



City Council Meeting Agenda

Monday, August 15, 2022 – Council Chambers, City Hall

Call to Order:	10:30 AM
Recess:	12:00 PM - 1:00 PM
Closed Meeting:	1:00 PM - 3:00 PM

1. Points of Interest

2. Consent Agenda

2.1. August 15, 2022 Consent Agenda

(Page 3)

2.1.a. Confirmation of the July 18, 2022 Regular Council Meeting Minutes

(Pages 4-7)

2.1.b. Land Use Bylaw Amendment 3357/C-2022 Omnibus amendment to improve clarity and consistency

(Pages 8-21)

2.1.c. Land Use Bylaw Amendment 3357/Q-2022 Rezoning to allow Discretionary Use of a Commercial Service Facility

(Pages 22-56)

2.1.d. Land Use Bylaw Amendment Bylaw 3357/O-2022 Rezoning from I2 – Industrial (Heavy Industrial) District to Direct Control District No. 34 for Public Assembly Use and North of 11A Major Area Structure Plan Amendment Bylaw 3554/A-2022

(Pages 57-75)

2.1.d.i. Land Use Bylaw Amendment 3357/O-2022

2.1.d.ii. Major Area Structure Plan Amendment 3554/A-2022

2.1.e. Land Use Bylaw Amendment 3357/R-2022 Capstone Site Exception
(Pages 76-100)

3. Notice of Motion

3.1. Cellular Phone Service in Red Deer – Councillor Lawrence Lee
(Page 101)

4. Closed Meeting - Time Specific - 1:00 p.m. - 3:00 p.m.

4.1. Motion for Closed Meeting

4.1.a. Administrative Technical Review Phase: Selecting a site for the future integrated shelter - FOIP Sections 25(1)(c) Disclosure harmful to economic and other interests of a public body and 24(1)(a) Advice from officials

4.2. Motion to Revert to Open Meeting

5. Public Reports

5.1. Administrative Technical Review Phase: Selecting a site for the future integrated shelter
(Page 102-111)

6. Adjournment



August 15, 2022

August 15, 2022 Consent Agenda

Prepared by: Logan Skretting, Legislative Assistant
Department: Legal and Legislative Services

Proposed Resolutions

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves the following Minutes:

- Confirmation of the Minutes of the July 18, 2022 Regular Council Meeting

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves first reading of the following Bylaws:

- Bylaw 3357/C-2022
First Reading: That Bylaw 3357/C-2022 an omnibus amendment to the land use bylaw to provide City staff and the public with clearer interpretation and increased flexibility in implementation of the Land Use Bylaw be read a first time.
- Bylaw 3357/Q-2022
First Reading: That Bylaw 3357/Q-2022 a bylaw to rezone 6204 46 Avenue from I1 Industrial (Business Support) District to IC Industrial/Commercial (Mixed Use) District and a site exception to allow Commercial Service Facility as a Discretionary Use be read a first time.
- Bylaw 3357/O-2022
First Reading: That Bylaw 3357/O-2022 an amendment to the land use bylaw to rezone from I2 – Industrial (Heavy Industrial) District to Direct Control District No. 34 for Public Assembly use be read a first time.
- Bylaw 3554/A-2022
First Reading: That Bylaw 3554/A-2022 an amendment to the North of I1A Major Area Structure Plan to identify the subject area for Public Service uses be read a first time.
- Bylaw 3357/R-2022
First Reading: That Bylaw 3357/R-2022 a bylaw to establish a site exception in the Capstone area be read a first time.



UNAPPROVED - MINUTES

**of the Red Deer City Council Regular Meeting,
held on, Monday, July 18, 2022
commenced at 10:31 AM**

Present:

Mayor Ken Johnston
Councillor Kraymer Barnstable (joined via teleconference at 2:30 p.m.)
Councillor Bruce Buruma
Councillor Michael Dawe
Councillor Victor Doerksen
Councillor Vesna Higham
Councillor Cindy Jefferies
Councillor Lawrence Lee
Councillor Dianne Wyntjes

City Manager, Tara Lodewyk
General Manager Corporate & Employee Services, Lisa Perkins
Acting General Manager Community Services, Tricia Hercina
Acting General Manager Development & Protective Services, Ken McMullen
Deputy Acting General Manager Development & Protective Services, Konrad Dunbar
Corporate Controller, Michelle Andrew
Safe and Healthy Communities Manager, Kristin Walsh
Land & Economic Development Manager, John Sennema
Social Planning Supervisor – Community Development, Bobby-Jo Stannard
Senior Planner, Christi Fidek
Senior Communications Consultant, Jill Hanes
Chief of Staff, Sean McIntyre (switched to teleconference at 11:16 a.m.)
Acting City Clerk, Jackie Kurylo
Corporate Meeting Administrator, Jennifer Hankey
Legislative Assistant, Logan Skretting

Present (via teleconference):

Chief Financial Officer, Ray MacIntosh

**I. CONSENT AGENDA****I.1. July 18, 2022 Consent Agenda**

Moved by Councillor Vesna Higham, seconded by Councillor Michael Dawe

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby approves the following Minutes and Report:

- Confirmation of the Minutes of the July 4, 2022 Regular Council Meeting
- 2021 Capital Information Report

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED

Moved by Councillor Victor Doerksen, seconded by Councillor Lawrence Lee

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby accepts the following Report for information:

- December 31, 2021 Reserve Report

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED

Moved by Councillor Vesna Higham, seconded by Councillor Cindy Jefferies

Resolved that Council of The City of Red Deer having considered the Consent Agenda from Legal & Legislative Services hereby accepts the following Report for information:

- December 2021 Variance Analysis

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael



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Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED

2. REPORTS

2.1. Downtown Identity Plan Update

Council recessed at 11:56 a.m. and reconvened at 12:02 p.m.

Council recessed at 12:32 p.m. and reconvened at 1:02 p.m.

Moved by Councillor Lawrence Lee, seconded by Councillor Michael Dawe

Resolved that Council of The City Red Deer having considered the report from Community Services Business Excellence and City Growth and Planning dated July 18, 2022 re: Downtown Identity Plan Update hereby agrees to receive the Downtown Activation Playbook as a community planning tool.

IN FAVOUR: Mayor Ken Johnston, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen, Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

ABSENT: Councillor Kraymer Barnstable

MOTION CARRIED

2.2. Permanent Shelter Update – Next Steps

Council received the report as information.

3. ADJOURNMENT

Moved by Councillor Bruce Buruma, seconded by Councillor Dianne Wyntjes

Resolved that Council of The City of Red Deer hereby agrees to adjourn the Monday, July 18, 2022 Regular Council Meeting of Red Deer City Council at 2:52 p.m.

IN FAVOUR: Mayor Ken Johnston, Councillor Kraymer Barnstable, Councillor Bruce Buruma, Councillor Michael Dawe, Councillor Victor Doerksen,



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Councillor Vesna Higham, Councillor Cindy Jefferies, Councillor Lawrence Lee, Councillor Dianne Wyntjes

MOTION CARRIED

MAYOR

CITY CLERK



August 15, 2022

Land Use Bylaw Amendment 3357/C-2022

Omnibus Land Use Bylaw Amendment

Prepared by: Haley Mountstephen, Senior Planner
Department: City Planning and Growth

Report Summary

City Administration has initiated this omnibus Land Use Bylaw (LUB) amendment to provide City staff and the public with clearer interpretation and increased flexibility in implementation of the LUB.

The proposed omnibus amendment aims to improve clarity and consistency in a number of areas including:

1. Clarification of Development Authority roles
2. Clarification of minor exterior renovations to residential buildings not requiring a permit
3. Clarification of regulations that can be varied by the Development Officer
4. Clarification of regulations for projections related to minimum yard setbacks in residential districts
5. Provision for larger Accessory Buildings in R1N District to allow standard double garages
6. Provisions for Show Home or Raffle Home as a Permitted Use
7. Clarification of sign regulations

Administration recommends Council give first reading to Land Use Bylaw 3357/C-2022 as it presents an opportunity to bring improved clarity and flexibility to the LUB.

Proposed Resolution

That Bylaw 3357/C-2022 an omnibus amendment to the land use bylaw to provide City staff and the public with clearer interpretation and increased flexibility in implementation of the Land Use Bylaw be read a first time.

If first reading is given, this bylaw will be advertised with a Public Hearing to be held on Monday, September 12, 2022.



Rationale for Recommendation

1. Amendment improves efficiency in application of LUB

The proposed amendment provides for a Show Home or Raffle Home as a Permitted Use and extends the allowable time period for Show Home permits in the LUB. The proposed amendments also provide for larger Accessory Buildings in the RIN District to accommodate standard sized double garages without need for a variance.

2. Amendment removes unnecessary red tape

The proposed amendment removes unnecessary regulations related to Freestanding Sign placement.

3. Amendment provides clarification of Approving Authority in the LUB

The proposed amendment addresses sections of the LUB where the Development Authority should be the listed Approving Authority.

Background

City Administration has initiated this Land Use Bylaw (LUB) amendment to provide City staff and the public with clearer interpretation and implementation of the LUB. The amendments proposed were identified by administration as areas where the LUB could be improved to consider a wider range of development options and to clarify the development Approving Authority.

Strategic Alignment:

The 2019-2022 Strategic Plan provides the framework for creating a strong, dynamic economy. The application is consistent with the 2019-2022 Strategic Plan.

See Appendix A for relevant policies of the 2019-2022 Strategic Plan.

Policy Linkage:

The Municipal Development Plan (MDP) provides policy direction to create positive business environments, economic diversification, and encourage infill development. The application is consistent with the MDP.

See Appendix B for relevant policies of the MDP.

Stakeholder Consultation:

The application was circulated to the Inspections and Licensing and Legal Services Departments for review. All comments have been considered within the proposed bylaw.



An advanced public consultation package has not been sent out for this low-risk application. Stakeholder consultation was not required.

Analysis

The proposed amendments are focused on red tape reduction and bringing increased clarity to the Land Use Bylaw. This allows for improved efficiency for staff and a more business-friendly approach for customers.

Provisions for the Development Authority as the Approving Authority in the LUB clarifies that the Approving Authority may be either the Development Officer or MPC.

Amendments to the sign section of the LUB clarify that the separation distance requirement for Freestanding Signs (not Dynamic Signs) are intended to address separation distances within a site and do not affect adjacent sites. The requirement for a minimum distance between the bottom of a Freestanding Sign and the ground is removed. Sightlines for signs are reviewed by the Development Officer and Engineering Departments making this regulation unnecessary.

Show Home or Raffle Home is moved from a Discretionary to a Permitted Use and Show Homes are provided a 24-month maximum time before requiring a new permit rather than the current 12-month time limit. The Show Home or Raffle Home use is compatible with other residential uses and no negative impacts have been observed.

Proposed amendments to the requirements for minor exterior renovations clarify the types of residential renovations which do not require a permit. This ensures that minor changes, such as the replacement of windows, can be completed without a Development Permit and eliminates unnecessary red tape.

Changes to the regulations for Accessory Buildings in residential districts provides for a standard size double garage to be built in the RIN District without requiring a variance where it can meet all other regulations.

The proposed bylaw is consistent with the 2019-2022 Strategic Plan, and the MDP. The proposed amendments are consistent with the objectives of red tape reduction and provision of a business-friendly environment. The amendments proposed reflect opportunities for improvements to the LUB identified by planning and development staff.

Appendices

Appendix A – Summary of Proposed Amendments

Appendix B - Relevant City Policies, Objectives, and Regulations



BYLAW NO. 3357/C-2022

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:

- I. The following sections are amended by deleting the word “Commission” and replacing it with “Development Authority”:
 - i. Section 3.18(1)
 - ii. Section 4.4(4)(b)
 - iii. Section 4.5(2)(a) Side Yard Minimum
 - iv. Section 4.5(3)(a)
 - v. Section 4.6(2)(a)
 - vi. Section 4.7(11)(e)
 - vii. Section 5.1(2)(a) Front Yard Minimum
 - viii. Section 5.1(2)(a) Side Yard Minimum
 - ix. Section 5.1(2)(a) Rear Yard Minimum
 - x. Section 5.1(2)(a) Landscaped Area
 - xi. Section 5.2(2)(a) Building Height Maximum
 - xii. Section 5.7(1)(d)
 - xiii. Section 6.2(2)(a) Site Area Minimum
 - xiv. Section 6.2(3)(a)
 - xv. Section 6.6(3)(b)(i)(2)



- xvi. Section 6.6(3)(b)(i)(3)
 - xvii. Section 7.1(2)(a) Landscaped Area
 - xviii. Section 7.1(2)(a) Frontage Minimum
 - xix. Section 7.2(2)(a)
 - xx. Section 7.2(2)(c)
 - xxi. Section 7.3(3)(a) Loading
 - xxii. Section 7.4(2)(a) Front Yard Minimum
 - xxiii. Section 7.4(2)(a) Side Yard Minimum
 - xxiv. Section 7.4(2)(a) Rear Yard Minimum
 - xxv. Section 7.4(2)(a) Landscaped Area
 - xxvi. Section 7.4(2)(a) Loading
 - xxvii. Section 8.22 (2)(a)
2. Section 1.2(2)(q) is deleted and replaced with the following:
- (q) The basement development of any residential Dwelling Unit in which the Dwelling Unit has received a development permit including, but not limited to, the addition of, or changes to, basement windows.
3. Section 1.2(2) is amended by adding a new subsection as follows:
- (v) Minor exterior renovations to a residential building including, but not limited to, changes in material, the addition of windows or doors, or changes to existing windows or doors.
4. Section 2.7(1)(j) is deleted and replaced with the following:
- (j) May, where the test set out in section 2.7(i) is met, approve, without or without conditions, a variance related to the following regulations:
5. Section 2.7(1)(j)(ii) is deleted and replaced with the following:



- (ii) minimum and maximum Front Yard;
- 6. Section 2.7(1)(j) is amended by adding a new subsection as follows:
 - (vii) minimum Landscaped Area;
- 7. Section 2.7(1)(j) is amended by adding a new subsection as follows:
 - (viii) minimum and maximum Floor Areas
- 8. Section 4.1(1)(b) is amended by deleting subsection (xii).
- 9. Section 4.1.1(2)(b) is amended by deleting subsection (vi).
- 10. Section 4.1.2(1)(b) is amended by deleting subsection (vi).
- 11. Section 4.1(1)(a) is amended by adding a new subsection as follows:
 - (viii) Show Home or Raffle Home
- 12. Section 4.1.1(2)(a) is amended by adding a new subsection as follows:
 - (viii) Show Home or Raffle Home
- 13. Section 4.1.2(1)(a) is amended by adding a new subsection as follows:
 - (vi) Show Home or Raffle Home
- 14. Section 4.6.1(3)(a) is amended by deleting the words “Municipal Planning Commission” and replacing them with the words “Development Authority”.
- 15. Section 4.7(1)(c) is amended by adding a new subsection as follows:
 - (ii) Not less than 90% of the minimum or maximum regulations listed in section 4.7(5), which relates to the placement of projections (decks, steps, etc.) over minimum yard setbacks.
- 16. Section 4.7(3)(a)(ii) is deleted and replaced with:
 - (ii) occupy more than two thirds of the width of the Rear Yard of any Site, except in an RIN District where an Accessory Building can be up to a maximum of 7.32 m provided it complies with the Side Yard setback requirement, or
- 17. Section 4.7(5)(a)(ii) is deleted and replaced with the following:



- (ii) Rear Yard: a canopy, eaves, or chimney which projects not more than 1.5 m over or on a minimum Rear Yard, and an unenclosed veranda, balcony, steps, or barrier-free ramp, which projects not more than 3.0 m over or on a minimum Rear Yard.
- 18.** Section 4.7(16)(d) is deleted and replaced with the following:
- (d) A Show Home shall not operate for a period of more than 24 consecutive months; however, when the 24 consecutive month period expires the landowner or an agent of the landowner may reapply for a development permit.
- 19.** Section 11.4.3 is amended by deleting subsection (1)(g).
- 20.** Section 11.13(2) is deleted and replaced with:
- (2) Siting Criteria
- (a) Freestanding Signs shall be located a minimum of 100.0 m from any other Freestanding Sign on the same Site.
- 21.** Section 11.13 Freestanding Sign Development Standards is amended by deleting subsection (3).

READ A FIRST TIME IN OPEN COUNCIL this day of 2022.

READ A SECOND TIME IN OPEN COUNCIL this day of 2022.

READ A THIRD TIME IN OPEN COUNCIL this day of 2022.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2022.

MAYOR

CITY CLERK



APPENDIX A

Summary of Proposed Amendments

Italics - indicate new text added

~~Strikethrough~~ - indicates text removed

Clarification of Development Authority Roles			
Bylaw Item	Existing	Proposed	Rationale
I.	The Approving Authority is stated as the "Commission".	The word "Commission" is deleted and replaced with "Development Authority".	The amendment clarifies that the applicable Development Authority will be the Approving Authority.
14.	<p>(3) Redevelopment within existing subdivision</p> <p>(a) Notwithstanding other sections within this bylaw, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission shall have the authority to require increased development standards for any redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood or</p>	<p>(3) Redevelopment within existing subdivision</p> <p>(a) Notwithstanding other sections within this bylaw, in order to maintain the character of existing neighbourhoods, the Municipal Planning Commission <i>Development Authority</i> shall have the authority to require increased development standards for any redevelopment; such increased standards may require that the new development match the standards of existing development in the neighbourhood</p>	The amendment clarifies that the applicable Development Authority will be the Approving Authority.



	along the applicable street.	or along the applicable street.	
Clarification of Minor Exterior Renovations Not Requiring a Permit			
2.	(q) The basement development of any residential Dwelling Unit in which the Dwelling Unit has received a development permit	(q) The basement development of any residential Dwelling Unit in which the Dwelling Unit has received a development permit <i>including, but not limited to, the addition of, or changes to, basement windows.</i>	Clarifies that basement development includes, but is not limited to, the addition of or changes to basement windows.
3.	The proposed is a new section being added.	(v) <i>Minor exterior renovations to a residential building including, but not limited to, changes in material, the addition of windows or doors, or changes to existing windows or doors.</i>	Clarifies that minor exterior renovations, such as changes to windows or doors, are exempt from requiring a permit for residential buildings.
Clarification of regulations that can be varied by the Development Officer			
4.	(j) Where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:	(j) <i>May</i> , where the test set out in section 2.7(i) is met, the Development Officer may approve, with or without conditions, a variance related to the following regulations:	Clarification of wording of the section. There is a minor error in current bylaw. The words Development Officer are removed because they are repeated in the previous section.
5.	(ii) minimum Front Yard;	(ii) minimum <i>and maximum</i> Front Yard;	Clarifies that the Development Officer may approve a variance to both minimum and



			maximum Front Yard as the bylaw currently refers only to the minimum Front Yard.
6.	The proposed is a new section being added.	(vii) <i>minimum Landscaped Area;</i>	Clarifies that the Development Officer may approve a variance to the minimum Landscaped Area. This is done in practice but was not expressly stated in the LUB.
7.	The proposed is a new section being added.	(viii) <i>minimum and maximum Floor Areas</i>	Clarifies that the Development Officer may vary the minimum or maximum floor area. This is done in practice but was not expressly stated in the LUB.
Provisions for Show Home or Raffle Home as a Permitted Use			
8. - 13.	"Show Home or Raffle Home" is currently a Discretionary Use in RI, RIC, RIWS.	"Show Home or Raffle Home" is moved to a Permitted Use in the RI, RIC, RIWS	The use "Show Home or Raffle Home" is moved from a Discretionary Use to a Permitted Use in these districts because there have been no negative impacts observed from this use. This is an opportunity to cut unnecessary "red tape".
18.	(d) A Show Home shall not operate for a period of more than	(d) A Show Home shall not operate for a period of more than 42 24	Extends maximum allowable time period for a development



	12 consecutive months; however, after which the landowner or an agent of the landowner may reapply for a development permit.	consecutive months; however, after which <i>when the 24 consecutive month period expires</i> the landowner or an agent of the landowner may reapply for a development permit.	permit for a Show Home from 12 to 24 consecutive months with the option to reapply.
Provision for larger Accessory Buildings in RIN district to allow Standard Double Garages			
16.	ii) occupy more than two thirds of the width of the rear yard of any site, or	(ii) occupy more than two thirds of the width of the Rear Yard of any Site, <i>except in an RIN District where an Accessory Building can be up to a maximum of 7.32 m provided it complies with the Side Yard setback requirement, or</i>	Provides for a standard two car garage to be built in the RIN without the automatic requirement for a variance.
Clarification of Regulations for Projections related to Minimum Yard Setbacks in Residential Districts			
15.	The proposed is a new section being added.	(ii) <i>Not less than 90% of the minimum or maximum regulations listed in section 4.7(5), which relates to the placement of projections (decks, steps, etc.) over minimum yard setbacks.</i>	Clarifies that the Development Officer may deem compliant an existing building or lot in a residential district where not less than 90% of the minimum or maximum regulations are met related to the placement of projections (decks, steps, etc) over minimum yard setbacks.
17.	(ii) Rear Yard: a canopy, eaves,	ii) Rear Yard: a canopy, eaves, chimney, or steps	Provides for a 3.0m projection into the



	chimney, or steps which projects not more than 1.5 m over or on a minimum rear yard, and an unenclosed veranda, balcony or barrier free ramp, which projects not more than 3.0 m over or on a minimum rear yard.	which projects not more than 1.5 m over or on a minimum Rear Yard, and an unenclosed veranda, balcony, steps, or barrier-free ramp, which projects not more than 3.0 m over or on a minimum Rear Yard.	Rear Yard for steps rather than the current 1.0m .
Clarification of Sign Regulations			
19.	(g) minimum clearance above grade for Freestanding Signs; and	(g) minimum clearance above grade for Freestanding Signs; and	Removes requirement for minimum clearance from grade for a freestanding sign. Sightlines for signs are reviewed by the Development Officer and Engineering Departments as the requirements can vary site by site.
20.	(2) Siting Criteria (a) Freestanding Signs shall be located a minimum of 100.0 m from any other Freestanding Sign. (b) The above distance requirement may be varied if it results in no Freestanding Signs being allowed on a Site. In such cases, the Development	(2) Siting Criteria (a) Freestanding Signs shall be located a minimum of 100.0 m from any other Freestanding Sign <i>on the same Site</i> . (b) The above distance requirement may be varied if it results in no Freestanding Signs being allowed on a Site. In such cases, the Development	Clarifies that the 100m separation distance for Freestanding Signs applies only to signs on the same Site. General regulations for all signs provide minimum setbacks to address separation between signs on adjacent sites. Reduces red tape for sites requiring a variance in the past



	Authority may vary the separation distance to allow not more than 1 Freestanding Site on the Site.	Authority may vary the separation distance to allow not more than 1 Freestanding Site on the Site.	to allow for a sign on their site.
21.	(3) The bottom of Freestanding Signs shall be: (a) at least 2.8 m above grade in the C3 Commercial (Neighbourhood Convenience) District; (b) at least 3.6 m above grade in all other Districts.	(3) The bottom of Freestanding Signs shall be: (a) at least 2.8 m above grade in the C3 Commercial (Neighbourhood Convenience) District; (b) at least 3.6 m above grade in all other Districts.	Removes requirement for minimum clearance from grade for a freestanding sign. Sightlines for signs are reviewed by the Development Officer and Engineering Departments as the requirements can vary site by site.



APPENDIX B

Relevant City Policies, Objectives, and Regulations

2019-2022 Strategic Plan

An Economic Leader: We have a strong, dynamic economy, fostered by entrepreneurship and innovation. Leveraging our central location, Red Deer is an economic hub with a revitalized downtown and diverse local economy.

Municipal Development Plan

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.

6.2 Creating a Positive Business Environment

The City should foster a competitive business climate through policies and actions that help maintain competitive operating costs and streamline approval processes and timelines.

6.3 Economic Diversification

The City should pursue opportunities to diversify the local and regional economic base by promoting and attracting value-added industries.

6.8 Community Economic Development

The City should pursue community economic development, which emphasizes community self reliance and fosters growth from within the community, with emphasis on nurturing small business, supporting skills training, and entrepreneurship.



August 15, 2022

Land Use Bylaw Amendment 3357/Q-2022

Rezoning 6204 46 Avenue from I1 Industrial (Business Support) District to IC Industrial/Commercial (Mixed Use) District and a site exception to allow Commercial Service Facility as a Discretionary Use

Prepared by: Christi Fidek, Senior Planner
Department: City Planning and Growth

Report Summary

Administration has received a two-part external application from the landowners of 6204 46 Avenue in the Riverside Light Industrial neighbourhood. They are applying for:

1. The rezoning of the property from I1 Industrial (Business Support) District to IC Industrial/Commercial (Mixed Use) District.
2. A site exception to allow for a Commercial Service Facility (limited to a massage therapy school and a massage therapy clinic) as a Discretionary Use.

Council is the approving authority on all rezoning and site exception applications and is required to provide a decision on the application.

Administration recommends Council proceed with Option 1, first reading of Land Use Bylaw 3357/Q-2022 to rezone the property from I1 District to IC District. This does not include the site exception requested for a Commercial Service Facility.

Proposed Resolution

That Bylaw 3357/Q-2022 a bylaw to rezone 6204 46 Avenue from I1 Industrial (Business Support) District to IC Industrial/Commercial (Mixed Use) District and a site exception to allow Commercial Service Facility as a Discretionary Use be read a first time.

If first reading is given, this bylaw will be advertised with a Public Hearing to be held on Monday, September 12, 2022.



Rationale for Recommendation

1) Aligns with City policies, regulations, and area studies

The rezoning aligns with the 2019-2022 Strategic Plan, Municipal Development Plan, and Land Use Bylaw. A Council endorsed 2016 study led to the entire Riverside Light Industrial area being recommended suitable for the IC District.

2) Compatible and complementary to surrounding uses

The IC District was created specifically for the Riverside Light Industrial neighbourhood. Over one third of the industrial properties are zoned IC. Rezoning will align with surrounding zoning.

3) Future flexibility and diversity of uses

Additional commercial and recreational IC uses will increase development potential for the site.

Background

Site Context:

Administration has received an external application from the landowners of 6204 46 Avenue to rezone the property from II Industrial (Business Service) District to IC Industrial/Commercial (Mixed Use) District to accommodate flexibility in future uses. The IC District does not list a massage therapy school or clinic as a use. A massage school and clinic are considered “Commercial Service Facility” uses within the Land Use Bylaw. The applicant has therefore also applied for a site exception to allow for a Commercial Service Facility use limited to a massage therapy school and a massage therapy clinic. Rationale for the application is found in Appendix A.

As defined in the Land Use Bylaw, the Commercial Service Facility use means “a development in which commercial services related to the day-to-day needs of customers are provided and which may include the sale of associated products and an office incidental to the principal use. This use includes Commercial Schools, small animal clinics and small animal grooming.”

The site is in the Riverside Light Industrial neighbourhood. Existing on site is a vacant industrial building previously used by a consulting and construction company. If the rezoning and site exception application is approved, it is anticipated the landowner will proceed with submitting a development permit application for a massage therapy college that offers both instruction to students and services to the public. Approximately 16-36 students would be enrolled on site during the year. An additional 8-16 remote students would visit the site one weekend per month.



Should only the rezoning to IC be approved, the landowner would still have opportunity for additional commercial type uses, when compared to existing I1 zoning. A massage therapy clinic and college would not be allowed to operate on the site.

Surrounding properties are predominantly used for light industrial uses and are zoned either I1 or IC. Northwest of the site is an escarpment area that leads to Parkland Mall. The site is within

a landfill setback area which limits certain uses including residences, schools (K-12), and hospitals. As the neighbourhood was initially developed as an industrial area, no sidewalks have been developed in the area, though the site is approximately 480m from the trail network along the river. There are three transit stops located in the neighbourhood, all along Riverside Drive. See Appendix B for maps and images of the site and surrounding area.

Strategic Alignment:

The 2019-2022 Strategic Plan provides the framework for creating a strong, dynamic economy fostered by entrepreneurship and innovation. It provides direction for Red Deer to maintain its position as an economic hub with a revitalized downtown and diverse local economy. The rezoning of I1 to IC aligns with the Strategic Plan.

The Municipal Development Plan (MDP) contains general policies to guide and direct future growth and development within Red Deer. It contains policies that support infill and intensification of vacant or underutilized land in appropriate settings. However, it also provides policies to ensure appropriate infrastructure and facilities are developed to ensure the safety and ease of use of public areas. In looking at the lack of pedestrian infrastructure in the area and the number of potential students using the site, the site exception is not supported by the policies regarding pedestrian infrastructure in the MDP. The rezoning portion of the application aligns with the MDP.

See Appendix C for relevant policies and objectives of the 2019-2022 Strategic Plan and MDP.

Non-Statutory Plans:

In January 2016, Council endorsed the Riverside Light Industrial Area Land Use Review for the industrial neighbourhood. The recommendation out of the review and further engagement with landowners in the area led to the landowners in the area being invited to rezone their lands to a new IC mixed use commercial industrial district. Several landowners have rezoned their properties and others choose to remain purely industrial with a future potential of IC. Commercial uses exempt from the recommendation included Commercial Schools, Drinking Establishments, and Gaming Establishments due to the lack of pedestrian and parking infrastructure available and the potential impacts of these uses to surrounding developments. Therefore, the site exception portion of the application does not satisfy the intent of the review.

Policy Linkage:

There is no area structure plan or area redevelopment plan covering the subject property.



Stemming from the recommendations of the Riverside Light Industrial Area Land Use Review, Administration initiated work on a new land use district that would be adopted primarily for the neighbourhood. In 2019, the IC District was adopted; the district was a further assessment of the existing and desired uses of neighbourhood landowners and tenants, implementing the overall intent of the 2016 review.

The purpose of the IC district is to allow for light industrial, commercial, and recreational uses compatible and complementary to one another. The district allows for a balanced mix of uses reflective of existing infrastructure in the area. The IC District contains all of the uses from I1 plus six additional uses: Office, Indoor Recreation Facility, Industrial/Commercial Training Facility, Microbrewery, and Supporting Merchandise Sales. Currently, 37% of the Riverside Light Industrial properties are zoned IC. Rezoning the subject property to IC aligns with the intent of the district.

Site exceptions, as proposed for a Commercial Service Facility serving a massage therapy school and massage therapy clinic, are also regulated by the Land Use Bylaw (LUB). Site exceptions may be considered on a site-specific basis for developments that have unique characteristics, accommodate innovative ideas, or in situations with unusual site constraints. The LUB does not allow for site exceptions where a proposed development could be accommodated in another district. Administration does not support the site exception portion of the application as it does not meet the site exception criteria.

The I1 District, IC District, and site exception criteria from the LUB are found in Appendix C.

Land Use Bylaw (LUB) Update

Administration is currently in the process of updating The City's LUB. Part of the intent of the update is to reduce red tape, increase flexibility, and respond to development trends.

Across all land use districts, it is proposed to include additional compatible and complementary uses. This means once the new LUB is adopted, there may be more commercial uses included within traditionally light industrial areas; this would be dependent on the size and scale of the development and existing infrastructure in the area. Additional commercial uses will create more flexibility for industrial sites as well as reduce the need for redesignating land uses and site exceptions. In addition to providing increased flexibility, it also provides easier access to services, both from residential areas and places of work. Examples of uses that may be expanded to light industrial areas include Office, Health and Medical Services, Commercial Service Facility and Business Support Services. Part of the review will include existing infrastructure in the area, as more commercial style developments may require more pedestrian infrastructure in older industrial areas.



Across Alberta several municipalities have adopted an industrial/commercial mixed use district. Several of these include defined uses in which massage therapy schools and massage therapy clinics would fall under, see Appendix D.

Though the site exception portion of the application may be in line with future LUB updates and municipal trends, the update is incomplete and the potential increase in pedestrians may prematurely create demand for and unplanned costs of added sidewalk infrastructure.

Stakeholder Consultation:

The application was circulated to various City departments for review. Concerns raised by departments are included as rationale for recommendation in the analysis section of the report.

A consultation package was circulated to landowners within 100m of the site; 20 letters in total were mailed. No letters of concern were received by The City.

Operational Impacts

Financial:

There are not direct budget or financial implications as a result of the recommendation.

Analysis

The rezoning portion of the application aligns with The City's strategic and policy framework in the 2019-2022 Strategic Plan, MDP, Riverside Light Industrial Area Land Use Review, and LUB. Rezoning the site allows for future development flexibility while ensuring compatibility between uses.

Administration does not recommend the site exception portion proceed. A site exception would not align with the Riverside Light Industrial Area Land Use Review, or the LUB. Upon completion of the Land Use Bylaw Review, Commercial Service Facility may be contemplated in industrial areas as this would be consistent with several other municipalities. Older industrial areas will be reviewed for existing infrastructure and review of an increase intensity of pedestrian activity uses will be considered along with potential future infrastructure improvement costs. These reviews are yet to be completed, and therefore consideration of uses that increase pedestrian activity in older industrial areas are premature.

There have been no concerns raised by landowners within the area.

**Options:**

Administration has identified two options for Council to consider. They include:

Option 1 – Grant first reading for rezoning only**Benefits**

- Compatible to adjacent development
- Provides added flexibility of IC uses for future development
- Aligns with City's strategic and policy framework
- No foreseeable operational impacts
- Allows for public hearing feedback prior to final consideration of third reading

Constraints

- Does not allow for Commercial Service Facility flexibility that the applicant desires

Option 2 – Grant first reading for rezoning and site exception**Benefits**

- Provides added flexibility for future uses
- No foreseeable operational impacts
- Allows for public hearing feedback prior to final consideration of third reading

Constraints

- Does not align with the Land Use Bylaw site exception criteria and the Riverside Light Industrial Area Land Use Review recommendation
- Site exception is premature as industrial districts are still under review as part of the Land Use Bylaw Review project
- Adequate pedestrian infrastructure is not in place to support increase potential demands of Commercial Service Facility development

Recommended Option

Administration recommends Option 1 based on the numerous benefits and low risk.

Appendices

Appendix A – Applicant's Rationale

Appendix B – Area Maps and Images

Appendix C – Policy Framework

Appendix D – Municipal Comparison



BYLAW NO. 3357/Q-2022

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

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

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

- 1. The land shown in Map 15/2022 attached as Schedule A to this bylaw is redesignated from I1 Industrial (Business Service) District to IC Industrial/Commercial (Mixed Use) District.
- 2. The “Land Use District Map M17” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with Map 15/2022 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this	day of	2022.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2022.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2022.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2022.

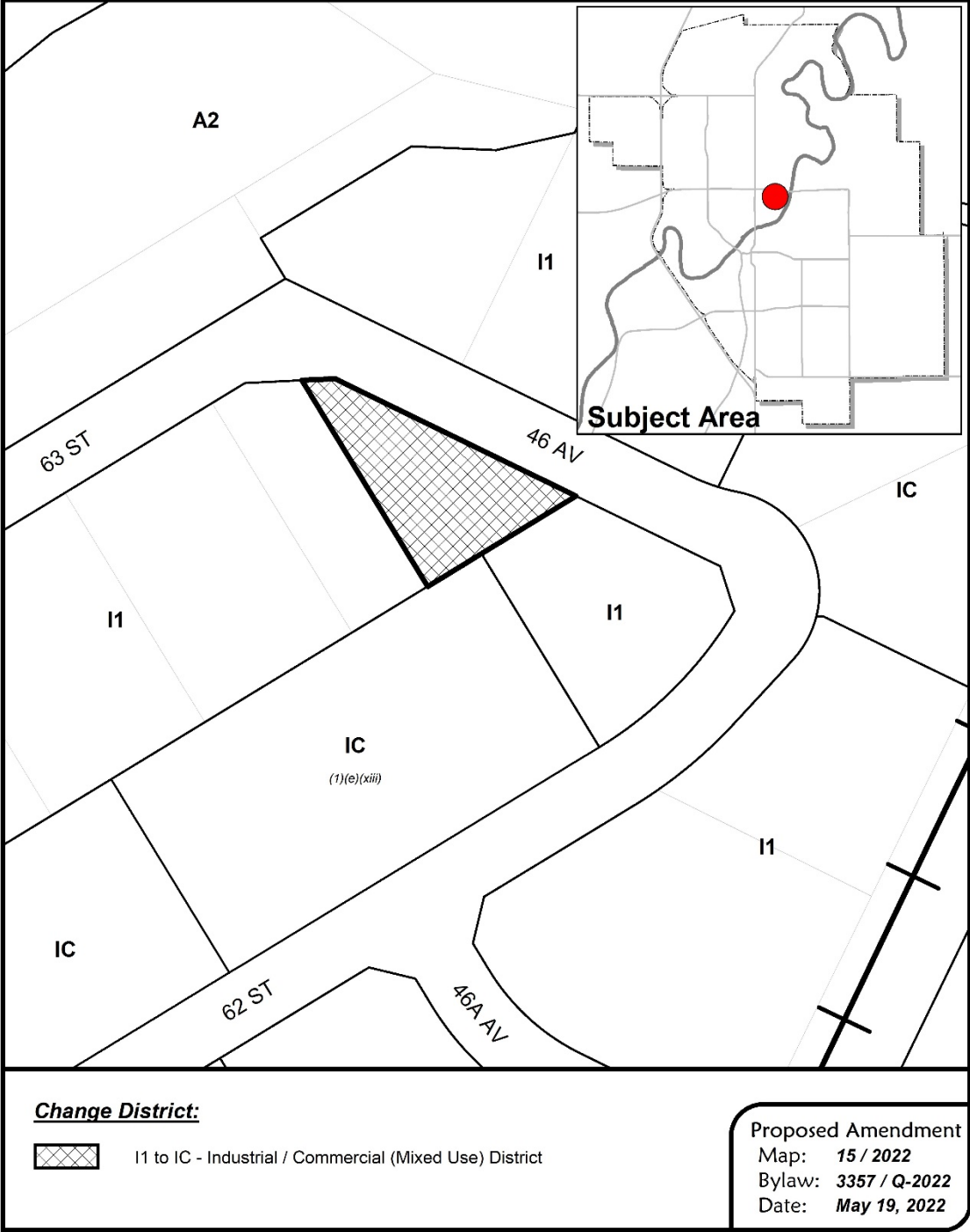
MAYOR

CITY CLERK



Schedule "A"

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





Appendix A – Applicant’s Rationale



East Lincoln Properties Corp. is requesting a change of zoning as well as an allowance on use. The change in zoning is to increase the flexibility of allowable uses and tenants to this property. Many of the surrounding businesses are zoned as IC and this will help the organization be competitive in the market in the future. For the present, this application is also asking for an allowance on use. The Alberta Institute of Massage is very interested in operating a commercial training and commercial services business at this facility. Please see the attached letter from the Alberta Institute of Massage. We believe this location will be well suited to the Institute's needs of parking, open interior spaces as well as exterior natural spaces.



May 13, 2022

To Whom It May Concern:

We have been operating in the City of Red Deer since 1994. Our school, the Alberta Institute of Massage, is a licensed private vocational school. We mostly train certificate and diploma programs geared a career readiness.

We teach the odd continuing education workshops focused on wellness that are open to the public.

Our clinic is primarily massage therapy and related disciplines such as reflexology and nutrition.

The location at 6204 – 46 Avenue would be an excellent spot for our facility. It has ample parking which is designated specifically to the building. There are no other services of this nature in the area. With workers in the surrounding businesses being mainly laborers and office workers, we could be a resource for them for health and wellness and musculoskeletal maintenance.

The proximity to the river paths and Three Mild Bend is an attractive option for our students who would appreciate being able to access these areas on breaks. They could be utilized for some of the outdoor sessions we do (fitness walking, stretching, etc.).

Please let me know if you require any further information.

Regards,

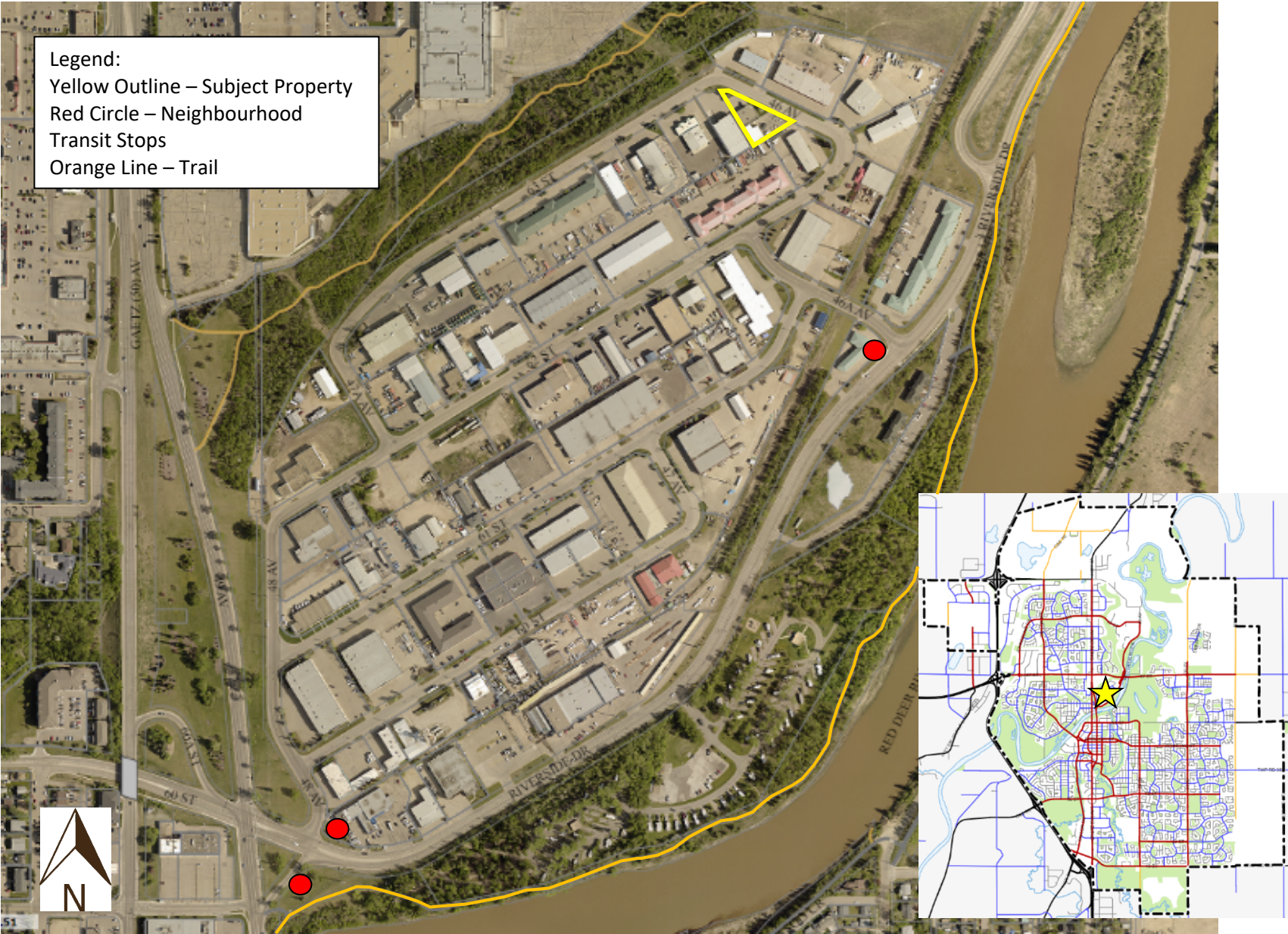
Carol F. Edwards, RMT
Coowner

Alberta Institute of Massage
4315 – 55 Avenue, Unit 104A Red Deer, AB T4N 4N7
403.340.1330 (phone) 403.346.0606 (fax)
info@aimassage.ca / www.albertainstituteofmassage.ca

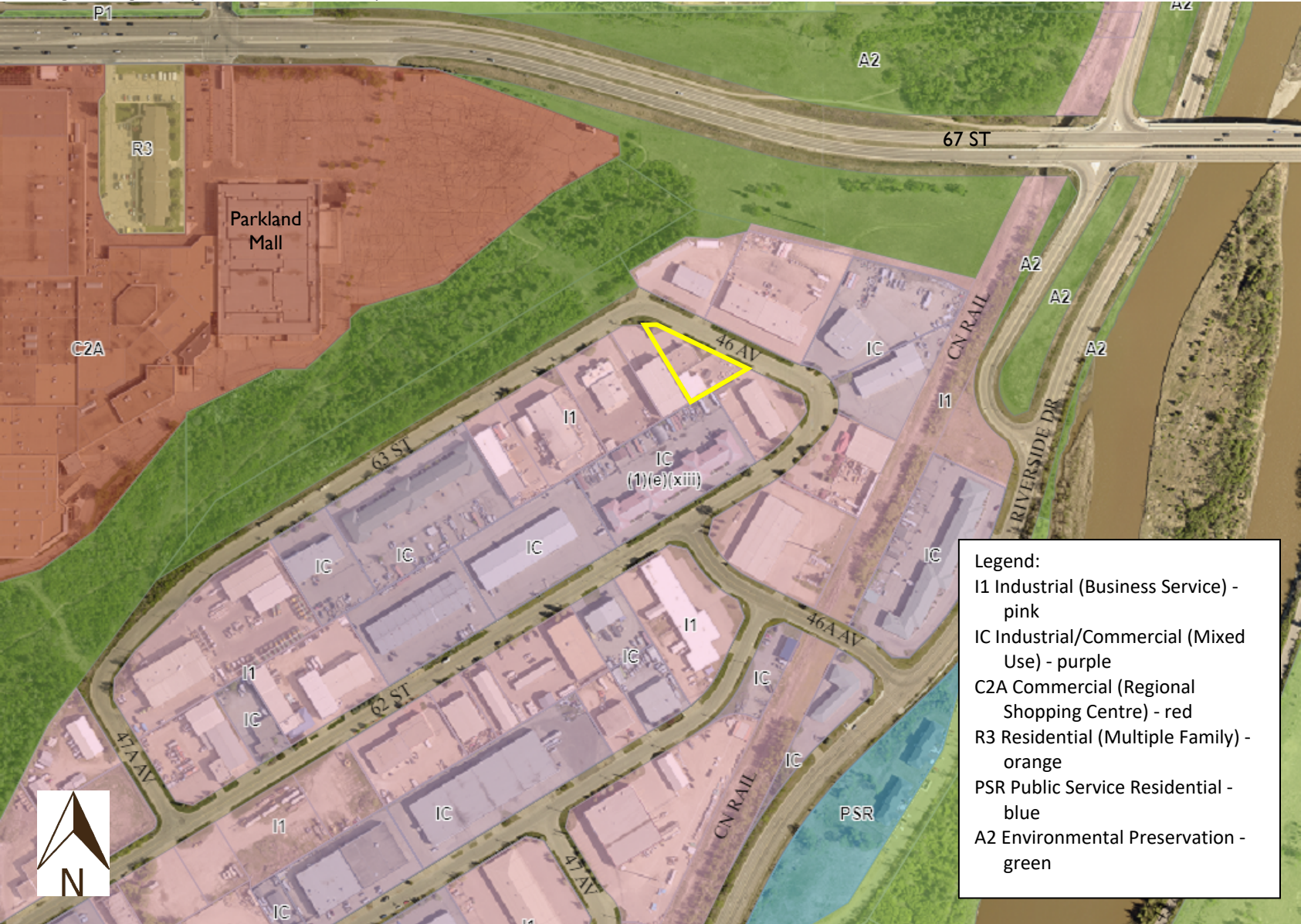


Appendix B – Area Maps and Images

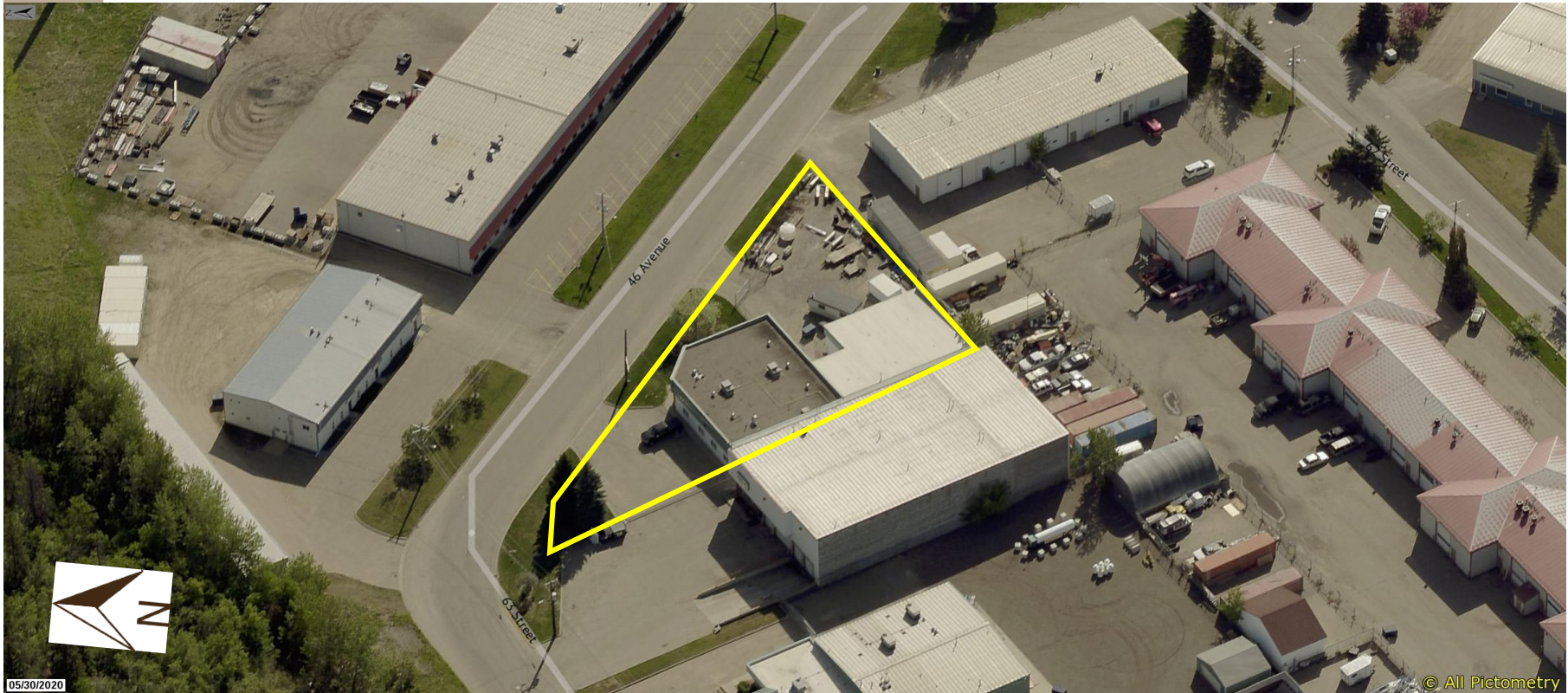
Riverside Light Industrial Neighbourhood



Existing Zoning – subject site outlined in yellow











View from entrance at 46 Avenue

Appendix C – Policy Framework



2010 – 2022 Strategic Plan

Red Deer is an Economic Leader:

We have a strong, dynamic economy, fostered by entrepreneurship and innovation. Leveraging our central location, Red Deer is an economic hub with a revitalized downtown and diverse local economy.

Municipal Development Plan

5.6 Efficient Utilization of Infrastructure

The City shall give priority to the efficient utilization of existing and planned capacity in utility and transportation infrastructure in determining appropriate short-term growth directions.

5.10 Redevelopment and Intensification

The City shall undertake reviews of potential redevelopment and intensification opportunities in the established areas, including but not limited to:

- Greater Downtown
- Gaetz Avenue Corridor
- Michener Centre lands
- Red Deer College area
- Vacant and under-utilized sites in communities

5.17 Efficiency of Land Use

The City should promote intensification of the urban areas by ensuring its design guidelines and specifications encourage the efficient use of land.

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.

7.4 Promote Urban Design That Encourages Pedestrian Accessibility

The City shall promote urban design that encourages pedestrian accessibility by providing functional and attractive pedestrian linkages connecting:

- residential neighbourhoods with the trails system and adjacent community services and
- commercial developments with the public sidewalk system.

13.2 Maintaining an Adequate Supply of Industrial Land

The City should maintain and/or facilitate an adequate inventory of serviced industrial sites of various lot sizes and type (light and heavy) to meet the needs of business and industry.

13.4 Land Use Compatibility with Industrial Development

The City, through provisions in the Land Use Bylaw and other planning documents, shall ensure that appropriate separation distances and transition between industrial and non-industrial uses are maintained.

16.5 Transportation Needs in Industrial and Commercial Areas

The City shall ensure the provision of appropriate transportation facilities in commercial and industrial areas to accommodate the travel needs of customers and employees in a variety of modes of travel and the needs of truck traffic.

16.11 Pedestrian Links



The City shall require the provision of appropriate pedestrian linkages between building entrances, and public sidewalks and pathways within and adjacent the site in all developments, including safe roadway crossings.

16.12 Provision for Alternative Transportation Modes

The City shall encourage alternatives to the single occupant private automobile trip by requiring that all new transportation projects investigate, and where practical include, provisions that encourage the use of transit, walking, cycling and car pooling.

16.13 Provisions for Pedestrians

The City shall encourage walking by requiring appropriate provision for pedestrians in all new developments, in all redevelopment of existing properties, and in all changes to existing or proposed roads and transit facilities.

19.8 Preparation of Area Redevelopment Plans

The City should prepare and adopt area redevelopment plans for areas that could benefit from the direction of such plans. In preparing area redevelopment plans, the following considerations should be taken into account:

- area residents and other stakeholders should be as active as possible in the planning process;
- recognize and plan for the role the area, for which the plan is being prepared, plays or could play within the greater community;
- input should be provided from key resource personnel and professional expertise related to land use planning; and
- sufficient time and information should be provided to allow a full understanding of the implications of the proposed plan.

As a general guide, the statutory component of an area redevelopment plan should address the following:

- proposed land uses for the area, including the planned densities and building forms;
- proposals for acquiring land for parks, schools or similar community facilities;
- status and any required upgrades of utility systems; and
- the existing and future transportation systems serving the area.

The area redevelopment plan may also contain a non-statutory community plan that addresses plan process, background information, planning concepts and possible action plan items.

Riverside Light Industrial Area (RLIA) Land Use Review

Recommendation:

In keeping with the direction of the Municipal Development Plan it is recommended that the land use district within the RLIA remain as I1 Industrial (Business Service) with the possible exception of those properties fronting onto Riverside Drive, and 48 Avenue south of 61 Street, as shown in Figure 11: Potential Land Use Concept. It is proposed that Council consider granting these properties site exceptions to allow all C4 Commercial (Major Arterial) District uses, different from those listed within the I1 District, as a discretionary use with the exception of Commercial Schools, Drinking Establishments, and Gaming Establishments.

Land Use Bylaw

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.

6.1 I1 Industrial (Business Service) District**I1****General Purpose**

¹The general purpose of this District is to provide for a limited range of light industrial, warehousing, storage, and industrial support services within the performance standards of section 6.6 subsection (2)(a), the operation of which do not create or emit noises, odours, dust, fumes or other factors which are regarded as nuisances. In addition, this district will provide for certain other businesses which are incompatible in commercial districts.

1. I1 Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Accessory buildings or uses excluding sales subject to section 3.5.
(ii)	Accessory sales related to manufacturing, processing, and/or distribution of any article.
(iii)	Accessory sales of used trucks, used automobiles and used holiday trailers, providing that collectively there are not more than three units for sale on the site at any one time.
(iv)	² Building Sign; and
(v)	³ Freestanding Sign.
(vi)	Industrial support services.
(vii)	⁴ DELETED
(viii)	Manufacture, processing, distribution, repair, servicing, and/or rental of any articles.
(ix)	Service stations.
(x)	⁵ Warehousing.
(xi)	⁶ Outdoor storage.
(b) Discretionary Uses	
(i)	Above ground storage tanks for motor fuel products including propane and used oil.
(ii)	Animal services.
(iii)	Auction marts (excluding livestock).
(iv)	⁷ Billboard Sign;

¹ 3357/N-2019, 3357/M-2019

² 3357/B-2018

³ 3357/B-2018

⁴ 3357/B-2018

⁵ 3357/E-2006

⁶ 3357/E-2006

⁷ 3357/B-2018



City of Red Deer Land Use Bylaw 3357/2006

(b) Discretionary Uses *continued*

- (v) ¹DELETED
- (vi) ²DELETED
- (vii) ³Dynamic Fascia Sign; and
- (viii) ⁴Dynamic Freestanding Sign.
- (ix) Crematorium
- (x) Dangerous goods occupancy.
- (xi) Restaurant.
- (xii) ⁵Sale of large trucks over 10,000 Kg, Manufactured Homes, heavy construction equipment and machinery
- (xiii) Sale of horse, stock, and light flatdeck and cargo trailers.
- (xiv) ⁶DELETED
- (xv) Transportation, communication or utility facility.
- (xvi) ⁷Industrial trade schools (maximum capacity of 60 persons).
- (xvii) ⁸Accessory outdoor display or sale of goods
- (xviii) ⁹Pet Crematorium
- (xix) ¹⁰Alternative/Renewable Energy Facility on sites designated in an Eco Industrial Park Overlay District.
- (xx) ¹¹Uses that produce waste materials, outputs, or by-products that may be used as inputs for an industrial operation within the Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.
- (xxi) ¹²Uses that may consume waste materials, outputs, or by-products that are produced by an industrial operation within an Eco Industrial Park Overlay District. This use does not include Cannabis Retail Sales.

2. I1 Industrial (Business Service) District Regulations**(a) Table 6.1 I1 Regulations**

Regulations	Requirements
Floor Area Minimum	n/a
Building Height	n/a

¹ 3357/G-2016, 3357/B-2018² 3357/G-2016, 3357/B-2018³ 3357/B-2018⁴ 3357/B-2018⁵ 3357/E-2016⁶ 3357/B-2018⁷ 3357/L-2011⁸ 3357/E-2006⁹ 3357/M-2008¹⁰ Correction 38¹¹ 3357/L-2018¹² 3357/L-2018



City of Red Deer Land Use Bylaw 3357/2006

Regulations	Requirements
Maximum	
Front Yard Minimum	6.0 m, except Edgar Industrial Drive “and I1 ¹ zoned lands located within an Eco Industrial Park Overlay District” which is 9 m
Side Yard Minimum	6.0 m one side
Rear Yard Minimum	3.0 m
Landscaped Area	40 % of minimum front yard
Parking Spaces	Subject to section 3.1 and 3.2
Loading Space	Subject to section 3.7
Site Area Minimum	929.0 m ²
Frontage Minimum	22.0 m

- (b) ²I1 District is subject to any applicable industrial regulations listed within section 6.6.
- (c) Notwithstanding section 6.1(2)(a) Table 6.1, buildings on properties abutting a major arterial or abutting a service road adjacent to a major arterial shall be constructed at least 18.0 m from the said arterial or service road. The building on Lot 10A, Block A, Plan 782 0258 (2404 - 50 Avenue) shall be exempted from this regulation, but shall have a minimum front yard setback of 15.0 m.

¹ 3357H-2014

² 3357/N-2019, 3357/M-2019



¹6.5 IC Industrial/Commercial (Mixed Use) District

General Purpose

²The general purpose of the IC Industrial/ Commercial District is to allow for light industrial, commercial and recreational uses that are compatible and complementary to one another, the operation of which create or emit little to no noises, odours, dust, fumes or other factors which are regarded as nuisances. The IC District is intended for the Riverside Light Industrial area, areas identified within an area structure plan, and light industrial areas adjacent to major commercial areas.

1. IC Permitted and Discretionary Uses Table

(a) Permitted Uses	
(i)	Any development legally existing or legally approved prior to the passing of Bylaw 3357/M-2019
(ii)	Accessory buildings or uses (excluding sales)
(iii)	Accessory sales related to manufacturing, processing &/or distribution of any article
(iv)	Accessory sales of used trucks, automobiles, and used vehicles whose function is for recreation, providing that collectively there are not more than three units for sale on the site at any one time.
(v)	Building Sign
(vi)	Freestanding Sign
(vii)	Industrial Support Services
(viii)	Manufacture, processing, distribution, repair, servicing, and/or rental of any articles
(ix)	Service Stations
(x)	Warehousing
(xi)	Outdoor Storage
(b) Discretionary Uses	
(i)	Any expansion and/or intensification of Development legally existing or legally approved prior to the passing of Bylaw 3357/M-2019 Above ground storage tanks for motor fuel products including propane and used oil.
(ii)	Animal Services
(iii)	Auction Marts (excluding livestock)
(iv)	Dynamic Fascia Sign
(v)	Dynamic Freestanding Sign
(vi)	Crematorium
(vii)	Dangerous goods occupancy
(viii)	Restaurant
(ix)	Sale of large trucks over 10,000 KG, Manufactured Homes, heavy

¹ 3357/M-2019

² 3357/E-2021



City of Red Deer Land Use Bylaw 3357/2006

- | | |
|---------|--|
| | construction equipment & machinery |
| (x) | Sale of horse, stock & light flat deck & cargo trailers |
| (xi) | Transportation, communication or utility facility |
| (xii) | Industrial Trade Schools (max. capacity of 60 persons)) |
| (xiii) | Accessory outdoor display or sale of goods |
| (xiv) | Pet Crematorium |
| (xv) | Indoor Recreation Facility |
| (xvi) | Industrial/Commercial Training Facility up to 929m ² of the gross leasable area of the lot on which it is located |
| (xvii) | Microbrewery |
| (xviii) | Office up to 929m ² of the gross leasable area of the lot on which it is located |
| (xix) | Supporting Merchandise Sales |

2. IC Development Standards

(a) Table 6.5 IC Development Standards

Regulations	Requirements
Floor Area Minimum	n/a
Building Height Maximum	n/a
Front Yard Minimum	6.0 m
Side Yard Minimum	6.0 m
Rear Yard Minimum	3.0 m
Landscaped Area	40 % of minimum Front Yard
Parking Spaces	Subject to section 3.1 and 3.2
Loading Spaces	Subject to section 3.7
Site Area Minimum	929.0 m ²
Frontage Minimum	22.0 m

- (b) The IC District is subject to any applicable development standards listed within section 6.6 General Industrial District Regulations.
- (c) All Development shall meet the requirements of section 7.15 Major Entry Areas Overlay District.
- (d) ¹DELETED

¹ 3357/L-2020

Appendix D – Municipal Comparison

City of Calgary

Massage therapy clinic and commercial school related uses:

Retail and Consumer Service means a use where any of the following activities occur:

- (i) the general retail sale or rental of goods, materials products or supplies including merchandise that may also be sold at a Building Supply Centre;
- (ii) services related to the care and appearance of the human body or hair;
- (iii) services intended for relaxation and rejuvenation through massage, aromatherapy and similar nonmedical therapies;
- (iv) the care, cleaning, alteration or repair of clothing, jewelry, or shoes;
- (v) portrait and professional photography services;
- (vi) the repair, service or refurbishment of furniture, electronic equipment and appliances that are used in the home; or
- (vii) a market for the sale of new or used goods and food products, not including live animals, by multiple vendors renting tables or space either in an enclosed building or outdoors.

Instructional Facility means a use:

- (i) where instruction, training or certification in a specific trade, service or skill are provided;
- (ii) that includes, but is not limited to, instruction and training in building trades, dance, music, martial arts, cooking, computers, driving, climbing, gymnastics and other similar instruction;
- (iii) where the instruction, training or certification is provided to individuals engaged in a scheduled program of instruction and must not be available to a broad spectrum of the public on a drop-in basis; and
- (iv) that is not a School – Private, School Authority – School or a Post-secondary Learning Institution;

District	Purpose	Retail and Consumer Service	Instructional Facility
I-C Industrial Commercial	<p>The Industrial – Commercial District is intended to be characterized by:</p> <ul style="list-style-type: none"> (a) locations on the perimeter of industrial areas, along major streets or expressways; (b) light industrial uses that are unlimited in size; (c) small scale commercial uses that are compatible with and complement light industrial uses; 	P	P

District	Purpose	Retail and Consumer Service	Instructional Facility
	(d) controls to ensure that developments provide a transition between other land use districts and the Industrial – General District or between highly visible industrial parcels and the Industrial – General District; (e) setbacks, screening, landscaping and building design that addresses aesthetic concerns associated with highly visible locations; and (f) parcels located within 200.0 metres of a major street or expressway.		
I-B Industrial Business	The Industrial – Business District is intended to be characterized by: (a) prestige, high quality, manufacturing, research and office developments; (b) parcels in desirable locations that contribute to employment centres or locations that are visible from expressways and major streets; (c) activities contained within buildings; (d) a limited range of small uses that provide services to the office and industrial uses within the immediate area; (e) pedestrian pathway connections to and between buildings and to transit; (f) flexibility in building density established through floor area ratios for individual parcels; and (g) varying building heights established through maximum building height for individual parcels.	D	P
I-E Industrial Edge	The Industrial – Edge District is intended to be characterized by: (a) locations on the perimeter of industrial areas where the industrial parcel shares a property line with a residential district, local street or lane abutting a residential district; (b) a limited range and size of uses; and (c) limitations on outside activities, vehicular access, and parking and loading, aimed at mitigating the impact of uses on nearby non – industrial parcels.	P	P
I-R Industrial Redevelopment	The Industrial – Redevelopment District is intended to be characterized by: (a) small blocks of parcels originally surveyed on a grid lotting pattern contained within the Alyth, Bonnybrook, Greenvue, Manchester, and Skyline Industrial Areas; (b) fragmented land ownership creating parcels that are small and narrow in width;	X	D

District	Purpose	Retail and Consumer Service	Instructional Facility
	<ul style="list-style-type: none"> (c) small, narrow parcels where it may be difficult to provide landscaping along the front and corner side property lines and where it may be difficult to provide motor vehicle parking stalls; (d) reduction in landscaping standards in order to facilitate redevelopment of the smaller parcel and achieve parking on the parcel; (e) parcels that are not located along a major street or share a property line with a residential district; and (f) a wide range of industrial uses that would allow for reuse and redevelopment of existing parcels. 		
I-G Industrial General	<p>The Industrial – General District is intended to be characterized by:</p> <ul style="list-style-type: none"> (i) a wide variety of light and medium general industrial uses and a limited number of support commercial uses; (ii) parcels typically located in internal locations; (iii) the application of discretion for parcels that share a property line with a major street or expressway to ensure an appropriate interface and compliance with City plans and policies; (iv) a limited number of non-industrial uses that may be appropriate due to building or parcel requirements generally found in industrial areas; (v) uses and buildings that may have little or no relationship to adjacent parcels; (vi) appropriate controls to ensure screening of any outdoor activities; and (vii) limits on sales and office activities in order to preserve a diverse industrial land base. 	X	X

P – Permitted Use D – Discretionary Use X – Use not listed

City of Edmonton

Massage therapy clinic and commercial school related uses:

Personal Service Shops means a development used for the provision of personal services to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. This Use includes barbershops, hairdressers, beauty salons, tailors, dressmakers, shoe repair shops, and dry cleaning establishments and laundromats. This Use does not include Health Services.

Commercial School means development used for training and instruction in a specific trade, skill, service or artistic endeavour. The Use does not include schools defined as Public Education Services or Private Education Services. Typical Uses include secretarial, business, hairdressing, beauty culture, dancing or music schools.

District	Purpose	Personal Service Shops	Commercial School
IB Industrial Business	The purpose of this Zone is to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.	D	D
IL Light Industrial	The primary purpose of this Zone is to provide for high quality, light industrial developments that operate in such a manner that no nuisance factor is created or apparent outside an enclosed building. Limited outdoor activities (loading, service, storage, etc.) that are accessory to a principal Use may occur providing the scale of such activities does not unduly conflict with the primary purpose of this Zone or dominate the Use of the site. This Zone is intended for sites located on, or in proximity to, arterial or collector roadways within an industrial area; or wherever required to implement the objectives of a Plan or Use study.	X	X

P – Permitted Use D – Discretionary Use X – Use not listed

City of Airdrie

Massage therapy clinic and commercial school related uses:

Personal Service means a development used for the provision of personal services to an individual which are related to their care, wellbeing or appearance. This use includes such uses as barber-shops, hairdressers, tattoo parlours, spas, and beauty salons, tanning salons, shoe repair shops, but does not include health services or adult entertainment facilities.

Commercial School means a development used for the training and instruction in a specific trade, skill or service for the financial gain of the individual or company owning and/or operating the school. Typical uses include small-scale adult education facilities as well as specialized schools providing training in business, dance, music, administration, and personal service.

District	Purpose	Personal Service	Commercial School
IB-1 Mixed Business / Employment	The purpose of this district is to accommodate a range of small to medium-scale employment uses providing employment opportunities and potential transition between other land use districts. This district is intended to promote flexibility in small-to-medium scale land uses.	D	D
IB-O Office Park and Employment	The purpose of this district is to accommodate buildings for a range of office and complementary uses. The focus of this district will be on commercial business employment, generally office, research and development, and other related business uses. Secondary retail, service, and industrial uses may be developed at a smaller scale to support the employment base.	X	P
IB-2 Industrial Employment	The purpose of this district is to accommodate areas of concentrated manufacturing, fabrication, and other industrial uses. Development in this district is intended to limit the scope of commercial developments, which are intended to be secondary in nature and may be incorporated to serve district employees.	X	X

P – Permitted Use D – Discretionary Use X – Use not listed

City of Medicine Hat

Massage therapy clinic and commercial school related uses:

Retail and Consumer Services means a Development that does not fall within any other use definition in this Bylaw and whose Principal Use is the sale of goods and services directly to the public, including establishments that provide: groceries, alcoholic beverages, household goods, furniture and appliances, hardware, building materials, clothing, printed matter, confectionary, tobacco, pharmaceutical and personal care items, automotive parts and accessories, office equipment and supplies, photography, photo developing, hair cutting, hair styling, dry-cleaning, and personal fitness services. This Use does not include Cannabis Production and Distribution Facility, Cannabis Retail Store, or Cannabis Lounge.

Education Institution means a Development whose Principal Use is to provide instruction and training, and includes a business school, trade school, college or university but does not include an elementary school, junior high school or high school.

District	Purpose	Retail and Consumer Services	Education Institution
I-B Business Industrial	To create a transition area between commercial and industrial Districts in which commercial activities occur primarily indoors and do not create adverse impacts to other lands, while allowing for limited activity in outdoor areas.	D	D

District	Purpose	Retail and Consumer Services	Education Institution
I-G General Industrial	The purpose of this District is: (i) to provide for industrial businesses whose activities may occur in whole or in part outdoors but generally do not have a significant adverse impact on other Sites; (ii) to provide an area for compatible non-industrial businesses.	X	D

P – Permitted Use D – Discretionary Use X – Use not listed

City of Lethbridge

Massage therapy clinic and commercial school related uses:

Personal Service means Development providing services for the personal care and appearance and includes the supplementary retail sale of associated products and may include therapeutic massage as an Accessory Use. This term refers to Uses such as beauty salons, barber shops and esthetic services/spas. Medical and Health Office (Outpatient) and Fitness Facility are separate Uses.

Commercial School means Development providing technical instruction to students on a commercial basis and may incorporate services, Restaurant and retail sales related to the instruction function as Accessory Uses. This does not include commercial truck driving schools which are Commercial/Industrial Vehicles and Machinery – Sales, Rental, Service and Driving Instruction. Education Facility and Fitness Facility are separate Uses.

District	Purpose	Personal Service	Commercial School
I-B Business Industrial	For the Development of industrial, warehousing and commercial Uses which have no offsite impacts and that are compatible with Uses in adjacent Districts.	P	D
I-G General Industrial	For the Development of manufacturing, processing, distribution and storage Uses and related services.	X	X

P – Permitted Use D – Discretionary Use X – Use not listed

Red Deer County

Massage therapy clinic and commercial school related uses:

Personal Service Facility means development used for the provision of personal service to an individual which are related to the care and appearance of the body, or the cleaning and repair of personal effects. Typical uses include, but are not limited to, hairdressers, spas and massage

services, tanning salons, shoe repair shops, dry cleaning establishments but does not include medical offices, health services, general retail businesses or adult entertainment facilities.

Industrial/Commercial Training Facility means a development that provides for technical instruction to students and/or the training of personnel in commercial businesses and/or industrial operations.

District	Purpose	Personal Service Facility	Industrial / Commercial Training Facility
BSI Business Service Industrial	To provide for business and service industrial uses that carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the district is compatible with any adjacent non-industrial use.	X	P

P – Permitted Use D – Discretionary Use X – Use not listed



August 15, 2022

Land Use Bylaw Amendment Bylaw 3357/O-2022 Rezoning from I2 – Industrial (Heavy Industrial) District to Direct Control District No. 34 for Public Assembly Use and North of IIA Major Area Structure Plan Amendment Bylaw 3554/A-2022

Prepared by: Orlando Toews, Senior Planner
Department: City Planning and Growth

Report Summary

Administration has received an external application to:

1. Amend the Land Use Bylaw to change the zoning of a ±1.12-hectare parcel at 27241 Twp Road 391 from *I2 – Industrial (Heavy Industrial) District* to a new *Direct Control District – DC (34)* in order to accommodate a proposed “Public Assembly” use, i.e., a place of worship, and
2. Amend the *North of IIA Major Area Structure Plan* to identify the subject area for Public Service uses.

Administration recommends the two bylaws be defeated as they are not aligned with current and future land use in the area as the proposal is inconsistent with Policy 13.4 of the Municipal Development Plan and the use is provided for in other land use districts away from industrial uses.

Proposed Resolution

That Bylaw 3357/O-2022 an amendment to the land use bylaw to rezone from I2 – Industrial (Heavy Industrial) District to Direct Control District No. 34 for Public Assembly use be read a first time.

That Bylaw 3554/A-2022 an amendment to the North of IIA Major Area Structure Plan to identify the subject area for Public Service uses be read a first time.

If first reading is given, this bylaw will be advertised with a Public Hearing to be held on Monday, September 12, 2022.



Rationale for Recommendation

1. The location is within a heavy industrial area.

The applicant desires the location due to good visibility and Highway 2A access. However, the site is adjacent to a large heavy industrial use that operates at all hours and emits noise, and the *North of 11A Major Area Structure Plan (MASP)* identifies the future land uses in the surrounding area to also be industrial.

2. The proposed use is provided for in other districts. It is not a unique use; only the location is unique.

Public Assembly uses are provided for in many other land use districts, i.e., R1, R1A, R2, R3, C1, C5, PS, and several Direct Control Districts, where they will not impact or be impacted by neighbouring industrial uses.

3. The proposal does not align with the Municipal Development Plan.

Policy 13.4 states, “The City, through provisions in the Land Use Bylaw and other planning documents, shall ensure that appropriate separation distances and transition between industrial and non-industrial uses are maintained.”

Background

Site Context:

The subject site is currently zoned *I2 – Industrial (Heavy Industrial) District* and is undeveloped. The predominant land uses in the immediate area include agricultural and industrial uses. The provincial addiction treatment centre is currently being constructed on the east side of Highway 2A across from the subject site.

The applicants state there is currently no place of worship facility in Red Deer to serve their community and it is a challenge to arrange and attend services and programs in Calgary and Edmonton. Administration has made the applicants aware of potential land use conflicts with the CP rail line running along the east side of the site and the potential noise coming from the Evraz heavy industrial site. The applicants acknowledged these potential issues. Administration has provided connections to commercial realtors to assist in a search for more suitable sites.

Strategic Alignment:

One of the five goals of the *2019-2022 Strategic Plan* is for Red Deer to be an economic leader and to, “have a strong, dynamic economy fostered by entrepreneurship and innovation.” The proposed amending bylaws do not align with this goal of the Strategic Plan as it may impact current and future industrial uses in this area.

The *Municipal Development Plan (MDP)* contains general policies to guide future growth and development in Red Deer. Policy 13.4 of the MDP states: “The City, through provisions in the Land Use Bylaw and other planning documents, shall ensure that appropriate separation



distances and transition between industrial and non-industrial uses are maintained.” The proposal does not align with the MDP.

The *North of 11A Major Area Structure Plan (MASP)* identifies this site and the surrounding areas for industrial uses. The proposal would create an isolated public service site surrounded by primarily industrial uses, both now and in the future.

Stakeholder Consultation:

The proposed amendment was circulated to relevant City departments. All comments provided by departments have been considered by the City Planning and Growth department.

The intersection at 391 is noted in some time periods to be exceeding acceptable level of service, however the proposed use would likely be similar to a future industrial use in the area, and therefore the increase in traffic is not deemed a specific use concern. The proposed amendment was circulated to three landowners within 100 metres of the subject site as well as CP Rail. CP Rail indicated they had no comment on the proposal. Written comments were received from Evraz, the large industrial neighbour to the west, stating:

Evraz does not support the change. We have serious concerns about the amount of activities we have during days and weekends and can cause conflicts in the future. We do not have plans to expand operations even further but we know we will continue to operate for many years to come.

Operational Impacts

Financial:

There are no direct budget or financial implications as a result of the recommendation.

Analysis

Negative Externalities:

Although the applicants acknowledge the potential negative externalities, there is no guarantee that current conditions will remain as they are. Further, industrial development in this area, as per the *North of 11A MASP*, may result in more impacts on this site. The approval of future industrial uses could be impacted by concerns over potential impacts on any non-industrial uses in the area. The property could change to new land ownership and new public assembly users may not consider existing industrial uses to be compatible leading to land use conflict and complaints.

Other Municipalities:

A review of other municipalities shows a mix of approaches (Appendix C). Some municipalities do not allow religious/public assembly in industrial districts, while others consider these types



of uses. Those that allow public assembly uses only allow them in light / business industrial areas and some medium industrial areas, but not in heavy industrial areas. This is consistent with the concept that heavy industrial uses can have negative externalities beyond their property boundaries.

Recommendation:

Administration recommends the two bylaws be defeated as the proposal is inconsistent with Policy 13.4 of the Municipal Development Plan and the use is provided for in other land use districts away from industrial uses.

Alternatively, if the application is considered unique and with merit, a Direct Control District is appropriate. Creating a Direct Control District allows Council to limit uses and enables Council to act as the approving authority and/or delegate some or all that responsibility to the Development Authority (Development Officer / Municipal Planning Commission). The proposed Direct Control District (Appendix A) identifies Council as the Development Authority for any new principal building, and the Development Authority is the approving authority for all other future development.

Appendices

Appendix A – Bylaw 3357/O-2022 and Bylaw 3554/A-2022

Appendix B – Context Maps

Appendix C – Public/Religious Assembly in Other Municipalities



Appendix A – Bylaw 3357/O-2022 and Bylaw 3554/A-2022

**BYLAW NO. 3357 / O – 2022**

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

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

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

1. The land shown cross-hatched on the map attached as Schedule “A” and forming part of this Bylaw (“Map 17/2022”) is redesignated from I2 – Industrial (Heavy Industrial) District to Direct Control District No. 34.
2. The “Land Use District Map N23” contained in Schedule “A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 17/2022.
3. Part Eight: Direct Control Districts, Regulations and Exceptions Respecting Land Use, is amended by the addition of the following district after section 8.2013:

8.20.14 Direct Control District No. 34 DC (34) (see Map N23)**DC (34)****General Purpose**

The purpose of this district is to allow for the development of Public Assembly and related accessory uses on a parcel of land.

The users of this site acknowledge and understand that this site is in proximity to existing and future heavy industrial uses. The users understand and accept that noise, dust, odour, and other industrial activity nuisances may be present and may impact the use and enjoyment of this property.

Area of Application

The following bylaw provisions apply to that portion of the Northeast Quarter of Section 3, Township 39, Range 27, West of the 4th Meridian located to the southwest of the intersection of Township Road 391 and Highway 2A. shown in Figure 1 of this Bylaw.



1. DC (34) Uses

(a) Discretionary Uses

- (i) Accessory Building;
- (ii) Building Sign;
- (iii) Freestanding Sign;
- (iv) Public Assembly;

2. Development Regulations

Regulations	Requirements
Building Floor Area Maximum	As determined by the Development Authority
Building Height Maximum	As determined by the Development Authority
Landscaped Areas Minimum	As determined by the Development Authority
Parking	Subject to sections 3.1 and 3.2
Site Area Minimum	1.1 hectares
Yards (Front, Side, Rear) Minimums	As determined by the Development Authority

In considering a Development Permit application, the Development Authority shall have discretion to determine the Site Plan, landscaping, parking requirements, architectural treatment of buildings, and the relationship between buildings, structures and open space.

3. Approving Authority

The approving authority for applications for development approval in this district shall be as follows:

- (a) The Development Authority in the case of all applications, except as described in subsection (b) below;
- (b) City Council in the case of the development of a new Principal Building.

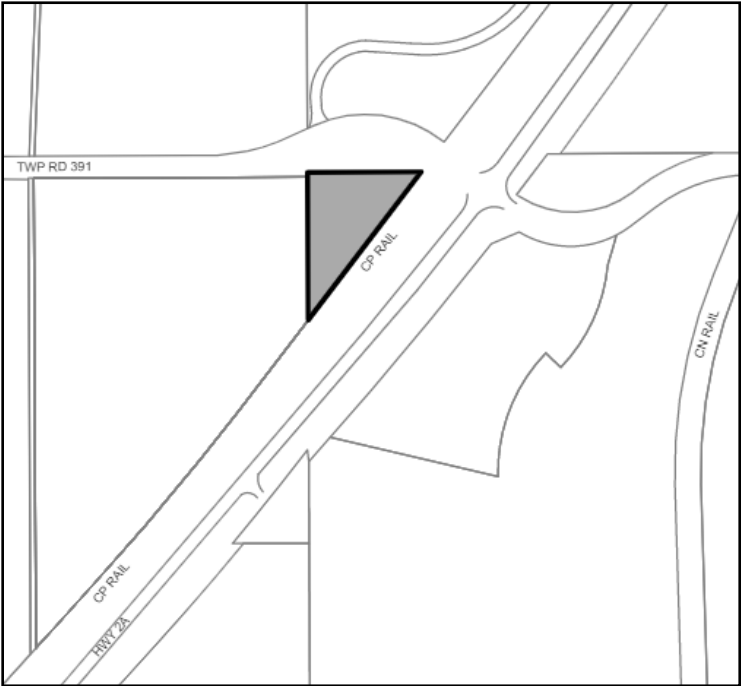
4. Definitions

In this District:

“Public Assembly” means a Building used for public gatherings and assemblies. This use includes assembly areas used for religious, charitable, educational, or social activities. Typical examples include places of worship, community centres, auditoriums, and convention centres.



Figure 1: DC (34) Area in the NE ¼ Sec 3; 39-27-W4M



READ A FIRST TIME IN OPEN COUNCIL this	day of	2022.
READ A SECOND TIME IN OPEN COUNCIL this	day of	2022.
READ A THIRD TIME IN OPEN COUNCIL this	day of	2022.
AND SIGNED BY THE MAYOR AND CITY CLERK this	day of	2022.

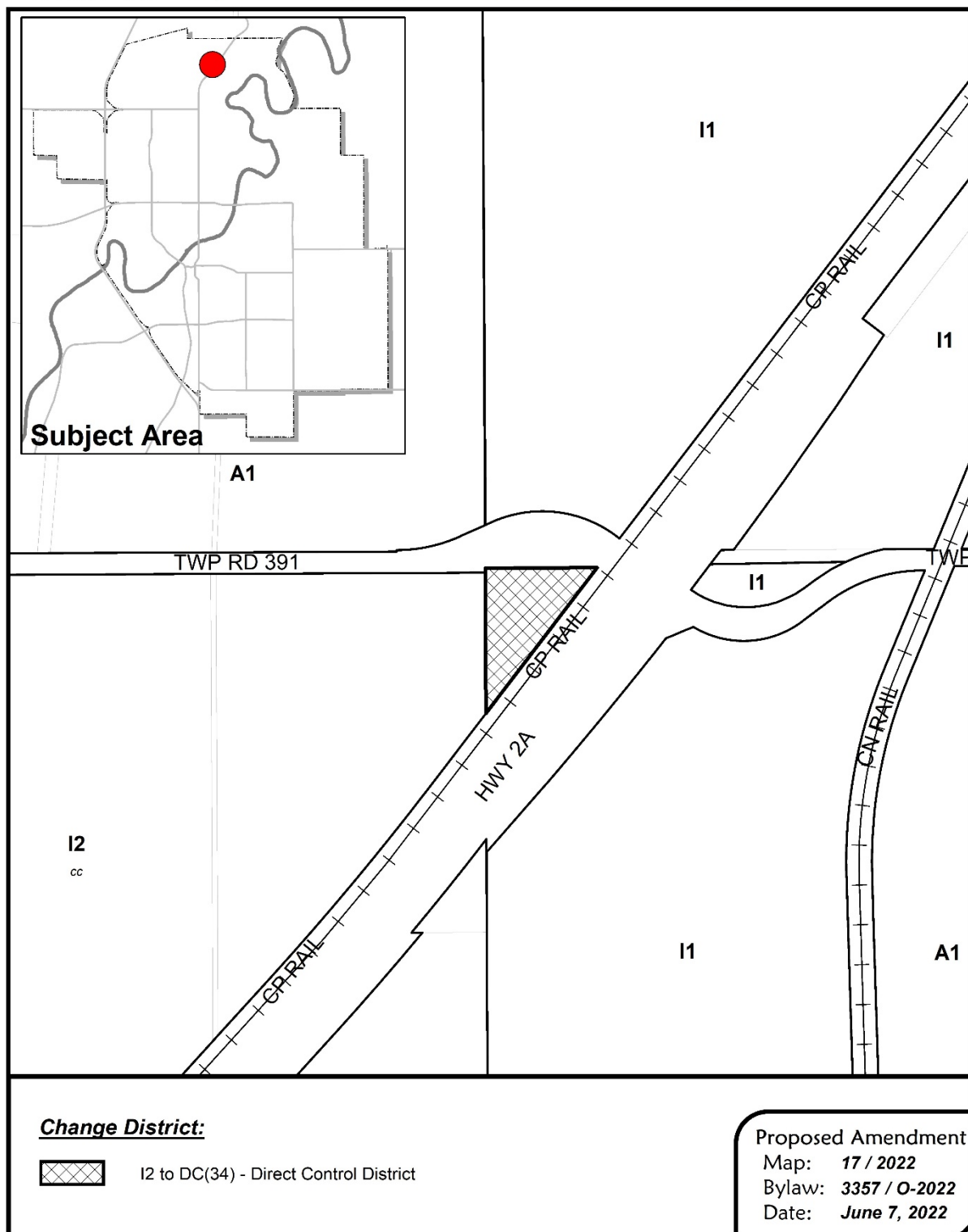
MAYOR

CITY CLERK



Schedule "A"

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





BYLAW NO. 3554 / A – 2022

Being a Bylaw to amend Bylaw No. 3554/2015, the bylaw containing The City of Red Deer North of 11A Major Area Structure Plan.

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

Bylaw No. 3554/2015 is hereby amended as follows:

1. Figure 5: Generalized Land Use Concept is deleted in its entirety and is replaced by the map attached as Schedule “A” and forming part of this Bylaw.

READ A FIRST TIME IN OPEN COUNCIL this day of 2022.

READ A SECOND TIME IN OPEN COUNCIL this day of 2022.

READ A THIRD TIME IN OPEN COUNCIL this day of 2022.

AND SIGNED BY THE MAYOR AND CITY CLERK this day of 2022.

MAYOR

CITY CLERK

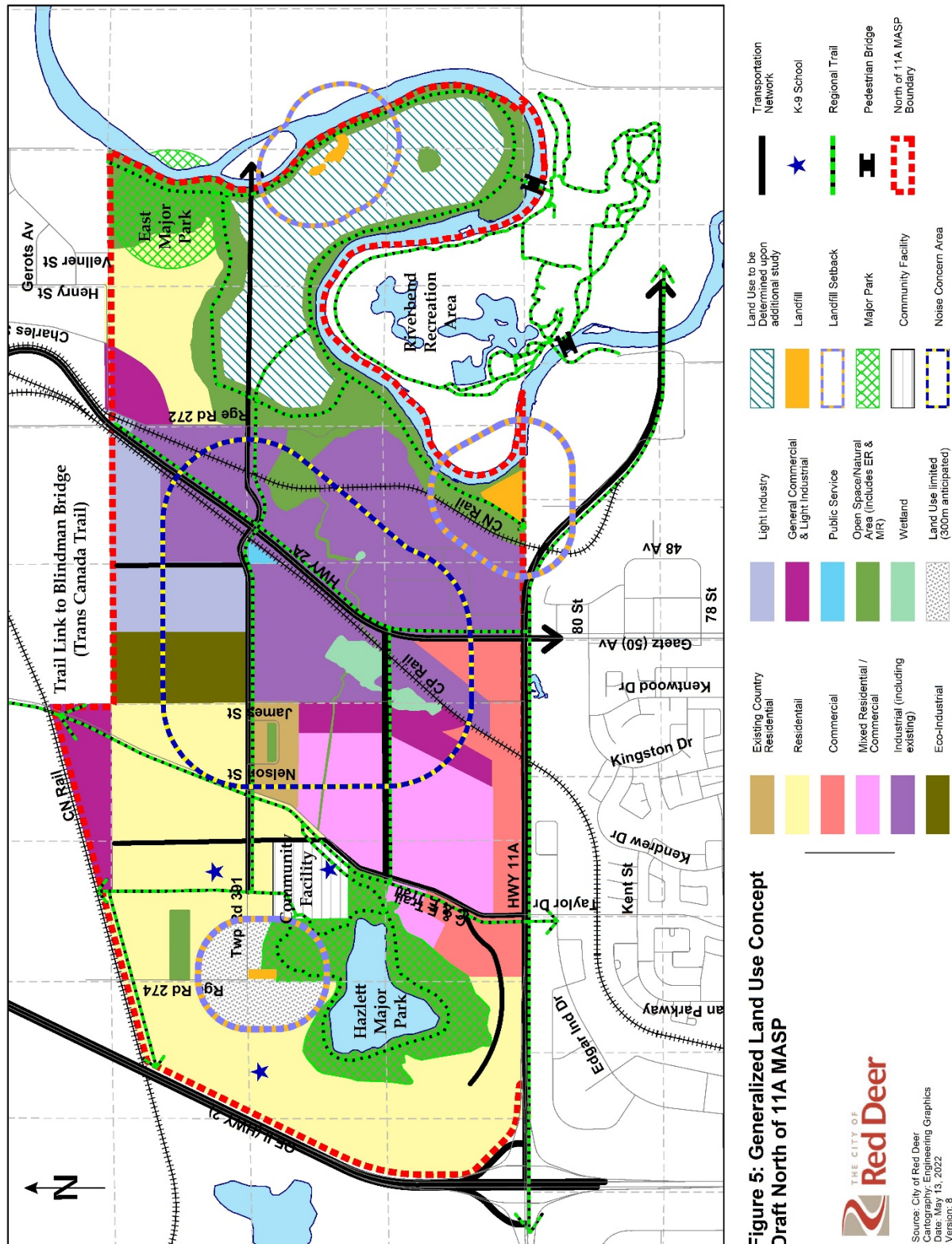


Figure 5: Generalized Land Use Concept Draft North of 11A MSP



Appendix B - Context Maps



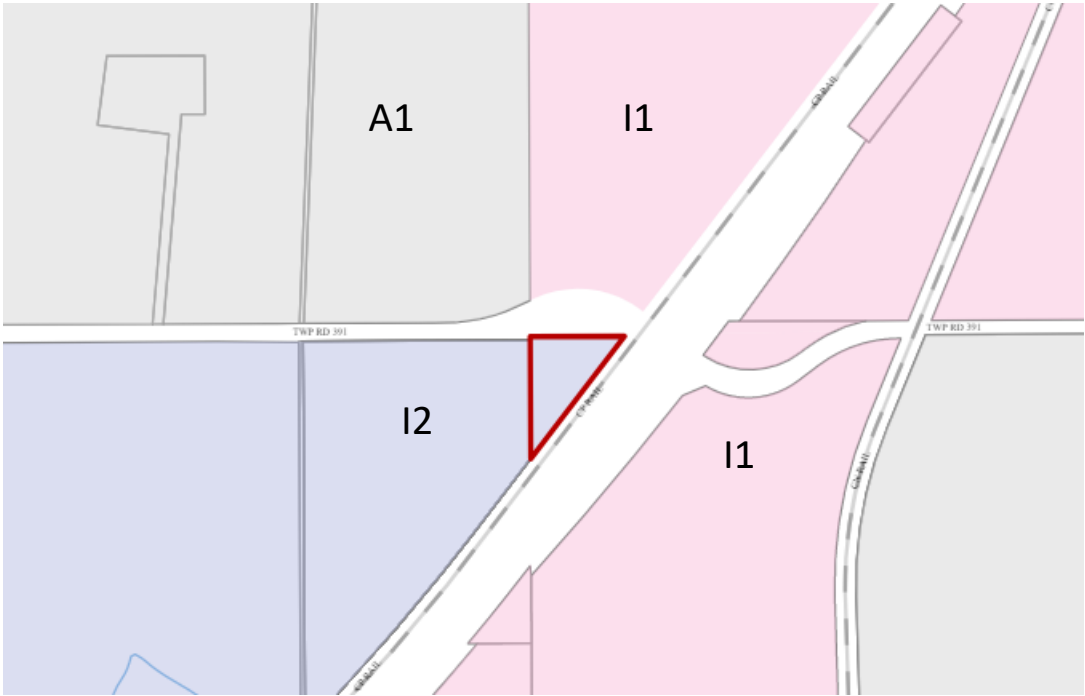
Appendix B - Context Maps

Location





Current Zoning





North of 11A Major Area Structure Plan – Figure 5: Generalized Land Use Concept

Current

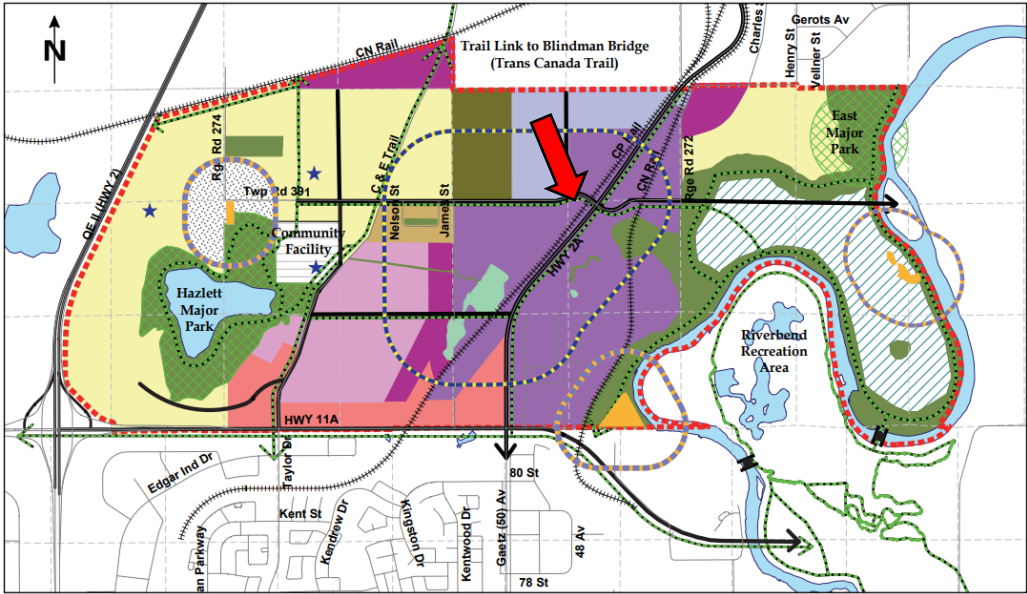
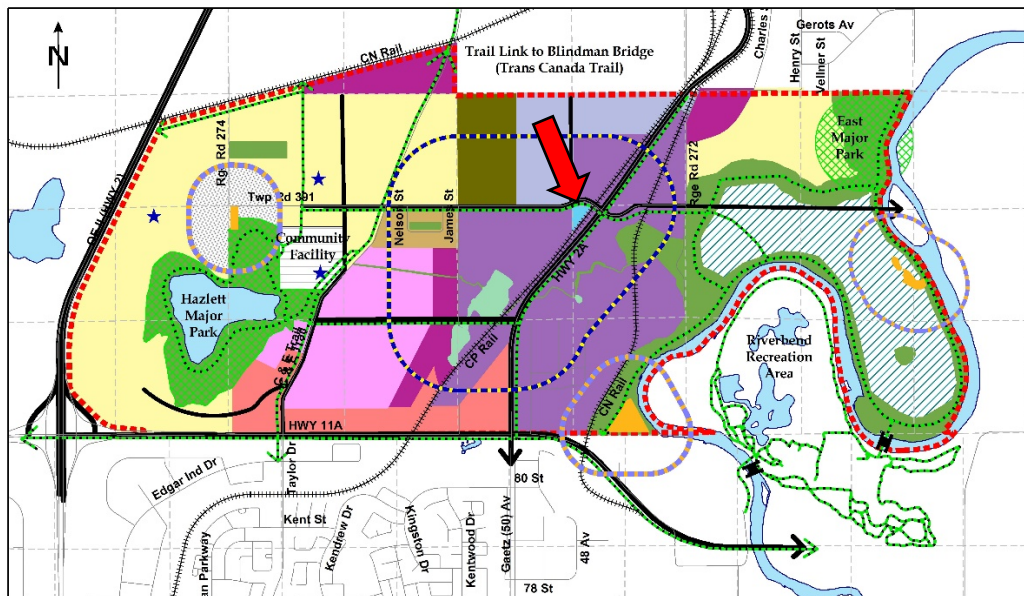


Figure 5: Generalized Land Use Concept
North of 11A MASP

Source: City of Red Deer
Cartography: Engineering Graphics
Date: January 18, 2016
Version: 7

- | | | | |
|---------------------------------|---|------------------------|----------------------------|
| Existing Country Residential | Light Industry | Landfill | K-9 School |
| Residential | General Commercial & Light Industrial | Landfill Setback | Regional Trail |
| Commercial | Open Space/Natural Area (includes ER & MRO) | Major Park | Pedestrian Bridge |
| Mixed Residential / Commercial | Wetland | Community Facility | North of 11A MASP Boundary |
| Industrial (including existing) | Land Use limited (300m anticipated) | Noise Concern Area | |
| Eco-Industrial | Land Use to be Determined upon additional study | Transportation Network | |

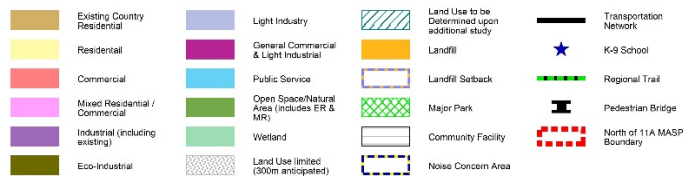
Proposed



**Figure 5: Generalized Land Use Concept
Draft North of 11A MASP**



Source: City of Red Deer
Cartography: Engineering Graphics
Date: May 13, 2022
Version: 8





Appendix C – Public/Religious Assembly in Other Municipalities



Appendix C – Public/Religious Assembly in Other Municipalities

Summary of Public/Religious Assembly in Industrial Districts

Lethbridge	No religious assembly uses allowed in industrial districts
Airdrie	<p>Limited Public Assembly and General Public Assembly as permitted uses and Major Public Assembly as a discretionary use in the IB-I – Mixed Business/Employment District</p> <p><u>IB-I - Mixed Business/Employment District</u> The purpose of this district is to accommodate a range of small to medium-scale employment uses providing employment opportunities and potential transition between other land use districts. This district is intended to promote flexibility in small-to-medium scale land uses.</p> <ul style="list-style-type: none"> • Public Assembly, Limited – Permitted • Public Assembly, General – Permitted • Public Assembly, Major – Discretionary
Calgary	<p>Place of Worship – Large as a discretionary use in I-G – Industrial General District</p> <p><u>I-G – Industrial General District</u> Characterized by a wide variety of light and medium general industrial uses and a limited number of support commercial uses; parcels typically located in internal locations; the application of discretion for parcels that share a property line with a major street or expressway to ensure an appropriate interface and compliance with City plans and policies; a limited number of non-industrial uses that may be appropriate due to building or parcel requirements generally found in industrial areas; uses and buildings that may have little or no relationship to adjacent parcels; appropriate controls to ensure screening of any outdoor activities; and limits on sales and office activities in order to preserve a diverse industrial land base.</p> <ul style="list-style-type: none"> • Place of Worship – Small – Not Permitted • Place of Worship – Medium – Not Permitted • Place of Worship – Large – Discretionary
Strathcona	No religious assembly uses allowed in industrial districts
Edmonton	<p>Religious Assembly as a discretionary use in IB – Industrial Business District</p> <p><u>IB – Industrial Business Zone</u> The purpose of this Zone is to provide for industrial businesses that carry out their operations such that no nuisance is created or apparent outside</p>



	<p>an enclosed building and such that the Zone is compatible with any adjacent non-industrial Zone, and to accommodate limited, compatible non-industrial businesses. This Zone should normally be located on the periphery of industrial areas and adjacent to arterial or major collector roadways.</p> <p>Religious Assembly – Discretionary</p>
Medicine Hat	No religious assembly uses allowed in industrial districts
Grand Prairie	<p>Religious Assembly as a discretionary use in Industrial Business District – IB</p> <p><u>Business Industrial District - IB</u> Purpose To provide for industrial and service commercial businesses that may allow limited outdoor storage and carry out their operations such that no nuisance is created or apparent outside an enclosed building and such that the district is compatible with any adjacent non-industrial district</p>



August 15, 2022

Land Use Bylaw Amendment 3357/R-2022 Capstone Site Exception

Prepared by: Kimberly Fils-Aime, Senior Planner
Department: City Planning and Growth

Report Summary

Administration has received an external Land Use Bylaw site exception application to consider a commercial building at 5441 45 Street in the Capstone neighbourhood. The proposed application to build an L-shaped single-story structure, does not meet the Capstone land use district regulations. The regulations can not be varied by the Development Authority. As such, the applicant is looking for Council to consider the following site exceptions:

1. Reduce height requirement on the site from 2 storeys to 1 storey
2. Build a structure where the building does not run the length of the lot frontage
3. Build a structure where the building does not abut the entire edge zone
4. Allow more than 40% of the frontage to be surface parking

Administration is currently exploring regulation flexibility opportunities within the Land Use Bylaw Capstone Districts, while maintaining the vision of Capstone. The proposed development is not in alignment with flexibility concepts developed to date. Proposed amendments will come before Council this fall following consultation. As Administration works to update the Capstone District, there is further opportunity for us to work alongside the applicant and for them to provide their input on large scale changes in Capstone.

Administration recommends proceeding with Option 1 to table the application until Administration has the opportunity to complete a review of the Capstone District and bring forward some updates to the District as a whole.

Proposed Resolution

That Bylaw 3357/R-2022 a bylaw to establish a site exception in the Capstone area be read a first time.

If first reading is given, this bylaw will be advertised with a Public Hearing to be held on Monday, September 12, 2022.

Rationale for Recommendation

1. The application is premature to Administration's upcoming review of the Capstone District.



Administration is currently working on a review of the Capstone District to provide more development flexibility. These changes will provide further opportunity for the applicant to work alongside Administration to help shape development in Capstone and may help strike a balance for their proposal. These changes are expected to come before council in November.

2. The application does not meet the criteria for a site exception

The Land Use Bylaw (LUB) states Council may approve a site exception because of its unique characteristics or innovative ideas, or because of unusual site constraints. Site exceptions in Capstone should not be considered if the proposal does not meet these criteria.

3. The application does not meet the vision of the Riverlands ARP

The LUB states the Development Authority shall ensure that Development conforms to the general intent of the 2016 Riverlands Area Redevelopment Plan (ARP). The intent of the ARP is to ensure development complies with The Vision (Appendix C) which is to develop a mixed-use, high density, urban, neighbourhood in the city unlike what has serviced most of Red Deer's commercial areas.

4. The application does not meet the design intent of the Land Use Bylaw or Riverlands ARP

The LUB development standards (regulations), which are based off the Guiding Principles and Policies of the Riverlands ARP, were created to foster a specific visual aesthetic and physical experience geared towards a pedestrian oriented community. The proposed development is more suited to the auto-oriented developments that exist in other commercial areas of The City.

Background

An application has been received to amend the Land Use Bylaw to allow the construction of a strip mall requiring several design variances at 5441 45 Street (Lot 13A, Blk 9, Pln 536 5NY). The property is located within the Capstone Neighbourhood. This area has been transitioning from light industrial uses to commercial and residential uses. The subject property is currently vacant and zoned Riverlands Taylor Drive District (RL-TD). The lands surrounding the subject lot are zoned RL-TD to the east, Parks and Recreation District (PI) to the south, Riverlands Primarily Residential District (RL-PR) and Environmental Preservation District (A2) to the west, and RL-PR and Riverlands Commercial District (RL-C) to the north. Maps and images of the property and area are provided in Appendix B.

The applicant would like to construct a Commercial Service Facility (strip mall), on the subject property (Appendix A). Commercial Service Facility is a Permitted Use in the RL-TD District. A



site exception is required as the proposal does not meet several of the development standards for the Riverlands District as outlined in part 10.6 of the LUB.

Strategic Alignment:

The 2019-2022 Strategic Plan provides the framework for creating a strong, dynamic economy. The application is consistent with the 2019-2022 Strategic Plan.

The Municipal Development Plan (MDP) provides policy direction to create positive business environments, economic diversification, and land use compatibility. The generalized land use concept in the MDP shows this general area as a mix of commercial and industrial. The application is consistent with the MDP.

See Appendix C for relevant policies and objectives of the 2019-2022 Strategic Plan, MDP and the Riverlands Area Redevelopment Plan.

Policy Linkage:

Riverlands Area Redevelopment Plan

Development in Capstone is guided by the Riverlands Area Redevelopment Plan. The plan contains several policies which indicate the proposed development, in its current form, conflicts with the vision and the intent for the Capstone Neighbourhood (Appendix C).

Land Use Bylaw

The Land Use Bylaw (LUB) Riverlands Taylor-Drive District (RL-TD) general purpose is to facilitate redevelopment of the lands generally east of 54th Avenue and 55th Avenue, adjacent to Taylor Drive, as an Office/Commercial transition area between Historic Downtown, the Red Deer Regional Hospital, and the residential area within Riverlands. Currently, the RL-TD District lists Commercial Service Facility as a Permitted Use. The proposed layout of the site (Appendix A) does not meet the following LUB regulations:

- *Figure 12 Building Heights: Min 2 storeys, Max 6 storeys*
- *Section 10.5.3.2: “Buildings must be designed with a front façade that runs the entire length of the Frontage”.*
- *Section 10.6.2(b): “Buildings shall not be setback farther than the maximum Edge Zone”.*
- *Section 10.6.11(i)(v): “Surface parking shall not be greater than 40% of the Frontage”.*

The following land use constraints for the site are identified within the LUB:

- Escarpment Offset

Part 8.22.1 of the Land Use Bylaw lists criteria needed to approve a site exception (Appendix C). The application does not meet the site exception criteria.



Stakeholder Consultation:

The application was circulated to various City departments for review. Administrative feedback is reflected in the analysis and recommendation, that the application is not in alignment with the pedestrian design focus of the ARP and there are design options possible to achieve the vision while meeting the development needs.

A public consultation package was mailed out to 36 surrounding landowners within 100m of the subject site. Two letters were received (Appendix D). Both letters expressed concern over excessive parking being located at the front of the property. Among the reasons cited for this concern is that parking in the proposed location is in direct conflict with the design intent for the Capstone neighbourhood and one letter describes it as “uninviting to the pedestrian community”.

Operational Impacts

Financial:

There are no direct budget or financial implications as a result of the recommendation.

Property assessment shifts will likely occur with the change of use, change of the physical characteristics of the improvements and/or change of valuation methodology.

Other Risks:

	City	Developer
Benefits of recommendation	City maintains its commitment to the Riverlands ARP vision and to the LUB Part 10 development standards. This provides predictability for landowners.	Opportunity to develop one of the first businesses in Capstone neighbourhood that adheres to Riverlands ARP vision and LUB development guidelines. Developer will also have the assurance of knowing surrounding properties will be held to similar standards.
Risks of recommendation	Developer withdraws application in Capstone.	Council denies application in the current site design form.

Analysis

The proposed application, to build an L-shaped single-story structure, does not meet the Capstone land use district development standards. The standards can not be varied by the Development Authority. As such, the applicant is looking for Council to consider the following site exceptions:

1. Reduce height requirement on the site from 2 storeys to 1 storey



2. Build a structure where the building does not run the length of the lot frontage
3. Build a structure where the building does not abut the entire edge zone
4. Allow more than 40% of the frontage to be surface parking

1. Height

Section 10.6.4 of the LUB states development heights must comply with Figure 12 (Appendix B) and cannot be varied by the Development Authority. The height requirement for the subject property is 2 to 6 storeys. The applicant is proposing a one storey building. The rationale for the height requirements in Capstone, as outlined in the Riverlands ARP, is based on two primary goals: density and weather (Appendix C). Capstone aims to step away from low density developments, and therefore buildings under 2 storeys are not permitted. The second primary reason for the height requirements is *“to allow maximum sun exposure at the heart of the neighbourhood and also create a high edge along the periphery to protect from wind and noise”*. Structures alongside Taylor Drive can be up to 12 storeys high, and up to 8 storeys high along the river, while the interior has a maximum height of 6 storeys.

2. & 3. Frontage & Edge Zone

Section 10.5.3.2 of the LUB states *“Buildings must be designed with a front façade that runs the entire length of the Frontage”*. The length of the frontage of the subject property is 65.4m. The proposed building layout (Appendix A) shows an L-shaped building where only 20.4m of the front façade runs the length of frontage. This is equivalent to less than a third of the frontage (31%). Section 10.6.2(b) of the LUB states *“Buildings shall not be setback farther than the maximum Edge Zone”*. Figure 3 (Appendix B) indicates the edge zone along 45 St is 1.5-2.5 meters. Due to the proposed orientation of the L-shaped building, most of the building (45m or 69%) is setback farther than the Edge Zone.

The rationale behind these two LUB regulations is to create pedestrian scale developments, create “great streets”, and encourage parking to be located behind buildings so as not to be the main visible feature of the development. Edge zones are the setback between the building and the abutting street and were created to *“enable Commercial activities to spill-out into the public realm and add life to the Street”*. The Riverlands ARP aims to turn streets into public spaces that pedestrians can perceive as, *“an outdoor room between building walls along the street”*. This spatial and visual component creates a comfortable street environment and experience. One can think of Ross Street Patio when envisioning the edge zone and building placement regulations proposed in Capstone. Ross Street Patio is a pedestrian oriented development that encourages users to stay and socialize. If we compare that to the scale and layout of a typical strip mall, it offers a very different experience for users, geared towards vehicular movement, leaving little opportunity for outdoor socialization.

4. Parking

Section 10.6.11(i)(v) of the Land Use Bylaw states *“surface parking shall not be greater than 40% of the Frontage”*. The frontage is 162.5m² (2.5 m (edge zone) times the width of the lot 65 m). 40%



of this frontage space would be equivalent to a maximum of 5 parking stalls. The proposal is currently requesting 19 parking stalls at the front of the property.

This parking regulation was developed to encourage parking designs to integrate with the Riverlands pedestrian environment. Limiting parking at the front of the property ensures that parking lots do not overwhelm the space and a comfortable pedestrian scale can be maintained.

Administration believes the applicant has presented a good development proposal that, in its current form, would be well suited in many other parts of The City. While the subject property is in the older and original part of Riverlands, there are several other districts within the city that would allow the proposed development without the need for amendments, such as in the C2A, C2B, C4 and IIA/BSR Districts. If the applicant were to change the orientation of the building (Appendix E) and allow opportunity for second storey development, Administration could support the proposal at the desired location. This option was presented to the applicant for consideration.

The Riverlands ARP describes the neighbourhood's identity in the following terms: *“Development within Riverlands is encouraged to include unique architecture, interesting built forms and an engaging public realm to support the shaping of a unique neighbourhood character while respecting the history of the neighbourhood and the vision of the future”*. Administration believes that every incoming development proposal plays a crucial role in realizing this neighbourhood identity.

Administration recognizes the area is in transition and the need to be business friendly. To meet these objectives, Administration has met to discuss the key principles and intent of the Riverlands ARP and Capstone Land Use Districts, with flexibility being built into regulations while meeting the intent of the Capstone vision. Examples include a building's façade running the majority of a property's frontage rather than the entire frontage. Administration can also look at implementing building height minimums which may remove the emphasis on number of stories and focus more on built form. Minimum site criteria standards with a menu of options for developers is also being considered.

Administration is meeting with building industry stakeholders in the fall to get additional feedback and perspective, with any proposed changes being circulated to the Capstone neighbourhood.

This application is coming before Council in advance of future Capstone area changes at the applicant's request. It should be noted that regardless of the future proposed changes, Administration would still not be supporting this application in its current form.



Options:

Option #1 Council direct Administration to table the proposed amendment to allow Administration the opportunity to provide more development flexibility for all of Capstone.

Benefits

- Entire Capstone neighbourhood benefits from proposed changes.
- Allows for opportunity to consult with the development community.
- Allows the applicant further opportunity to make changes to their application based on proposed changes.

Risks

- Development timeline of Applicant is delayed

Option #2 Council direct Administration to create a site exception to develop new design criteria for the site (e.g. request height minimum, request re-orientation of the building to be more in line with edge zone requirements, etc)

Benefits

- Allows the opportunity to make changes that are more in line with Capstone vision.
- Allows the opportunity for applicant to move forward with application with some changes.
- Allows for public hearing feedback prior to final consideration of third reading.

Risks

- The reputational risk of not allowing similar and compatible development to existing adjacent development. Section 8.22.1 of the Land Use Bylaw requires a site to have unique characteristics to proceed with a site exception.

Option #3 Grant first reading to the bylaw for a site exception as requested by the applicant to allow for public hearing consideration

Benefits

- Allows for public hearing feedback prior to final consideration of third reading.

Risks

- The reputational risk of not allowing similar and compatible development to existing adjacent development. Section 8.22.1 of the Land Use Bylaw requires a site to have unique characteristics to proceed with a site exception.

Appendices

Appendix A – Applicant's Rationale & Proposed Building

Appendix B – Area Maps and Images, LUB Figures

Appendix C – Relevant City Policies, Objectives, and Regulations

Appendix D- External Referral Landowner Responses

Appendix E- Administration Proposed Building Layout

BYLAW NO. 3357 / R – 2022

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, AMENDS BYLAW 3357/2006 AS FOLLOWS:

- I. After Section 8.22(2)(e)(xix), insert a new subsection (xx) as follows:

(xx) 1 storey Commercial Service Facility with lot area for parking located at the front of the property and 20.4m of the façade running the length of the frontage at 5441 45 Street (Lot 13A, Blk 9, Pln 536 5NY).
2. The “Land Use District Map L14” contained in “Schedule A” of the Land Use Bylaw is hereby amended in accordance with the Land Use District Map 16/ 2022 attached hereto and forming part of the bylaw.

READ A FIRST TIME IN OPEN COUNCIL this

day of

2022.

READ A SECOND TIME IN OPEN COUNCIL this

day of

2022.

READ A THIRD TIME IN OPEN COUNCIL this

day of

2022.

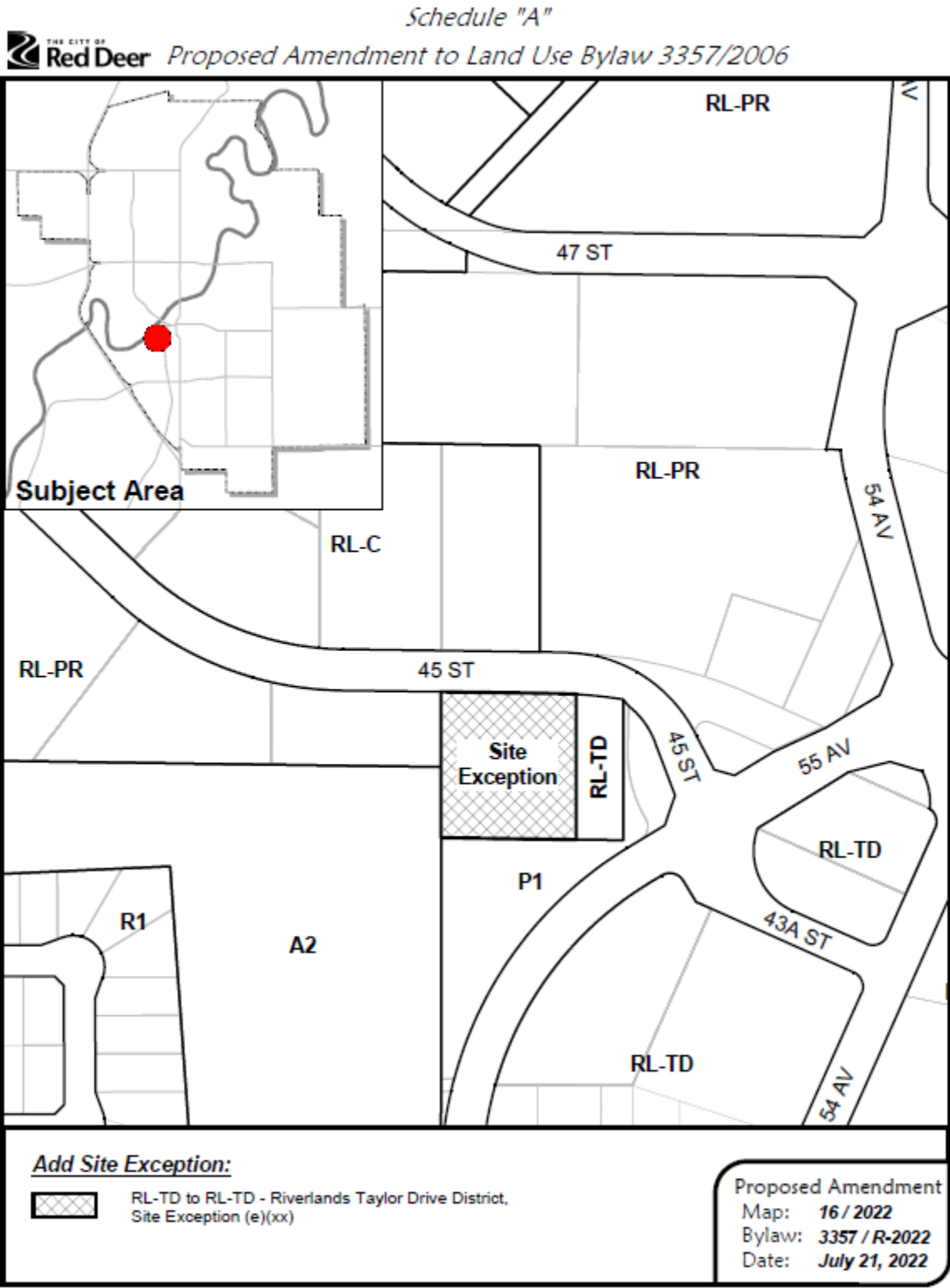
AND SIGNED BY THE MAYOR AND CITY CLERK this

day of

2022.

MAYOR

CITY CLERK



APPENDIX A

Applicant's Rationale & Proposed Building

Applicant's Rationale

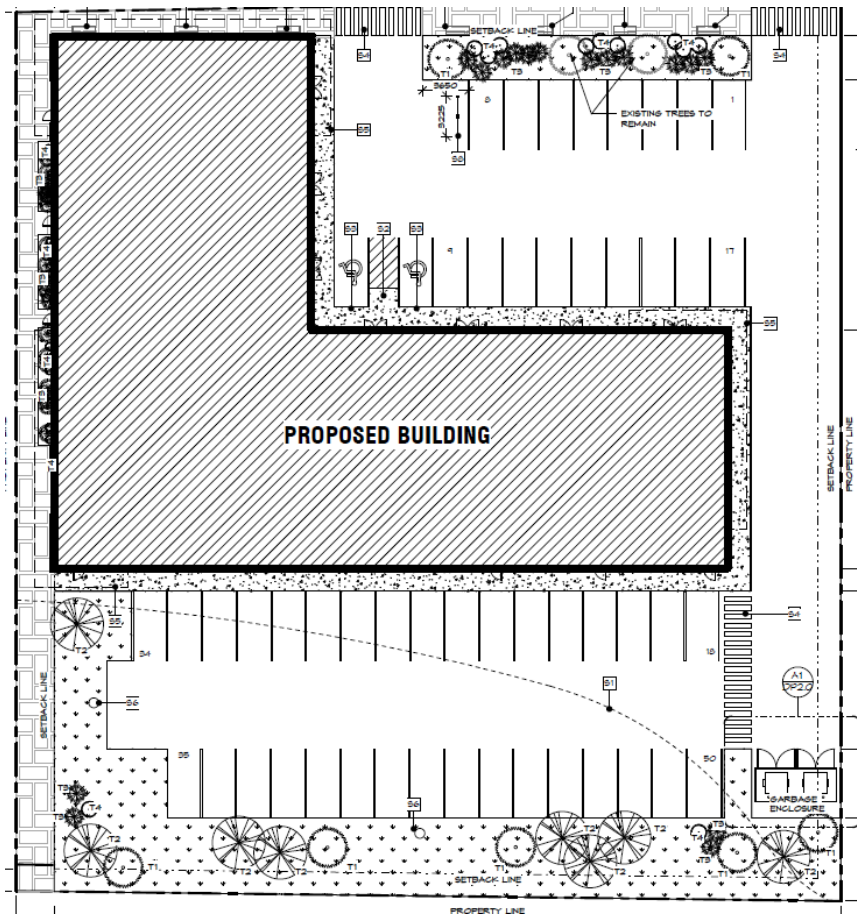
Please provide your rationale for requesting the proposed amendment. You may use the space below or prepare a separate statement and attach it to this application. This submission will be included in any reports presented to The City of Red Deer Municipal Planning Commission (MPC) and to City Council. (Attach additional pages if necessary).

The current zoning of RL-TD, and specifically section 10.6.4 Building Heights for Riverlands Districts states:

- (a) Building Heights may not be varied by the Development Authority.
- (b) Building Heights for all Developments in this Part, excluding Accessory Buildings, shall comply with Fig 12 Building Heights.
 - Figure 12 designates this lot as having a minimum of 2 storeys.

East Lincoln Properties asks for allowance to build a 1 storey building. It is the developer's opinion that there would be insufficient area for parking if the building were designed at 2 storeys. Further, this would require a higher level of financial risk and exposure for the developer. Additionally, the majority of surrounding businesses are at 1 storey.

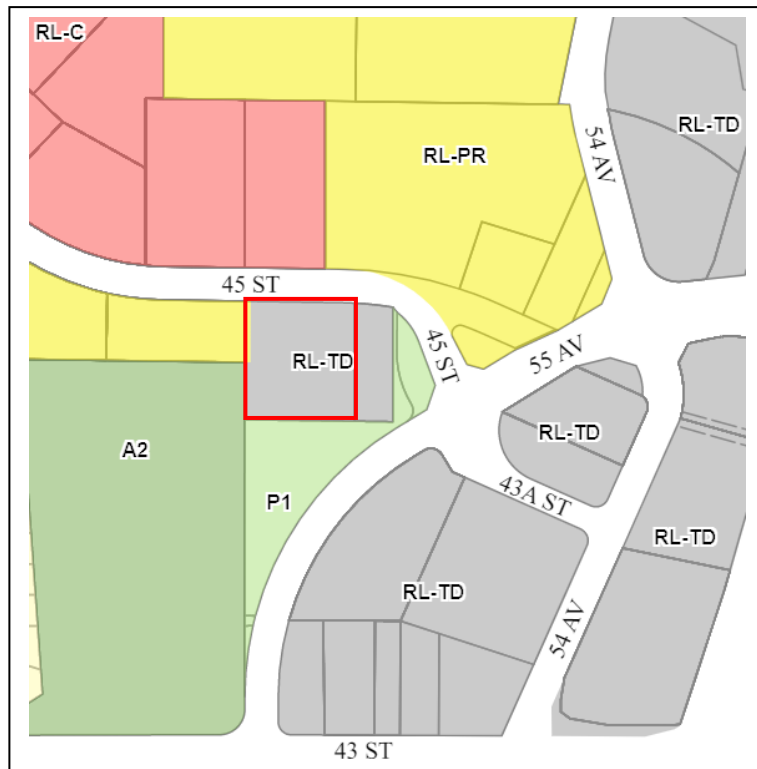
The developer is also requesting relaxation on bylaw guidelines 10.5.3.2 Building Design (a) Buildings must be designed with a front façade that runs the entire length of the Frontage. Street frontages in the area are meant to be active and pedestrian friendly. With respect to the entire building fronting on to the street, with the developer's L-shape design, this would result in lease space hidden at the back of the lot, rendering it virtually unleaseable. Additionally, as the neighborhood is not currently pedestrian friendly, it will take significant time before these existing buildings are re-purposed to suit the intent of the bylaw. The design for this development is a hybrid of current and future and will blend suitably into both streetscapes. Further, requiring all of the parking to be at the rear of the building is not appealing for customers servicing these businesses. This adds unnecessary financial risk to the project. Additionally, the L shape we are proposing will allow the sun rays to reach the bays, which will allow them to be welcoming, and to have the benefit of natural light. During winter time, it will prevent the main pavement on the 45 Street from overly retaining ice and snow until Spring, making the access safer. At the same time, the trees in the edge zones will enjoy the sun as well, extending their lifetime. The edge zone will be in the sun, making it more accommodating and creating higher utilization by current and future pedestrians.



APPENDIX B

Area Maps and Images, LUB Figures

Air Photo – Subject Site in Red



Land Use District Map – Subject Site in Red



Escarpment Offset Constraint– Subject Site in Blue

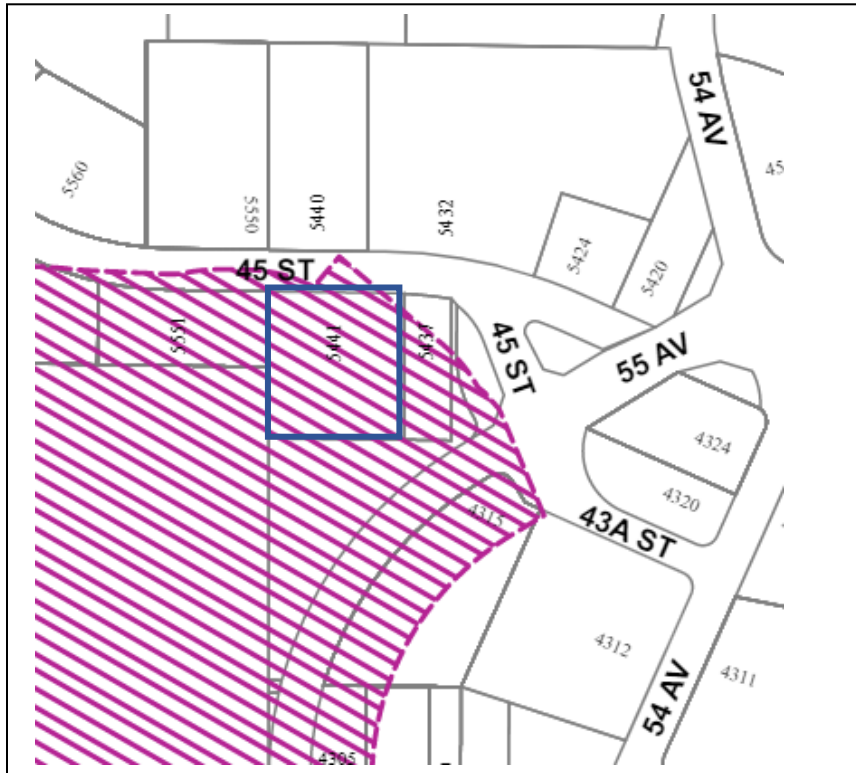


Figure 9- Edge Zones- Subject Site in Blue

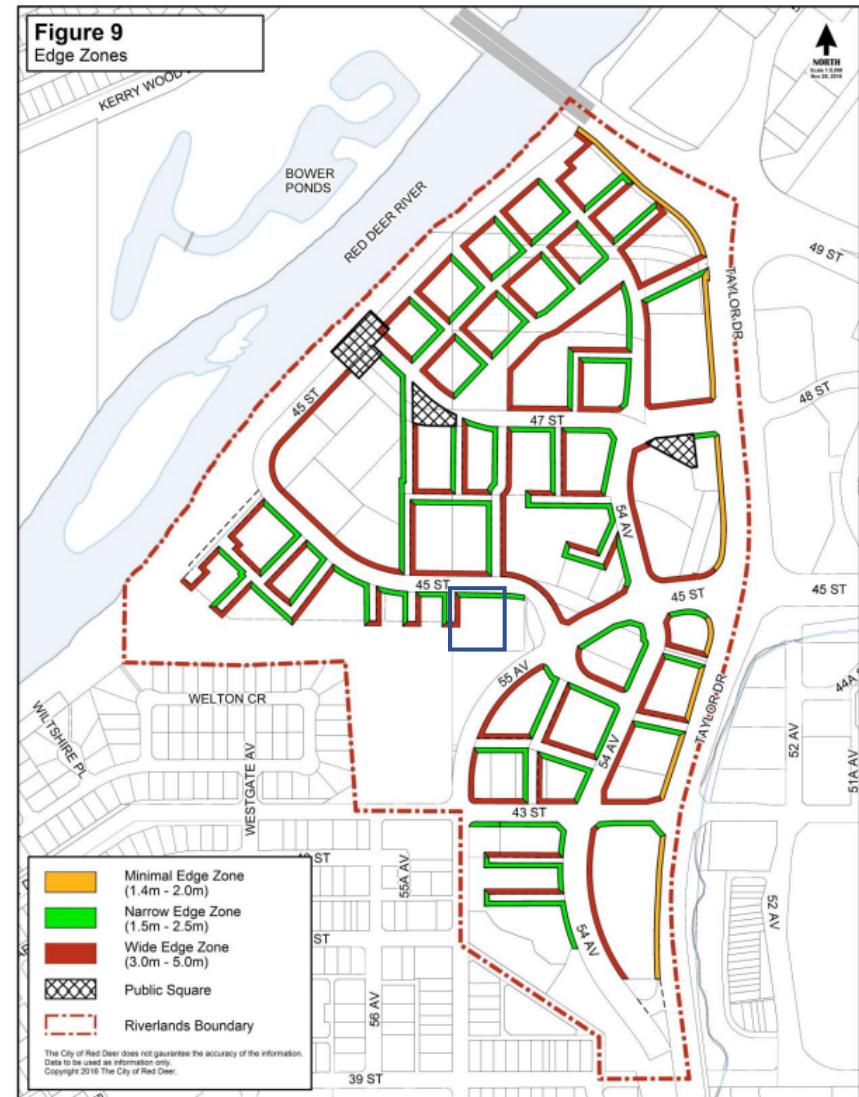
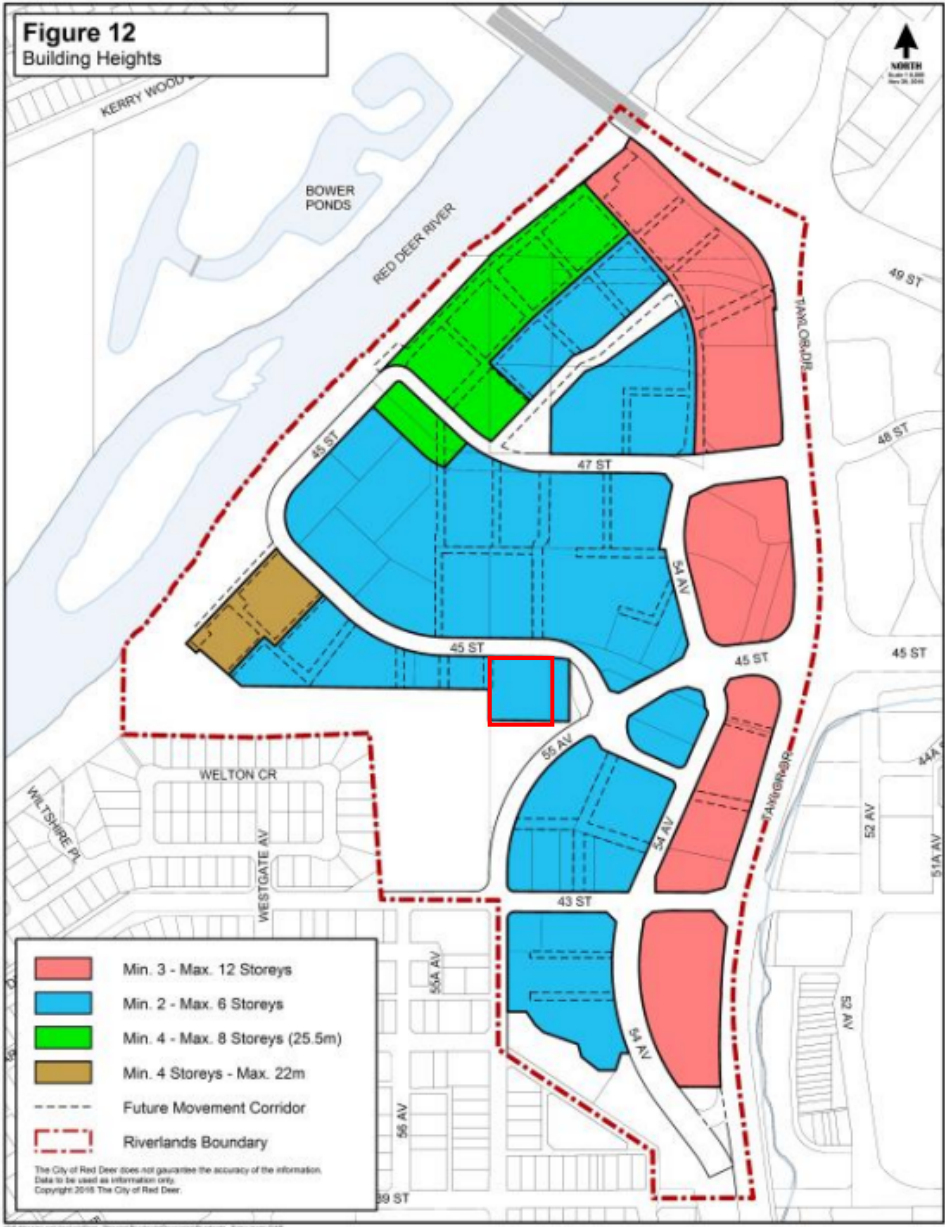


Figure 12- Building Heights- Subject Site in Red



APPENDIX C

Relevant City Policies, Objectives, and Regulations

2019-2022 Strategic Plan

An Economic Leader: We have a strong, dynamic economy, fostered by entrepreneurship and innovation. Leveraging our central location, Red Deer is an economic hub with a revitalized downtown and diverse local economy.

Municipal Development Plan

6.2 Creating a Positive Business Environment

The City should foster a competitive business climate through policies and actions that help maintain competitive operating costs and streamline approval processes and timelines.

6.3 Economic Diversification

The City should pursue opportunities to diversify the local and regional economic base by promoting and attracting value-added industries.

6.8 Community Economic Development

The City should pursue community economic development, which emphasizes community self reliance and fosters growth from within the community, with emphasis on nurturing small business, supporting skills training, and entrepreneurship.

12.1 Commercial Planning Guidelines and Standards

The City shall create and apply planning guidelines and standards for all forms of commercial development covering issues of siting and design of buildings, landscaping and screening (of buildings and refuse containers, for example), parking, vehicle and pedestrian circulation, signage and intensity of development, mixing with residential uses and other matters as deemed appropriate by The City.

Generalized Land Use Concept

- Identifies area for a mix of industrial and commercial uses.

Riverlands Area Redevelopment Plan

PARKING

4.4.2 Private Lanes, Service Access and Pedestrian Circulation: Encourage private developments on large lots to provide well designed internal laneways to allow servicing, parking areas and key pedestrian linkages.

4.4.4 Design and Integration of Parking Lots and Structures: Ensure surface parking lots and parking structures (both private and public) are designed to integrate with the Riverlands pedestrian environment. Designs should incorporate high quality, pedestrian scale facades and possibly screening mechanisms such as the use of public art, landscaping, lighting, etc.

4.4.6 Reduced Parking Requirements for Development on Private Land: The current parking requirements of the Land Use Bylaw should be evaluated with the view to reducing the requirements given the new form of compact urban development to be achieved in Riverlands. Parking variances may be supported based on the context of the development application. A combination of at-grade and underground parking will be provided at the time of development by developers.

PEDESTRIAN SCALE/ FORM

4.1.2 Residential developments will include a variety of medium and high density housing forms. Buildings with residential uses will be developed at heights that allow maximum sun exposure at the heart of the neighbourhood and also create a high edge along the periphery to protect from wind and noise.

4.3.3 Streets as Public Spaces: Design streets in Riverlands as public spaces that have a strong sense of street enclosure (the pedestrian's perception of an outdoor room between building walls along the street). The spatial and visual components of the street create richly articulated elements or physical attributes of a comfortable street environment and overall experience. Implement designs that support social interaction and a wide range of activities. Design the streets and open spaces as a network of pedestrian-friendly routes that support and encourage walking as a primary mode of circulation in Riverlands.

4.3.4 Generous Sidewalks and Boulevards: Determine the appropriate space requirements for Riverlands sidewalks and boulevards to allow comfortable pedestrian movement in both directions and to facilitate continuous planting along both sides of all roadways. Where appropriate, provide space for specialized uses such as sidewalk cafes and sidewalk sales.

4.3.6 Pedestrian Network Improvements: Riverlands will be an experience of pedestrian connections. These connections provide multiple routes not only within the neighbourhood but also to historic downtown, the Red Deer River, Waskasoo Park Trail and other city neighbourhoods, including provisions for a new pedestrian bridge across the Red Deer River west to Bower Ponds (See Map 7: Movement Corridors for potential bridge location). New crossings at 47 Street (Alexander Way) serve as a major entry into the area.

GENERAL

3.3 GENERAL DEVELOPMENT CONCEPT

[...] Driven by a people first design, development will focus around public and shared space and public life incorporating flexible medium to high density residential and commercial redevelopment, with a wide variety of civic and cultural uses and facilities.

4.2.1 Variety of Commercial Development Forms: Develop commercial spaces with a mix of retail and office, auto-oriented and pedestrian-oriented commercial uses developed at different densities styles, and types. Active commercial main floors serving pedestrian traffic will be required in key areas based around movement corridors (see Map 6: Proposed Land Use Districts, Map 7: Movement

Corridors, and section 10.5 Riverlands Active Commercial Main Floor Overlay District of the Land Use Bylaw) to ensure lively streets and public spaces are created. An amendment to this plan is not required for a change in location of an active commercial main floor due to a minor change in location of a movement corridor.

4.2.7 Parks, Open Spaces and Recreation: Develop a parks and open space system encompassing a new major riverside public space, upgraded riverside trails, landscaped treed boulevards, and broad sidewalks throughout the area. The open space system will provide for a variety of passive and possibly some active recreational experiences. Encourage through edge zones the development of publicly accessible open spaces on private commercial or residential lands.

4.7.3 Riverlands – Taylor Drive District (RL-TD)

This district will function primarily as a commercial transition area between downtown and the residential area within Riverlands. The emphasis of this district is on more intensive types of commercial and office lands uses than the other Riverlands land use districts, with the potential for residential uses. In close proximity to the Red Deer Regional Hospital this district is expected to attract several hospital support services to the area.

3.1 VISION OF RIVERLANDS

The vision for Riverlands is an once-in-a-lifetime opportunity for the City as a major landowner to direct the development of a model downtown riverfront community.

The vision of Riverlands has evolved, consistently with prior plans since the first Greater Downtown Action Plan public forums were held over fifteen years ago.

The Riverlands Vision is described as follows:

“The 2009 relocation of the City’s civic yards created a unique opportunity for the City to move forward towards their development goals of sustainability and densification.

Rather than the traditional suburban expansion that has serviced most of Red Deer’s recent growth, Riverlands will be developed using proven urban design principles that call for a new urban form for an older part of Red Deer. Riverlands will become a mixed-use, high density, urban, neighbourhood in the city.

The Red Deer River forms the border for over a third of the Greater Downtown, and much of that is in Riverlands. Development will take bold steps in enhancing and connecting to the river’s edge, culminating in a central civic plaza projecting over the bank with a bridge across the river to Bower Ponds.

Significant public amenity spaces (following on those already successfully constructed in downtown) will continue as a major public initiative through Riverlands.

The western leg of the long-envisioned east-west continuous pedestrian link across downtown will continue to be achieved through the innovative redesign of the Taylor Drive intersections.

47 Street (Alexander Way) will be Riverland's Main Street, with potential for infrastructure to accommodate various types of users integrated into its generous public realm. The design of the streets, 6 the civic areas and neighbourhood retail shops create a wide range of unique places for residents, employees and visitors.

Central to the Riverlands vision is the construction of great civic open spaces along 47 Street (Alexander Way). The open spaces will be unique to Red Deer, drawing visitors and citizens year-round to a wide variety of activities, programs and services.

There is a synergy to all of Riverlands' diverse community components – public and private; commercial and retail; cultural and residential – all of which support a new urban style of living in Red Deer.”

Land Use Bylaw

2.11 ¹Applications Within Escarpment Areas

- (1)** all applications for subdivision or Development within an Escarpment Area shall be evaluated on their merits by the Subdivision or Development Authority in accordance with the provisions of this section.
- (2)** the Subdivision or Development Authority may impose conditions of approval that the Subdivision or Development Authority determines are reasonable having considered the purpose of the intended application and the uniqueness of the Site, including, but not limited to:
 - (a)** the provision of a real property report during preliminary construction showing the location of any Structure or Development relative to the crest of the escarpment;
 - (b)** that the applicant meets the recommendations of any applicable report and the requirements of any restrictive covenant registered against the lands respecting maintenance of slope stability;
 - (c)** the provision of emergency access;
 - (d)** ongoing monitoring programs and related access;
 - (e)** stormwater, drainage and erosion control measures;
 - (f)** that any Development shall be designed and constructed using materials, processes and/or techniques intended to minimize slope risks or instability;
 - (g)** that the applicant and any current or future owner of the Site shall enter into an Indemnity Agreement with the City respecting environmental risks, including but not limited to slope stability;
 - (h)** the provision of a post-construction certificate or report from a relevant professional confirming:
 - (i)** that the Development has been located and constructed in accordance with any Site Plan or report accepted by the Subdivision or Development Authority; and
 - (ii)** compliance with an accepted professional lot grading plan; and
 - (iii)** that the applicant enter into and comply with an agreement with the City respecting those matters set out in sections 650, 651 and 655 of the *Municipal Government Act*.

8.22 Exceptions Respecting Land Use

1. ¹General 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.

Commercial Service Facility means a development in which commercial services related to the day-to-day needs of customers are provided and which may include the sale of associated products and an office incidental to the principal use. This use includes Commercial Schools, small animal clinics and small animal grooming.

APPENDIX D

External Referral Landowner Responses

Comment Sheet

**We invite you to provide feedback regarding the proposed Bylaws.
Your feedback is important to us.**

Collection & Release of Your Information: *The City is collecting your information and comments to be included in a report submitted to Council that will form part of the public record. Personal information will not be redacted. This is 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 403-304-8383.*

Land Use Bylaw: Planner:	Bylaw 3357/R-2022 site exception at 5441 45 Street Kimberly Fils-Aime
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Please provide comments by 4:30 PM, Wednesday, June 29, 2022

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: Craig Boris, 908 Engineering Incorporated

Mailing Address: PO Box 20020, Red Deer, Alberta Postal Code: T4N 6X5

Phone #: 403 986 2939 E-mail Address: Craig@908eng.com

General Comments

Although we are generally in support of a development on this lot, we would like to express our objection to two of the proposed site exceptions. We are specifically objecting to an exception to LUB 10.5.3.2 & 10.6.11 (i) (v). The overall design intent of this neighborhood is a pedestrian-friendly walkable community. Excessive front asphalt parking is in direct conflict with the neighborhood design mandate and general good urban planning. There is nothing more uninviting to the pedestrian community than a sea of cars and black asphalt.

There are provisions in the LUB to provide access to parking facilities from the front facade. Namely LUB 10.5.3.2 (a) (i) provides 7.0m of the frontage to be dedicated to parking access. A simple redesign of the lot to primarily place the parking in the rear is reasonable and can be executed with a bare minimum of disruption to the project budget or vision.

Cars belong in the back! The LUB clearly mandates this and it should be enforced.

Parking facilities in the rear of the lot is not an unreasonable design characteristic.

Comment Sheet

We invite you to provide feedback regarding the proposed Bylaws.
Your feedback is important to us.

Collection & Release of Your Information: The City is collecting your information and comments to be included in a report submitted to Council that will form part of the public record. Personal information will not be redacted. This is part of the referral process that is described in Section 2.19(3) 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 403-304-8383.

Land Use Bylaw: **Bylaw 3357/R-2022 site exception at 5441 45 Street**
Planner: **Kimberly Fils-Aime**

Please provide comments by 4:30 PM, Wednesday, June 29, 2022

Contact Information

Your contact information allows administration to respond as needed.

PLEASE PRINT

Name: Cheryl Vold
Mailing Address: 153 Donnelly Cres., R.D. Postal Code: T4R 2L7
Phone #: 403-350-1400 E-mail Address: cvold1@shaw.ca

General Comments

Re: 1 story request: 1 story would be fine. - However if the business at ground level would be conducive to rental condo's above two storeys should be encouraged.

- The shape of the building and the placement on the lot is not a concern for me.
- The towering poplars at the front of the lot are in poor condition + should be replaced.
- The biggest concern here (in my opinion) is parking. Over the past two+ years I have been part of a collaborative process with members of The Conquistador Business Center + the City of R.D. to develop a (over)

Facade Renovation Guide. In this process there have been discussions around improving the appearance of the entry ways into the Capstone area.

One of the points of discussion has been that as the public enters on 45st. 'It looks like a used car lot.'

Primarily this is due to the Enterprise Car rental business who appear to have an arrangement with the Medical center across the street.

There can be upwards of 40 cars parked there daily.

It is my understanding Enterprise does not fit our zoning & was given an exception.

This needs to be addressed.

As this relates to the new strip mall proposal.

The front of building parking is not attractive, but it may not be so bad if the area didn't have other parking concerns that are more unsightly.

Comment sheets may be submitted using the following options:

- Mail: The City of Red Deer, City Planning and Growth Department, Attention: Kimberly Fils-Aime, Box 5008, Red Deer, AB, T4N 3T4
- Drop off: The City of Red Deer, 4914-48 Avenue, Attention: Kimberly Fils-Aime, City Planning and Growth Department
- Email: kimberly.fils-aime@reddeer.ca

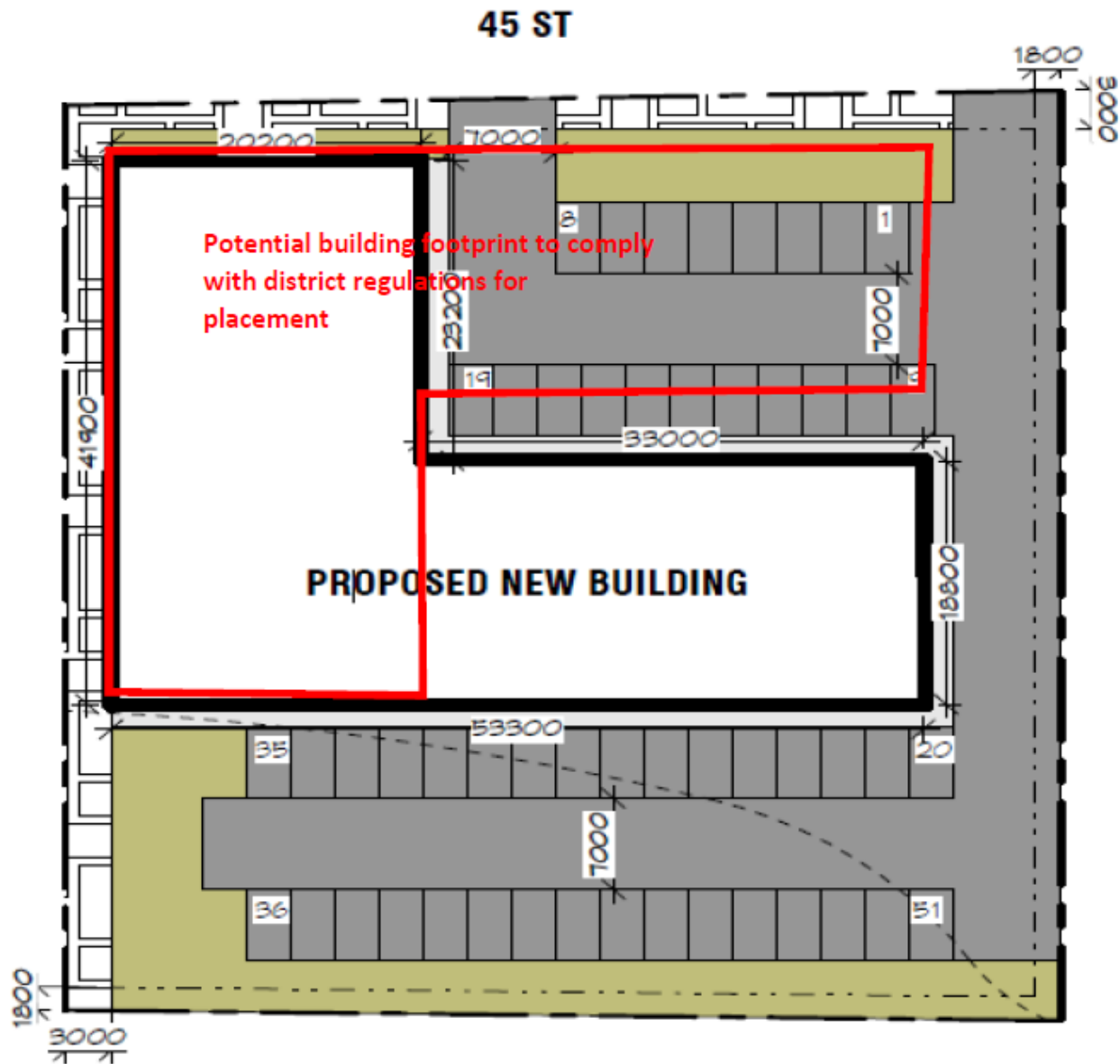
Thank you for your input!

P.S. I do not know who has made this proposal, but if it happens to be our neighbor 'The Troubled Monk' I would ask you to 'Green light' it.

-They have been a tremendous asset to Capstone & are great neighbors.

APPENDIX E

Administration Proposed Building Layout



Notice of Motion re Telecommunication Service in Red Deer

Submitted by Councillor Lawrence Lee

Whereas the City of Red Deer is the third largest City in Alberta; and

Whereas cellular phone service is vital community infrastructure akin to roads and other utilities; and

Whereas stable and reliable cellular phone service is a necessity for Red Deer residents, especially in accessing emergency services; and

Whereas neighbourhoods in Northeast Red Deer have been home to Red Deerians for more than 10 years without adequate cellular phone coverage;

Now therefore be it resolved that the Council of The City of Red Deer directs The Office of the Mayor & Council to reach out in writing to telecommunications providers, making them aware of the need for stable and reliable cellular service within Red Deer City limits; and

Be it further resolved that the Council of The City of Red Deer directs administration to bring back to Council a process for consideration in the planning of new neighbourhoods to provide telecommunication services for residents.

To be read and postponed by Councillor Lawrence Lee on August 15, 2022

To be considered by Council of the City of Red Deer on August 29, 2022



August 15, 2022

Administrative Technical Review Phase: Selecting a site for the future integrated shelter

Prepared by: Tara Shand, Manager
Department: Corporate Communications

Report Summary

On July 18, 2022, City Council approved proceeding with Phase 3 of its Integrated Shelter Site Selection Process, which involves a detailed technical review and analysis of potential sites. Administration has completed its review and analysis, and the Closed Meeting report will provide detailed information on the sites identified during the assessment. At this time, we will not be publicly sharing detailed information or the exact locations of the sites in accordance with the exceptions to disclosure sections of the *Freedom of Information and Protection of Privacy Act*, including the protection of the economic interest of potential parties (including site owners) involved. When a final site is selected for recommendation to the Province, the site will be shared with the public as quickly as possible. Below is a general breakdown of the technical assessment conducted between July 18 and August 10:

- Full list of all sites considered in the site selection process (96 total).
- Initial assessment to narrow potential sites (narrowed to 12 sites following initial assessment)
- Enhanced technical assessment of the 12 sites, including administrative analysis, scoring and site related details

Administration recommends City Council proceed with site evaluation using their evaluation matrix and select a site to recommend to the province for the integrated shelter. During their meeting on August 29, 2022, Council will have the information and analysis provided by administration, as well as the information collected through public participation (what we heard) and the perspectives of City Council as a whole, to inform this decision (the Weave). The location of the selected site will be shared with the public at the earliest opportunity, following successful negotiations with the owner(s).

Proposed Resolution

Resolved that Council of The City of Red Deer having considered the public report from Corporate Communications Re Administrative Technical Review Phase: Selecting a site for the future integrated shelter dated August 15, 2022 hereby agrees to proceed with site evaluations using the evaluation matrix (Administrative Technical Review Phase: Selecting a site for the future integrated shelter, Appendix I) protected by FOIP Sections 25(1)(c) Disclosure harmful to economic and other interests of a public body and 24(1)(a) Advice from officials, and that Administration will return to August 29, 2022 Council Meeting with a further update regarding public consultation.



Rationale for Recommendation

1. Administration has applied the policy direction provided by City Council through the evaluation matrix in July 2022.
2. Administration is providing information and details to support City Council in its decision in the weave of information in making a decision about a future shelter site.

Background

On July 18, 2022, City Council supported proceeding with the Technical Review and Analysis phase of the future integrated shelter site selection process. Since that time, administration has conducted a two-step review and analysis process, which also included sites visits and technical analysis.

Detailed prior council resolutions, criteria and information can be found in **Appendix A: Prior City Council Direction**

A schedule of milestones and critical dates can be found in **Appendix B: Milestones Schedule**

The City of Red Deer continues to work with the Province of Alberta to coordinate the development of a future shelter in Red Deer. At this time, the decision in front of City Council is related specifically to site-selection in service to the overall project goal of “ensuring the development and integration of a safe and sustainable purpose-built shelter into our community, for the benefit of our entire community.” The selected site will be recommended to the province.

Analysis: Administrative Technical Review

Administration has completed its two step review process and collected site based information for Council to consider as it moves to their own review. All of the tools we used to do the technical evaluations were developed to reflect the Council evaluation tool and were shared with Council on July 18, 2022.

As agreed, The City started with a ‘blank slate’ and used the services of a commercial realtor, invited public input, and provided technical expertise on possible sites that would match the criteria of Council as represented in their evaluation matrix.

From the high level list of 96 sites identified, administration completed the initial site assessment using the tool that was shared with Council at the Council meeting on July 18, 2022. Sites that scored less than 70% were removed. The remainder, or 12 sites, were put through a more comprehensive technical review. The following is a breakdown of sites scored during the technical assessment based on Council’s matrix:

- Full list of all sites considered in the site selection process (96 total).
 - 50 market sites recommended by commercial realtor
 - 5 unlisted sites recommended by commercial realtor
 - 13 City or Provincially-owned land
 - 22 publicly recommended sites from May to July
 - 6 sites put forward during the public call for sites from July 20 to 27
- Initial assessment to narrow potential sites (narrowed to 12 sites following initial assessment)



- Enhanced technical assessment of the 12 sites, including administrative analysis, scoring and site related details

Next Steps

Council will proceed to its own evaluation of the sites using their established site evaluation matrix and have been provided with the technical review information for each of the twelve sites that were reviewed in detail. In addition to this information, Council will consider their own perspectives as well as public input in doing their scoring.

Appendix A: Prior City Council Direction



July 18, 2022 Resolutions:

Council received a report for information relating to the technical review based on the Site Assessment Matrix approved by Council on July 4, 2022.

- Deliverable:

- o [Shelter site selection process moves to next phase](#)
- o [Call for privately owned properties for consideration during shelter site selection process](#)

July 4, 2022 Resolutions:

Resolved that Council of The City of Red Deer having considered the facilitated engagement sessions on June 24, 27 and July 4, 2022

re: Permanent Shelter hereby approves the following shelter site evaluation matrix as policy direction and associated definitions:

Shelter Site Evaluation Matrix

Criteria	Median	
Ability to acquire site	20	20
Cost	40%	
Zoning	15%	
Timing	40%	
General	5%	
Adequate size	20	20
Adequate land size (outside/inside)	30%	
Can accommodate purpose built/dignified spaces	20%	
Can accommodate on-site/integrated services	30%	
Future flexible/expansion opportunity	10%	
General	10%	
Broad community impact	24	24
Operational and Budgetary Impacts	17%	
Alignment with Community Vision (Strategic Plan/Downtown Vision/Vision 2040)	25%	
Impact to City Reputation	13%	
Economic Impact	25%	



Safety Impacts	17%	
General	4%	
Impacts to surrounding area	26	26
Impacts to businesses	23%	
Impacts to downtown	19%	
Impacts to Parks, Trails and Greenspaces	19%	
Proximity to Schools	12%	
Impacts to Residential Neighbourhoods	23%	
General	4%	
Access to services & Supports	10	10
Access to transit and transportation	10%	
Distance/proximity to supports/services	20%	
Foot Traffic Patterns	20%	
Enables delivery of 24/7 integrated service	20%	
Enables delivery of basic amenities/services	20%	
General	10%	

Site Evaluation Matrix Definitions:

2. **Ability to acquire site:** Acquiring the optimum site can be done in a timely manner. Acquisition options and costs are important considerations.
3. **Adequate size:** The size of the site considers the potential need to adjust service delivery at any given time. It will accommodate proposed integrated amenities and services. It considers the land size needed to accommodate outdoor gathering spaces and activities. The site already has a building or can accommodate a building that meets the Province's minimum requirement of 10,000 square feet.
4. **Broad community impact:** The site aligns with The City's vision for the community. Community impact includes considerations such as, impacts on economic and business development, and municipal operations. It includes potential reputational impacts and financial impacts (both capital and operating). It also includes impacts to those accessing shelter services in our community. The site considers impacts to our community as a whole, including health, and safety for all in our valued places and spaces that are enjoyed by our citizens.
5. **Impacts to surrounding area:** Impacts to businesses, residences, parks, trails, and schools are a priority consideration in selecting site. The city's reputation is considered. A preferred site can accommodate and foster development of a safe, secure shelter.
6. **Access to services & supports:** Safety and basic needs for all is a priority. Regularly utilized services and supports that would not be co-located are taken into consideration. Sites where co-located services can operationalize are preferred.

Resolved that Council of The City of Red Deer having considered the facilitated engagement sessions on June 24, 27 and July 4, 2022, re: Permanent Shelter hereby directs Administration and the Office of the Mayor and Council to conduct advocacy with the Province of Alberta to confirm the following conditions with which the shelter site evaluation matrix and definitions were created:



1. Shelter is for those who need short stay emergency housing. There are other services/facilities along the housing spectrum.
2. Shelter is one site.
3. Funding may limit scope.
4. New services have potential to change outcomes.
5. The permanent shelter will be a housing focused delivery model [(Per Council resolution Nov – 21) – GOA confirmed Jan 22]
6. Shelter with wrap around services may not necessarily eliminate the need for those requiring shelter to access external services, to connect with community.
7. There are innovative alternative delivery/service and systems that need to address the diversity of clients and impact on community.
8. The shelter will operate 24/7
9. The shelter will be designed to provide spaces that honour the dignity of each person.
10. There is a recognition and advocacy for the ongoing housing (eg. PSH & Affordable Housing) needs.
11. Council will continue to have discussions with the Provincial Government on future Overdose Prevention Services/Supervised Consumption Services.
12. A good neighbour policy will be developed.
13. Community agencies are supportive of an integrated model and willing to work collaboratively towards this.
14. The shelter would integrate or operate as many related services on-site as reasonably possible.

Resolved that Council of The City of Red Deer having considered the facilitated engagement sessions on June 24, 27 and July 4, 2022 re: Permanent Shelter hereby directs Administration to begin preparing a list of possible sites to be evaluated using the shelter site evaluation matrix and further directs:

1. This work to be completed with a commercial realtor – with the Mayor and Deputy Mayor providing Council perspective
2. Ensure sites identified by the public continue to be brought forward

Resolved that Council of The City of Red Deer having considered the facilitated engagement sessions on June 24, 27 and July 4, 2022 re: Permanent Shelter hereby directs Administration to provide an update regarding the shelter site selection process during the Regular Council Meeting on July 18, 2022

June 20, 2022

Reports: [Permanent Shelter – Determining Site Criteria](#), [What We Heard report](#)

Resolution:

Resolved that Council of The City of Red Deer having considered the report from Corporate Communications and Community Services dated June 20, 2022, re: Permanent Shelter – Determining Site Criteria hereby endorses the recommendation of Option D, Version 2; City Council establishes site criteria selection matrix through a Council Meeting. At the Meeting Council will suspend the Procedure Bylaw and enter into a facilitated engagement session.

• Deliverable:

- o [Public Service Announcement - Council defines site Criteria](#)
- o [News Release – Council approves Shelter Site Evaluation Matrix](#)



May 9, 2022 Council

Report: [Permanent Shelter Strategy – Next Steps](#)

Resolutions:

Resolved that Council of The City of Red Deer having considered the report from Community Services Division dated May 9, 2022, re: Permanent Shelter Strategy - Next Steps hereby endorses Option C as amended:

Council directs Administration to prepare a very brief report to the community identifying the city-owned parcel of land along Riverside Drive (immediately north of the 67th street overpass) as an additional potential site location for the permanent integrated shelter, including in the report estimated timelines and costs for servicing the parcel.

And Council further directs Administration to add this brief report on or before the end of May 2022 to the existing permanent shelter information previously posted to the City's website for the public review.

- Deliverable:
 - o [Site report](#)
 - o [Updated heat map](#)

And Council further directs Administration to conduct timely, strategic, solution-focused community engagement prior to June 20, 2022 – to provide our citizens the opportunity to comment on potential site criteria (or any other shelter related matter) for Council's consideration.

And Council further directs Administration to promote the option for citizens to submit email, online, or other written submissions regarding this issue prior to the June 20 deadline, in the event citizens are unable to attend the in-person sessions.

- Deliverable:
 - o [News Release – What We Heard report released](#)
 - o [What We Heard report](#)

And further, Council agrees to the date of its July 18th Council meeting for a final decision to be made respecting permanent shelter location.



Appendix B: Milestones Schedule

The following information outlines significant milestones that have occurred between 2020 and August 15, 2022.

2020	
February	The province committed \$7 million towards the purpose-built integrated permanent shelter in Red Deer.
November	A Memorandum of Understanding (MOU) between the province and The City was finalized, outlining high level responsibilities.
2021	
November 15	City Council released their In Camera recommendation for a Housing-Focused Shelter service delivery model. This requests that operations focus on outcome-based, low-barrier, integrated service delivery using a housing-focused model that strives to end chronic homelessness. The Government of Alberta confirmed its support of this direction in a letter to The City dated January 6, 2022.
April 2021 – January 2022	Council held 13 closed meetings to determine an appropriate site and service model delivery recommendation.
2022	
January 22	A potential location was released for the permanent shelter following administration conducting a search of potential sites with the support of a commercial realtor. Nearly 80 sites in Red Deer were explored during the process.
February 16-23	The City conducted several targeted community conversations to develop a better understanding of the community's thoughts on the shelter, its location, and the process thus far, in advance of zoning requirements for the proposed location.
March 7	Administration and third-party engagement specialist presented the What We Heard report during the Special Council Meeting. Council gave administration direction to develop an engagement strategy to host additional community conversations about the permanent shelter in Red Deer.
April	Council approved the previous reports, presentations, communications and recommendations held in closed meetings (In Camera) to be released publicly. As the final site has not been determined, there is certain information that has been redacted to protect the integrity of the In Camera process and economic interests if a non-City owned site is selected. The redactions throughout the report include site specific information, contractual obligations, legal advice and third-party business information. The full and summary report can be found below under Resources Related to Permanent Shelter Process.



May 9	<p>Council directed administration to develop and implement a public participation strategy to gather community input on site criteria with a deadline to wrap up public participation by June 20, 2022.</p> <p>Council directed administration to prepare a very brief report to the community identifying the city-owned parcel of land at 6910 Riverside Drive (immediately north of the 67 Street overpass) as an additional potential site location for the permanent integrated shelter. Included in the report are the estimated timelines and costs associated with servicing the parcel. The report was released on May 31 and can be found below under Resources Related to Permanent Shelter Process.</p>
May 25 - June 10	Online and in-person input opportunities were hosted to gather input on the previously used site criteria, additional criteria and other areas of the permanent shelter. A What We Heard report will be presented to Council at their regular meeting on June 20 that will include an analysis of the input collected, as well as full details from input gathered online, in person and by email/letter.
June 20	During their regular Council meeting, Council voted unanimously in favour of developing a site criteria evaluation matrix before July 4, 2022. Special Council meetings were set for June 24 at 9 a.m. and June 27 at 2:30 p.m. Also during the June 20 Council meeting, administration also presented What we heard: Analysis of May 25 to June 10 input opportunities (pdf) - an analysis and all raw input gathered from May 20 to June 13 about the site criteria and other permanent shelter areas.
June 24 - July 4	Between June 24 and July 4, Administration supported City Council through three facilitated meetings to build out a scoring matrix that will help assess future integrated shelter suitability. On July 4, 2022, City Council approved their scoring matrix and directed proceeding to next steps in the project.
July 18	Council received a report for information relating to the technical review based on the Site Assessment Matrix approved by Council on July 4, 2022. (Shelter site selection process moves to next phase)
July 18 – August 15	<p>Administration conducted Phase 3 of the site selection process: site identification and technical review. Administration will present detailed information to Council in an In Camera meeting to protect the economic interests of potential parties involved once a final site has been approved by Council and supported by the Province. The following is a breakdown of the technical assessment outcome:</p> <ul style="list-style-type: none"> • Full list of all sites considered in the site selection process (96 total). <ul style="list-style-type: none"> ○ 50 market sites recommended by commercial realtor ○ 5 unlisted sites recommended by commercial realtor ○ 13 City or Provincially-owned land ○ 22 publicly recommended sites from May to July ○ 6 sites put forward during the public call for sites from July 20 to 27 • Initial assessment to narrow potential sites (narrowed to 12 sites following initial assessment)



	<ul style="list-style-type: none">Enhanced technical assessment of the 12 sites, including administrative analysis, scoring and site related details (9 green sites + 3 yellow sites following enhanced technical review)<ul style="list-style-type: none">8 sites located in the downtown area4 sites located in north red deer
July 20 – 27	Public call for potential sites for the future integrated shelter in Red Deer (Call for privately owned properties for consideration during shelter site selection process)