 Multi-Neighbourhood Plan (MNP) – The Section 26 MNP identifies the site as residential and adjacent to a neighbourhood node. A diversity of housing is encouraged throughout the Section 26 area. The proposed amendment meets these by maintaining the site as residential and implementing two medium density housing types. The proposed housing types (R2T and R1A) will continue to complement the neighbourhood node.

Neighbourhood Planning and Design Standards (NPDS) - Standard 4.1 states that neighbourhoods shall achieve an overall housing density of 17.0 dwelling units per netdevelopable hectare (6.9 du/net developable acre) calculated on a quarter section basis. Standard 6.1 states that neighbourhood shall incorporate a variety of at least four housing types to provide for housing choice and buying capacity of residents. Standard 6.2 states that neighbourhood entry streets should include two or more housing types per block. This could be achieved by anchoring corner lots with a different but complimentary housing form. Standard 6.3 states that block ends are encouraged for medium and high density developments especially when adjacent to parks, schools, neighbourhood commercial or other community facilities. The proposed amendment meets these standards by providing a density of 17.5 du/net developable hectare, maintaining a diversity of housing types (Evergreen includes seven residential land use districts), and proposing medium density at the block end. The only standard which is not met is 6.2; however, the intent of this standard is to create variety and visual appeal. This could be accomplished through architectural design.

EVERGREEN

Neighbourhood Area Structure Plan

Melcor Developments Ltd.



EVERGREEN
Naturally Exquisite

City of Red Deer

Adopted September 29, 2014 | Bylaw 3217/C-2014

Amended March 4, 2019 | Bylaw 3217/A-2019

Amended June xx, 2021 | Bylaw xxxx-2021

Prepared by:
Stantec Consulting Ltd.
Executive Place
#1100, 4900 Ross St
Red Deer, AB



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executive summary

HISTORY

The NW quarter of Section 26-38-27-W4M, hereafter referred to as the Evergreen “Plan Area”, has historically been agricultural land. This property has been owned by the Larratt family since 1948, when David Larratt purchased the land from Robert Lund. Since 1975 the Plan Area has been owned by Mr. Larry Larratt.

EVERGREEN’S VISION

The Evergreen neighbourhood will be a vibrant residential community in northeast Red Deer that is home to approximately 2,216 residents. Evergreen will respect the unique natural features in an effort to protect wildlife habitats, enabling residents and visitors to enjoy beautiful natural surroundings. As a result of its unique open space features, access to primary roadways, and proximity to nearby amenities; Evergreen will be one of the most desirable residential areas in the entire City.

Located approximately 7.0km from Red Deer’s downtown, 8.0km from Highway 2, and 5.0km from Highway 11; Evergreen is a convenient place to call home for those employed both in and out of town. In addition, Evergreen attracts new residents by providing a wide range of residential and recreation opportunities based on its extensive open space network and connections to neighbouring park spaces.

The Land Use Concept for the Evergreen creates a predominantly residential community that supports residents in accessing their daily needs by using alternative methods such as walking or cycling. Access to employment areas, larger-scale retail, destination leisure and cultural spaces is facilitated by excellent pedestrian, transit, cycling, and road connections.

PLANNING PROCESS

The NASP has evolved through a visioning process involving both the Developer and the City’s Administration. Through this process, detailed policies and guidelines were developed that were used to direct land use through subdivision and development permit stages. Applications during this time will be developed to collectively shape the development as outlined in Evergreen’s Vision.

NASP PURPOSE

The Evergreen Neighbourhood Area Structure Plan (NASP) refines and implements the strategic objectives and policies identified within the Section 26 Multi-Neighbourhood Plan, East Hill Major Area Structure Plan, Neighbourhood Planning and Design Standards, City of Red Deer Municipal Development Plan, and many other plans as previously prepared. It is also informed by specific engineering and transportation studies and servicing constraints in the area.

Interpretation

All images as shown in this NASP have been included for visioning purposes only and should not be used to identify exact locations or be considered an indication of what will be constructed.

AMENDMENT 2019

The Evergreen NASP was originally approved by the City of Red Deer in September of 2014. An amendment was approved in March of 2019 to facilitate the following two changes:

1. Redesign of the one-way roadway in the southern portion of the neighbourhood to alleviate challenges related to waste management.
2. Convert a portion of R1 Low Density Residential Lots in the southwest to R1G Small Lot Residential, in response to current market conditions.
3. Additional of a 0.04 ha parcel of municipal reserve south of Elder Close to connect to the Emerson neighbourhood.
4. Addition of two trail crossings across the south legs of the natural area to facilitate better trail connections.

Redesign of One-Way Roadway

As described in the 2014 Evergreen NASP, a 13.3m One-Way Local Roadway was proposed along the south boundary of the Plan Area (Elder Close). Following approval, it was determined by the City of Red Deer that the one-way roadway design would not function once the City transitions to automated waste collection. Collection trucks would not be able to collect waste from the interior homes. To facilitate waste collection, the Developer was asked to redesign the south p-loop accordingly.

Increase the Amount of R1G

At the time of Evergreen's approval, the R1G Small Lot Residential land use was new for the City of Red Deer and had not yet been widely constructed or accepted; as such, the use of this land use in Evergreen was limited. Since approval, many R1G homes have been constructed in Vanier East and Laredo and have been quickly accepted as a housing standard.

The R1G land use district is a tool to assist with increasing the City's density, lower infrastructure costs, be competitive with surrounding communities thereby retaining and attracting new residents and address residential affordability. This similar land use district exists in Calgary, Edmonton, Airdrie, and Sylvan Lake to name a few.

AMENDMENT 2021

A 2021 NASP amendment was completed to amend the land use of one parcel of land. Shifting housing trends and market demands warranted:

1. Change one R3 site to R2T and R1A.
2. Change Community Amenity sites to alternate approved zoning.

Change land use on R3 site

A 0.96 ha R3 site was originally identified along Evergreen Way and intended to be built as a multi-storey apartment complex. The proposed amendment maintains medium and high density residential via fee simple dwellings duplex and townhomes. This revision allowed for continuation of townhomes along the entrance road and a parcel of R1A along the north of the parcel.

Change Community Amenity sites

Evergreen originally proposed two Community Amenity sites. Both sites had alternate land uses in the event that they were not purchased and developed for community amenities. Both sites were advertised according to the City of Red Deer's guidelines, due to a lack of interest both sites were rezoned to their alternate land uses on May 1, 2017.

background

The purpose of the Evergreen Neighbourhood Area Structure Plan is to describe the land use framework and development objectives for the NW quarter of Section 26-38-27-W4M, which is intended to accommodate residential, commercial, community, and recreational uses.

RELEVANT PLANNING DOCUMENTS

The Evergreen NASP has been created to function with and respect existing planning documents. The following relevant documents have been reviewed and referenced in preparation of this NASP:

- Province of Alberta - Municipal Government Act (2000)
- Stantec Consulting Ltd – Northland Drive/20 Avenue Functional Planning Study (2008)
- The City of Red Deer – 2004 Growth Study (2005)
- The City of Red Deer - 2012/2014 Strategic Direction (2011)
- The City of Red Deer – Commercial Opportunities Study (2010)
- The City of Red Deer – East Hill Major Area Structure Plan (2005/2012)
- The City of Red Deer - Intermunicipal Development Plan (2007)
- The City of Red Deer – Land Use Bylaw (2006)
- The City of Red Deer - Mobility Playbook (2013)
- The City of Red Deer – Municipal Development Plan (2008)
- The City of Red Deer – Neighbourhood Planning and Design Standards (2013)
- The City of Red Deer - River Valley and Tributaries Park Concept Plan (2010)
- The City of Red Deer - Section 26 Multi-Neighbourhood Plan (2013)
- The City of Red Deer – Trails Master Plan (2005)

Municipal Government Act (2000)

The Municipal Government Act (MGA) of Alberta outlines the purpose and powers of Municipalities. One of these powers is to require an Area Structure Plan for the purpose of providing a framework for subsequent subdivision and development of an area of land. As stated in s633(2), an Area Structure Plan must describe:

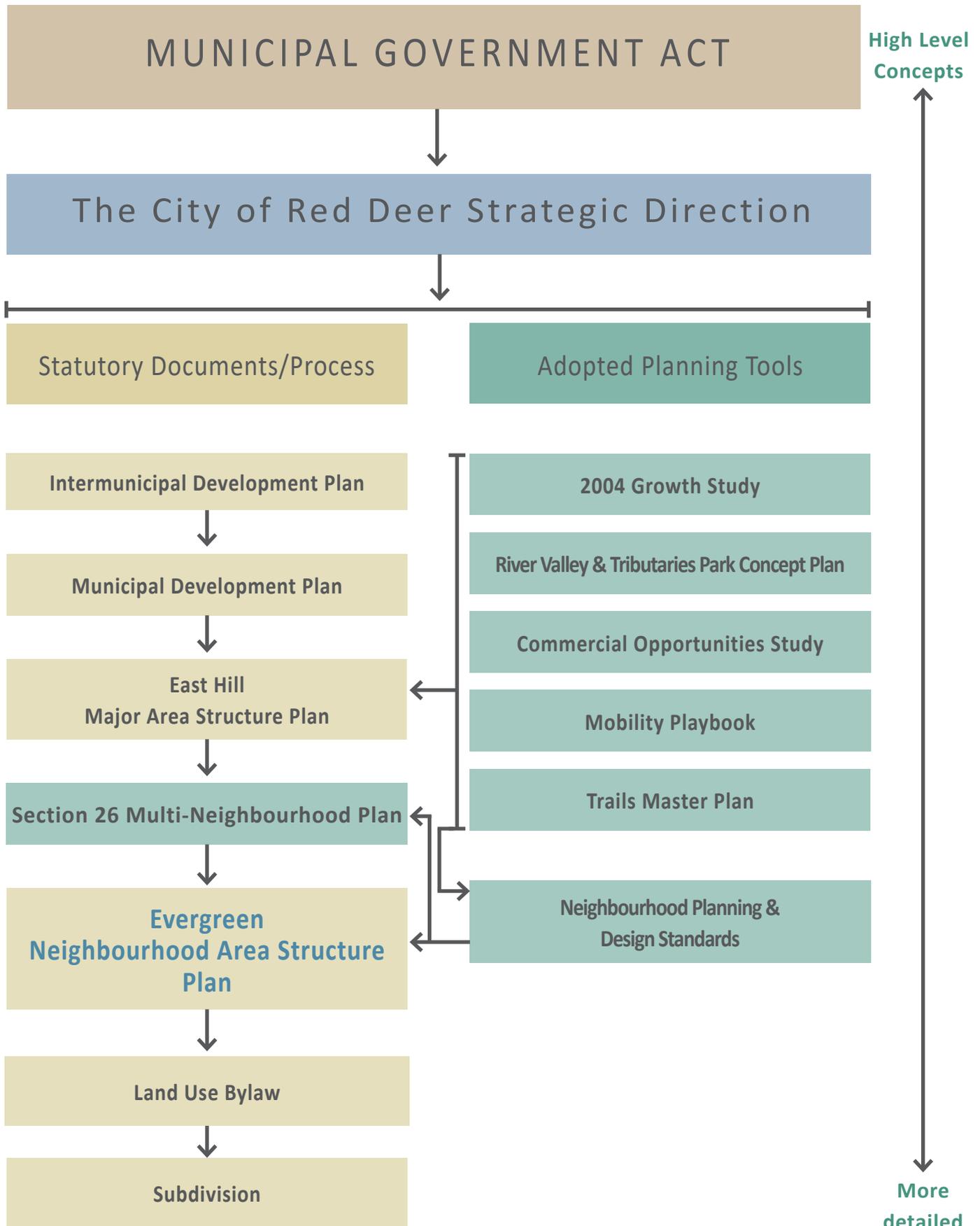
- the **sequence of development** proposed for the area,
- the **land uses** proposed for the area, either generally or with respect to specific parts of the area,
- the **density of population** proposed for the area either generally or with respect to specific parts of the area, and
- the general location of **major transportation routes and public utilities.**
- and may contain **any other matters** the council considers necessary.

2012-2014 Strategic Direction (2011)

The City of Red Deer's Strategic Direction guides the City along a path and provides focus and purpose. It is the City's most important plan as it shapes the organization, the municipal programs, and services they provide. In 2011, the strategic direction for 2012-2014 was created which strived to make Red Deer a healthy community.

A healthy and happy community is sustainable when people have opportunities for meaningful work and volunteerism, have great relationships, and take pride in the place they call home. Well-used and popular amenities exist for active living and for formal and informal interaction. People regularly participate in physical activity and intellectual experiences.

Figure i - Plan Hierarchy



Item No. 5.3.a.

Red Deer's community wellness is fundamentally founded on a balanced, proactive, and responsive approach to environmental health, cultural health, economic health, and social well-being -- our pillars of sustainability.

The following are two of six themes from the City's Strategic Direction highlighted for their direct impact on the Evergreen NASP:

Design

Design and plan our community to reflect our character and values.

Our City's planning and urban design has resulted in a welcoming, more walkable and environmentally sustainable community which accurately reflects our character and values. It provides housing options, pedestrian routes, and allows for alternate forms of transportation and deliberate connections to our parks, trails, and well designed public spaces where people can meet and interact and feel a sense of belonging.

Movement

Design for and facilitate integrated movement.

Our deliberate decision to create viable alternatives to single occupant vehicle travel in our transportation network encourages healthy active lifestyles, environmental stewardship, supports safety for people of all ages, increases use of our public and green spaces, and integrates our sidewalks, trails, bike lanes, transit service, rail, and roads with our built environment.

2004 Growth Study (2004)

The purpose of the *2004 Growth Study* was to focus on land absorption rates and future land inventory requirements for industrial, residential, and commercial land uses within the City of the following 50 years. The Study was also to consider future need to open space, environmental preservation areas, and public service uses. In this Study, the Evergreen Plan Area was identified in Growth Sector B, for future residential development at the population threshold of 90,000-115,000.

Intermunicipal Development Plan (2007)

The City of Red Deer/Red Deer County Intermunicipal Development Plan (IDP) establishes a broad growth framework. It provides policy direction for the preservation of Natural Capital, areas of common land use planning interest, long range planning, infrastructure and services provision (including opportunities for cooperation), and Annexation Areas for The City.

As identified in the IDP, the Evergreen Plan Area is located within the City of Red Deer's Growth Area.

Municipal Development Plan (2008)

The City of Red Deer Municipal Development Plan (MDP) outlines broad policies for guiding growth and changes in the City for the next twenty-five years. Among many other things, the MDP sets out the following policies regarding neighbourhood designs:

- Density in new neighbourhoods shall ensure a minimum of 14.80 dwelling units per net developable hectare.
- The City shall continue to require a mix of housing types and forms in all residential neighbourhoods.

The Evergreen Plan Area is identified in the MDP for future residential development; there are no constraints listed for the development.

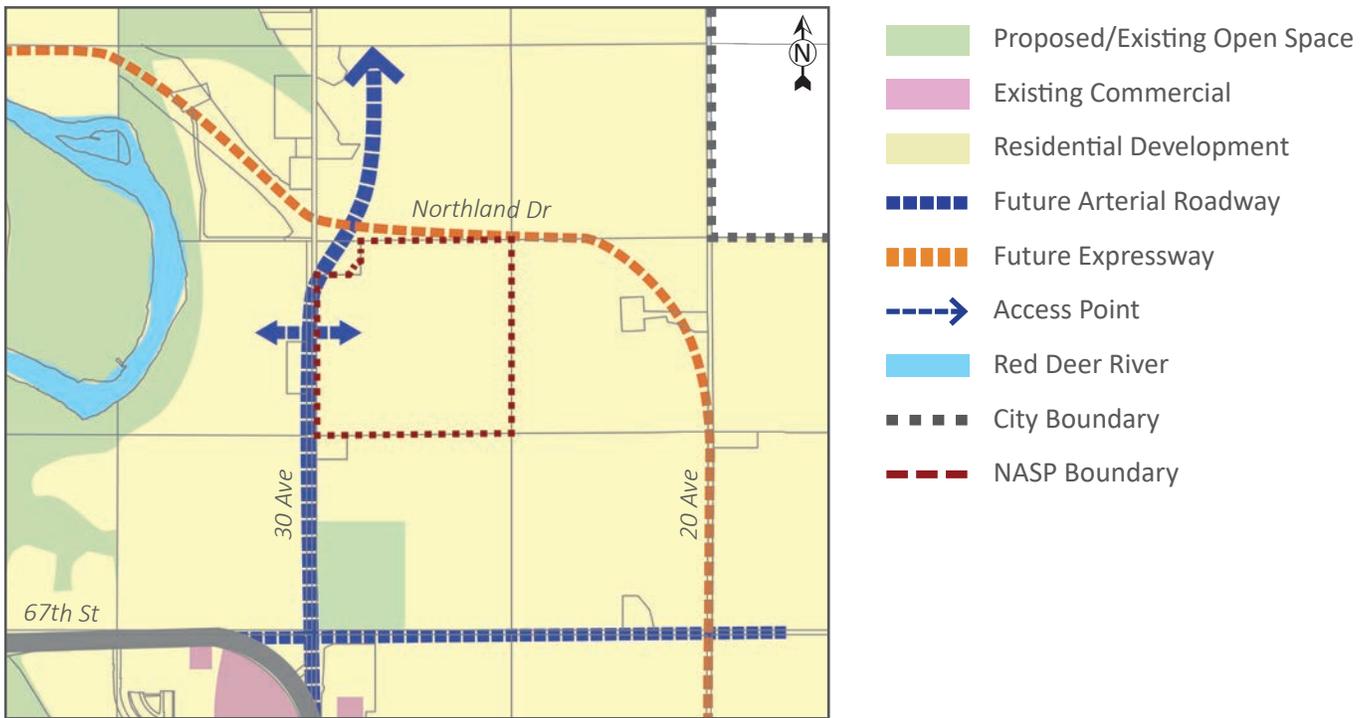
River Valley & Tributaries Park Concept Plan (2010)

The Red Deer River and Tributaries Park Concept Plan identifies lands that are best suited for potential trails and parks within the City of Red Deer Growth Area. This Plan identifies the Evergreen Plan Area as a wetland with associated streams. This area is also identified as "East Hill Park" a minor park node.

Commercial Opportunities Study (2010)

The City of Red Deer Commercial Opportunities Study defines a vision for commercial growth for the City of Red Deer and aids in the forecasting of retail/service/office development. The Evergreen Plan Area was identified as a possible location of a District Centre; however, that direction was not reflected in the East Hill MASP or Section 26 Conceptual Plan.

Figure ii - Municipal Development Plan and Northland Drive Alignment



Mobility Playbook (2013)

The Red Deer Mobility Playbook is a user-friendly tool to identify the strategies and actions needed to provide Red Deerians with more mobility choices. The following action items were identified in the playbook:

- Put pedestrians first by using human scaled streets
- Create walkable hubs
- Build quality footpaths and maintain them
- Place transit stops where other things are happening
- Ensure access for pedestrians, motorists, cyclists
- Improve the transit waiting experience
- Tie urban networks into recreation
- Plan with the entire street cross-section in mind
- Create a Red Deer model for cycling
- Establish new housing standards
- Require transit-oriented development
- Enforce and provide incentives for minimum density targets
- Define a set of street typologies based on the desired end users
- Balance the network with all users in mind
- Ensure drivers have a place without infringing on quality for other models

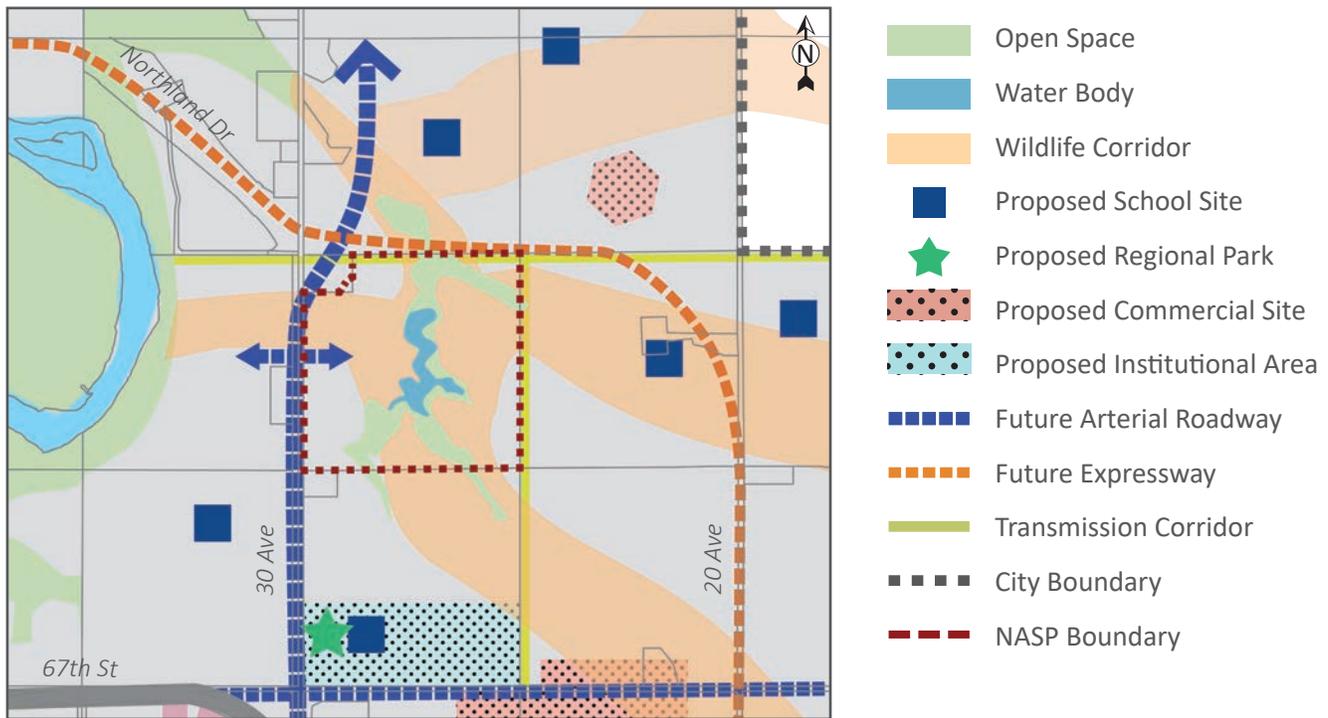
Trails Master Plan (2005)

The City of Red Deer Trails Master Plan does not identify future trails near the Evergreen Plan Area; however, a proposed extension of Waskasoo Trail is shown along the east bank of the Red Deer River. This extension would span 3,860m from Mackenzie Recreation Area to River Bend Golf Course and consist of a 3.0m asphalt trail with furnishings and wayfinding signage.

Highway 11A/Northland Drive/20th Avenue/McKenzie Road Functional Planning Study

The City of Red Deer prepared a Functional Planning Study for the Highway 11A/Northland Drive/20th Avenue/ McKenzie Road corridors from Highway QE2 north to Highway QE2 south. In preparation of the Evergreen Concept Plan, the *Northland Drive/20 Avenue Functional Planning Study* was reviewed for its potential road alignment and to ensure an adequate right-of-way in the Plan Area. The roadway improvements and various intersection options for 30th Avenue/Northland Drive have been incorporated into the Concept Plan.

Figure iii - East Hill Major Area Structure Plan



East Hill Major Area Structure Plan (2013)

The City of Red Deer East Hill Major Area Structure Plan (MASP) sets out the broader transportation and land use objectives for multiple quarter sections in east Red Deer.

The following elements were shown within the MASP which may affect the planning of the Evergreen Lands Plan Area.

Transportation

30th Avenue

30th Avenue runs along the west boundary of the Plan Area; this roadway is currently constructed to a paved rural standard utilized primarily to access rural residential homes and the River Bend Golf and Recreation Area. The East Hill MASP identifies 30th Avenue as a major north-south arterial roadway which will require upgrading to meet such a standard.

Northland Drive

Northland Drive is an expressway that will run along the northern boundary of the Plan Area. As part of this roadway, a major intersection is envisioned to be located at its crossing with 30th Avenue. The Evergreen Plan Boundary has been designed to accommodate this intersection.

Transmission Corridors

Two transmission corridors are proposed to run along the Plan Area boundary. The right-of-way to the east will be utilized by the City of Red Deer’s Electrical Light and Power department. The right-of-way to the north will run along Northland Drive and be registered to AltaLink.

These transmission rights-of-way, along with the roadways along the north and west will also act as firebreaks in support of Alberta’s FireSmart design principles.

School Site

A school and major recreation site has been identified for location one quarter section south of the Plan Area. It is anticipated that this site will contain city-wide sports fields and high school sites for the Catholic, Francophone, and Public School authorities. Although located off-site of the Evergreen Plan Area, providing connections toward this area will be importance for the neighbourhood.

Neighbourhood Planning and Design Standards (2013)

The City of Red Deer's Neighbourhood Planning Design Standards states the following matters must be considered when preparing a Neighbourhood Area Structure Plan:

- Major Area Structure Plan
- Natural, historical, and constructed features
- Lane versus laneless subdivision
- Street classification and layout
- Oil wells, gas wells, and pipelines
- Traffic, rail, industrial, and/or commercial noise
- Traffic volume, capacities, and constraints
- Drainage routing and detention
- Erosion and sediment control
- Municipal Reserve parcels
- Transit system
- Development phasing
- Community mailboxes
- Enhances optional subdivision amenities

In addition, nine guiding principles are identified for all neighbourhoods. This principles are as listed below and are discussed throughout the remainder of this NASP.

1. Natural areas and ecosystem enhancement
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 and secure neighbourhood
9. Unique neighbourhood identify

Section 26 Multi-Neighbourhood Plan (2014)

The City of Red Deer undertook a planning exercise to examine the entire Section 26 area.

The purpose of a Multi-Neighbourhood Plan was noted as to establish a high level conceptual plan that achieves the 9 Neighbourhood Planning Principles, as identified in the Neighbourhood Planning and Design Standards; identifies synergies, features, and connections; and creates distinct neighbourhood character.

The Section 26 Multi-Neighbourhood Plan outlines broad land uses, including environmental reserve and open space, and arterial and collector road patterns. Although Neighbourhood Area Structure Plans may vary in design and layout from the Section 26 Multi-Neighbourhood Plan, the intent is that the overall multi-neighbourhood plan is retained.

The following are a few of the key directions identified for guiding the development of the Section. Evergreen has been designed to be consistent with this Multi-Neighbourhood Plan.

Key Directions

Natural Areas

- Protect, connect, and integrate the key natural features of the site
- Create ecological connections via a looped trail

Mixed Land Uses

- Create three neighbourhood nodes, featuring housing with easy access to daily services, and schools. Apply a family of public design elements
- Neighbourhood nodes will provide medium and high density housing alongside neighbourhood commercial uses.

Multi-modal Choice

- Create a connected network of off-street trails for pedestrians and cyclists, connecting regional trail system to Commercial District
- Strive for a grid-like network of streets and trails, while avoiding large, unattractive parking lots
- Strong connections between proposed high schools and adjacent properties will make schools an integral part of the neighbourhood

Figure iv - Section 26 Multi-Neighbourhood Plan



LEGEND

- Open Space
- Water / Stormwater Management
- Residential
- Commercial
- District Commercial
- Node
- School
- Roadway
- Open Space Trail
- Road R/W & Roadway Trail
- City Boundary
- NASP Boundary

Compact Urban Form and Density

- Create small, tight blocks to improve connectivity
- Transition from higher density to lower density development focused around the nodes

Integrated Parks and Open Spaces

- Create a variety of park types, and link to open spaces
- Emphasize high quality park design and diversity rather than amount of park space achieved

Housing Opportunity and Choice

- Incorporate diverse housing types: single family, duplexes, townhouses, apartments.
- Mitigate visual impacts of the ELP sub-station

Resilient, Low Impact Neighbourhoods

- Manage stormwater on the surface and use features to create resilient, low impact neighbourhoods

Safe and Secure Neighbourhoods

- Use environmental design principles that naturally reduce speeds, create safe on-street pedestrian trails, and utilize effective crime prevention

Unique Neighbourhoods

- Allow Developers to create and apply their own styles, building materials, and architecture

Concept Plan Elements

The following elements were identified in the Section 26 concept plan for location within the Evergreen Plan Area.

Open Space

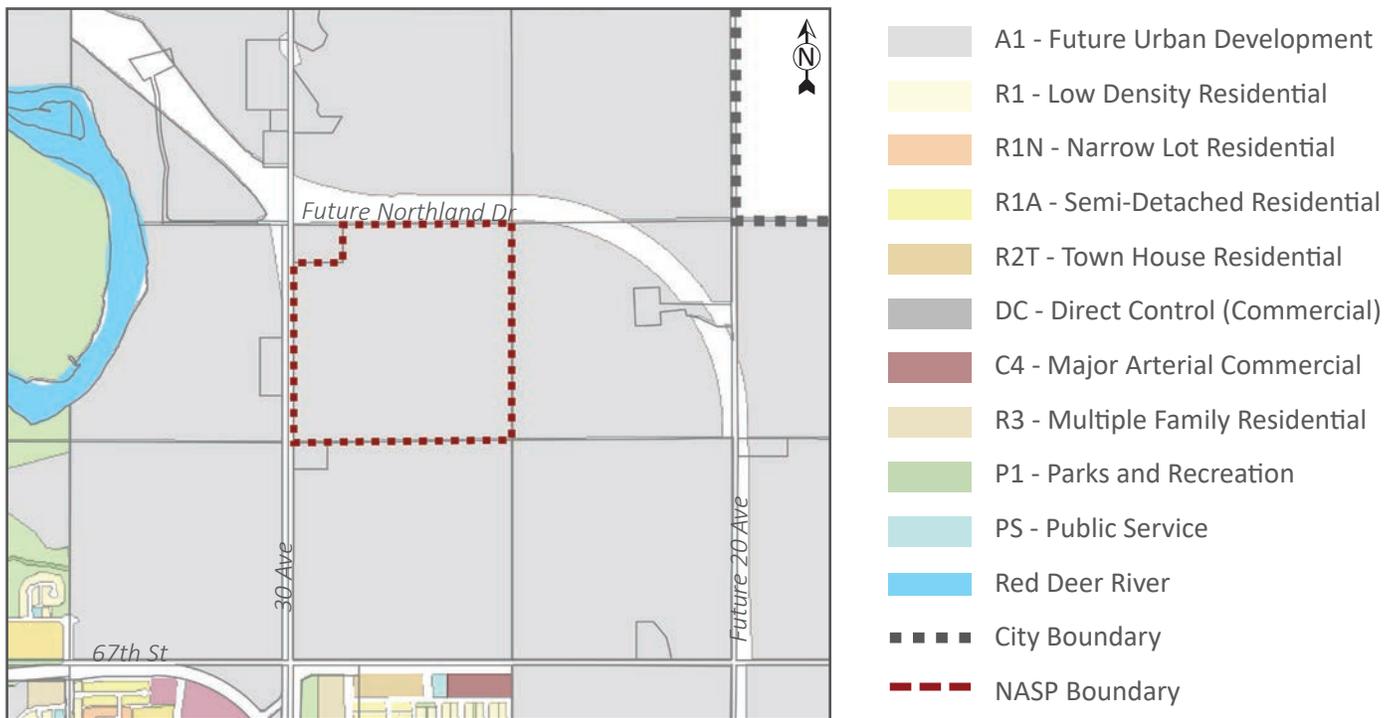
Evergreen is shown focused around the existing central water body with enhanced open space connections surrounding. These open spaces will be developed with trails to provide pedestrian short cutting to community nodes and destinations.

A north-south open space connection is shown along the east boundary of the Plan Area via the use of the utility transmission corridor.

Amenities

A community node is shown at the terminus of the main gateway road adjacent the open space.

Figure v - Existing Land Use Bylaw Designation



Land Use Bylaw (2006, 2013)

The City of Red Deer Land Use Bylaw (LUB) describes all available land use districts to be utilized throughout the City and identifies any potential land use constraints available at the time of its creation. There are no constraints listed for the development of the Plan Area in LUB. This Plan has been developed to conform to the bylaw and all its land use regulations.

Subsequent to NASP approval, the Land Use Map will be amended to redesignate the Evergreen Plan Area to the land uses as described in this Plan.

On behalf of Melcor Developments Ltd., Stantec Consulting Ltd. has prepared this NASP; which meets the requirements as previously identified.

setting

Figure 1 - Location Plan



Figure 2 - Existing Conditions



LOCATION

The Evergreen Plan Area is located in northeast Red Deer within the northwest quarter of Section 26-38-27-W4M. This area is located northeast of the 67th St/30th Ave intersection and is sized at 153.83ac (62.25ha).

NATURAL ENVIRONMENT

The most prominent feature of this site is a water body located in the center of the Plan Area. This water body was caused by the introduction of a levee restricting natural flow patterns and is recorded as not naturally occurring.

In addition, a ravine runs at a diagonal across the northeast corner of the Plan Area. This ravine consists of mature tree growth and surrounds a seasonal stream.

Topography

The site is relatively flat with a gentle slope toward the central water body and in the northeast corner surrounding the ravine. Overall, the site drains into the central water body.

Vegetation

The existing vegetation located on site is agricultural in nature with the exception of that surrounding the water body and the northeast ravine.

As noted in the Environmental Site Assessment completed for the Plan Area, vegetation on the property includes cultivated agricultural grasses and plant species which are representative of the Aspen Parkland.

Conservation

The Evergreen neighbourhood has been designed to support existing natural vegetation, minimize potential negative impacts, and enhance the overall community by maintaining ties to the natural environment.

Steps will be taken during construction to minimize the impact on the previously noted water body and vegetation.

Figure 3 - Pipelines and Wells



LEGEND

- Abandoned Fresh Water Pipeline 7154-5
- Discontinued Fresh Water Pipeline 7154-21
- Oil Well Effluent - 16696-10
- Oil Well Effluent - 16696-11
- Abandoned Oil Well Effluent - 16703-1
- AltaLink Instrument 962 214 807
- Conserve Oil & Gas Right-of-Way
- Conserve Oil & Gas Lease Agreement
- ⊕ Well Site
- NASP Boundary

BUILT ENVIRONMENT

Buildings

One temporary structure is located in the northwest portion of the Plan Area.

Utilities

As shown on **Figure 3 - Pipelines and Wells**, there are several natural resource rights-of-way running through the Plan Area. The following descriptions of these utilities are based on a Phase One Environmental Site Assessment, completed in 2012 by ParklandGEO, the Abacus Datagraphics database, and the property’s land title.

Pipelines

At time of submission, all Conserve Oil & Gas pipelines listed below are in the process of being removed from the Evergreen Plan Area. The Developer will provide confirmation that the pipelines have been removed, the caveat removed from land titles, and a pipeline amendment has been submitted to Alberta Energy Regulator (AER).

R/W Plan 1418 RS - 7154-5

Caveat 2178RJ, registered to Conserve Oil & Gas No. 11 Corporation is a blanket Caveat over the entire quarter section for an easement. This Caveat possibly pertains to the R/W Plan 1418 RS which contains one abandoned fresh water pipeline registered to Conserve Oil & Gas (7154-5). This right-of-way is not listed on the title of the property.

R/W Plan 4432KS - Multiple Pipelines

This right-of-way contains three pipelines registered to Conserve Oil & Gas No. 11 Corporation:

- Discontinued fresh water pipeline - 7154-21
- Abandoned oil well effluent - 16703-1
- Oil well effluent, level II pipeline - 16696-10

R/W Plan 5407 KW - 16696-11

This right-of-way contains an oil well effluent pipeline registered to Conserve Oil & Gas No. 11 Corporation (16696-11) that ties into the 16696-10 line running north-south.

Instrument 962 214 807

This right-of-way runs along the north boundary and is 7.5m in width. It is registered to AltaLink Management Ltd.

Outside of Plan Area

Two rights-of-way run parallel outside the northern boundary of the Plan Area:

- R/W 832 0928
- R/W 565J KS

Well Sites

Abandoned Well Site (12-26)

This former well site was owned by Conserve Oil and Gas. It was abandoned in 1991. Remediation of impacted soil at this site was completed in the summer of 2012 (Rec. Cert. No 1130). The environmental risk associated with the facility is considered to be low to moderate as impacts are considered to be limited to the Lease Area. A Lease Area surrounds this well which has not been in use since the well's abandonment in 1991.

The Developer will provide written confirmation that the Licensee has been contacted and the exact well location confirmed and temporarily marked prior to any construction (includes top soil stripping).

WELL SITE ACCOMMODATION

The Evergreen concept plan has been designed to accommodate the well site using a 5.0m radius development setback and providing a convenient access to the site via the collector roadway and open space systems. This 5.0m radius setback has been provided using a 10.0m wide linear park, approximately 34.0m in length, which will allow for future access to the well and associated working room, if needed. This setback will also ensure minimal disruption to the surrounding areas and prevent accidental contact of construction equipment with the well.

The requirements regarding development setbacks surrounding abandoned wells are outlined in the Alberta Energy Regulator's *Directive 079: Surface Development in Proximity to Abandoned Wells* (2012).

Outside of Plan Area

- **Abandoned Well Site (07-26)**
Registered by Chevron Canada Limited, this well site was abandoned in 1953 and was reported to be reclamation certificate exempt.

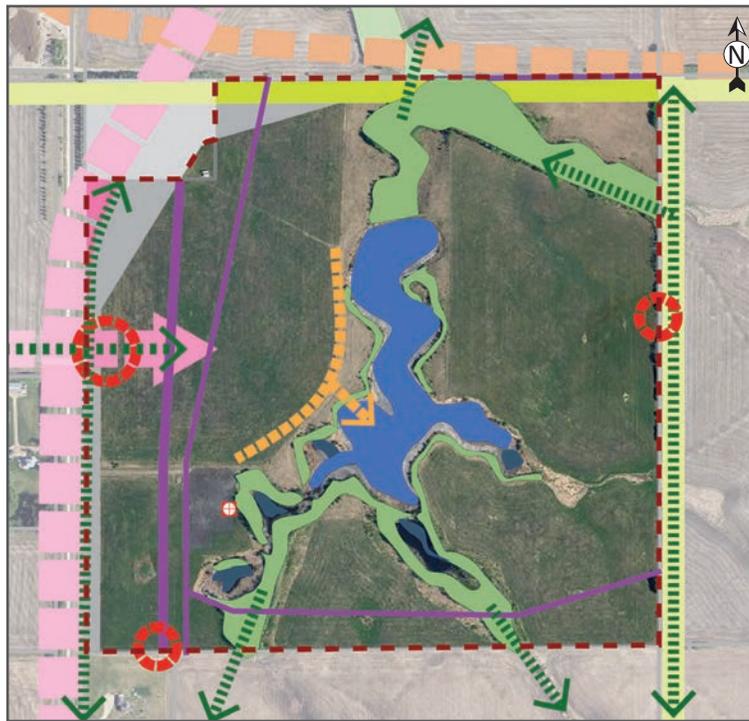
- **Abandoned Well Site (04-35)**
Registered by Chevron Canada Limited, this well site was abandoned in 1952 and was reported to be reclamation certificate exempt.
- **Abandoned Well Site (03-35)**
Registered by Chevron Canada Limited, this well site was abandoned in 1953 and was reported to be reclamation certificate exempt.

ENVIRONMENTAL SITE ASSESSMENT

The 2012 Environmental Site Assessment completed for the Evergreen Plan Area by Parkland GEO identified three areas of potential environmental concern that would necessitate further investigation prior to subdivision:

- Completion of remediation efforts for the abandoned lease area located on the Subject Property within LSD 12-26-38-27-W4M.
 - » *This well site was reclaimed in 2012.*
- Identification and investigation of the two former well sites owned by Chevron Canada Limited were located southeast and northeast of the Plan Area. Investigation should be looking for typical impacts associated with lease areas such as possible sumps and flare pits. A phased drilling program is recommended to verify the presence or absence of environmental impacts.
 - » *The Developer will contact Chevron Canada to recommend further testing during the pre-design and detailed design stage of Evergreen.*
 - » *All testing will be completed by Chevron Canada in coordination with the land owners as listed below.*
 - *The northwest well site is located within the City of Red Deer's Northland Drive right-of-way.*
 - *The southwest well site is located on the quarter section southeast of Evergreen, within the AltaLink transmission right-of-way.*

Figure 4 - Opportunities & Constraints



LEGEND

- Utility Right-of-Way
- + Well Site (5m radius setback)
- Pedestrian Linkage
- Potential Views
- Access Point
- Existing Vegetation
- Existing Water Body
- Transmission Line
- Future Major Roadway
- Future Expressway
- Roadway Widening
- NASP Boundary

Other

A minor pipeline release of crude oil was reported by the ERCB on the southwestern portion of the Property in 1999. The environmental site assessment provides no further detail regarding where this spill was; however due to the low volume (0.1 m3) of the release, the environmental risk relating to the spill is considered to be low.

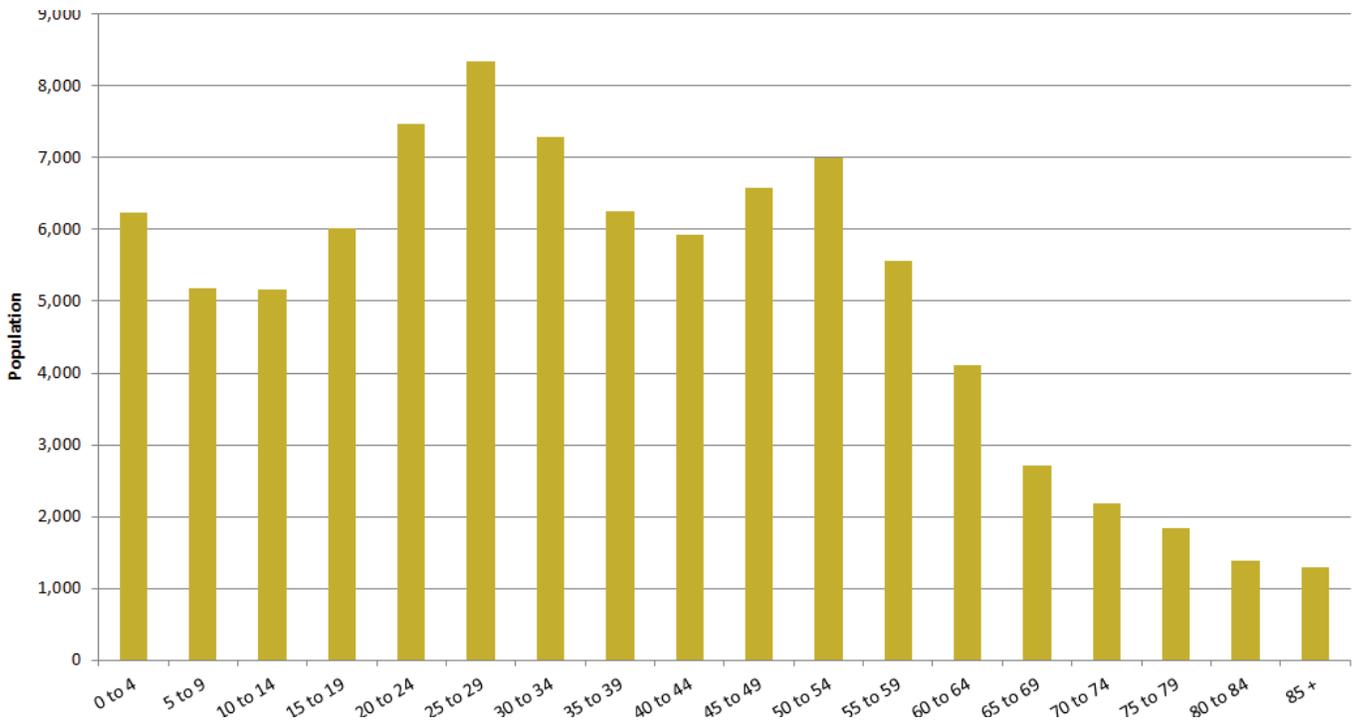
A remediation certificate from Alberta Energy Regulator (AER) is required by the City to confirm that the contaminated area has been remediated and is suitable for the proposed land use. Development approvals will not be issued until a remediation certificate has been issued (includes top soil stripping).

OPPORTUNITIES & CONSTRAINTS

The Evergreen Plan Area provides an opportunity for a unique residential development with ties to the existing open space network. Many trail connections are possible throughout the central and west portion of the Plan Area, as well as along 30th Avenue and Northland Drive.

Several constraints exist on site as previously noted including limited vehicle accessibility due to the eastern transmission line and Northland Drive. In addition, there are three utility rights-of-way with pipelines that will require removal, and one well site which will require a 5m radius development setback.

Population by Age Group, Red Deer, AB, 2011



DEMOGRAPHICS

The following information is based on the City of Red Deer’s 2013 Municipal Census, and 2011 Statistics Canada Information.

The demographics of Red Deer demonstrate that Red Deerians are generally younger, with smaller families, and a higher income than average Canadians. This information can be utilized to determine what types of land uses or housing types would be best suited in Evergreen.

Population

In 2013 the City of Red Deer was the third largest city in Alberta with a population of 97,109. Located directly between Calgary and Edmonton, Red Deer is at the center of the Calgary/Edmonton Corridor, one of the fastest growing regions in Canada. Red Deer’s population has steadily increased at a compound growth rate of 2.94% over the past 10 years, from 72,691 persons in 2003. According to Statistics Canada, the two main factors of growth in this area are: migration from other provinces, and natural increase.

The City’s population was recorded as being 49.4% female and 50.1% male with an average age of 32 and a mode age (age most frequently recorded) of 25; lower

than the provincial average of 36 and national average of 40. Red Deer’s younger population may result in more single residents or young families.

Income

In 2010 Red Deer’s families experienced a median after-tax income that was almost \$10,000 above the Canadian average. In addition, the percentage of after-tax low-income families was 11.6% in Red Deer compared to 14.9% Canada-wide.

Household Information

Based on the 2013 Municipal Census, Red Deer’s total private dwelling unit count was 40,893; more than half of which were single-detached dwellings. Confirmed by the 2011 Federal Census, this makes Red Deer’s average household size 2.4 persons per dwelling unit. Also recorded by the census was an average of 1 child at home per census family, primarily under 14 years of age.



In 2011 the home ownership rate in Red Deer was 67.5% meaning only 32.5% of the population were living in rental units.

vision





IMPORTANCE OF VISIONING

Visioning early in the process is an important part of planning any community or area. The vision for a community lays the foundations from which goals, objectives, and principles can be formed. A clear and concise vision provides the project team with a record to check-back with as the project moves forward.

Visioning Process

The Evergreen project team met on several occasions to form a vision for the community, including meetings to review past projects both inside and outside the region, municipal standards, local trends; as well as site visits to explore the site’s natural opportunities and constraints. This information formed the basis of discussion during the final visioning process.

Characteristics

The following characteristics were identified during the visioning process:

Overall Feel

- Natural or “earthy”
- Simple, elegant, and refined
- Sophisticated
- High-end (in location, finish, and style)
- Wildlife-friendly and areas where residents may encounter wildlife

Special Features

- Stormwater runoff reduction
- Wildlife crossing
- High level architectural details
- Open space amenities utilizing natural characteristics

“NATURALLY EXQUISITE”

Taking its cue from the simplicity of nature, Evergreen is the destination for relaxed living. Embracing the natural beauty of water features, native green spaces, and mature woodlands; this sustainable neighbourhood is designed for exploration and outdoor recreation. With modern architecture reflecting the natural surrounding and contemporary amenities nearby, you’ll have the best of both worlds. Find yourself grounded in the serenity of Evergreen - *naturally exquisite*.

Figure 6 - Perspective Massing Illustration



Community Features

Natural Environment

Evergreen will showcase strong ties to the natural environment through its inclusion of an extensive open space network that spans from north to south. This open network will include the only naturalized pond in Red Deer and will provide residents with scenic recreation spaces and alternative transportation routes.

Amenities

Evergreen's close proximity to neighbouring amenities such as the Waskasoo Trail network, River Bend Recreation Area, Clearview Market Square, and future school sites will afford residents the opportunity to conveniently access daily services while enjoying the privacy and comfort of suburban living.

In addition, a neighbourhood commercial area, located at the entry of the community and near the central park, will provide local services and areas for residents to meet and mingle.

Population

Approximately 2,161 residents will call Evergreen home, living in a mix of housing types comprised of 902 dwelling units. The variety of housing types in Evergreen will allow young couples to find starter homes, college students to find affordable rental units, professionals to grow their families, and empty-nesters to retire comfortably.

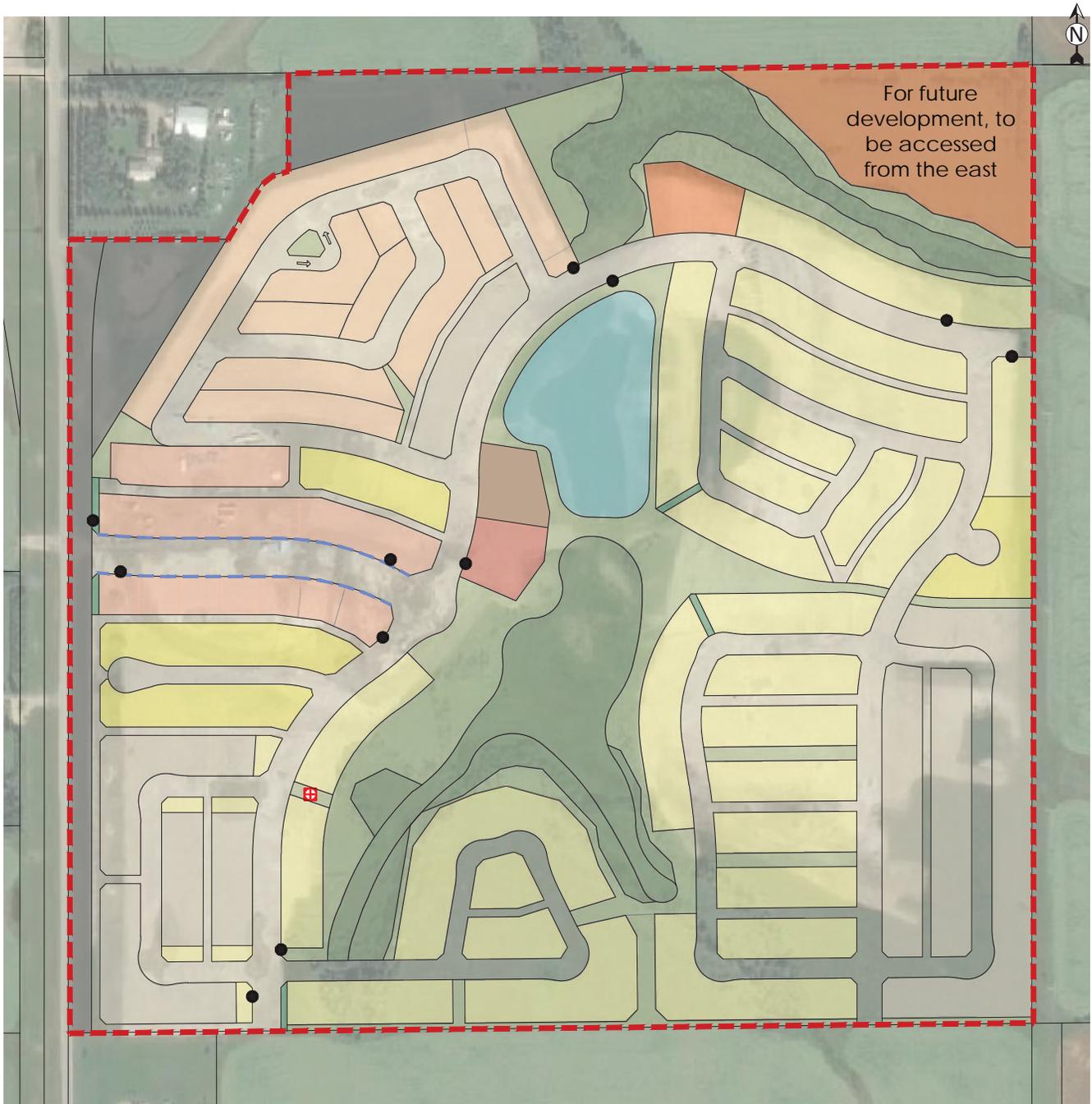
Figure 7 - Land Use Concept Plan



Legend

- | | | |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
|  R1 Low Density |  C3 Neighbourhood Convenience |  Protected Parking Area |
|  R1WS Wide Shallow |  Municipal Reserve (MR) |  Road Widening |
|  R1G Small Lot |  Environmental Reserve (ER) |  NASP Boundary |
|  R1A Semi-Detached |  Public Utility Lot (PUL) | |
|  R2T Town House |  Stormwater Management (PUL) | |
|  R2 Medium Density |  Well Site | |
|  R3 Multiple Family |  Potential Transit Stop | |

Figure 8 - Land Use Concept Plan over Aerial



Legend

- | | | |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
|  R1 Low Density |  C3 Neighbourhood Convenience |  Protected Parking Area |
|  R1WS Wide Shallow |  Municipal Reserve (MR) |  Road Widening |
|  R1G Small Lot |  Environmental Reserve (ER) |  NASP Boundary |
|  R1A Semi-Detached |  Public Utility Lot (PUL) | |
|  R2T Town House |  Stormwater Management (PUL) | |
|  R2 Medium Density |  Well Site | |
|  R3 Multiple Family |  Potential Transit Stop | |

PLANNING PRINCIPLES

The following are planning principles for the development of new communities, as identified by the City of Red Deer. Many of these principles have been used to create development objectives for Evergreen.



1. Natural Areas

Evergreen has been designed around its existing natural environment. The neighbourhood preserves its significant existing vegetation and utilizes its natural drainage pattern.

Support environmentally sensitive areas.

Preserve the existing water body where possible.

Although the existing water body was not naturally made, it is currently home to a variety of aquatic plant materials and attracts water fowl. For this reason, the northern portion of the water body will be conserved. To increase circulation and health of the water, the water body will be reshaped to remove areas where the water tends to be stagnant.

Preserve existing areas of significant vegetation

Areas of existing, healthy, vegetation have been identified for preservation. These areas are intended to contribute to the overall health of the water body and provide shelter to wildlife.

Accommodate wildlife.

Create areas of aquatic habitat.

Areas of aquatic habitat will also be constructed during the landscape design surrounding the water body. This will include planting additional vegetation that provides the water with oxygen and nutrients.

Provide wildlife corridor linkages.

Although the Plan Area is not officially recognized as a wildlife corridor, the location of its water body and large stands of trees makes it a safe area for animals to travel to and from the Red Deer River Valley. To minimize the impact the development has on these animals, and their impact on residents, corridor linkages will be provided

for the animals to safely pass through the community to the River Valley.



2. Mixed Land Uses

A mix of land uses has been identified in Evergreen to provide residents a range of residential options and access to commercial and recreational areas. A community node has been identified at the terminus of the primary gateway roadway which branches off of 30th Avenue to blend residential, commercial, community, and recreation uses.



3. Multi-Modal Choice

In addition to motorized vehicle routes, an extensive trail network has been created in Evergreen to provide connectivity for pedestrians, bicyclists, and alternative transportation modes such as scooters, wheelchairs, skateboards, or rollerblades.



4. Compact Urban Form & Density

Evergreen increased its density and decreased the footprint of the development by increasing the amount of developable area. This has been done by preserving much of the neighbourhood as open space, minimizing areas consumed by lanes, reducing roadway widths, and reducing overall lot depths.



5. Integrated Parks & Community Spaces

Evergreen has been designed around public open spaces. These areas range from natural areas surrounding the water body and ravine, to more programmed areas where residents can gather for picnics and social get-togethers. These open spaces are linked to the surrounding residential areas by linear park connections.

Provide community gathering areas.

The provision of public or private gathering areas is an important part of creating communities, it allows residents to relate to one another on common ground and build social capital.

Item No. 5.3.a.

Social capital is the understanding that social networks have a real value. In residential communities, this is typically seen through neighbours offering mutual support, providing child-minding to one another, borrowing tools or supplies, carpooling to school, or working together for a common purpose like fund-raising for a cause or event. By being part of the community, residents are provided the opportunity to build this social capital and benefit emotionally and financially from this network of neighbours.

Provide public access to the wetland area.

To ensure this amenity can be enjoyed by all residents and visitors, a public trail and associated park space will be provided circumnavigating the water body. This trail will be connected to the overall City of Red Deer trail network and utilized for recreational purposes.



6. Housing Opportunity & Choice

A mix of housing options is envisioned for Evergreen to provide a range of single family and multi-family homes. Each type of home has been considered with regards to its location near a community amenity such as the gateway street with increased landscaping or near public open spaces.

Provide a range of housing options. Create housing options for a variety of age groups, income levels, and lifestyles.

Providing a variety of homes to suit different lifestyles allowing residents the opportunity to stay within the community as they age.

Maximize the amount of premium lots.

Many times there are certain areas in neighbourhoods that are considered to be ‘premium lots’ due to their view, proximity to open space, lot size, etc. In this community, the idea of premium lots is taken one step further to share these features across the neighbourhood and ensure the type of lots that would typically be considered as ‘premium’ are a variety of housing styles at a range of price points.

Provide residential areas with views of the wetland.

There is a very small amount of lots within the City of Red Deer that provide views to a water body. Although the water body located in Evergreen will be accessible to the public, it will also provide scenic views for lots surrounding it.

Provide lots fronting onto public spaces.

Public spaces are intended to be enjoyed and used. By locating homes along public spaces, residents are encouraged to extend their activities into these spaces. This proximity also encourages residents to provide visual surveillance of the park sites.



7. Resilient & Low Impact Neighbourhood

Evergreen has been designed to work with the natural environment by utilizing the existing vegetation and drainage of the site. The central water body will be used for stormwater management purposes and, where possible, overland drainage will transport stormwater into the pond thereby filtering the stormwater naturally prior to its eventual release into the Red Deer River.

In addition to these design features, home builders and residents will be encouraged to construct their homes and yard in energy and water efficient manners.

Increase economic efficiency. Utilize energy efficient lighting throughout the neighbourhood.

Choosing efficient lighting can reduce the amount of electricity used and amount of infrastructure required for maintenance; as well as increase the quality of lighting throughout the neighbourhood. Lighting in Evergreen will be chosen with these ideas in mind during the detailed design stage.

Provide enhanced amenities by collecting ongoing funding for their maintenance.

The Evergreen community will be run via a Home Owners Association that will collect funds from residents on an ongoing basis to support maintenance of the neighbourhood’s enhanced amenities.

Item No. 5.3.a.

An agreement with the City of Red Deer will be required to identify what the role of the HOA will be in association City will be, describe what the standard level of service in the City is, and how the HOA can supplement that service level. Although Evergreen’s amenities will be partially funded by an HOA, access of the open space system and trails will be open to everyone.

Reduce environmental impact.

Provide incentives to home builders for green construction.

Canada has several guidelines that can be utilized for builders to construct ‘green’ homes, including the LEED Canada Rating System and Build Green Alberta. The highlights of each program include maximizing water and energy efficiency to reduce environmental impacts, decrease costs to home owners, and elongate the life of the home.

Working with a selected group of builders to construct housing in Evergreen provides the Developer with an opportunity to work closer to achieve green building standards.

Provide educational information regarding how to utilize hearty plants in yard landscaping.

Utilizing hearty plants which are accustomed to Red Deer’s climate can reduce the amount of excessive watering and pesticides necessary to have a thriving yard.

Implementing this technique is an aesthetically pleasing alternative which is also beneficial to the environment and can save home owners money from the reduced maintenance required.

Suggested plant materials include: Colorado Blue Spruce, Blue Juniper, Red Osler Dogwood, Creeping Juniper, Thyme, Purple Coneflowers, and many more.



8. Safe and Secure Neighbourhood

Evergreen has been designed with pedestrians and residents in mind by enhancing sidewalks, pedestrian crossings, and public park spaces. The location of homes surrounding public open spaces, as well as the use of low

level lighting throughout, provides increased safety and passive surveillance in parks.



9. Unique Neighbourhood Identity

Evergreen is truly unlike any other neighbourhood in the City of Red Deer. The preservation of an existing water body, community branding, wayfinding signage, high quality landscaping, unique play equipment, and diverse public gathering spaces will set this neighbourhood apart.

Provide creative outdoor spaces.

Incorporate a natural playground.

Natural playgrounds are consistently being recognized for their benefits to the improved health and wellbeing of children of all ages by providing opportunities to incorporate native landscapes and land forms into a play space. Natural playgrounds introduce ecological processes, diversity, and new and challenging play opportunities back into urban landscapes, thus engaging children in these natural processes and promoting more creative and spontaneous play.

Incorporating a natural playground into Evergreen will not only reflect the natural theme of the community but will also encourage children to explore the outdoors during play times and throughout their lives.

Evergreen’s natural playground is discussed further on page 36.

Require a high level of public landscaping.

Locations with a strong sense of place have a recognizable character, which can be seen visually. By requiring a high level of public landscaping, a character can be showcased throughout the community.

Encourage outdoor activity by using winter city design.

If there is one thing that Red Deer is guaranteed, it is dark winters. Throughout the course of the year, Red Deer sees an average of 12hrs of sunlight: between Mid-March to late September, Red Deer’s hours of sunlight increase from 11.5 up to around 16.5 and back down, dropping over the winter to around 7.5 in December.

Item No. 5.3.a.

Regardless of the weather, winters can keep even the most active people inside due to the dark. The outdoor world can become more enjoyable by using simple winter city design technique to manage dark days and nights, provide shelter from the wind, and encourage snow-based activities.

As part of a winter city design, Evergreen's outdoor realm may be designed using a variety of lighting in public spaces, including in street trees and along park pathways.

Evergreen's winter city design is discussed further on page 54.

**Create a visually striking community.
Create a theme that is reflective of the
community's vision.**

To build on the Evergreen vision, as previously described, a theme will be created. This theme will guide the visual aesthetic of the neighbourhood toward the community's vision: naturally exquisite.

**Create a set of guidelines that provide
requirements and recommendations to
builders and home owners.**

A set of community guidelines, for use by the Developer, and Architectural Guidelines, for use by home builders, will be created for this community to thoroughly outline the neighbourhood's theme and detail how the public and private realm can be shaped to reflect the theme. Utilizing and adhering to the guidelines throughout the community will provide a continuity throughout the streetscape, open spaces, and community as a whole.

More information regarding these guidelines is provided on page 56.

land use & housing

RESIDENTIAL USES

Overview

The Evergreen neighbourhood has been designed to create highly desirable properties for residents of all age, lifestyle, and income. By providing a variety of lot sizes and housing types, a range of residents will be able to call Evergreen home.

Table 1 - Housing Mix.

Housing Mix	Hectares	Acres	# of Dwelling Units
Total Housing Stock	31.58	78.03	902
R1 Residential (Low Density) District	12.80	31.64	294
*R1 Secondary Suites (15% of R1 units)	--	--	44
R1G Residential (Small Lot) District	7.00	17.29	177
R1WS Residential (Wide/Shallow Lot) District	4.06	10.04	112
R1A Residential (Semi-Detached Dwelling)	2.27	5.61	65
R2 Residential (Medium Density) District	2.79	6.89	101
R2T Residential (Town House) District	2.31	5.70	80
R3 Residential (Multiple Family) District	0.34	0.85	29

Types of Housing

Single Family



Single-detached house with recessed garage.



Single-detached house with front garage.

R1 Single Detached

Though the majority of lots within Evergreen have been zoned using the R1 Residential Low Density District, housing types in these areas may vary from standard single family homes to those listed below. The location of these particular housing types shown on **Figure 9 - Residential Concept Plan**.

APPROPRIATE HOUSING STYLES

Standard

The assumed average size of a single detached home lot in Evergreen is 464.0m²; although, the minimum lot area is 360.0m² with a minimum width of 12.0m and depth of 30.0m respectively. The majority of these homes will be constructed with front attached garages.

Design of standard single family homes should consider a high level of architectural detail in particular to minimize the impact of the front garage.



Reverse house fronting onto open space.



Reverse house fronting onto open space.



Reverse house rear garages.



Walk-out basement.

Reverse Housing

Typically homes are designed with their primary entrance off the front public roadway and secondary entrance from the rear of the property. The front door typically enters into an entryway whereas the rear door enters directly into a living space such as a dining area, living room, or kitchen. Unlike typical homes, reverse housing is just that - the primary entrance into the home faces the rear property and is designed to enter into an entryway or boot room rather than living space. The secondary entrance into the house is then off of the public road or lane, which is also designed to include a small entryway.

This type of design is commonly used in cottage homes where the home highlights views and access to the area behind the house, away from the roadway. To facilitate this reverse home style, houses are constructed with dual facades of equal architectural design: one facing the front street, and one facing the rear property.

Reverse housing has been located in areas with open space between the homes to create a public park space that will extend the outdoor amenity area of each home by visually connecting their lots to public green space. This style of housing appeals to a variety of residents including those who enjoy the immediate physical and visual access to the open space along their property.

Walk-Out Basements

Homes located on slopes or along open spaces are often designed with walk-out basements. These type of homes will be 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 different 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 in the basement.

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.



Walk-out basement.



Secondary suite entrance.

DENSITY

The maximum density in this district is 27.7 du/ha; however, it is estimated that density will be approximately 23.0 du/ha. This assumption is based on an assumed average lot size of 435.2m².

HEIGHT

The maximum height for homes in this district will be 2 storeys or 10m measured from the average lot grade.

PARKING

The majority of parking in the R1 district will be via front attached garage and driveway. As per the City’s LUB, two on-lot parking spaces will be provided per home. Additional parking will be available on-street.

ACCESS

Access to R1 homes will be via the front street. Some R1 lots will also be accessible via the rear lane for municipal servicing purposes; this will also allow for additional rear parking or storage of recreation vehicles.

SECONDARY SUITES

Secondary suites will be accommodated as per the City of Red Deer Land Use Bylaw which states that the maximum for any neighbourhood is 15%.

Homes with secondary suites will require additional parking as per the City’s LUB. For this reason, secondary suites are not envisioned in reverse housing as it may not be possible to meet additional parking requirements in these areas.

R1WS Wide-Shallow Homes

Wide-shallow lots provide a similar home to a wide R1 lot, with a shallower yard. The increased width of the home itself minimizes the prominence and appearance of the garage while allowing more interaction between the home and the streetscape via windows, porch areas, etc. This increased frontage also provides for a more diverse and appealing streetscape. The wide-shallow housing style is more affordable than an R1 lot by offering a reduced lot size while still including a single or double-car attached garage.

The City of Red Deer’s Land Use Bylaw contains several building design regulations which must be followed for building these types of homes. Regulations include those addressing the garage size, driveway width, windows along the front street, use of porch, and other design features such as gables.



Wide-shallow lot house with no garage.



Wide-shallow 2-storey with front garage.



Wide-shallow lot house and side garage access.

APPROPRIATE HOUSING TYPES

Housing types in this district could include bungalow, bi-level, or two-storey homes.

DENSITY

The maximum density in this district is 34.7 du/ha; however, it is estimated that density will be approximately 27.6 du/ha. This assumption is based on an assumed average lot size of 362.1m².

HEIGHT

The maximum height for homes in this district will be 2.5 storeys or a 12m height measured from the average lot grade.

PARKING

Parking in the R1WS District will be via front attached garage and driveway. As per the City’s LUB, two on-lot parking spaces will be provided per home. Additional parking will be available on-street.

ACCESS

Access to R1WS homes will be via the front street. A portion of these lots will also be accessible via the rear lane for municipal servicing purposes; this will also allow for additional rear parking or storage of recreation vehicles.

SECONDARY SUITES

Although secondary suites are permitted in this land use district; most R1WS housing in Evergreen will not have rear lanes which will not allow for the additional parking required by secondary suites.

R1G Small Lot Front Garage

Small Lot housing with attached front garages offer a more affordable attached-garage housing option to residents due to the decreased lot width. At a minimum of 10.5m, housing in this district has less interaction between the house and streetscape; for this reason architectural controls are important to enhance the visual appeal of the garage.



Small lot 2-storey with front attached garage.



Small lot 2-storey with front attached garage.



Small lot 2-storey with front attached garage.

APPROPRIATE HOUSING TYPES

Housing types in this district could include bi-level, or two-storey homes.

DENSITY

The maximum density allowable in this district is 31.2 du/ha; however, it is estimated that density will be approximately 25.4 du/ha. This assumption is based on an assumed average lot size of 393.7m².

HEIGHT

The maximum height for homes in this district will be 2 storeys or a 10m height measured from the average lot grade.

PARKING

Parking in the R1G District will be via front attached garage and driveway. As per the City’s LUB, two on-lot parking spaces will be provided per home.

ACCESS

Access to R1G homes will be via the front street; however, some will also be accessible via the rear lane for municipal servicing purposes; this will also allow for additional rear parking or storage of recreation vehicles.

SECONDARY SUITES

As per the City’s LUB, secondary suites are not permitted in this land use area.

Corner lots within a portion of the R1G areas in the southwest have been identified as R1 Residential (Low Density) to accommodate the potential of secondary suites. Lots identified include those on corner lots, with lanes, or other areas with additional parking capacity.



Multi-Family

R1A Semi-Detached

Semi-detached housing is a popular housing option for those looking for a more affordable solution that still offers a private yard. These houses are constructed as two independent dwelling units attached side-by-side with a common wall extending from the foundation to the roof.

Semi-detached homes have been located throughout the Evergreen neighbourhood. This type of housing will be located in the areas that provide for an ideal housing transition from higher density to single family homes.



Semi-detached housing without front garage.



Small lot 2-storey semi-detached housing.



Semi-detached housing with front garage.

APPROPRIATE HOUSING TYPES

Appropriate housing types for this district include bungalow, bi-level, or two-storey semi-detached housing. These units may or may not include front garages.

DENSITY

The maximum density allowable in this district is 43 du/ha; however, it is anticipated that the density will be approximately 29.2 du/ha. This assumption is based on an assumed average lot size of 342.04m².

HEIGHT

The maximum height for homes in this district will be 2 storeys or a 10m height measured from the average lot grade.

PARKING

The majority of parking in the R1A district will be via front attached garage and driveway. As per the City's LUB, two parking spaces will be provided per home.

ACCESS

Access to R1A homes will be via the front street. Those lots located along the west boundary of the Plan Area will also be accessible via the rear lane for municipal servicing purposes; this will also allow for additional rear parking or storage of recreation vehicles.

SECONDARY SUITES

As per the City's LUB, secondary suites are not permitted in this land use area.

R2T Townhouse/Row Homes

As based on the definition provided by Statistics Canada, row homes are essentially three or more dwellings joined side-by-side which do not have dwellings either above or below. Often called town houses, these structures include common walls extending from the foundation to the roof.

Row homes provide an alternative and more affordable housing form suitable to a range of residents. Row homes will be located along the gateway collector roadway to provide massing and a continuous, consistent building form with high architectural controls.



2-storey row homes with front garage.



2-storey row homes with rear garage.



Row home rear garages.



2-storey row homes with park frontage.

APPROPRIATE HOUSING TYPES

Appropriate housing types for this district include bungalow, bi-level, two-storey, or two and half storey row homes. These units may be developed in a tradition row fashion or clustered condo-style development with an internal roadway. R2T homes may or may not include front garages.

DENSITY

The maximum density allowable in this district is 54.0 du/ha; however, it is anticipated that the density will be approximately 35.0 du/ha. This assumption is based on the City of Red Deer’s recommendations.

HEIGHT

The minimum height for homes in this district is 2 storeys, with a maximum height of 2.5 storeys or a 12m height measured from the average lot grade.

PARKING

Townhomes along Evergreen Way will be at the rear of the lot. As per the City’s LUB, two parking spaces will be provided per home. Rear lanes in these areas will be paved to facilitate and encourage residents to utilize rear parking.

Limited protected parking will be provided along the main gateway roadway to provide some visitor parking to guests of homeowners along this road as continuous on-street parking will not be permitted.

ACCESS

Access to R2T homes will be primarily via the rear lane where garages will be located. The majority of these lots will also be accessible via the front street which will allow for pedestrian access and guest parking.

SECONDARY SUITES

As per the City’s LUB, secondary suites are not permitted in this land use area.

R2 Medium Density

The medium density residential district is intended to provide a range of compatible housing types such as single detached homes and multi-unit buildings.



2-storey rowhomes with rear parking.



2-storey single family without attached garage.



2-storey row homes with rear parking.

APPROPRIATE HOUSING TYPES

Housing types in this area may include single family dwellings, semi-detached structures, multi-attached, or multi-family buildings.

DENSITY

The maximum density allowable in this district is 54.0 du/ha; however, it is anticipated that the density will be approximately 36.4 du/ha. This density is an average of densities associated with the possible housing types envisioned for development in this area (semi-detached, row homes, or low rise multi-family buildings). The actual density will be completely dependant on which type of housing is constructed.

HEIGHT

The maximum height for single detached homes in this area is 2 storeys or a 10m height measured from the average lot grade; however, multi-family buildings may by over this limit.

PARKING

All parking will be determined by what type of units are constructed; however, all will be located on-site as per the City of Red Deer’s Land Use Bylaw.

ACCESS

Access to the R2 sites will be via the front roadway.

SECONDARY SUITES

Secondary suites will be permitted in detached dwelling units only. Secondary suites require 1 parking space for suites with 2 or fewer bedrooms, and 2 parking spaces for suites with greater than 2 bedrooms.

R3 Multiple Family

R3 Multiple Family areas can take a variety of forms as further described below. This type of housing provides a more affordable residential option that appeals to a variety of residents including but not limited to renters, first time home buyers, and retirees. One R3 area has been located in Evergreen at the terminus of the gateway roadway as part of the community node. This location was chosen based on the anticipated location of public transit stops and proximity to the open space network and community amenities.



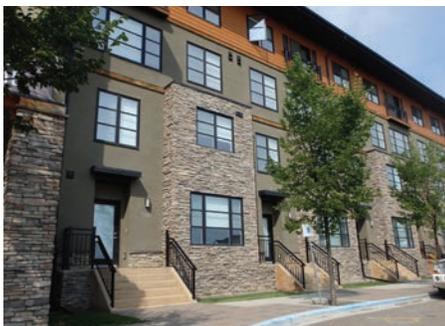
Apartment style building with internal roadways



14-unit multiplex with internal roadways.



Row home development with first floor parking.



Apartment style building with street access.

APPROPRIATE HOUSING TYPES

This R3 multi-unit housing will be constructed based on market conditions at the time of development and could include one of the following. All building types listed below can take the form of rental or condo facilities. Regardless of building type, this site should be designed as a focal feature of the community with a high level of architectural detail and visual interaction at street-level.

Apartment-Style

Apartment style buildings have shared entries, hallways, and often building amenities such as fitness centres or hot tubs.

Multiplex Building

Multiplex buildings commonly range from 4 to 18 units and share no common spaces: all units have separate entries and utilities.

Row homes

Row homes consist of three or more attached units which do not overlap one another and have shared common walls from foundation to roofs.

DENSITY

The anticipated density in this district is approximately 85.0 du/ha for apartments of multi-unit buildings, assuming a four-storey building with underground parking. The density for rowhomes is approximately 35.0 du/ha.

HEIGHT

Should the R3 site be developed as one or more multi-family building, the maximum height is 4 storeys; however, if the R3 site is developed for row homes, the maximum height is 2 storeys or a 10m from the average lot grade.

PARKING & ACCESS

All parking will be determined by what type of units are 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’s LUB, secondary suites will not be accommodated in the R3 District.

Figure 9 - Residential Concept Plan



Legend

- | | | | | | |
|-------------------------------------------------------------------------------------|--------------------|-------------------------------------------------------------------------------------|---------------------------|---------------------------------------------------------------------------------------|-----------------------------|
|  | R1 Low Density |  | R2 Medium Density |  | Public Utility Lot (PUL) |
|  | R1 Reverse Housing |  | R3 Multiple Family |  | Stormwater Management (PUL) |
|  | R1WS Wide Shallow |  | Fronting onto Green Space |  | Possible Walk-Out Basement |
|  | R1G Small Lot |  | Municipal Reserve (MR) |  | Environmental Reserve (ER) |
|  | R1A Semi-Detached | | | | |
|  | R2T Town House | | | | |



DENSITY & UNITS

The estimated population of Evergreen is 2,161 persons. This number is based on the land uses proposed and will change after final build-out. The overall housing density of the Evergreen community is 17.5 du/net developable hectare. Full land use calculations are located on page 31.

Table 2 - Residential Land Use Calculations

Land Use	Area (ha)	Units	Density	% Of Housing Stock
R1 Residential (Low Density) District	12.80	294	23.0	32.6%
*Secondary Suites	--	44	0.0	4.9%
R1G Residential (Small Lot) District	7.00	177	25.4	19.6%
R1WS Residential (Wide/Shallow Lot) District	4.06	112	27.6	12.4%
R1A Residential (Semi-Detached Dwelling)	2.27	65	29.2	7.2%
R2 Residential (Medium Density) District	2.79	101	36.4	11.2%
R2T Residential (Town House) District	2.31	80	35.0	8.9%
R3 Residential (Multiple Family) District	0.34	29	85.0	3.2%
Total	31.58	902		100.0%

*Calculated assuming that 15% of all R1 units will include secondary suites; these suites are counted as 1 unit each.

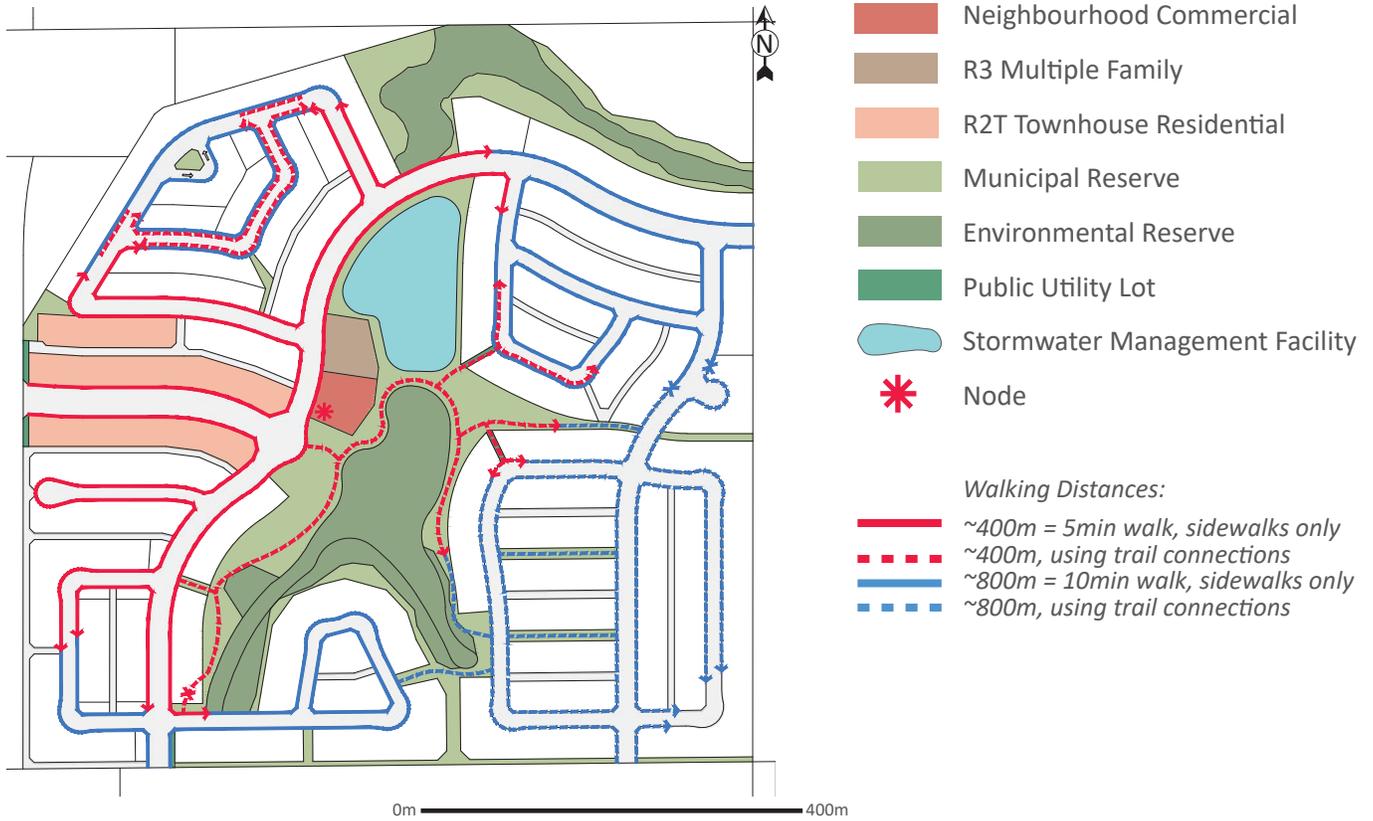
Densities calculations are based on the assumptions as outlined following assumed averages, exact density and unit counts may differ at the time of subdivision. :

- R1 Average lot size: 435.2m²
- R1G Average lot size: 393.7m²
- R1WS Average lot size: 362.1m²
- R1A Average lot size: 342.04m²
- R2 36.4 du/ha - housing type may vary; density average of possible housing types anticipated (R1A, R2T, R3-3storey)
- R2T 35.0 du/ha - as per the City of Red Deer's Planning Guidelines
- R3 85.0 du/ha - estimated density for a four storey building with underground parking

Table 3 - Population Projection

Residential Land Use Calculation	Hectares	Acres	# of Units	Household Size	Population
Single Detached Residential	23.86	58.97	627		1502
R1 Residential Low Density	12.80	31.64	294	2.4	705
*R1 Secondary Suites (15% of R1 units)	0.00	0.00	44	2.4	105
R1G Residential Small Lot	7.00	17.29	177	2.4	424
R1WS Wide Shallow Lot	4.06	10.04	112	2.4	268
Semi-Detached and Multi-Family Residential	7.71	19.06	275		659
R1A Residential Semi-Detached	2.27	5.61	65	2.4	156
R2 Residential Medium Density	2.79	6.89	101	2.4	242
R2T Residential Town House	2.31	5.70	80	2.4	192
R3 Residential Multiple Family	0.34	0.85	29	2.4	69
Total	31.58	78.03	902		2,161
Density: 17.5 du/ha (902 Dwelling Units / 51.63 Developable Hectares)					

Figure 10 - Neighbourhood Node



NEIGHBOURHOOD NODE

Evergreen’s neighbourhood node consists of a variety of uses with street-orientation to provide an array of services to residents and an opportunity for neighbours to socialize. The central park site forms the basis of this node which is supported by commercial, higher density residential, and community type uses. The location of this node was chosen to facilitate both pedestrian and vehicular access.

Commercial Use

A neighbourhood commercial area has been identified at the terminus of the primary gateway road. This location was chosen for its proximity to vehicular and pedestrian traffic routes, and to form part of a community node. The types of commercial businesses envisioned for this area include: a coffee shop, small restaurant, doctors office, child minding, hair salon, or similar.

Site and building design for this commercial area will be guided using the City’s LUB and architectural controls created by the Developer. The location of parking and use of screening should be specifically addressed to minimize visual impact from the roadway and rear walking trails.

Should this area not be successfully sold for its intended purpose, this site will be converted to an R3 use.



Community Amenity Sites

Two community amenity sites have been located within the Evergreen neighbourhood to accommodate the possible development of community uses such as: temporary care, assisted living, adult or regular day care, place of worship, or other uses proposed and approved by the City.

Both sites have been located as part of the Evergreen community node in close proximity to walking trails and transit stops to facilitate their use. These sites will be advertised for sale through local media and the City of Red Deer website for one year; if the sites are not purchased for their intended use, they will be developed as R3 multi-family or R1WS residential development.

If both the central community amenity site and neighbourhood commercial site are not sold for their intended purpose, and both are rezoned to R3, the two sites may be combined into one R3 site.

** The community Amenity Sites were advertised for sale following the approval of the Evergreen NASP in accordance with the City of Red Deer’s guidelines. Ultimately, neither sites were purchased or developed for community amenity uses. In May 2017 both sites were rezoned to their alternate land uses.*

LAND USE CALCULATIONS

Table 4 - Land Use Calculations

Land Use Category	Hectares	Acres	% of Developable Area	# of Dwelling Units
Gross Plan Area	62.25	153.83		
Environmental Reserve	5.06	12.50		
Major Streets (Expressway)	2.59	6.41		
Major Streets (30th Ave)	0.94	2.32		
Commercial	0.35	0.86		
Stormwater Management Facility SWMF (PUL)	1.69	4.17		
Developable Plan Area	51.63	127.57	100.00%	
Residential	31.58	78.03	61.2%	902
R1 Residential (Low Density) District	12.80	31.64	24.8%	294
<i>R1 Secondary Suites (15% of R1 units)</i>	<i>0.00</i>	<i>0.00</i>	<i>0.0%</i>	<i>44</i>
R1G Residential (Small Lot) District	7.00	17.29	13.6%	177
R1WS Residential (Wide/Shallow Lot) District	4.06	10.04	7.9%	112
R1A Residential (Semi-Detached Dwelling)	2.27	5.61	4.4%	65
R2 Residential (Medium Density) District	2.79	6.89	5.4%	101
R2T Residential (Town House) District	2.31	5.70	4.5%	80
R3 Residential (Multiple Family) District	0.34	0.85	0.7%	29
Other	20.05	17.89	38.8%	
Open Space	6.55	16.18	12.7%	
Municipal Reserve (MR)	6.44	15.90	11.3%	
Public Utility Lot Excluding SWMF (PUL)	0.11	0.28	0.2%	
Transportation	13.50	33.36	26.2%	
Collector Roadways	3.61	8.93	7.0%	
Local Roadways	7.85	19.40	15.2%	
Lanes	2.04	5.03	3.9%	
Other Uses	0.00	0.00	0.0%	
Emergency Services Site	0.00	0.00	0.0%	
Institutional Service Facility	0.00	0.00	0.0%	

* MR calculation is a % of Gross Plan Area less Environmental Reserve.

Table 5 - Roads and Utilities Percentage

Roads and Utilities	Hectares	Acres	% of Net Plan Area
Gross Plan Area	62.25	153.83	
<i>Environmental Reserve</i>	<i>5.06</i>	<i>12.50</i>	
Net Plan Area	57.20	141.33	100.0%
Allowable Area for Roads & Utilities	17.16	42.40	30.0%
Actual Area of Roads & Utilities	18.84	46.54	32.9%
Municipal Improvements	3.53	8.73	6.2%
<i>Northland Drive Expressway</i>	<i>2.59</i>	<i>6.41</i>	<i>4.5%</i>
<i>30th Avenue Arterial</i>	<i>0.94</i>	<i>2.32</i>	<i>1.6%</i>
Evergreen Roadways and Utilities	15.21	37.59	26.6%
<i>Collector Roadways</i>	<i>3.61</i>	<i>8.93</i>	<i>6.3%</i>
<i>Local Roadways</i>	<i>7.85</i>	<i>19.40</i>	<i>13.7%</i>
<i>Lanes</i>	<i>2.04</i>	<i>5.03</i>	<i>3.6%</i>
<i>Public Utility Lots</i>	<i>1.80</i>	<i>4.45</i>	<i>3.1%</i>
Over Dedication	1.68	4.14	2.9%



outdoor realm



View of pathway's seating area and housing along east side of central water body. Note the use of pedestrian-level lighting along the pathway.

OVERVIEW

Evergreen has been developed with 32.85 ac (13.30 ha) of public open spaces, 21% of the total Plan Area. Four different types of open spaces make up the overall open space network as indicated in **Table 6 - Green Space Amenities**.

Table 6 - Green Space Amenities

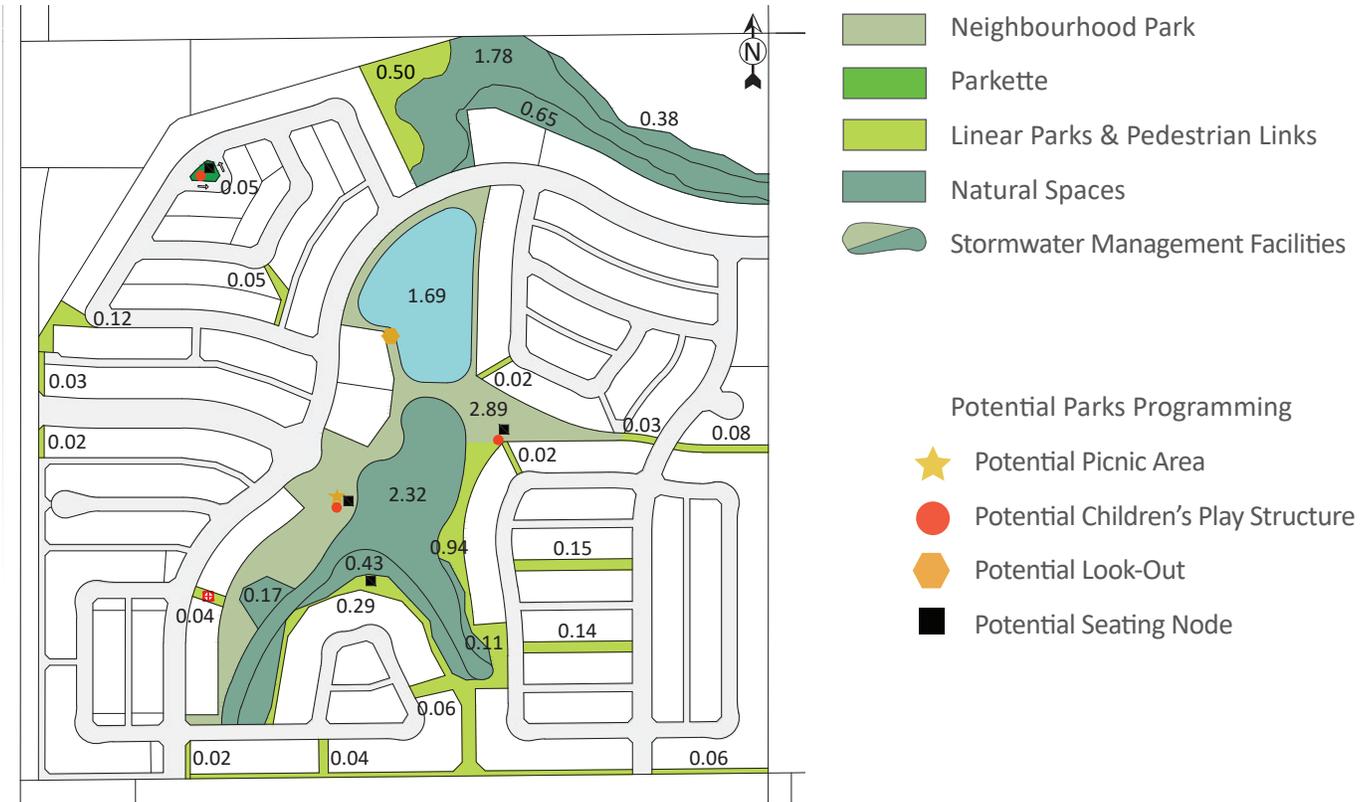
Green Space		Total No. of Parcels	Area (ha)	Area (ac)
Open Spaces	<i>Neighbourhood Park (Including SWMWF)</i>	2	4.66	11.51
	<i>Parkettes</i>	1	0.05	0.12
Natural Areas		8	5.95	14.70
Linear Parks & Pedestrian Links		17	2.64	6.53
TOTAL		28	13.30	32.85

Table 7 - Municipal Reserve Calculation

Municipal Reserve Dedication	Acres	Hectares	% of MR Developable Area
Gross Plan Area	62.25	153.83	
<i>Environmental Reserve</i>	5.06	12.50	
MR Developable Area	57.20	141.33	100.0%
Required MR Dedication	5.72	14.13	10.0%
Actual MR Dedication	6.44	15.90	11.3%

It is recognized that Evergreen has dedicated 11.3% of its MR Developable Area as Municipal Reserve; however, the City of Red Deer will not be required to purchase 1.3% of excess from the Developer.

Figure 11 - Types of Open Spaces and Amenities



Note: All areas shown in hectares.



TYPES OF OPEN SPACES



Covered picnic area.



Natural playground.

Neighbourhood Park

The intent of the neighbourhood park site is to provide a centrally-located and primary recreational space for the neighbourhood. This space is designed around the central water bodies and is envisioned primarily for passive or unstructured recreation. This park also acts as a scenic destination for walking trails or children’s play.

Location and Size

The neighbourhood park in Evergreen is located in the center of the Plan Area at the terminus of the gateway roadway.

Evergreen’s neighbourhood park is 11.51 acres (4.66 ha) in size excluding the natural areas or connecting and linear parks.



Covered picnic area and natural playground in the central park, to the west of the central water body, during a summer day and winter night.



Natural playground.

Proposed Amenities

Amenities located within the neighbourhood park site include walking trails, a children’s play structure, picnic areas, pond lookouts, and two stormwater management facilities.

Picnic Area

To extend residents’ activities outdoors, several picnic areas will provide spaces for outdoor dining. These areas may include picnic tables, bench seating, and outdoor grilling facilities.

Natural Playground

Natural playgrounds may be constructed in Evergreen to encourage children’s imaginative play in the outdoors. These play structures would be located in close proximity to picnic sites to provide a mix of uses including those for parents as well as children. The design of these structures will be determined during the detailed design phase in consultation with the City of Red Deer.

Scenic Lookouts

Lookouts may be constructed along the water body. These area will be designed as resident gathering areas where friends can meet and visit, children can watch the ducks, or joggers can stop to stretch. The location of these lookouts will be determined during the detailed design phase.



Scenic lookout.



Example of passive recreation activity.



Multi-use pathway.



Stormwater management pond.



Trail system through naturalized area.

Stormwater Management Facilities

The Evergreen ponds are designed to retain stormwater, act as a habitat area for wetland creatures, and provide a visual amenity to residents. The ponds have also been utilized as the focal element of the neighbourhood’s trail and park system.

Parkette

The intent of parkette site is to provide smaller open spaces for passive recreation activities such as playing frisbee, tag, building snowmen, etc. These areas are within easy and short walking distance to residents.

Location and Size

One parkette has been identified in northwest Evergreen, sized at 0.12 ac (0.05 ha). This location has been chosen to provide convenient open space access for residents in the northwest portion of the neighbourhood.

Proposed Amenities

Constructed elements within the parkette may include small seating areas, refuse containers, and a children’s play structure in the northwest park. In addition, a fence may be required along the perimeter to ensure roadway setbacks to children’s play areas are maintained; this will be determined during detailed design.

Natural Spaces

Evergreen has been designed to incorporate natural spaces intended to add to the overall feel of the community and provide areas that residents can enjoy in a less structured way; via views or organic and unprogrammed nature trails. The Environmental Reserve areas as shown in this NASP are an estimate only; the final ER boundaries will be determined at the time of subdivision and will be based on the regulations of the MGA.

Ravine

The ravine located in the northeast corner of the community will remain in its natural state and act as a wildlife corridor. To preserve the vegetation, no formal trails will be developed through the ravine; however, trails will be constructed surrounding this area for pedestrian connectivity.

Existing Trees

Existing trees surrounding the south stormwater management facility have been preserved to provided wildlife shelter and habitat. No formal trails will be developed through these areas.

Stormwater Management Facility

The south stormwater management facility has been identified as an Environmental Reserve to preserve existing vegetation.



Reverse housing fronting onto linear park space in southeast portion of Evergreen.



Homes fronting onto linear park space.



Homes backing on to linear park space.

Linear Parks & Pedestrian Connections

Linear parks have been used to provide continuous off-street connectivity throughout the Plan Area for pedestrians. This pedestrian network has been designed to connect residents to the 30th Avenue multi-purpose trail system to the west, Northlands Drive regional trail to the north, joint school site to the south, and transmission Corridor trail to the east.

Location and Size

A variety of linear parks are located throughout the community, namely providing connectivity through the center of the Plan Area to the east, a continuous shared linear park along the south boundary, and those surrounding the reverse housing in the southeast.

Linear parks vary in length and are generally between 6 to 10m in width.

Proposed Amenities

Amenities in linear parks will be limited to trails, landscaping, and occasional seating areas with refuse containers. These areas are not intended for prolonged visits; therefore, to minimize redundancy and prevent loitering, they will not contain gathering type amenities.

Figure 12 - Open Space and Trail Network



LEGEND

Trail Network*

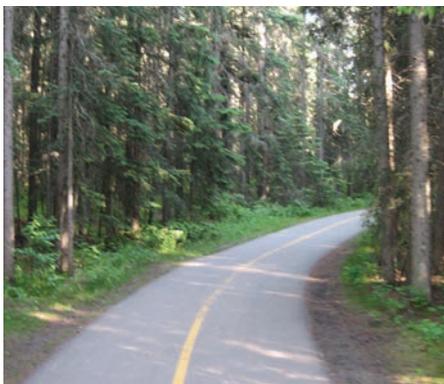
- ① North pond loop
~ 0.55km = 6.6min walk
- ② South pond loop
~ 1.25km = 15min walk
- ③ Total pond loop
~ 1.8km = 21.6min walk

- Hard Surface Recreational
- Potential Soft Surface Recreational
- Separated Sidewalk Connections
- Monolithic Sidewalk Connections
- Constructed Crossing

**All distances are shown conceptually and will vary subsequent to detailed design.*



Winding trail with pods of landscaping.



Trail system through naturalized area.

Trails

The linear park and trail system in Evergreen is intended to provide short-cutting options for pedestrians and a recreational area for walkers, joggers, cyclists, etc. This network will connect to adjacent neighbourhoods and the City’s overall Waskasoo Trail System to provide connectivity to surrounding areas and recreational amenities.

Three levels of trails are proposed in the neighbourhood as part of this overall system: hard surface connections, hard surface recreational, and potential soft surface. Hard surface connections will take the form of concrete sidewalks located along roadways, hard surface recreational trails will be paved trails throughout open spaces, and potential soft surface trails will be constructed in areas intended for walkers only. No trails will be developed in the north ravine area. Two trail crossings will be constructed across each of the south legs of the natural area; these crossings will be detailed during landscape design.

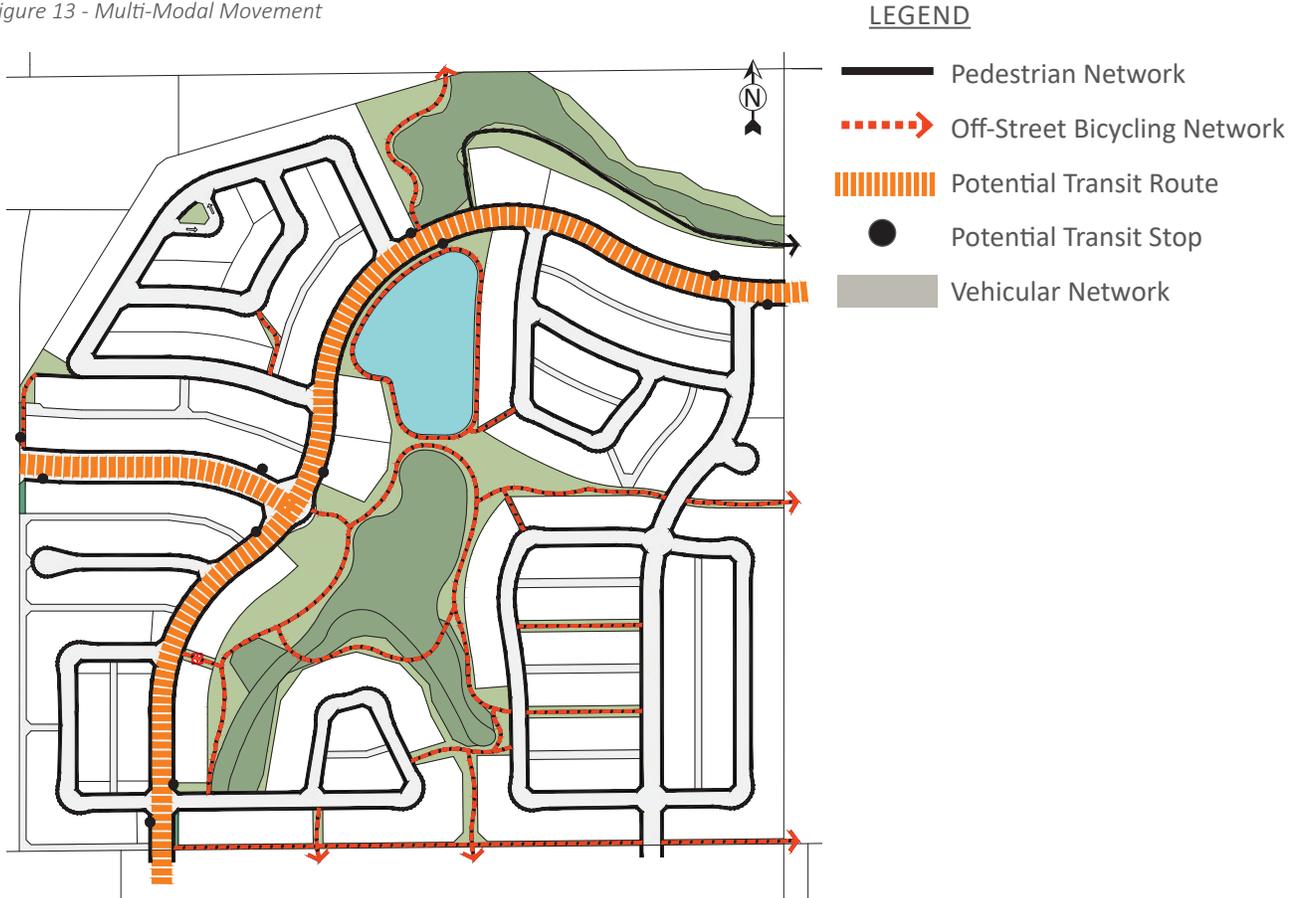
Connections

A north connection will be provided to connect with the Northland Drive expressway’s regional trail network and a west connection will be provided to connect with the 30th Avenue trail and facilitate commuter bicycling by the west utilizing Evergreen’s main entry road.

A person wearing a white helmet and dark clothing is riding a mountain bike on a dirt trail. The trail is surrounded by trees and fallen logs. A dog is standing on the right side of the trail, looking towards the cyclist. The scene is set in a wooded area with many trees and fallen logs on the ground.

movement & connectivity

Figure 13 - Multi-Modal Movement



CIRCULATION



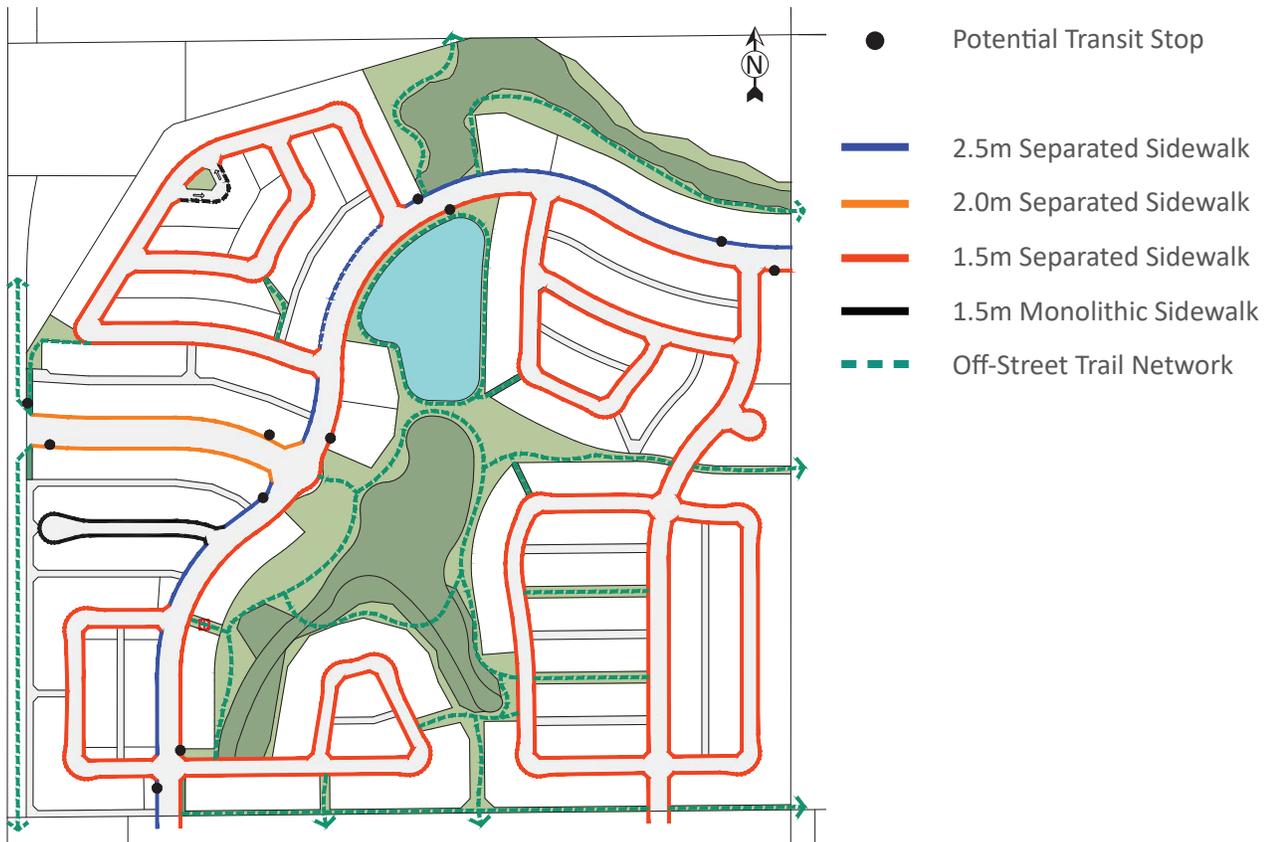
Multi-Modal Movement

The Evergreen neighbourhood has been planned to facilitate integrated movement of residents throughout the community and provide connections to destinations outside of Evergreen. In addition to providing connections for residents, a multi-modal transportation network has been incorporated to accommodate a variety of transportation modes including walking, rolling, riding, and driving. All portions of Evergreen have been designed with pedestrians in mind putting their safety, comfort, and overall experience first by creating an enhanced streetscape.

Table 8 - Multi-Modal Movement

Mobility	Location	User Experience	Accessibility & Integration	Safety
Pedestrian	Sidewalks, trail connections	Local destinations or those in adjacent neighbourhoods	Fully integrated into neighbourhood via separated sidewalks and paved open space trails to promote accessibility	Separated sidewalks, intersection bump-outs, highlighted mid-block crossing
Bicycle	Trail connections, on-road routes	Recreation: destinations inside neighbourhood or those adjacent Commuter: destinations outside of neighbourhood	Fully integrated into neighbourhood via paved open space trail network	Off-street trail connections, intersection bump-outs
Transit Rider	Sidewalks, trails connections, collector roadways	Destinations outside of neighbourhood	Routes along collector roadways only with pedestrian connections	To be determined by City of Red Deer
Vehicle	Collector and local roadways, lanes	Destinations outside of neighbourhood	Local roadways linking to collectors, minimize unnecessary through traffic	Curvilinear street pattern

Figure 14 - Sidewalk Type



Example of monolithic sidewalk.

Walking

Walking is not only a healthy and active mode of transportation, it is also one of the most popular for school-aged children and seniors. Evergreen has been designed to facilitate and encourage walking throughout by providing a welcoming pedestrian environment using separated sidewalks and off-street trails, pedestrian nodes and rest stops, and pedestrian short-cutting to increase convenience and reduce distances between destinations.



Recreational cycling on off-street trail.

Rolling

Rolling is intended to describe cycling, rollerblading, skateboarding, scootering, and any other self-propelled wheeled modes of transportation. Whether these forms of transportation are used for commuting or recreation, trail connections have been provided alongside the roadway to provide a safe and comfortable environment for these users. The use of paved trails rather than shale also increases the accessibility of park spaces to those with reduced mobility.

Figure 15 - Transit Network



Sample photo of Red Deer's transit buses.



Example of separated sidewalk.

Riding

Transit locations will be chosen by the City of Red Deer's Transit department along the primary collector roadway, based on the City's standards and preferences. All transit stops will be located 500m apart and within 500m of the majority of residents; this represents a 6min walking time. These locations are intended to be in reasonable walking distance from all homes within the neighbourhood.

A small area of the Plan Area falls outside of the 500m distance from the potential transit stops; however, these areas are anticipated to be within the 500m catchment boundary of transit stops in future surrounding developments.

Special attention will be given to locate transit routes near multi-family areas to facilitate higher density use. It is also recognized that many middle and high school students in Red Deer utilize transit to get to school; therefore, a focus has been put onto providing safe pedestrian routes to and from bus stops as part of the Safe Route to School program.

Driving

Driving is the most prominent form of commuter transportation. The Evergreen neighbourhood has been designed to create a comfortable environment for motorists without sacrificing the comfort and safety of alternative transportation types. More information regarding roadways is discussed on page 45.

Figure 16 - Pedestrian Safety



Intersection bump-outs and landscaping.



Example of mid-block crossing with bump-outs.



Highlight cross-walk at roundabout.

Safety

To enhance pedestrian and motorist safety, traffic calming measures have been identified in various areas throughout Evergreen. Though exact locations will be determined during detailed design; they will include: intersection bump-outs, mid-block crossings, a roundabout, and on-street parking.

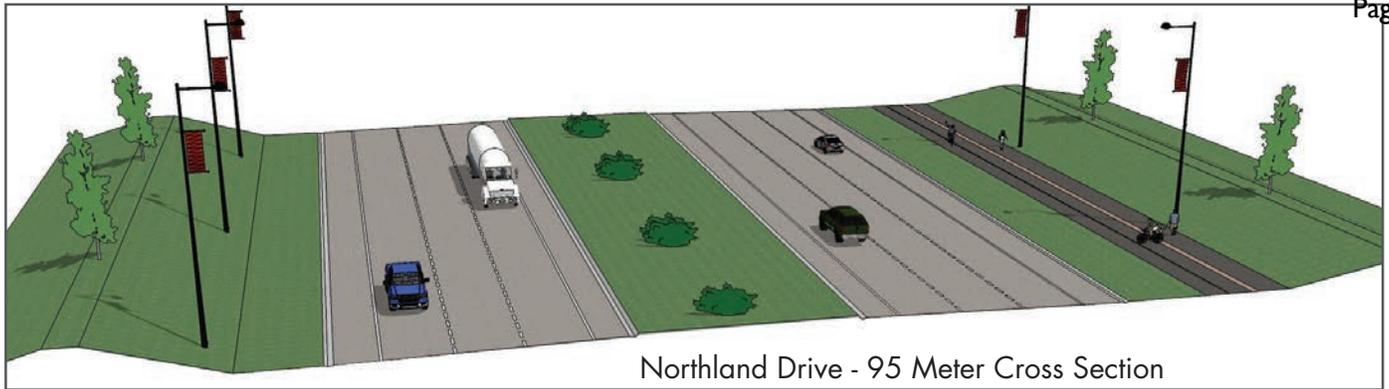
Utilizing intersection bump-outs extends the curb out into the street reducing the distance pedestrians are required to travel across the roadway and making them more visible. Intersection bump outs will not be permitted crossing collector roadways.

Important Trail Connections

Two important trail connections have been identified in the Evergreen neighbourhood. Additional trail crossings may be considered at the detailed design stage. Consideration for additional trail crossings will be based on operational requirements, pedestrian safety, and user needs.

Roundabout

A roundabout is located at the terminus of the gateway collector roadway. This method of intersection has been chosen to slow and disperse traffic at the three-way intersection and provide a focal feature for the roadway in the form of enhanced landscaping or the accommodation of public art.



Northland Drive - 30 Avenue to 20 Avenue Cross-Section with berm.



Example of an existing berm along 30th Avenue.

ROADWAYS

External Roadways

Northland Drive

Northland Drive will run along the north boundary of Evergreen. This portion of the roadway is intended to be a six-lane expressway at full build-out, anticipated to coincide with the City’s 188,000 population horizon (estimated sometime around 2038). The City of Red Deer currently has the initial roadway construction budgeted from 2016 through 2018, at which time it will function as a two lane arterial roadway.

As traffic demands increase, the roadway will be expanded in stages to a four-lane roadway, before it is ultimately upgraded to a the six-lane expressway.

Note: The Northland Drive cross-section and project is in no way tied to the development of Evergreen and is subject to change.

30th Avenue

30th Avenue runs along the west boundary of Evergreen connecting 67 Street to Northland Drive. This roadway is intended to be a four-lane arterial at full build-out; however, it will function as a two-lane arterial until such a time when traffic demands a larger roadway. Construction of 30 Avenue is scheduled to begin in 2015.

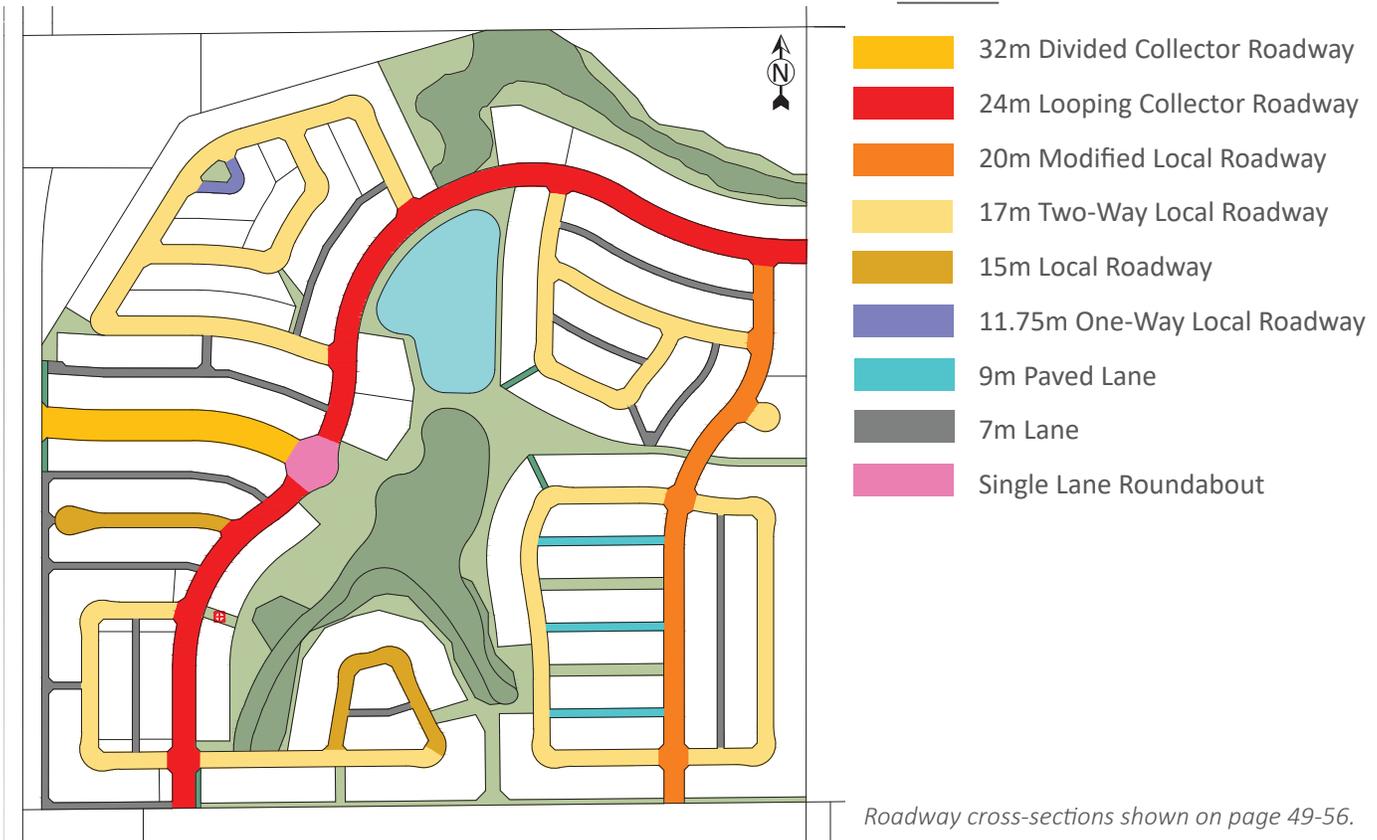
Note: The 30th Avenue cross-section and project is in no way tied to the development of Evergreen and is subject to change.

Berms and Screening

Berms will be built on either side of Northland Drive and 30th Avenue roadways to minimize visual and acoustic impact of traffic from adjacent developments. These berms will be consistent to that found elsewhere along main arterials.

Figure 17 - Roadway Hierarchy

LEGEND



Roadway cross-sections shown on page 49-56.

Internal Roadways

Typical cross-sections of all roadways are shown on page 49. All non-standard cross-sections will be considered by the City and finalized at the Servicing Study stage.

Collector Roadways

The Evergreen neighbourhood will be accessed via two collector roadways: the gateway collector and main looping collector.

32m Divided Collector Roadway

Evergreen’s gateway roadway enters the neighbourhood from the west off of 30th Avenue and extends to the roundabout. This roadway has been designed to provide a grand entrance to welcome both residents and visitors into the community. It is also recognized as the primary access roadway until such a time that connections to the surrounding lands are developed.

This roadway has been designed using a 32.0m wide right-of-way with two lanes of travel in either direction and protected parking areas. To accommodate multi-modal movement, separated sidewalks have been

provided on both sides of the road separated from traffic by landscaped boulevards.

Limited protected parking will be accommodated to provide some visitor parking to guests of homeowners along the gateway roadway.

This roadway will be further designed during detailed design to provide a transition at the terminus of this roadway into the one-lane roundabout.

As shown on **Figure 18 - 32.0m Divided Collector Roadway Perspective Illustration**, **Figure 19 - 32.0m Divided Collector Roadway Cross-Section at Boulevard**, and **Figure 20 - 32.0m Divided Collector Roadway Cross-Section at Protected Parking**, this cross-section is not standard in the City of Red Deer and will be subject to review by the City prior to implementation at the Servicing Study stage.

24m Looping Collector Roadway

The main collector roadway in Evergreen loops through the community from southwest to northeast. This roadway has been designed with a 24.0m wide right-of-



Evergreen’s gateway collector roadway looking east on a summer afternoon.



Evergreen’s gateway collector roadway looking east on a winter night.

way, one travel and one parking lane in either direction, a landscaped boulevard, and a 2.5m and a 1.5m separated sidewalks on either side of the roadway.

In addition to providing functional access to the community, the collector roadway identifies a sense of place for the neighbourhood by incorporating high levels of landscaping providing continuity and themeing throughout.

As shown on **Figure 21 - 24.0m Undivided Collector Roadway Cross-Section**, this cross-section is not standard in the City of Red Deer and will be subject to review by the City prior to implementation at the Servicing Study stage.

20m Modified Local Roadway

An expanded local roadway is located along the east portion of the Plan Area stretching from north to south. This roadway provides access from the main collector to residential areas east of the water body. To facilitate traffic in this area and allow the inclusion of a transit route, a 20.0m wide right-of-way with one travel lane

and parking in either direction is used. This roadway also has 1.5m wide sidewalks separated from traffic by a landscaped boulevard.

As shown on **Figure 22 - 20.0m Undivided Collector Roadway Cross-Section**, this cross-section is not standard in the City of Red Deer and will be subject to review by the City prior to implementation at the Servicing Study stage.

Local Roadways

The system of local roads within the community has been designed to create exclusive pods of homes and provide access to individual development clusters while discouraging outside traffic.

Driveways will be designed to meet roadways at 90 degrees and are not permitted to “flair out”. This will preserve boulevard space, accommodate trees, and improve on-street parking.

17m Two-Way Local Roadway

All typical local roadways will have a 17.0m wide right-of-way with 1.5m separated sidewalks. Utilizing this cross-

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section in place of the City’s current standard allows for an enhanced streetscape by incorporating street trees in the landscaped boulevard, separated sidewalks in either direction increasing the pedestrian experience, and increases safety by providing a buffer between pedestrians and motorists.

As shown on **Figure 23 - 15.0m/17.0m Local Roadway Cross-Section**, this cross-section is not standard in the City of Red Deer and will be subject to review by the City prior to implementation at the Servicing Study stage.

15.0m Two-Way Local Roadway

Two 15.0m wide local roadways have been included in Evergreen. These roadways will be designed to The City of Red Deer standards which utilizes a 15.0m wide right-of-way, 10.0m wide carriage width, and includes a 1.5m wide monolithic sidewalk on each side of the roadway.

11.75m One-Way Local Roadway

One one-way local roadways has been used in Evergreen. Homes in the northwest portion of the Plan Area surrounding a park will utilize a road with 11.75m wide right-of-way. This roadway is shown on **Figure 24 - 11.75m One-Way Local Roadway Cross-Section** and will not have a sidewalk along the park side as a multi-use trail will be designed within the park.

Lanes

Many lots in the Evergreen neighbourhood have been designed with rear lanes; however, lanes have not been provided for lots adjacent green spaces, including parks and preserved natural areas. All standard rear lanes will be designed to The City of Red Deer standards and will be 7.0m wide as shown on **Figure 26 - 7.0m Lane Cross-Section**. Any lanes adjacent to Municipal Reserves or public utility lots will have bollards installed to prevent vehicular access and short-cutting.

9m Paved Lanes

Homes fronting onto public green spaces and the rowhomes along the gateway roadway will utilize a lane for their only vehicular access. These lanes will be paved to facilitate access, ease of use year-round, allow snow

clearing, increase aesthetics, and allow for snow storage during winter months.

As shown on **Figure 25 - 9.0m Paved Lane Cross-Section**, this cross-section is not standard in the City of Red Deer and will be subject to review by the City prior to implementation at the Servicing Study stage.

REVERSE HOUSING LANE ILLUMINATION

Special attention to the lanes utilized for reverse housing in the southeast portion of the Plan Area will be required to ensure there is clear illumination of house numbering for use by Emergency Services, delivery vehicles, taxis, etc.

The Developer will work with the City of Red Deer’s Electrical Light and Power department during the Servicing Study stage to determine the most appropriate solution for providing this lighting in the lane. If municipal lighting is deemed inappropriate, an architectural control will be used to require lighting be provided on the rear garages to facilitate home address recognition.

Turn-Arounds

Until such time that development occurs to the east or south, connecting roadways in Evergreen will be constructed with turn-arounds at their terminus.

Parking

On-street parking will be permitted on all roadways within Evergreen except along the 32.0m Divided Collector gateway roadway where there will be limited protected parking stalls. The provision of on-street parking acts as a safety feature to pedestrians by acting as a buffer between sidewalks and motorists. It also narrows the roadway and adds uncertainty into drivers’ path of travel which has been shown to slow traffic and make drivers more aware of their surroundings.

Figure 18 - 32.0m Divided Collector Roadway Perspective Illustration



This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 19 - 32.0m Divided Collector Roadway Cross-Section at Boulevard



This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 20 - 32.0m Divided Collector Roadway Cross-Section at Protected Parking



This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 21 - 24.0m Undivided Collector Roadway Cross-Section

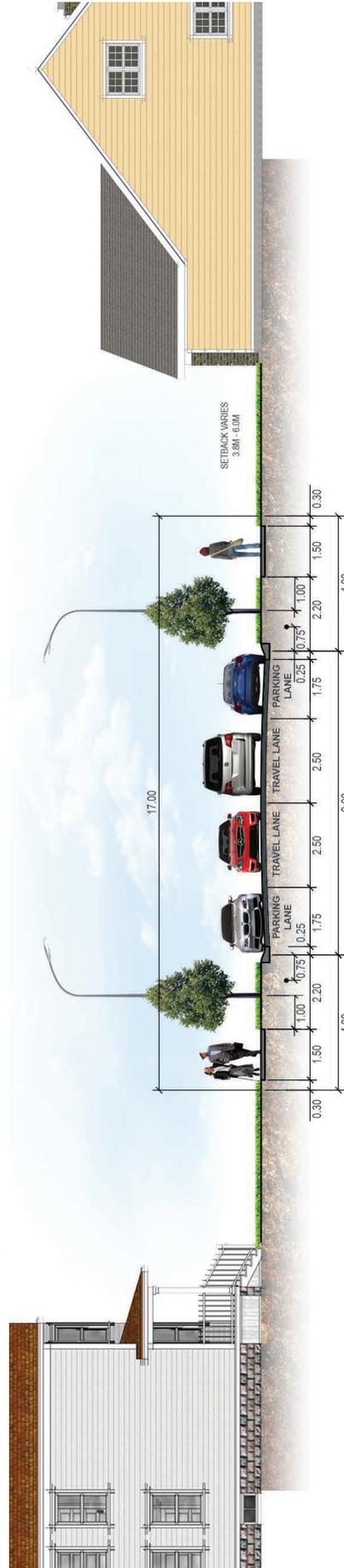


Figure 22 - 20.0m Undivided Collector Roadway Cross-Section



This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 23 - 15.0m/17.0m Local Roadway Cross-Section



This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

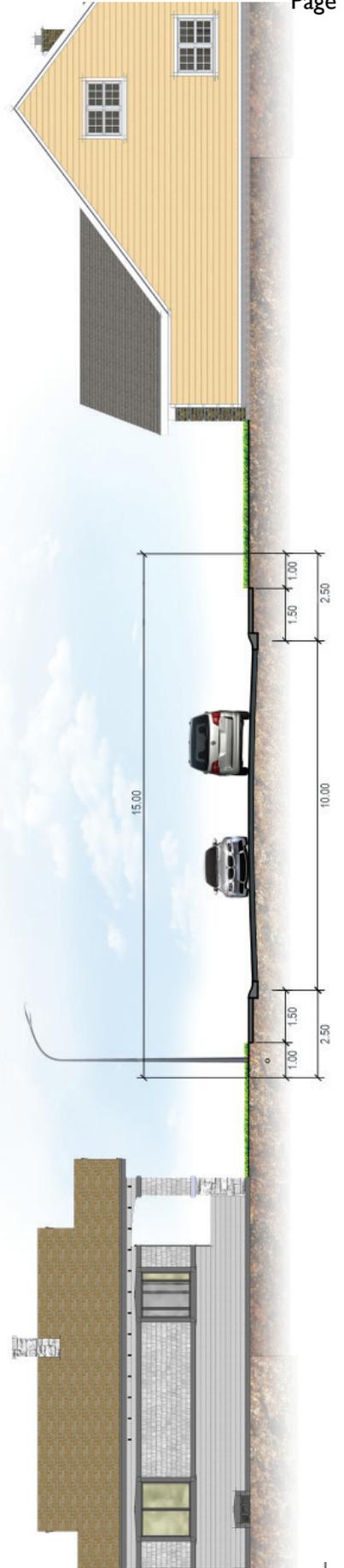
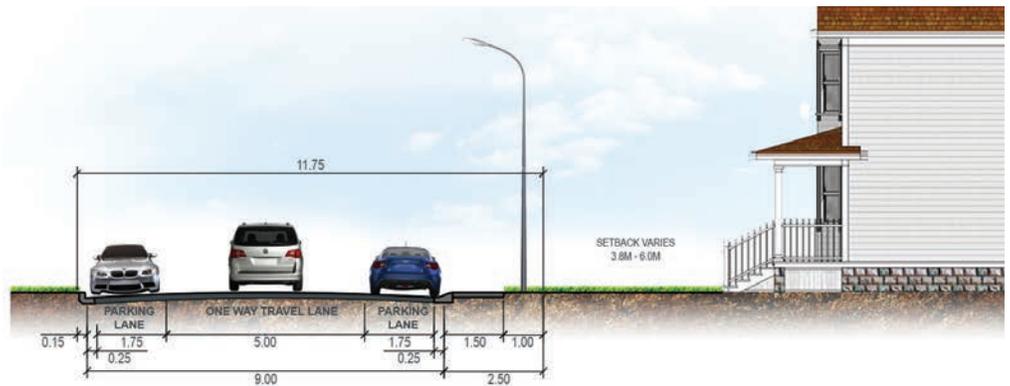
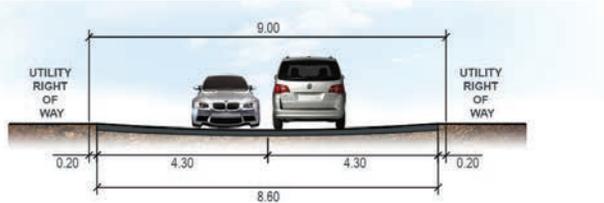


Figure 24 - 11.75m One-Way Local Roadway Cross-Section



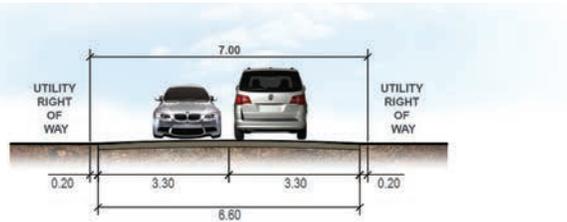
This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 25 - 9.0m Paved Lane Cross-Section



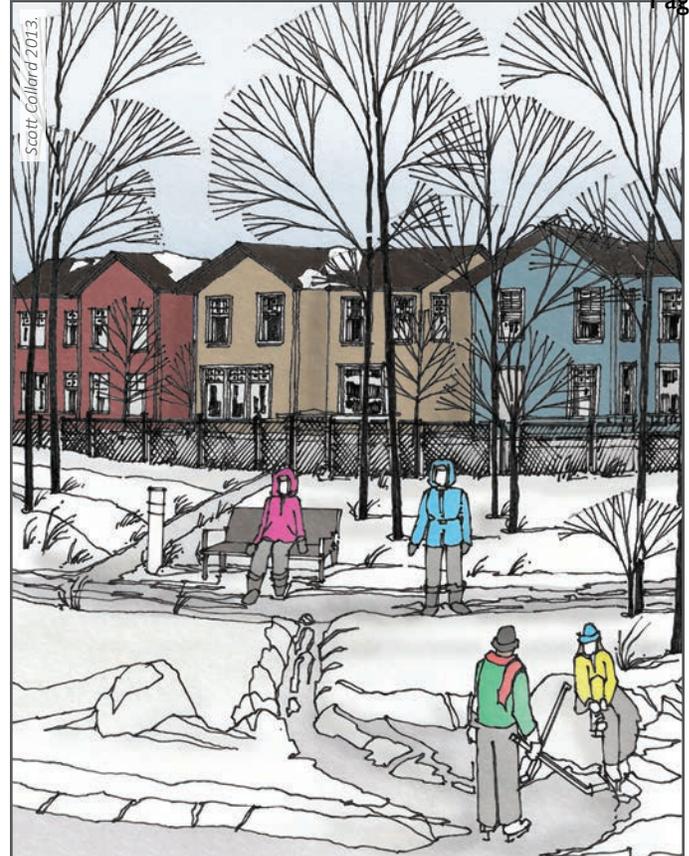
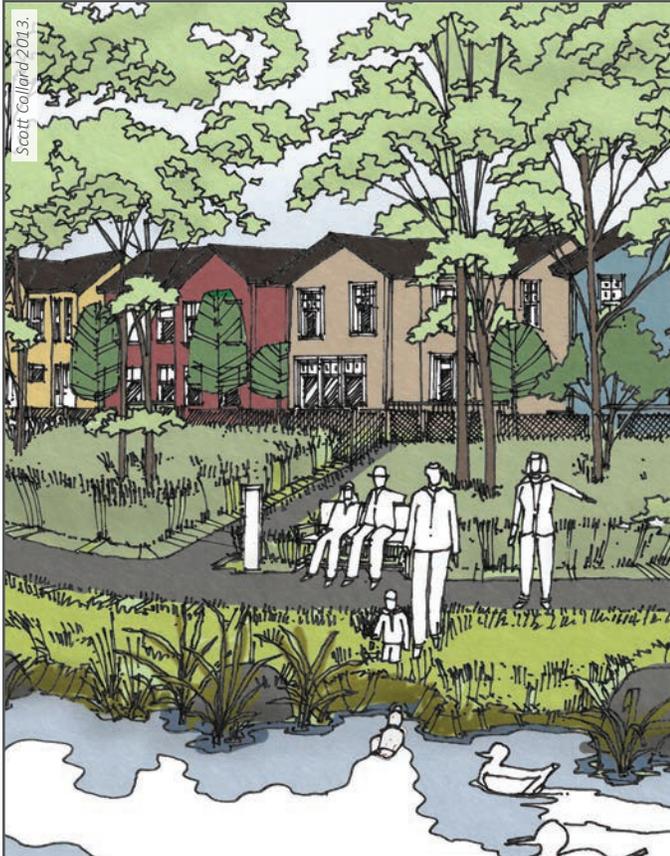
This cross-section is not standard and will be subject to review by the City prior to implementation at the Servicing Study stage.

Figure 26 - 7.0m Lane Cross-Section





sense of place



View of seating area along pathway and housing along east side of central water body.

FEATURES

Evergreen has been designed around the stormwater management facilities in the center of the Plan Area. This area will act as a focal point for all activities and terminus for major roadways and trails.

View points towards this area will be maximized and these areas will include high-quality landscaping to showcase the neighbourhood.

Gateways

There are two gateways identified in Evergreen: an entrance off of 30th Avenue, and the southwest entrance along the looping collector roadway. These areas provide a first impression of the neighbourhood to residents and visitors and convey the overall theme of the community.

To highlight these gateways areas, a high level of landscaping will be provided along with a community marker. In addition, a high standard for detail will be required along the main west-east gateway roadway.



Winter City Design

As part of a winter city, Evergreen has been designed to encourage outdoor activity year round. To encourage this type of activity, public open spaces have been designed to embrace winter, and its darkness.

Colours

Encouraging the use of rich colours on homes, commercial buildings, and in the community's design elements; through the use of architectural guidelines; is one way that Evergreen will warm up winter by adding colour to an otherwise snow-white neighbourhood.

Lighting

The long dark days of winter can often feel daunting which is why Evergreen's streetscapes are proposed to be designed to incorporate street tree lighting that will transform the darkness into a palette on which to create a whimsical environment of illumination.

Public park areas may also be designed to include pedestrian-scaled lighting to illuminate pathways throughout the winter months. This illumination will



Evergreen's gateway collector roadway looking east.



Reverse housing fronting onto linear park space in southeast Evergreen.



Evergreen's central park, natural playground, and picnic area.



All-season use of cleared trails.



Use of illuminated bollards along trail.

accommodate outdoor play for children in the winter and enhance safety surveillance.

Various levels of lighting may be used in different areas of Evergreen to provide appropriately scaled lighting for pedestrians and motorists, and to create focal areas in the community.

The intention of providing lighting in open spaces is primarily for use of public spaces during the winter time when day lengths are shorter. The lighting in open spaces would be limited to immediately along primary trails and could be designed to run for only a few hours after the sun has set. All determination of lighting will be done during detail design.

The responsibility for maintaining proposed lighting will be determined through future negotiations with the City of Red Deer.

Maintenance

Although the average temperature in Red Deer during the winter months is around -10°C, snowfall can quickly pile up and create significant barriers to outdoor recreation. To combat this, on-going trail maintenance throughout the winter months is important to allow continued access and safe use of the community's open spaces for residents.



Street tree lighting during the summer.



Coloured street tree lighting in winter.



Continuous fencing along public areas.



Coloured concrete in median paving area.

BUILT FORM

The overall design of Evergreen is intended to connect residents and visitors with the outdoors. To achieve this, a variety of concepts may be utilized which will be further determined subsequent to NASP approval. Concepts that may be considered include the following.

- Community entry features
- Illuminated street trees
- Pedestrian-scaled lighting along major pathways
- Wayfinding signage
- Continuous fencing along public areas
- Enhanced median paving

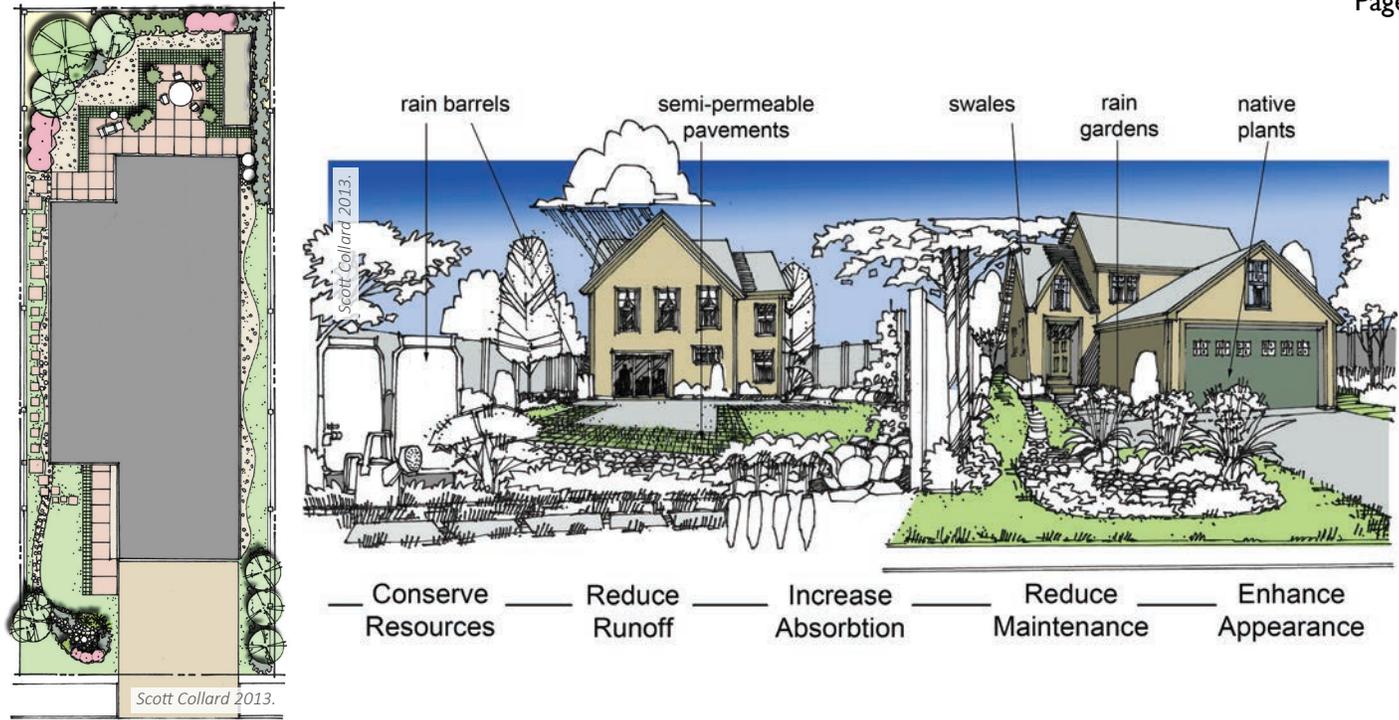
Architectural Design

All buildings in Evergreen will be built to conform to the existing City of Red Deer Land Use Bylaw.

Built forms in Evergreen may take their design elements from nature, focusing on visual and physical connections to outdoor spaces. A set of Architectural Guidelines will provide direction toward the overall aesthetic of the community as described on page 66.



servicing



OVERVIEW

The proposed trunk utility connection points for the sanitary and storm utilities shown in this NASP deviate from the City’s current trunk infrastructure planning identified in the Greater East Hill Functional Servicing Study (GEHFSS). As a result of this deviation, Evergreen’s Developer may be required to register City of Red Deer utility rights-of-way to facilitate the installation of deep utility extensions connecting to the adjacent quarter section to the east, if development is anticipated to proceed on this adjacent parcel prior to utilities reaching the quarter section boundary.

This requirement will be imposed by way of a Supplementary Condition in a future Development Agreement for a development phase in Evergreen if the City’s Development Section determines it to be necessary in order to allow the adjacent quarter to the east timely access to utility service connections.

STORMWATER SERVICING

The City of Red Deer recently completed the installation of a new storm trunk up the escarpment of the Red Deer River Valley. This trunk line, currently being constructed to the intersection of 30th Avenue and The North Highway Connector, will ultimately service a large portion of the future development in east Red Deer. The City is proposing to extend trunk servicing south along 30th Avenue in 2014, in conjunction with the intersection improvements proposed at the intersection of 30th Avenue and 67 Street. The Evergreen development will connect to this new 30th Avenue trunk sewer at the northwest corner of the development. Storm mains will also be designed to convey the controlled release rate from NE 26 while providing temporary pick up of overland drainage from adjacent quarter sections until they are built out.

As previously discussed in this report, there is a large existing wetland feature situated in the middle of the development area. The north portion of this wetland is proposed to be reconstructed in order to act as the primary storm water management facility for the Evergreen development. In order to allow for a conventional City of Red Deer storm pipe system,

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complete with gravity weeping tile connections to all the homes, the reconstruction will consist of re grading this area to lower the normal water level in the wetland by approximately 2.0m. All storm sewer pipes in Evergreen will connect to this facility, which will provide both water quality enhancement and storm detention, before the storm water outlets into the 30th Avenue trunk system and ultimately into the Red Deer River.

It is proposed that a majority of the south component of the wetland feature be retained in its natural state. This includes maintaining the current normal water elevation in order to protect the existing plant ecology along edge of the wetland. In order to enhance the water quality, it may be necessary to deepen this wetland area though the normal water level elevation will be maintained. To ensure a source of water to recharge this wetland area, some surface runoff from the development will be introduced into the wetland at certain low points in the roadway. These locations are illustrated on **Figure 27 - Stormwater Servicing** on page 61.

Also, to maintain some base flow into the existing ravine, which stretches into the north end of this development, some consideration should be made to installing a small pipe connection from the proposed storm pond facility. This would allow from some water recharge into the ravine but at a very low rate that would prevent downstream erosion which has been an issue in other ravine areas in the City.

All the storm sewer facilities will be designed in accordance with The City of Red Deer Design Guidelines and will be developers responsibility to maintain until the end of the two year maintenance period when this infrastructure will be turned over to The City of Red Deer.



Stormwater Runoff Initiatives

As part of a continuing effort to reduce stormwater runoff in the neighbourhood, home owners will be encouraged to design their lots to capture stormwater and reduce runoff, as shown above. This education program could include how to best utilize their rain barrel, how to construct rain gardens, or how to increase the amount of organic materials in their yard

to absorb more water. By providing this information to new home buyers, residents would be encouraged to continue to reduce stormwater runoff throughout the life-cycle of their homes.

The developer may work with home builders to create this information package.

SANITARY SERVICING

Similar to the stormwater servicing, the City of Red Deer recently completed the installation of a new sanitary trunk up the escarpment of the Red Deer River Valley. This trunk line, currently constructed to the intersection of 30 Avenue and Northland Drive, will ultimately service most of the future development lands in east Red Deer. The City is proposing to extend trunk servicing south, along 30 Avenue, in 2014 in conjunction with the intersection improvements proposed at the intersection of 30th Avenue and 67 Street. The Evergreen development will connect to this new 30 Avenue trunk sewer at the northwest corner of the development. The sanitary sewer system will also designed to convey the design flows generated in NE 26.

All the sanitary sewer facilities will be designed in accordance with The City of Red Deer Design Guidelines and will be the developer’s responsibility to maintain until the end of the two year maintenance period when this infrastructure will be turned over to The City of Red Deer. The overall conceptual sanitary sewer system for this development is shown on **Figure 28 - Sanitary Servicing** on page 62.



Sanitary Reduction Initiatives

Sanitary reduction will take place on a household basis by encouraging builders to install more efficient plumbing solutions during the time of home building.

WATER SERVICING

There is an existing 300mm watermain that is located at the intersection of the 30 Avenue and Carrington Drive. When this watermain is extended north up 30 Avenue in 2015, it will provide water service to the Evergreen development area. There will be a minimum of two connections to this 300mm water line along the west boundary of the neighborhood in order to provide water looping throughout the development. Ultimately there will be an additional looping provided to the future development area to the south. Also as shown there are future water stubs provided to the adjacent land parcel to the east.

All waterlines will be designed in accordance with the City of Red Deer Guidelines and will become the responsibility of The City of Red Deer to maintain after a two year maintenance period.



Water Reduction Initiatives

Reduction in water use will take place on a household basis by encouraging builders to install more efficient appliances during time of home construction, and encouraging home owners to utilize water-efficient landscaping techniques. In addition, the Developer will also be utilizing landscaping techniques throughout the neighbourhood's public spaces that will reduce the amount of water needed for its maintenance.



SERVICING EFFICIENCIES

Evergreen has been designed to utilize front servicing rather than the City of Red Deer's standard lane servicing model. This has been done for the following reasons:

- minimize the use of lanes thereby increasing the amount of developable land and increasing residential density
- allow for enhanced streetscapes
 - » provide separated sidewalks on both sides of all collector and two-way local roadways
 - » include landscaped boulevards to increase visual appeal, provide future shade to

- pedestrians, and increase safety by providing a barrier between pedestrians and motorists
- » create strong pedestrian connections by increasing pedestrians' comfort level within the roadway network
- maximize the amount of homes backing onto green spaces
- increase the level of interaction between homes and open spaces

SHALLOW UTILITIES

Shallow utility services will be provided by the following companies:

- ATCO Gas (Natural Gas)
- The City of Red Deer E.L. & P. Department (Electricity and Streetlights)
- Telus Communications (Telephone)
- Shaw Cable (Cable Television)

These utility providers are intended to extend their infrastructure from the North Highway Connector in order to service the Plan Area. The shallow utility alignments will be established during preparation of the servicing study of Evergreen.

Location of all shallow and deep utilities within roadway rights-of-way will be determined during the Servicing Study stage in association with roadway cross-section review and finalization.

Figure 27 - Stormwater Servicing



LEGEND

- | | | | |
|-------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------|-------------------------|
|  | Storm Water Servicing |  | Storm Outlet/Inlet |
|  | Flow Direction |  | Storm Stub |
|  | Storm Trunk |  | Major Overland Drainage |

Figure 28 - Sanitary Servicing



LEGEND

- | | | |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
|  Sanitary Servicing |  Sanitary Trunk |  Sanitary Stub |
|  Flow Direction |  Manhole Location | |

Figure 29 - Water Servicing



LEGEND

— Water Servicing

—| Water Stub

implementation

Figure 30 - Phasing Plan

LEGEND

- Phasing Boundary
- 6 Phasing Sequence



PHASING

Infrastructure to service the first phase of Evergreen will be extended east from the sanitary and storm trunks located along 30th Avenue. Each successive stage will be developed with the logical and economical extension of municipal services with the intent of meeting the needs of the regional and local housing market.

The early phases are expected to start along the gateway roadway into Evergreen, including the main stormwater pond, and proceed south, north, and west. The phasing boundaries shown are conceptual in nature and may vary from those shown when redesignation and subdivision applications are made. Phasing boundaries also may be adjusted to accommodate the abandonment and removal of the Conserve Oil pipeline running north to south along the western boundary of the Plan Area. Portions of separate phases may be developed concurrently if there is sufficient demand and/or if municipal servicing is made more efficient as a result.

To minimize the impact to the existing ravine, Phase 7 is intended to be developed in cooperation with the adjacent quarter section to the east. This coordination would facilitate providing access and servicing to the area.

In areas adjacent open space, a construction boundary will be set prior to home construction to protect existing vegetation and prevent encroachment.

For the residential area located the southeast corner of the plan, allocated for R1G – residential small lot development, further analysis is required to identify adequate snow storage capacity. Evergreen’s Developer shall work with the City of Red Deer to determine a solution for snow storage in the R1G area prior to subdividing the R1G phase.

Connections into Adjacent Areas

In addition to the servicing negotiations identified on page 58, Evergreen’s Developer may be required to register City of Red Deer rights-of-way to facilitate the



installation of roadway extensions connecting to the adjacent quarter section to the east, if development is anticipated to proceed on this adjacent parcel prior to roadways reaching the quarter section boundary.

This requirement will be imposed by way of a Supplementary Condition in a future Development Agreement for a development phase in Evergreen if the City’s Development Section determines it to be necessary in order to allow the adjacent quarter to the east timely access.

REDESIGNATION AND SUBDIVISION

Redistricting and subdivision applications, to conform to the land use designations described in this NASP, will be undertaken as necessary. Guided by The City of Red Deer Municipal Development Plan, The City of Red Deer East Hill Major Area Structure Plan, and the Evergreen NASP, redesignation and subdivisions must conform to The City of Red Deer Land Use Bylaw and all applicable statutory

plans in addition to the informational requirements necessary for each application.

DETAILED DESIGN AND MAINTENANCE



Design Report & Architectural Guidelines

To guide the visual aesthetic of the neighbourhood, subsequent design documents will be created. These documents will not be approved by the City of Red Deer as they are intended for Developer use only.

Community Conceptual Design Report

The Community Conceptual Design Report describes the overall theme and feeling of the community’s public spaces. Topics addressed within this Report may include but will not be limited to the following:

- Explanation of community name and logo
- Entry feature locations and design
- Areas of enhanced landscaping with design
- Description and design of streetscape

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- Identification of lighting style and decorative banners
- Identification of streetscape furniture
- Description of trail and open space network
- Location and design of community fencing

Architectural Guidelines

Architectural Guidelines will be created for the Evergreen community to guide home builders towards the outlined vision for the neighbourhood. Topics covered in these guidelines will include the following:

- Site planning: house placement, setbacks, grades, walkways, driveways, etc
- Architectural design: housing product, style, repetition, corner lot requirements, backing onto public green space, walkout lots, roof pitch, chimneys, windows, dormers, exterior lighting, porches, etc
- Building materials: primary and secondary walls, masonry, trim, roofing, doors, colours, etc
- Built Green guidelines



CPTED

All parks and public spaces will be designed using the principles of Crime Prevention Through Environmental Design. Such design features may include:

- Increasing natural surveillance by facing house windows toward public areas
- Utilizing semi-transparent fencing around park spaces
- Reducing glare by choosing appropriately scaled lighting
- Implementing a high quality maintenance program to reinforce pride and ownership of public spaces

These design features will be integrated into the design of Evergreen during the detailed design process for public open spaces and may be incorporated into the Architectural Controls where appropriate to enhance safety in private areas such as the commercial site.



Home Owners' Association

The Evergreen community may be run via a Home Owners Association (HOA). An HOA provides the opportunity for long term maintenance for enhancements of the Evergreen neighbourhood, which are over and above the standards set by the City of Red Deer's *Neighbourhood Planning and Design Standards*. Residents pay an annual fee which contributes to the management and maintenance of Evergreen. Details regarding what the HOA will provide for residents will be determined by the Developer prior to lot sales.

It should be noted that a Home Owners Association is registered as a Restrictive Covenant on the title of each home.

An agreement with the City of Red Deer would be required to identify what the responsibility of the City and the HOA will be. Although Evergreen's amenities will be partially funded by an HOA, access of the open space system and trails will be open to everyone.



August 24, 2021

Land Use Bylaw Amendment 3357/F-2021

Rezoning 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District

Consideration of Second and Third Reading

Prepared By: Jennifer Hankey, Corporate Meeting Administrator

Department: Legal & Legislative Services

Report Summary & Recommendation:

Summary:

The attached report is being brought forward from the Tuesday, July 20, 2021 City Council meeting.

Recommendation:

That Council consider second and third readings to Bylaw 3357/F-2021.

Background:

On July 20, 2021 Council gave first reading to Land Use Bylaw Amendment 3357/F-2021 to rezone 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District.

Proposed Resolution:

That Bylaw 3357/F-2021 be read a second and third time.

Originally submitted at the
July 20, 2021 Council
Meeting



March 29, 2021

Land Use Bylaw Amendment 3357/F-2021 Rezoning 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District

Prepared by: Christi Fidek
Department: City Planning & Growth Department

Report Summary & Recommendation

Administration has received an application for the rezoning of 2803 50 Avenue from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District to accommodate a future conversion of the existing 94 room motel into 50 apartment-style dwelling units. The bylaw also proposes to allow for hotels, motels, and hostels as a discretionary use in the C5 district when fronting Gaetz Avenue or 67 Street.

Administration recommends that Council proceed with first reading of Land Use Bylaw 3357/F-2021 for the rezoning of 2803 50 Avenue from C4 to C5.

Proposed Resolution

That Bylaw 3357/F-2021 be read a first time.

If first reading is given, this bylaw will be advertised with a public hearing to be held on Tuesday, August 24, 2021.

Rationale for Recommendation

1. Aligns with City plans and policies

The rezoning is consistent with the Municipal Development Plan, Multi-modal Transportation Plan and the general purpose of the C5 district.

2. Compatible and complementary to surrounding uses

The C5 district is based on the premise of a mixed use, pedestrian-focused environment. Housing in this area would be well served by neighbouring businesses and amenities.

3. Future flexibility and diversity of uses.

Residential uses will add to the diversity of uses along 50 Avenue. By adding hotels and motels as a use in C5, the landowner has the flexibility to revert the building back to a motel if desired in the future.

Discussion and Analysis

Background

The property is currently zoned C4 Commercial (Major Arterial) and is located in the Bower neighbourhood along Gaetz Avenue (50 Avenue) north of Bower Place shopping centre. There is currently a 94 room motel located on the site. If the proposed bylaw is approved, the landowner proposes to apply for a development permit to convert the existing motel into approximately 50 apartment-style dwelling units. This would be a permitted use. Other C5 uses which support residential living would also be considered by the landowner; this may include a restaurant. Currently hotels, motels and hotels are not a listed use within the C5 district; the proposed bylaw allows for them as a discretionary use along Gaetz Avenue and 67 Street. This is to allow for flexibility should the landowner wish to revert back to a motel in the future.

Surrounding properties are commercial uses. Bower Place shopping centre is located directly south of the property, an auto dealership is located west, and another motel (Travelodge) is located north. All of these are within the C4 district. A strip mall zoned DC(1) containing a pharmacy, medical offices, and legion centre is located to the east. Located north of the auto dealership is the Sandman Hotel (DC(8)), this hotel has converted a portion of the building into a multiple family building. The Travelodge also has a site exception allowing for up to 47 one bedroom residential units as a permitted use. These units have not been developed. The property is within walking distance of many retail and service establishments as well as Red Deer College. The site is also well served by public transit stops nearby. There is no area structure or redevelopment plan covering the subject property.

Analysis

Municipal Development Plan (MDP)

The MDP contains general policies that support infill and intensification of land as well as transitioning and revitalization of commercial areas for mixed use developments. The MDP policies specifically recognize Gaetz Avenue as an area for residential intensification. Opportunities for intensification of land use, mixed use development and improvements to make 50 Avenue more pedestrian friendly and transit oriented should be promoted and encouraged. See Appendix B for relevant policies. The proposed bylaw is consistent with the policies in the MDP.

Multimodal Transportation Plan

This plan identifies the need to tie mobility and land use together. It encourages higher-density uses to be located along arterial roadways to support the City's transit system, see Appendix B. The proposed bylaw is consistent with the Multimodal Transportation Plan.

Land Use Bylaw (LUB)

The applicant has specified that they would like to convert the existing motel into apartment-style dwelling units. Dwelling units of any kind are not listed as a use in the C4 district and therefore rezoning or a site exception is required.

C5 District

The purpose of the C5 district is to allow for a variety and mix of commercial and residential uses. Uses within the C5 district cater to a walkable and pedestrian focused environment and include housing types such as multi-attached buildings (town houses) and multiple family buildings (apartments) with some commercial.

C5 also has design criteria such as residential development not fronting an arterial roadway, and street facing ground floor units having their own private front yard. In comparison, the C4 district focusses on businesses catering to those traveling by automobile. Because both C4 and C5 are commercial districts the uses between the two are similar and compatible. See Appendix C for a comparison of the two district uses. Based on the proximity to restaurants, shopping centres, transit stops and other services the location meets the purpose of the C5 district. Both the C4 and C5 district have been included in Appendix D.

The proposed bylaw also includes an amendment to the C5 district to allow for hotels, motels and hostels along Gaetz Avenue and 67 Street as a discretionary use; this allows for the option of reverting the building back into a motel in the future. Hotels, motels and hostels in the C5 district will be restricted to Gaetz Avenue and 67 Street as these areas are already commercial in nature. This is in alignment with policy in the MDP that identifies Gaetz Avenue and 67 Street as the primary and secondary arterial commercial areas.

Site Exception

Similar to the Travelodge, Council may consider a site exception to allow residential uses on the site. This would include a 50 unit multiple family building (apartment building) on the site while retaining the C4 zoning.

Previously when the Travelodge had applied for a site exception no other land use district was considered. The C5 district was only created earlier in the same year and had not been applied to any areas outside of the Timberlands North area. Since that time it has been successfully expanded to Timber Ridge, Lancaster Meadows, and Vanier Woods. Had the site exception been applied for today, the C5 district would have also been considered.

Considering policies and regulations that are currently in place, Administration does not support a site exception even though one has been granted for a similar use to the north. A site exception for this location does not align with the new site exception criteria approved by Council in February 2021. A site exception would not be for unique characteristics, innovative ideas, or unusual site constraints; in addition, the same results could be achieved by rezoning to C5.

Hotel Trends

Hotels and motels have been exploring alternate options for redevelopment as the future of traditional hotel use is in question. Rezoning and reuse of the motel is an effective and efficient method to ensure vitality and flexible use options for this site and area now and in the future. Many municipalities, such as Calgary and Edmonton, are experiencing similar use conversions of hotel sites.

In addition to the Travelodge, both the Baymont Inn (C1 Commercial (City Centre) District) located downtown and the Sandman Hotel (DC(8)) along Gaetz Avenue have converted a portion of their hotel use to residential units. As C1 allows for both hotels and multiple family buildings no rezoning was required for the Baymont Inn.

Dialogue

The application was circulated to various City departments for review. All comments have been incorporated into the proposed bylaw.

An information package was also sent to landowners within 100m of the site. In total 11 letters were mailed. One landowner has provided comments, see Appendix E.

Appendices

Appendix A – Location and Land Use Maps

Appendix B – Relevant City Policies and Objectives

Appendix C – C4 and C5 Use Comparison

Appendix D – Land Use Bylaw Excerpts

Appendix E – Dialogue

BYLAW NO. 3357/F– 2021

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 following use is added to section 5.6.1.1(b) and all uses are listed in alphabetical order:
 - Hotel, motel or hostel
2. Section 5.6.1.2 is deleted and replaced with:
 - (a) Table 5.6.1 C5 Regulations

Regulations	Requirements
Residential Floor Area Minimum	37.0 m ² per dwelling unit
⁷ Office Area Maximum	930 m ²
Site Coverage	Residential: Maximum 80% (includes parking structures and accessory buildings) Commercial: Minimum one third of site area (ground floor)
Building Height	Multiple family, mixed use, commercial or public building: <ul style="list-style-type: none"> • maximum 4 storeys Multi-attached building: <ul style="list-style-type: none"> • minimum 2 storeys; • maximum 2½ storeys
Landscaped Area Minimum	15% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Design Criteria	Subject to section 5.6.1 (4)

(b) Hotel, motel and hostel Use Provisions

- (i) Notwithstanding that a hotel, motel or hostel is listed as a discretionary use in this district, such use is only allowed if the hotel, motel or hostel faces Gaetz Avenue or 67 Street.
3. The lands shown cross-hatched on Land Use District Map 4/2021 (“Map 4/2021”) attached as Schedule “A” and forming part of this Bylaw are redesignated from C4 Commercial (Major Arterial) District to C5 Commercial (Mixed Use) District.

4. The "Land Use District Map M12" contained in "Schedule A" of the Land Use Bylaw are hereby amended in accordance with Map 4/2021 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2021.

READ A SECOND TIME IN OPEN COUNCIL this day of 2021.

READ A THIRD TIME IN OPEN COUNCIL this day of 2021.

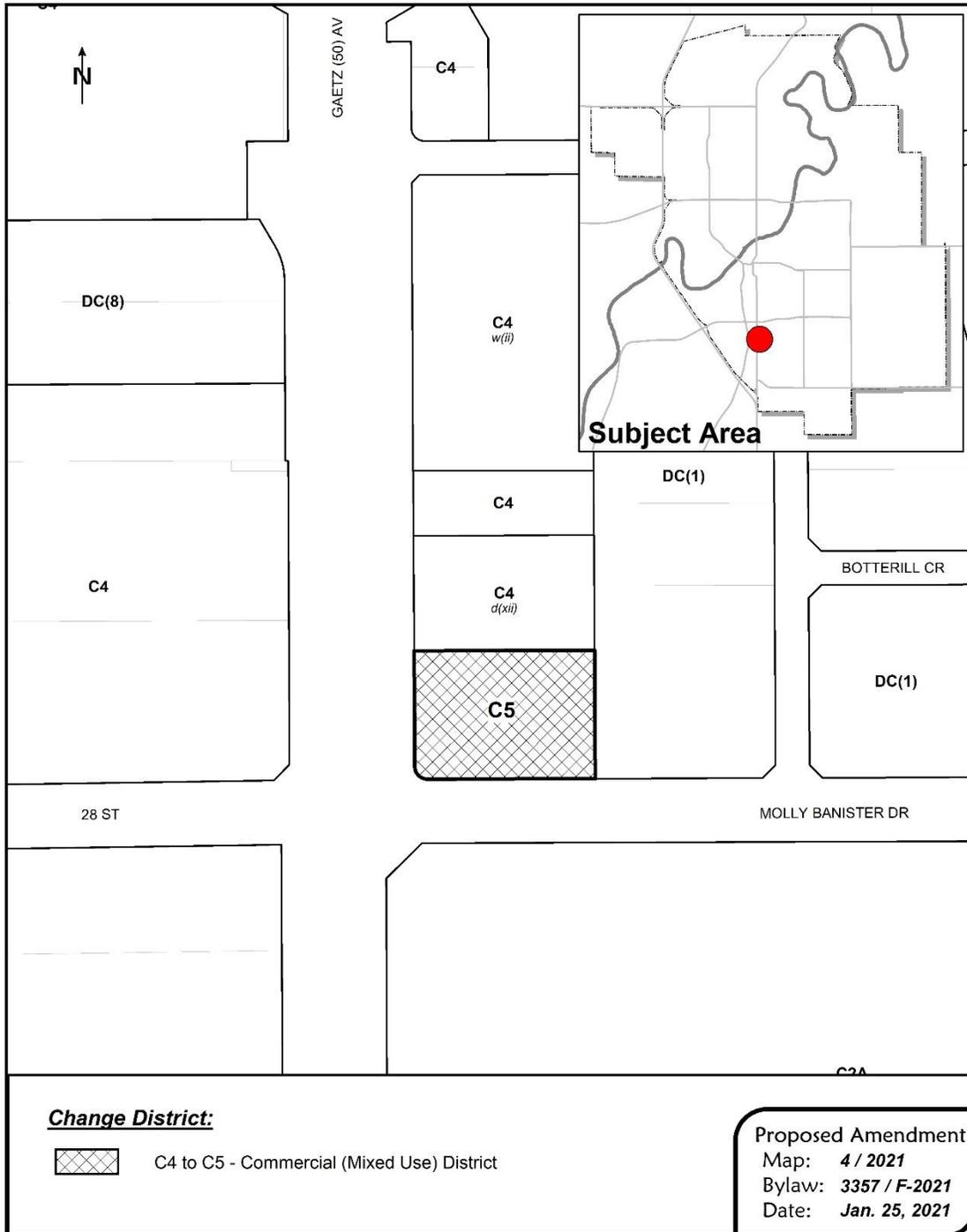
AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2021.

MAYOR

CITY CLERK

Schedule "A"

 **Red Deer** Proposed Amendment to Land Use Bylaw 3357/2006



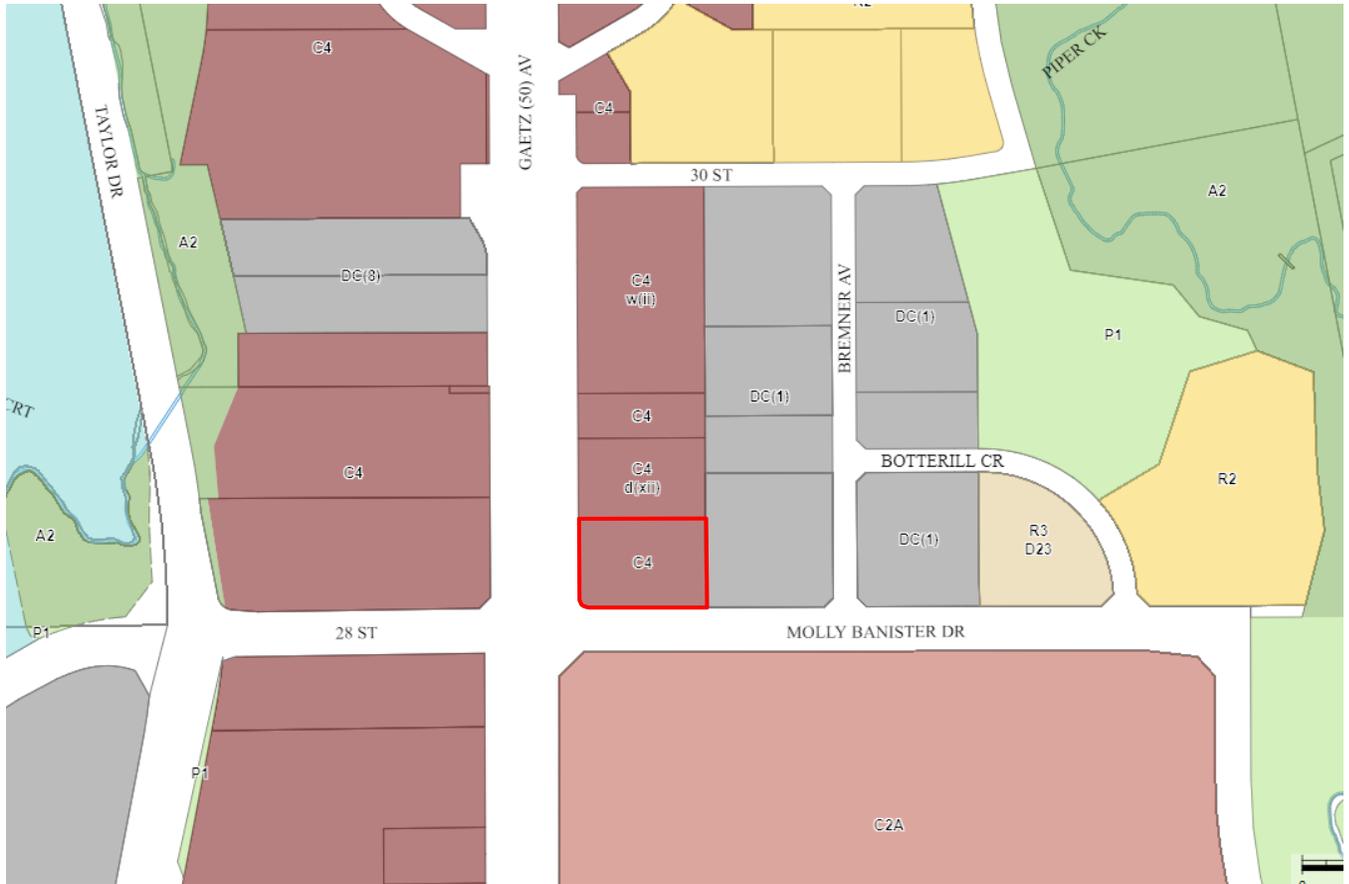
APPENDIX A

Location and Land Use Maps

Location Map – Subject Site Outlined in Red



Land Use Map - Subject Site Outlined in Red



APPENDIX B

Relevant City Policies and Objectives

Municipal Development Plan

5.10 Redevelopment and Intensification

The City shall undertake reviews of potential redevelopment and intensification opportunities in the established areas, including but limited to:

- Greater Downtown
- Gaetz Avenue Corridor
- Michener Centre Lands
- Red Deer College area
- Vacant and under-utilized sites in communities

5.18 Infill Development

The City should support infill residential and commercial development on vacant or underutilized parcels of land in established areas, particularly along major transit routes.

10.9 Infill and Intensification in Established Neighbourhoods

Intensification shall be encouraged in established neighbourhoods through residential and mixed use infill projects where there is adequate capacity in major municipal infrastructure and in accordance with the infill guidelines referred to in Policy 10.10, unless otherwise determined through an approved area structure plan or area redevelopment plan.

10.11 Neighbourhood Resilience

Neighbourhood design considers the full lifecycle of a neighbourhood including consideration of building and public realm and how they will transition based on resident's needs.

Neighbourhood design will achieve economic sustainability through innovative design solutions.

12.8 Gaetz Avenue and 67 Street Commercial Corridors

The Gaetz Avenue commercial corridor shall be the primary arterial commercial area within the city and the 67 Street commercial corridor shall be a secondary arterial commercial area. In the areas shown on the Generalized Land Use Concept map as a major urban corridor, opportunities for intensification of land use, mixed use development and improvements to make these corridors more pedestrian friendly and transit oriented should be promoted and encouraged.

12.10 Revitalization of Older Commercial Centres

The City should encourage the revitalization and adaptive reuse of underutilized or vacant commercial centres for future mixed use developments.

Multimodal Transportation Plan

3. Consideration for land use in transportation planning

The *Mobility Playbook* recognized the need to “tie mobility and land use together.” The type of land use must be considered in mode connection and quality criteria, as particular land uses will generate the number of users for the given modes of travel. For instance, higher-density land uses should be located near neighbourhood entrances and along arterials to support

integration with our transit system, as density is needed to support transit viability and efficiency.

The transit section of this plan specifically recognizes the major destinations in the city where many people live, work or visit. The transit system needs to connect with hubs, centres of education, and centres of employment in an integrated, efficient, and logical manner.

APPENDIX C

C4 and C5 Use Comparison

	C4 and C5	C4 Only	C5 Only
Uses	<ul style="list-style-type: none"> • Accessory Building or use • Building Sign • Commercial Recreation Facility • Commercial Service Facility • Drinking Establishment (adult entertainment prohibited) • Dynamic Fascia Sign • Dynamic Freestanding Sign • Freestanding Sign • Health and Medical Services • Merchandise Sales and/or Rentals • Outdoor display or sale of goods • Restaurant • Transportation, communication or utility facility 	<ul style="list-style-type: none"> • Above ground storage tanks for motor fuel products including propane and used oil • Billboard Sign • Cannabis Retail Sales • Dangerous goods occupancy • Drinking establishment (adult entertainment permitted) • Funeral Home • Gaming or Gambling Establishment • Hotel, motel or hostel • Outdoor storage • Service and repair of goods traded in C4 District • Warehouse 	<ul style="list-style-type: none"> • Assisted Living Facility • Commercial Entertainment Facility • Day Care Facility • Dwelling Units above ground • Home Occupations which will not generate traffic • Live work unit • Multi-attached Building with a minimum density of 35 du/ha • Multiple Family Building with a minimum density of 35 du/ha • Office not to exceed 10% of the gross commercial floor area • Parking Lot/Parking Structure • Place of worship or assembly • Public and quasi-public buildings • Sale of fuel • Show Home or Raffle Home

APPENDIX D

Land Use Bylaw Excerpts

5.6 C4 Commercial (Major Arterial) District**C4****General Purpose**

The general purpose of this District is to facilitate the development of the primary location for trade and service related to automotive transportation and the automobile traveller, and other commercial land uses which are built at low densities, in planned centres, generally, to serve the city and the region, as a whole.

1. C4 Permitted and Discretionary Uses Table**(a) Permitted Uses**

- (i) ¹Building Sign
- (ii) Commercial recreation facility.
- (iii) Commercial service facility.
- (iv) ²Freestanding Sign.
- (v) ³Merchandise Sales and/or Rentals (minimum floor area for a building or a comprehensively designed group of buildings – 929.0m² (there is no minimum floor area for the units within the building(s)))
- (vi) Restaurant.
- (vii) Service and repair of goods traded in the C4 District.
- (viii) ⁴DELETED
- (ix) ⁵Office

(b) Discretionary Uses

- (i) Above ground storage tanks for motor fuel products including propane and used oil.
- (ii) Accessory building or use subject to section 3.5.
- (iii) ⁶Billboard Sign;
- (iv) Dangerous goods occupancy.
- (v) Drinking establishment (adult entertainment prohibited and subject to section 5.7(8)).
- (vi) Drinking establishment (adult entertainment permitted and subject to section 5.7(8)).
- (vii) ⁷Dynamic Fascia Sign; and
- (viii) ⁸Dynamic Freestanding Sign.
- (ix) Funeral Home.

¹ 3357/B-2018² 3357/B-2018³ 3357/L-2018, 3357/L-2020⁴ 3357/B-2018⁵ 3357/I-2020⁶ 3357/B-2018⁷ 3357/B-2018⁸ 3357/B-2018

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(x) ¹Health and Medical Services**(b) Discretionary Uses *continued***

(xi) Hotel, motel or hostel.

(xii) ²Merchandise Sales and/or Rentals (no minimum floor area for a building or unit within the building)(xiii) ³Outdoor display or sale of goods.(xiv) ⁴Deleted

(xv) Transportation, communication or utility facility.

(xvi) Warehouse.

(xvii) ⁵Outdoor storage.(xviii) ⁶Gaming or Gambling Establishment subject to section 5.7 (1) (g)(xix) ⁷Cannabis Retail Sales**2. C4 Commercial (Major Arterial) District Regulations**

(a) Table 5.6 C4 Regulations

Regulations	Requirements
⁸ Floor Area Maximum	One third of site area ⁹ Office area – 4,645m ²
Building Height Maximum	Three storeys
Front Yard Minimum	15.0 m
Side Yard Minimum	Nil, when there is a constructed lane 3.8 m on one side when there is no constructed lane 3.0 m when it abuts a street
Rear Yard Minimum	3.0 m
Landscaped Area Minimum	40% of minimum front yard, however, if it is determined by the Development Authority that landscaping is required elsewhere on the site, then 15 % of the site area may be required to be provided
Parking	Subject to section 3.1 and 3.2
Loading Spaces Minimum	One opposite each loading door with a minimum of one per building, subject to section 5.7(3)
Site Area	Minimum 1393 m ² Maximum 4.0 ha
Frontage	Minimum 30.0 m

¹ 3357E/2011² 3357/L-2018, 3357/S-2019, 3357/L-2020³ 3357/E-2006⁴ 3357/G-2016, 3357/B-2018⁵ 3357/E-2006⁶ 3357/J-2007⁷ 3357/P-2018⁸ 3357/G-2018⁹ 3357/I-2020

- (b) C4 District is subject to any applicable commercial regulations listed within section 5.7.

3. C4 Commercial (Major Arterial) Site Development

- (a) The relationship of the use to adjacent residential areas will be a factor in considering the size, site plan and architectural treatment of the building.

15.6.1 C5 Commercial (Mixed Use) District



General Purpose

The general purpose of this District is to allow for a variety and mix of commercial and residential uses in the context of a sustainable, healthy and pedestrian focused neighbourhood. This area is suitable for collector street orientated retail development incorporating residential uses above. While mixed use commercial buildings that combine living alternatives with community orientated commercial uses are envisioned, separate freestanding residential or commercial buildings will be allowed.

1. C5 Permitted and Discretionary Uses Table

(a) ² Permitted Uses
(i) ³ Building Sign
(ii) Day care facility
(iii) Dwelling units above the ground floor
(iv) ⁴ Freestanding Sign
(v) Health and medical services
(vi) ⁵ Deleted
(vii) Home occupations which, in the opinion of the Development Officer, will not generate traffic subject to section 4.7(8)
(viii) Live work unit subject to section 4.3.2(2)(b)
(ix) ⁶ Merchandise Sales and/or Rentals excluding motor vehicles, fuel and all uses where the primary focus is adult orientated merchandise and/or entertainment
(x) Multiple family building with a minimum density of 35 dwelling units/hectare
(xi) Multi-attached buildings with a minimum density of 35 dwelling units/hectare
(xii) ⁷ Restaurant without drive-through
⁸ (xiii) Show Home or Raffle Home.
(xiv) ⁹ Deleted
(xv) ¹⁰ Office

¹ 3357/L-2013

² 3357/D-2015

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/S-2019

⁶ 3357/L-2018, 3357/L-2020

⁷ 3357/G-2018

⁸ 3357/T-2015

⁹ 3357/B-2018

¹⁰ 3357/I-2020

City of Red Deer Land Use Bylaw 3357/2006

(b) ¹Discretionary Uses	
(i)	Accessory building or use
(ii)	Assisted living facility
(iii)	Commercial entertainment facility
(iv)	Commercial recreation facility
(v)	Commercial service facility
(vi)	Drinking establishment (adult entertainment prohibited) and subject to section 5.7(8)
(vii)	² Dynamic Fascia Sign
(viii)	³ Dynamic Freestanding Sign.
(ix)	⁴ DELETED
(x)	Parking lot/parking structure
(xi)	Place of worship or assembly
(xii)	Public and quasi-public buildings
(xiii)	Transportation communications or utility facility
(xiv)	Outdoor display or sale of goods
(xv)	⁵ Restaurant with drive-through
(xvi)	Sale of fuel
(xvii)	⁶ DELETED

2. C5 District Regulations

Table 5.6.1 C5 Regulations

Regulations	Requirements
Residential Floor Area Minimum	37.0 m ² per dwelling unit
⁷ Office Area Maximum	930m ²
Site Coverage	Residential: Maximum 80% (includes parking structures and accessory buildings) Commercial: Minimum one third of site area (ground floor)
Building Height	Multiple family, mixed use, commercial or public building: <ul style="list-style-type: none"> ▪ maximum 4 storeys Multi-attached building: <ul style="list-style-type: none"> ▪ minimum 2 storeys; ▪ maximum 2½ storeys

¹ 3357/D-2015

² 3357/B-2018

³ 3357/B-2018

⁴ 3357/G-2018, 3357/I-2020

⁵ 3357/G-2018

⁶ 3357/B-2018

⁷ 3357/I-2020

 City of Red Deer Land Use Bylaw 3357/2006

Landscaped Area Minimum	15% of site area
Parking Spaces	Subject to sections 3.1 & 3.2
Design Criteria	Subject to section 5.6.1 (4)

3. Approving Authority

- (a) The Development Authority is the Approving Authority for all uses and development in this district. In exercising its approval powers, the Development Authority shall ensure that development, in addition to the above District Regulations, also conforms with any Design Criteria as set out in an applicable overlay district.
- (b) All development standards, site plan, site access, the relationship between buildings, structures and open space, the architectural treatment of any building, the provision and architecture of landscaped areas, and the parking layout shall be subject to approval by the Approving Authority.

4. Design Criteria

The following Design Criteria regulations are applicable to the C5 Commercial (Mixed Use) Land Use District.

- (a) Regulations for all Developments
 - (i) The physical relationship of building with the street is critical in establishing the overall character of the area. The building shall have a strong presence along its public street fronting property line and an inviting interface with the public realm's sidewalk and street.
 - (ii) Developments shall create variety, character, comfortable scale and visual interest by incorporating a variety of building styles.
 - (iii) The Principles of Crime Prevention through Environmental Design (CPTED) shall be applied to all development.
 - (iv) High quality hard and soft landscaping elements shall be provided including trees and shrubs that add value throughout all seasons.
 - (v) Developments shall be designed with green technologies and materials that reduce energy, waste and conserve water (i.e. green roofs, solar energy systems, district energy).

 City of Red Deer Land Use Bylaw 3357/2006

- (vi) Buildings fronting collector streets shall have minimal front yard setbacks unless additional space is required for such things as an eating patio, major private art display, water feature or other amenity.
- (vii) The rear yard setbacks shall be flexible and as required to allow for site access, on-site parking, loading and servicing.
- (viii) Developers shall create opportunities for pedestrian linkages with adjacent properties.
- (ix) Street elevations of buildings located on corner properties shall have equal sidewalk interface and architectural corner features and high quality elevation treatments along each street edge.
- (x) Building walls facing a public street shall be articulated at approximately 6-8 metre intervals containing varied design elements such as entrances, windows, vertical accents, setbacks, canopies and signage, projections, and roof lines.
- (xi) ¹When fronting a road right of way, the front elevation of any commercial or multiple family building exceeding 2 storeys in height shall be set back from the lower floors. Residential floors above any street level commercial shall be set back from the commercial level building face. As many residential units as possible shall view the street.
- (xii) All businesses or stores shall have their own clearly identifiable street level entry.
- (xiii) ²All commercial ground floor elevations facing a Street shall contain un-tinted glass windows. Ground floor windows may have window signs.
- (xiv) Underground parking is highly encouraged. All surface parking shall be paved and located behind the building(s) in carefully designed, landscaped lots with defined, integrated pedestrian connections to public sidewalks and trails. No surface parking shall be allowed between a street and a building.
- (xv) To assist in establishing a sustainable urban environment, internal private laneways are encouraged as part of the design to allow servicing, access to parking, as well as key pedestrian linkages.

¹ 3357/V-2017

² 3357/N-2018

(xvi) ¹DELETED

(b) Regulations for Free-standing Residential Developments

- (i)** No residential development to front an arterial roadway.
- (ii)** Street facing ground floor units shall have their own individual access from the public sidewalk through a private front yard or courtyard. Each street-facing unit on higher floors shall have its own balcony with glass or ornamental metal railing.
- (iii)** Each ground floor unit shall have a private, landscaped front yard. Front fencing may be used to provide security, but no solid fence shall be allowed higher than 1.0 metre above the sidewalk level.
- (iv)** Ramps to underground parking should be located at the rear or side of the building rather than from a front street location.
- (v)** No on-site parking shall be allowed in the front yard of any residential building.”

¹ 3357/B-2018

8.22 Exceptions Respecting Land Use

1. General Regulations

- (a) An exception to the uses and/or regulations of a District or this Bylaw may be approved by Council on a site specific basis when a proposed Development, because of its unique characteristics or innovative ideas or because of unusual site constraints, can only proceed if an exception to the provisions of this Bylaw is approved.
- (b) Exceptions to the uses and/or regulations of a District shall not be sought:
 - (i) if a redistricting to another District could achieve the same result either with or without relaxations of this Bylaw; or
 - (ii) to regulate matters that are typically addressed by conditions imposed by the Subdivision or Development Authorities.
- (c) An applicant for an exception to the uses and/or regulations of a District shall, as part of the application for the exception, submit a written statement indicating why, in the applicant's opinion, an exception is necessary and why the proposed Development cannot proceed without an exception.

APPENDIX E

Dialogue



CITY PLANNING & GROWTH DEPARTMENT

Date: January 26, 2021

«Prime_Owner_Name»

«Owner_Address_1»

«Owner_Address_2»

To: Landowners within 100 m of 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR)

Re: Proposed rezoning of 2803 50 Avenue

Why have you received this letter?

You are being notified of a proposed amendment to the Land Use Bylaw (Bylaw 3357/F-2021). As part of the City's overall evaluation process, landowners within 100 metres of the site are provided with an opportunity to review and comment on the proposed amendment. As you are a landowner within 100 metres of the subject site, you are invited to review and provide comments on the proposed amendments by **Tuesday, February 16, 2021**.

What is being proposed?

The City Planning & Growth Department has received an application to amend the Land Use Bylaw to rezone 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) from the C4 Commercial (Major Arterial) District to the C5 Commercial (Mixed Use) District. This rezoning would accommodate a future conversion of the existing building on the site into approximately fifty apartment-style dwelling units.

A map of the area has been attached for your reference. The C4 and C5 districts can be found on the City's webpage at: <https://reddeer.ca/city-government/bylaws/land-use-bylaw/> (Scroll down and click on Land Use Bylaw 3357/2006 - Part 5 - Commercial Districts and Regulations (pdf). C4 begins on page 5-20 and C5 begins on page 5-23.)

Do I have to provide comments?

It is optional to provide comments. If you would like to submit comments, please do so by **4:30 PM, Tuesday, February 16, 2021**. Methods for submitting comments are outlined in the attached comment sheet.

What will happen if I submit comments?

All comments received will be reviewed by City of Red Deer City Planning & Growth staff. They will be incorporated into the report that will be presented to Council when they consider First Reading of the proposed amendments.

What is the next step for this amendment?

City Planning & Growth Department 4914-48 Avenue Phone: 403-406-8700 Fax: 403-342-8200 Email: planning@reddeer.ca

It is anticipated that the proposed bylaw will be presented to Council for consideration in the coming months. If Council gives First Reading to the proposed amending bylaw, Council must hold a Public Hearing prior to considering Second and Third Reading (adoption) of the proposed bylaw. Public Hearings are advertised in the Friday edition of the Red Deer Advocate and all landowners within 100-metres of the site will also receive written notification of the Public Hearing. The Public Hearing is an opportunity for the public to speak directly to Council about any concerns they may have with the proposed bylaw.

Thank you for your consideration in this matter. Please do not hesitate to contact me if you require additional information or clarification.

Sincerely,

A handwritten signature in cursive script that reads "Christi Fidek".

Christi Fidek, Senior Planner
403.406.8701 (voicemail only)
christi.fidek@reddeer.ca



CITY PLANNING & GROWTH DEPARTMENT

Location Map – Subject Site Outlined in Red



Comment Sheet

**We invite you to provide feedback regarding the proposed Land Use Bylaw amendment.
Your feedback is important to us.**

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.*

Land Use Bylaw Amendment:	Bylaw 3357/F-2021 Rezoning of 2803 50 Avenue (Lot 7, Block 14, Plan 4436TR) to accommodate future apartment-style dwelling units
Planner:	Christi Fidek
Please provide comments by 4:30 PM, Tuesday, February 16, 2021.	

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: _____

Mailing Address: _____ Postal Code: _____

Phone #: _____ E-mail Address: _____

General Comments

Bremner Avenue South Centre Ltd.

#204, 33 McKenzie Crescent, Red Deer County, AB T4S 2H4

July 6, 2021

Via email Christi.fidek@reddeer.ca
Emily.damberger@reddeer.ca

The City of Red Deer
Planning Department
4914 48 Avenue, Box 5008
Red Deer, Alberta
T4N 3T4

Attention: Christi Fidek, Senior Planner
Emily Damberger, Manager of City Planning and Growth

Dear Mesdames:

Re: Proposed rezoning of 2803 50 Avenue

Further to our letter dated July 5, 2021, it has been brought to our attention by the owner of the Travel Lodge that rooms were being rented out housing to the homeless. We have been talking to the city and they have confirmed that this has taken place.

This is of great concern to us not only with respect to our existing property at Bremner Avenue South Centre but also for the property that we are potentially going to purchase ([REDACTED]). If this will be an on-going thing, businesses will not want to locate there. It will also drastically reduce the property value in the area.

Thank you,

Reg Kinch
[REDACTED]
[REDACTED]

Bremner Avenue South Centre Ltd.

#204, 33 McKenzie Crescent, Red Deer County, AB T4S 2H4

August 11, 2021

Via email legislativeservices@reddeer.ca
Christi.fidek@reddeer.ca
Emily.damberger@reddeer.ca

City Council
c/o City Clerk
2nd Floor City Hall
Box 5008
Red Deer, AB. T4N 3T4

Attention: City Council
Christi Fidek, Senior Planner
Emily Damberger, Manager of City Planning and Growth

Dear Sirs/Mesdames:

Re: Proposed rezoning of 2803 50 Avenue
Land Use Bylaw Amendment 3357/F-2021

Further to our (Reg/Christi's) conversation regarding this matter, we would like to advise as follows:

We would like to know the intention of the change to the zoning in the area. I have heard that the proposed zoning change is to accommodate one of the hotels turning some of their rooms into suites. I would like to know what the eligibility criteria is. My main concern is what impact this would have on the surrounding area.

We are concerned what affect this would have on the two properties that we have:

1. Project 1: Bremner Avenue – 2810 Bremner Avenue (Red Deer Legion Building).

This project is a redevelopment of the old Red Deer Legion Building. It consists of 35000 sq feet which has been made up of professional tenants such as:

- a. Dentist
- b. Medical
- c. Engineering firms

These business' have moved from the downtown area and are very concerned about any changes to the existing properties for housing accommodations.

2. Project 2: Black Knight Inn – 2929 50 Avenue.

We have this building under contract until August 31, 2021 with possession on October 1, 2021. We have met with the city planning on June 29th to discuss our plans for the site. The purchase groups direction is to take the building down for redevelopment for high end tenants. The group is concerned about any changes to Holiday Inn or Travel Lodge which would affect value of the property. The new development would be valued between \$30 and \$35 million. But our concerns are in the last 60 days at 2810 Bremner Avenue, we have had incidents of fence cuttings, breaking the benches and breaking into the garbage containers. It is a big concern for us pertaining to 2810 Bremner Avenue and also potential buyers of the Black Knight Inn property.

Please consider the building owners, tenants and future development for this area while considering any changes which would affect future development.

Thank you,

Reg Kinch

